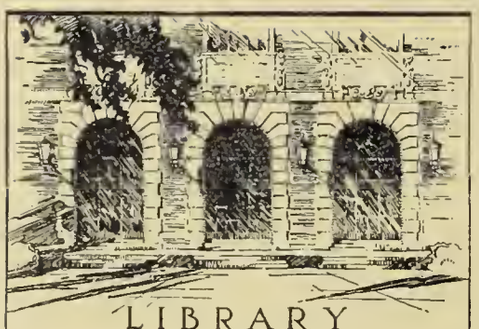


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THE NATIONAL ARCHIVES
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Washington, Wednesday, August 1, 1951

TITLE 3—THE PRESIDENT

Chapter I—Proclamations

REGULATIONS RELATING TO MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

EDITORIAL NOTE: For revision of the regulations relating to migratory birds and certain game mammals, see Title 50, Chapter I, Part 6, *infra*. This revision supersedes the regulations and amendments prescribed in the following proclamations: Proc. 2730, 12 F. R. 2975; Proc. 2801, 13 F. R. 4411, 4567; Proc. 2821, 13 F. R. 6465; Proc. 2822, 13 F. R. 6549; Proc. 2848, 14 F. R. 4798; Proc. 2854, 14 F. R. 5363; and Proc. 2900, 15 F. R. 5829.

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 5—REGULATIONS, INVESTIGATION AND ENFORCEMENT

PERSONS DISQUALIFIED FOR APPOINTMENT

Effective upon publication in the FEDERAL REGISTER, § 5.101 is amended to read as set out below. The reference to § 2.112 (a) (1) through (6) has been changed to "§ 2.112 (a) (1) through (7)". The phrase "and indefinite appointments under Parts 2, 7, and 8 of this chapter" has been added.

§ 5.101 *Persons disqualified for appointment.* (a) Persons disqualified for any of the reasons stated under Civil Service Rule II, § 2.104 (a) (1) through (8) of this chapter, may, in the discretion of the Commission, be denied examination, or be denied any of the types of appointment listed in Civil Service Rule II, § 2.112 (a) (1) through (7) of this chapter, namely, original probational, reappointment, reinstatement, temporary appointment, inter-agency transfer, conversion from excepted, war service indefinite or temporary indefinite appointment to competitive appointment, and indefinite appointments under Parts 2, 7, and 8 of this chapter, for a period of not more than 3 years from the date of the determination of such disqualification.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 51-8807; Filed, July 31, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 27—COTTON CLASSIFICATION UNDER THE UNITED STATES COTTON FUTURES ACT

SUBPART B—STANDARDS

OFFICIAL COTTON STANDARDS OF THE UNITED STATES FOR THE GRADE OF AMERICAN EGYPTIAN COTTON

On June 22, 1951, a notice of proposed rule making was published in the FEDERAL REGISTER (16 F. R. 5953) regarding the proposed revision of official standards for grades of cotton of varieties known as American Egyptian. After consideration of all relevant matters presented and allowing the industry the opportunity to view the revised grade standards, the following official standards of the United States for the grade of American Egyptian cotton are hereby promulgated under the authority contained in section 9 of the United States Cotton Futures Act of August 11, 1916 (39 Stat. 479, 53 Stat. 213; 26 U. S. C. 1926), and section 6 of the United States Cotton Standards Act of March 4, 1923 (42 Stat. 1518; 7 U. S. C. 56). The official cotton standards shall be effective on and after August 1, 1952, and shall, on that date, supersede and replace the present standards for grades of American Egyptian Pima and SXP cotton

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FEDERAL REGISTER

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which were promulgated by the Secretary of Agriculture on March 19, 1940.[1]

AMERICAN EGYPTIAN COTTON

§ 27.251 *Grade No. 1.* Grade No. 1 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 1, effective August 1, 1952."

§ 27.252 *Grade No. 2.* Grade No. 2 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 2, effective August 1, 1952."

§ 27.253 *Grade No. 3.* Grade No. 3 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 3, effective August 1, 1952."

§ 27.254 *Grade No. 4.* Grade No. 4 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade 4, effective August 1, 1952."

§ 27.255 *Grade No. 5.* Grade No. 5 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 5, effective August 1, 1952."

§ 27.256 *Grade No. 6.* Grade No. 6 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade 6, effective August 1, 1952."

§ 27.257 *Grade No. 7.* Grade No. 7 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 7, effective August 1, 1952."

§ 27.258 *Grade No. 8.* Grade No. 8 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 8, effective August 1, 1952."

§ 27.259 *Grade No. 9.* Grade No. 9 shall be American Egyptian cotton which in grade is within the range represented by a set of samples in the custody of the United States Department of Agriculture in the District of Columbia in a container marked "Original Official Cotton Standards of the United States, American Egyptian, Grade No. 9, effective August 1, 1952."

§ 27.260 *Grade No. 10.* American Egyptian cotton which in grade is inferior to grade No. 9 shall be designated as "American Egyptian Grade No. 10."

Until their effective date, August 1, 1952, the foregoing standards may be used as permissive standards in the purchase and sale of American Egyptian cotton.

(Sec. 9, 39 Stat. 479, 53 Stat. 213, Sec. 6, 42 Stat. 1518; 26 U. S. C. 1926, 7 U. S. C. 56)

Done at Washington, D. C., this 27th day of July 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–8880; Filed, Aug. 1, 1951; 8:52 a. m.]

PART 28—COTTON STANDARDS

MISCELLANEOUS AMENDMENTS

Notice is hereby given of the changes hereinafter set forth regarding the availability of practical forms of the Official Cotton Standards of the United States for the Grades of American Egyptian Cotton. A revision of the current cotton standards for grades of American Egyptian cotton (7 CFR Part 27) has been promulgated (F. R. Doc. 51–8880) to become effective August 1, 1952. In order to indicate the availability of practical forms of such revised cotton standards for the grades of American Egyptian cotton, the grade designations presently appearing in § 28.115 *Practical forms of official cotton standards* are being amended to reflect the new grade designations. Such action is pursuant to the authority contained in section 6 of the United States Cotton Standards Act, approved March 4, 1923 (42 Stat. 1517, as amended; 7 U. S. C. 51–65).

It is hereby found that it is unnecessary, impracticable, and contrary to the public interest to give preliminary notice and engage in public rule-making procedure since the effect and purpose of these amendments is to provide notice that practical forms of specified official cotton standards of the United States for the designated grades of American Egyptian cotton will be furnished to any person requesting the same, in accordance with the applicable procedure and requirements specified in said § 28.115. Such amendments are to become effective on August 1, 1952, concurrently with the revised standards.

Amend § 28.115 *Practical forms of official cotton standards* by deleting the Standards for grades of American-Egyptian Pima cotton and Standards for grades of American-Egyptian SXP cotton, appearing in paragraph (a) of such section, and inserting in lieu thereof the following:

[1] Sections 27.251–27.260 and 27.286–27.295, Part 27, Title 7, Code of Federal Regulations.

Standards for grades of American Egyptian cotton:

Grade No. 1.	Grade No. 6.
Grade No. 2.	Grade No. 7.
Grade No. 3.	Grade No. 8.
Grade No. 4.	Grade No. 9.
Grade No. 5.	

(42 Stat. 1517, as amended; 7 U. S. C. 51–65)

Done at Washington, D. C., this 27th day of July 1951, to become effective August 1, 1952.

[SEAL] C. J. McCORMICK,
Acting Secretary.

[F. R. Doc. 51-8881; Filed, Aug. 1, 1951; 8:52 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 723—CIGAR-FILLER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

CIGAR-FILLER AND BINDER TOBACCO MARKETING QUOTA REGULATIONS, 1952–53 MARKETING YEAR

GENERAL

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723.311 Basis and purpose.
723.312 Definitions.
723.313 Extent of calculations and rule of fractions.
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ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

723.316 Determination of 1952 preliminary acreage allotments for old farms.
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ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

723.323 Determination of acreage allotments for new farms.
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723.325 Determination of normal yields.

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723.326 Determination of acreage allotments and normal yields for farms returned to agricultural production.
723.327 Approval of determinations made under §§ 723.311 to 723.326.
723.328 Application for review.

AUTHORITY: §§ 723.311 to 723.328 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 363, 52 Stat. 38, 47, as amended, 63; 7 U. S. C. 1301, 1313, 1363.

GENERAL

§ 723.311 *Basis and purpose.* The regulations contained in §§ 723.311 to 723.328 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1952 farm acreage allotments and normal yields for cigar-filler and binder tobacco. The purpose of the regulations in §§ 723.311 to 723.328 is to provide the procedure for allocating, on an acreage basis, the State acreage allotment for cigar-filler and binder tobacco for the 1952–53 marketing year among farms and for determining normal yields. Prior to preparing the regulations in §§ 723.311 to 723.328, public notice (16 F. R. 5773) was given in accordance with the Administrative Procedure Act (60 Stat. 237). The data, views, and recommendations pertaining to the regulations in §§ 723.311 to 723.328 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 723.312 *Definitions.* As used in §§ 723.311 to 723.328, and in all instructions, forms, and documents in connection therewith the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) *Committees.* (1) "Community committee" means the group of persons elected within a community as the community committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the community.

(2) "County committee" means the group of persons elected within a county as the county committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the county.

(3) "State committee" means the group of persons designated as the State committee of the Production and Marketing Administration, charged with the responsibility of administering Production and Marketing Administration programs within the State.

(b) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) "New farm" means a farm on which tobacco will be produced in 1952 for the first time since 1946.

(d) "Old farm" means a farm on which tobacco was produced in one or more of the five years 1947 through 1951.

(e) "Cropland" means farm land which in 1951 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(f) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(g) "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(h) "Tobacco" means (1) type 42 tobacco—that type of cigar-leaf tobacco commonly known as Gebhardt, Ohio Seedleaf, or Ohio Broadleaf, produced principally in the Miami Valley section of Ohio and extending into Indiana; (2) type 43 tobacco—that type of cigar-leaf tobacco commonly known as Zimmer, Spanish, or Zimmer Spanish, produced principally in the Miami Valley section of Ohio and extending into Indiana; (3) type 44 tobacco—that type of cigar-leaf tobacco commonly known as Dutch, Shoestring Dutch, or Little Dutch, produced principally in the Miami Valley section of Ohio; (4) type 51 tobacco—that type of cigar-leaf tobacco commonly known as Connecticut Valley Broadleaf or Connecticut Broadleaf, produced primarily in the Valley area of Connecticut; (5) type 52 tobacco—that type of cigar-leaf tobacco commonly known as Connecticut Valley Havana Seed, or Havana Seed of Connecticut and Massachusetts, produced primarily in the Connecticut Valley area of Massachusetts and Connecticut; (6) type 53 tobacco—that type of cigar-leaf tobacco commonly known as York State Tobacco, or Havana Seed of New York and Pennsylvania, produced principally in the Big Flats section of New York, extending into Pennsylvania and in the Onondaga section of New York State; (7) type 54 tobacco—that type of cigar-leaf tobacco commonly known as southern Wisconsin cigar-leaf or southern Wisconsin binder type, produced principally south and east of the Wisconsin River; and (8) type 55 tobacco—that type of cigar-leaf tobacco commonly known as Northern Wisconsin cigar-leaf or Northern Wisconsin binder type, produced principally north and west of the Wisconsin River, as classified in Service and Regulatory Announcement No. 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco. The term "tobacco" shall include all leaves harvested, including trash.

§ 723.313 *Extent of calculations and rule of fractions.* All acreage allotments shall be rounded to the nearest one-tenth acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would be 1.1 and 1.050 would be 1.0.

§ 723.314 *Instructions and forms.* The Director, Tobacco Branch, Production and Marketing Administration, shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions as are neccssary, for carrying out §§ 723.311 to 723.328. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 723.315 *Applicability of §§ 723.311 to 723.328.* Sections 723.311 to 723.328 shall govern the establishment of farm acreage allotments and normal yields for tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1952. The applicability of §§ 723.311 to 723.328 is contingent upon the proclamation of a national marketing quota for tobacco by the Secretary of Agriculture and the approval thereof by growers voting in a referendum pursuant to Section 312 of the Agricultural Adjustment Act of 1938, as amended.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 723.316 *Determination of 1952 preliminary acreage allotments for old farms.* The preliminary acreage allotment for an old farm shall be the 1951 allotment with the following exceptions:

(a) If the acreage of tobacco harvested on the farm in each of the three years 1949–51 was less than 75 percent of the 1951 farm acreage allotment, the preliminary allotment shall be the larger of (1) the largest acreage of tobacco harvested on the farm in any one of such three years, or (2) the average acreage of tobacco harvested on the farm in the five years 1947–51: *Provided,* That any such preliminary allotment shall not exceed the 1951 allotment for such farm or be less than 0.1 acre.

(b) If the county committee determines that failure to harvest as much as 75 percent of the 1951 allotted acreage during any one of the three years 1949–51 was due to service in the armed forces on the part of labor regularly engaged in producing tobacco on the farm prior to entry into the armed forces, the preliminary allotment for the farm shall be the 1951 allotment.

(c) If no 1951 allotment was established for the farm, the preliminary allotment shall be the average acreage of tobacco harvested on the farm in the five years 1947–51: *Provided,* That such preliminary allotment shall not be less than 0.1 acre.

(d) If the acreage of tobacco harvested on the farm in 1951 exceeded the 1951 allotment by more than 10 percent, the preliminary allotment shall be the 1951 allotment plus one-fifth of the excess acreage.

(e) The preliminary allotments determined under paragraph (c) or (d) of this section shall not exceed the acreage capacity of shed space which is in usable condition and available for curing tobacco produced on the farm: *Provided,* That no preliminary allotment shall be reduced below the 1951 allotment or 0.1 acre because of this factor.

§ 723.317 *1952 old farm tobacco acreage allotment.* The preliminary allotments calculated for all old farms in the State pursuant to § 723.316 shall be adjusted uniformly so that the total of such allotments plus the acreage available for adjusting acreage allotments for old farms pursuant to § 723.318 shall not exceed the State acreage allotment.

§ 723.318 *Adjustment of acreage allotments for old farms.* Notwithstanding the limitations contained in § 723.316, the farm acreage allotment for an old farm may be increased if the community and county committees find that such increase is necessary to establish an allotment for such farm which is fair and equitable in relation to the allotments for other old farms in the community, on the basis of the past acreage of tobacco, making due allowances for drought, flood, hail, other abnormal weather conditions, plant bed, and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The acreage available for increasing allotments under this section shall not exceed four percent of the total acreage allotted to all tobacco farms in the State for the 1951–52 marketing year.

§ 723.319 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If tobacco was marketed or was permitted to be marketed in the 1951–52 marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1952 shall be reduced, as hereinafter provided, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due at the time the tobacco is marketed and in the event of failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) Any such reduction shall be made with respect to the 1952 farm acreage allotment, provided it can be made at least 30 days prior to the beginning of the normal planting season for the county in which the farm is located as determined by the State committee. If the reduction cannot be so made effective with respect to the 1952 allotment, such reduction shall be made with respect to the farm acreage allotment next established for the farm where the reduction can be made within the time specified above.

(d) The amount of reduction in the 1952 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. The amount of tobacco determined by the county committee to have been falsely identified or for which satisfactory proof of disposition has not been furnished shall be considered the amount of tobacco involved in the violation. If the actual production of tobacco on the farm is not known, the county committee shall estimate such actual production, taking into consideration the condition of the tobacco crop during production, if known, and the actual yield per acre of tobacco on other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar: *Provided,* That the estimate of such actual production of tobacco on the farm shall not exceed the harvested acreage of tobacco on the farm multiplied by the average actual yield on farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar. The actual yield of tobacco on the farm as so estimated by the county committee multiplied by the farm acreage allotment shall be considered the farm marketing quota for the purposes of this section. In determining the amount of tobacco for which satisfactory proof of disposition has not been shown in case the actual production of tobacco on the farm is not known, the amount of tobacco involved in the violation shall be deemed to be the actual production of tobacco on the farm, estimated as above, less the amount of tobacco for which satisfactory proof of disposition has been shown.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraph (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraphs (a) and (b) of this section.

§ 723.320 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any land which is removed from agricultural production for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee, within five years from

the date of such acquisition of the farm, any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm so acquired: *Provided,* That such allotment shall not exceed 20 percent of the acreage of cropland on the farm.

The provisions of this section shall not be applicable if (a) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal, State, or other agency; (b) any tobacco produced on such farm has not been accounted for as required by the Secretary; or (c) the allotment next to be established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 723.321 *Farms divided or combined.* (a) If land operated as a single farm in 1951 will be operated in 1952 as two or more farms, the 1952 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland available for the production of tobacco in each such tract in such year bore to the total number of acres of cropland available for the production of tobacco on the entire farm in such year, except that, upon recommendation of the county committee and with State committee approval and agreement of the interested parties in writing, the tobacco acreage allotment determined or which otherwise would have been determined for the entire farm may be apportioned among the tracts (1) in the same proportion as the five-year average acreage of tobacco harvested on each such tract during the years 1947–51 bore to the five-year average acreage of tobacco harvested on the entire farm during 1947–51 or (2), if the farm to be divided in 1952 consists of two or more tracts which were separate and distinct farms, or distinct portions of such farms, before being combined for 1951, in the same proportion that each contributed to the farm acreage allotment: *Provided,* that with the recommendation of the county committee and approval of the State committee, the tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-tenth acre or 10 percent of the 1952 acreage allotment determined for the entire farm with corresponding increases or decreases made in the acreage allotment apportioned to the other tract or tracts.

(b) If two or more farms operated separately in 1951 are combined and operated in 1952 as a single farm, the 1952 allotment shall be the sum of the 1952 allotments determined for each of the farms composing the combination.

(c) If a farm is to be divided in 1952 in settling an estate the allotment may be divided among the various tracts in accordance with paragraph (a) of this section, or on such other basis as the State committee determines will result in equitable farm allotments.

§ 723.322 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the five years 1946–50, (b) the soil and other physical factors affecting the production of tobacco on the farm, and (c) the yields obtained on other farms in the locality which are similar with respect to such factors.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 723.323 *Determination of acreage allotments for new farms.* The acreage allotment, other than an allotment made under § 723.320, for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco: *Provided,* That the acreage allotment so determined shall not exceed 75 percent of the allotments for old farms which are similar with respect to land, labor, and equipment available for the production of tobacco, crop-rotation practices, and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any other provisions of this section, a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(a) The farm operator shall have had experience in growing the kind of tobacco for which an allotment is requested during one of the past five years: *Provided, however,* That a farm operator who was in the armed services during World War II shall be deemed to have met the requirements hereof if he has had experience in growing the kind of tobacco for which an allotment is requested during one year either within the five years immediately prior to his entry into the armed services or since his discharge from the armed services.

(b) The farm operator shall be largely dependent for his livelihood on the farm covered by the application.

(c) The farm covered by the application shall be the only farm owned or operated by the owner or farm operator for which a cigar-filler and binder (types 42–44 and 51–55) tobacco allotment is established for the 1952–53 marketing year.

The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. One percent of the 1952 national marketing quota shall, when converted to an acreage allotment by the use of the national average yield, be available for establishing allotments for new farms. The national average yield shall be the average of the several State yields used in converting the State marketing quota into State acreage allotments.

§ 723.324 *Time for filing application.* An application for a new farm allotment shall be filed with the county committee prior to February 1, 1952, unless the farm operator was discharged from the armed services subsequent to December 31, 1951, in which case such application shall be filed within a reasonable period prior to planting tobacco on the farm.

§ 723.325 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is normal for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

MISCELLANEOUS

§ 723.326 *Determination of acreage allotments and normal yields for farms returned to agricultural production.* (a) Notwithstanding the foregoing provisions of §§ 723.311 to 723.325, the acreage allotment for any farm which was acquired by any Federal, State, or other agency having the right of eminent domain for any purpose and which is returned to agricultural production in 1952 or which was returned to agricultural production in 1951 too late for the 1951 allotment to be established, shall be determined by one of the following methods:

(1) If the land is acquired by the original owner, any part of the acreage allotment which was or could have been established for such farm prior to its retirement from agricultural production which remains in the State pool (adjusted to reflect the uniform increases and decreases in comparable old farm allotments since the farm was acquired) may be established as the 1952 allotment for such farm by transfer from the pool, and if any part of the allotment for such land was transferred by the original owner through the State pool to another farm now owned by him, such owner may elect to transfer all or any part of such allotment (as adjusted) to the farm which is returned to agricultural production.

(2) If the land is acquired by a person other than the original owner, or if all of the allotment was transferred through the State pools to another farm and the original owner does not now own the farm to which the allotment was transferred, the farm returned to agricultural production shall be regarded as a new farm.

(b) The normal yield for any such farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

§ 723.327 *Approval of determinations made under §§ 723.311 to 723.326.* The State committee will review all allotments and yields and may correct or require correction of any determinations made under §§ 723.311 to 723.326. All acreage allotments and yields shall be

approved by the State committee and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by the State committee.

§ 723.328 *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm may, within fifteen days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the county committee to have such allotment reviewed by a review committee. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (7 CFR Part 711) which are available at the office of the county committee.

Done at Washington, D. C., this 27th day of July 1951. Witness my hand and seal of the Department of Agriculture.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-8853; Filed, July 31, 1951; 8:57 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 950—PEACHES GROWN IN UTAH

PEACHES EXEMPT FROM INSPECTION

Pursuant to the provisions of section 4 (d) of Marketing Agreement No. 91 and § 950.4 (d) of Order No. 50 (5 F. R. 2631; 7 CFR Part 950), regulating the handling of peaches grown in Utah, which marketing agreement and order are effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937 (sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c), the Administrative Committee (established under the aforesaid marketing agreement and order) may, with the approval of the Secretary, exempt shipments up to and including 1,000 pounds net weight of peaches from the inspection and certification requirements.

The following rules and regulations on the matter, which have been adopted by the Administrative Committee, are hereby approved by the Secretary, and it is, therefore, ordered as follows:

§ 950.130 *Peaches exempt from inspection.* Peaches included in a shipment of peaches which does not aggregate more than 1,000 pounds, net weight, shall be exempt from the inspection and certification provisions of the aforesaid marketing agreement and order.

It is hereby found and determined that compliance with the preliminary notice, public rule making procedure, and the 30 day effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001 et seq.) is impracticable, unnecessary, and contrary to the public interest in that:

(a) Harvesting and marketing of peaches grown in Utah will begin for the current season on August 1 or soon thereafter;

(b) Grade and size regulations, pursuant to the recommendation of the Administrative Committee and to be approved by the Secretary, are expected to be made effective during the shipping season;

(c) This provision grants exemption from the inspection requirements or certain shipments, and compliance with the order will not necessitate any special preparation on the part of handlers;

(d) It is essential that the aforesaid rules and regulations become effective as soon as possible so that adequate notice may be given to handlers, and other interested parties, of the contents thereof; and

(e) As used in this section the terms "peaches," "handler," and "ship" shall have the same meaning as when used in the aforesaid marketing agreement and order.

Effective time. The provisions hereof shall become effective at 12:01 a. m., m. s. t., August 1, 1951.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 27th day of July 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-8804; Filed, July 31, 1951; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Reg., Serial No. SR-368]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

AUTHORIZATION FOR SCHEDULED AIR TRANSPORTATION OF CARGO

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 27th day of July 1951.

Special Civil Air Regulation SR-350 currently authorizes air carriers appropriately authorized by the Board to engage in scheduled cargo-only service to conduct such operations under the provisions of Part 42 of the Civil Air Regulations. That authorization terminates August 1, 1951. At the time the Board promulgated that regulation, it indicated that the regulation was only a temporary measure pending the development of adequate certification and operation rules for scheduled air transportation of cargo. It was anticipated that such rules would be developed prior to August 1, 1951. However, the Bureau of Safety Regulation is still engaged on that project. Pending a determination in this matter, it is considered desirable to continue the authorization currently in effect.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. Since it imposes no additional burden on any person, this regulation may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation effective August 1, 1951:

Any air carrier authorized by the Board, pursuant to Title IV of the Civil Aeronautics Act of 1938, as amended, to engage in scheduled air transportation of cargo may conduct such transportation under the air carrier certification and operation rules prescribed in Part 42 of the Civil Air Regulations.

This regulation shall supersede Special Civil Air Regulation Serial Number SR-350 and shall terminate August 1, 1954, unless sooner terminated or rescinded by the Board.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, as amended; 1010; 49 U. S. C. and Sup. 551, 554)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 52-8829; Filed, July 31, 1951; 8:52 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5849]

PART 183—PRODUCTION OF DISTILLED SPIRITS

PART 185—WAREHOUSING OF DISTILLED SPIRITS

TRANSFER OF VODKA

1. In order to conform Regulations 4, "Production of Distilled Spirits" (26 CFR Part 183; 15 F. R. 5334) and Regulations 10, "Warehousing of Distilled Spirits" (26 CFR Part 185; 15 F. R. 156) to the provisions of section 2883 of the Internal Revenue Code (Public Law 72, 82nd Congress, 1st Session) approved July 3, 1951, such regulations are hereby amended.

2. Regulations 4 are amended as follows:

(a) Section 183.504 is amended; and

(b) Section 183.504a is added.

SUBPART W—TAX-PAYMENT, REMOVAL AND TRANSFER OF DISTILLED SPIRITS FROM CISTERN ROOM

* * * * *

AUTHORIZED REMOVALS OF VODKA

§ 183.504 *Transfers to internal revenue bonded warehouses.* Vodka may be removed to internal revenue bonded warehouses as follows:

(a) In metal, porcelain, glass, or paraffin-lined containers for deposit in any internal revenue bonded warehouse for storage in such containers;

(b) In wooden packages, each containing two or more metallic cans having a capacity of not less than 5 wine gallons each, for the purpose of exportation only; and

(c) By pipeline direct to tanks in an internal revenue bonded warehouse located on the distillery premises or contiguous thereto.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 333, 335 as amended; 26 U. S. C. 2878, 2883)

§ 183.504a *Tax-payment.* Vodka may be removed, upon tax-payment, as follows:

(a) By pipeline, to a contiguous tax-paid bottling house or rectifying plant.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 298, as amended, 335, as amended; 26 U. S. C. 2800, 2883)

3. Sections 185.365, 185.366 and 185.390 of Regulations 10, are amended to read as follows:

SUBPART S—DEPOSIT OF SPIRITS IN WAREHOUSE

DEPOSIT IN STORAGE TANKS

§ 185.365 *In warehouse on distillery premises.* Distilled spirits of 160 degrees of proof or more may be received by pipeline or in tank cars from a registered distillery and brandy of any proof may be received by pipeline or in tank cars from a fruit distillery for deposit in storage tanks in the internal revenue bonded warehouse located on distillery premises where produced: *Provided,* That (a) rum of not less than 150 degrees of proof intended for denaturation may be received by pipeline from a registered distillery for deposit in storage tanks; (b) gin of any proof may be received by pipeline from a registered distillery and deposited in storage tanks; and (c) vodka of any proof may be received by pipeline from a registered distillery and deposited in metal, porcelain, glass or paraffin-lined storage tanks.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 316 as amended, 333, 335 as amended; 26 U. S. C. 2225, 2879, 2883)

§ 185.366 *In warehouse contiguous to distillery premises.* Distilled spirits (other than spirits designated for fortification or rum designated for denaturation) of 160 degrees of proof or more may be received by pipeline or in tank cars from a registered distillery or a fruit distillery for deposit in storage tanks in an internal revenue bonded warehouse located contiguous to the distillery premises where produced: *Provided,* That (a) gin of any proof may be received by pipeline from a registered distillery for deposit in storage tanks; and (b) vodka of any proof may be received by pipeline from a registered distillery for deposit in metal, porcelain, glass or paraffin-lined storage tanks.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 333, 335 as amended; 26 U. S. C. 2879, 2883)

SUBPART T—STORAGE OF DISTILLED SPIRITS IN WAREHOUSE

§ 185.390 *Kinds of containers.* Distiller spirits may be stored in an internal revenue bonded warehouse:

(a) In the distiller's original packages in which received, including, in the case of spirits intended for temporary storage pending exportation, wooden packages containing two or more metallic cans having a capacity of not less than 5 wine gallons each;

(b) In cases, where spirits are bottled in bond;

(c) In casks, barrels, or similar wooden packages, or in drums or similar metal packages, having a capacity of not less than 10 wine gallons each, filled from warehouse storage tanks or into which the contents of the distiller's original packages were transferred in accordance with §§ 185.397–185.407;

(d) In storage tanks (1) in any warehouse if the spirits are 160 degrees or more of proof; or (2) in a warehouse located on the premises of the distillery where the spirits were produced and such spirits are rum of not less than 150 degrees of proof received by pipeline and are intended for denaturation; or (3) in a warehouse located on the premises of a fruit distillery where the spirits were produced; or (4) in a warehouse located on or contiguous to the premises of the distillery where the spirits were produced and the spirits are gin or vodka of any proof received by pipeline; *Provided,* That tanks for the storage of vodka must be metal, porcelain, glass or paraffin-lined; and

(e) In tank cars.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 316 as amended, 333, 342 as amended; 26 U. S. C. 2225, 2878, 2883, 2903)

4. The purpose of the proposed amendments is to extend to vodka of any proof the pipeline transfer privileges now authorized for gin (a) upon transfer from the distillery to an internal revenue bonded warehouse located on or contiguous to the premises of the producing distillery and (b) upon tax-payment from the distillery, or from an internal revenue bonded warehouse located on or contiguous to the premises of the producing distillery, and transfer to a contiguous tax-paid bottling house or rectifying plant.

5. It is found that compliance with the notice, public rule-making, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001 et seq.), is unnecessary in connection with the issuance of these amendments as the changes made are of a liberalizing character.

6. This Treasury decision shall be effective August 1, 1951.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved July 26, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-8817; Filed, July 31, 1951; 8:49 a. m.]

[T. D. 5850]

PART 185—WAREHOUSING OF DISTILLED SPIRITS

WITHDRAWAL FROM WAREHOUSE

1. Sections 185.561 and 185.578 of Regulations 10, "Warehousing of Distilled Spirits" (26 CFR Part 185), as amended, are hereby amended as follows:

SUBPART AA—WITHDRAWAL OF DISTILLED SPIRITS FROM WAREHOUSE

* * * * *

§ 185.561 *Kinds of containers.* Distilled spirits may be withdrawn from internal revenue bonded warehouses (a) in the distiller's original packages; (b) in packages to which the contents of original distiller's packages were transferred; (c) in cases, where bottled in bond; (d) in packages having a capacity of not less than 10 gallons each, filled from warehouse tanks; (e) in tank cars filled prior to deposit in the warehouse or filled from the warehouse storage tanks; (f) by pipeline (1) from storage or gauging tanks to a denaturing bonded warehouse (only rum of not less than 150 degrees of proof and provided both warehouses are located on the distillery premises); (2) from storage or gauging tanks in a warehouse located on the distillery premises where the brandy was produced to the fortifying room of a contiguous winery (brandy of any proof), or from storage or gauging tanks in any warehouse located off the distillery premises where the brandy was produced to the fortifying room of a contiguous winery (brandy of 160 degrees of proof or more); (3) from storage or gauging tanks to a distillery for redistillation (only spirits of 160 degrees of proof or more); or (4) from gauging tanks to a contiguous tax-paid bottling house or rectifying plant (only tax-paid spirits of any proof); or (g) in the case of tax-paid distilled spirits only, by tank car or tank truck to any premises authorized to receive distilled spirits in bulk. Distilled spirits may be withdrawn in tank cars only if the premises of the consignor and consignee are equipped with suitable railroad siding facilities. Where distilled spirits are to be warehoused in tank cars the siding facilities must extend into the receiving warehouse.

(53 Stat. 375; 26 U. S. C. 3176. Interprets or applies 53 Stat. 298 as amended, 316 as amended, 333, 335 as amended, 337, 342 as amended, 348 as amended, 351, 355; 26 U. S. C. 2800, 2825, 2878, 2882, 2883, 2886, 2903, 3031, 3033, 3070)

DRAWING-OFF SPIRITS FROM GAUGING OR STORAGE TANKS

* * * * *

§ 185.578 *Gauging tanks.* When spirits are to be removed by pipeline they will be run into a properly equipped gauging tank, except that where no gauging tank is provided in the internal revenue bonded warehouse, (a) brandy may be transferred by pipeline from storage tanks direct to a gauging tank in the fortifying room of a contiguous winery; (b) rum of 150 degrees of proof or more may be transferred by pipeline from storage tanks direct to a gauging tank in a denaturing bonded warehouse (only if both warehouses are located on the distillery premises); or (c) spirits of 160 degrees of proof or more for redistillation may be transferred by pipeline from storage tanks direct to a gauging tank in a distillery on the same or contiguous premises.

(53 Stat. 298 as amended, 335 as amended, 492; 26 U. S. C. 2800, 2883, 4017)

2. The purpose of these amendments is to remove the present restrictions limiting pipeline transfers of fortifying spirits of 160 degrees of proof or more from internal revenue bonded warehouses to contiguous wineries to those

instances where the warehouse is on the premises of the producing distillery and permit the pipeline transfer of such spirits from storage tanks in any warehouse to a contiguous winery.

3. It is found that compliance with the notice, public rule-making, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1001 et seq.), is unnecessary for the reason that the changes made are of a liberalizing character.

4. This Treasury decision shall be effective August 4, 1951.

(53 Stat. 298 as amended, 316, as amended, 333, 335, 335, as amended, 337, 342, as amended, 348, as amended, 351, 355, 375, 492; 26 U. S. C. 2800, 2825, 2878, 2882, 2883, 2886, 2903, 3031, 3033, 3070, 3176, 4017)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: July 26, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-8818; Filed, July 31, 1951; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[General Ceiling Price Regulation, Supplementary Regulation 47]

GCPR, SR 47—ADJUSTMENT OF CEILING PRICES OF PORK LOINS WEIGHING 16 POUNDS OR LESS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Congress), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 47 to the General Ceiling Price Regulation (16 F. R. 809) is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling prices for pork are currently determined in accordance with the General Ceiling Price Regulation. Under the provisions of that Regulation, hog slaughterers and processors, until the past few weeks, were able to obtain an adequate margin on their operations. In recent weeks, however, the prices of hogs have advanced and some slaughterers have been placed in a price squeeze.

The Office of Price Stabilization is preparing regulations establishing uniform dollars-and-cents ceilings for sales of pork products. These regulations will be ready for issuance in the near future. However, it appears necessary to take immediate steps to afford some relief to those packers whose margins have been squeezed. This regulation is designed to afford such relief by establishing uniform ceiling prices for pork loins and cuts derived therefrom which are generally above the level established under the General Ceiling Price Regulation.

The adjustments provided for by this regulation are confined to one cut in order to expedite action. Fresh or frozen pork loins weighing 16 pounds or less have been selected for several reasons:

(1) Margins on heavier hogs have remained relatively stable in comparison with January margins, while margins on lighter hogs, from which pork loins weighing 16 pounds or less are derived, have been reduced. Market prices of heavy loins are generally below current ceilings.

(2) The pork loin is a major pork cut. It accounts for approximately ten percent of the live weight of a hog.

(3) The General Ceiling Price Regulation freeze caught pork loin prices at a seasonal low. Raising those prices to the levels which they would normally attain will afford substantial relief to packers whose margins have been narrowed.

(4) The current situation has resulted in discouraging many packers from offering pork loins to some of their customary outlets because of their low ceilings established for such markets. These sellers have expanded their sales in other markets because of higher ceilings. The present regulation, therefore, will promote the resumption of normal distribution of this important pork product.

(5) Finally, most light pork loins are sold in fresh form whereas the other major cuts to a large extent are normally processed (cured, smoked, etc.), and a change in the price at one stage would necessitate modification of prices throughout the other stages. Furthermore, in view of the fact that loins are not customarily used for sausage or in canned meat products, the price change on loins will not require a revision of sausage or canned meat prices.

This regulation specifies flat prices for pork loins derived from hogs slaughtered by, or dressed hogs cut by, the seller. These prices reflect customary price differentials and the cost of transporting fresh pork at 125 percent of the lowest carload freight rates from customary basing points in the central part of the United States, thereby covering the costs of icings anl tare. In the event the seller performs local delivery, an addition of ½ cent a pound is permitted.

Inasmuch as it is normal for pork loins derived from hogs slaughtered in certain parts of the eastern and of the western areas of the country to sell at higher prices than loins shipped into such areas, a special local kill differential has been provided for specified areas. This latter action will permit normal differentials in the prices of pork loins. Moreover, an addition of 1¼ cents per pound is provided for bladeless pork loins to cover the costs of removing the whole shoulder blade.

Section 7 of this regulation provides for adjustments in the prices of pork loins bought for resale or cuts derived therefrom. The formula set up for this adjustment is designed to maintain normal margins on these sales. This formula is based on differences in the current costs of pork loins as compared with the costs of these items during the seven days beginning January 19, 1951, the last week of the base period established by the General Ceiling Price Regulation.

Except for bladeless pork loins, this supplementary regulation does not provide a specific ceiling price for specially trimmed or specially cut pork loins derived from hogs slaughtered by, or dressed hogs cut by, the seller. These specially trimmed and cut items may be sold by the seller at his ceiling price computed under the General Ceiling Price Regulation, adjusted as provided in section 6 of this supplementary regulation. This adjustment is based on the increase in price authorized for pork loins derived from hogs slaughtered by, or dressed hogs cut by, the seller. The adjustment differs from the formula provided in section 7 for pork loins bought for resale, in order to avoid the complex cost allocations and intricate cut-out test equations that would be necessary if the cost of pork loins derived from live hogs or dressed hogs purchased by the seller were to be determined.

It should be emphasized that this regulation is an interim measure designed to take care of a pressing situation during the period between the effective date of this regulation and the effective date of dollars-and-cents ceiling price regulations applicable to sales of pork products.

This regulation does not apply to any pork product other than pork loins and outs derived from pork loins.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this supplementary regulation the Director has consulted with representatives of the industry to the extent practicable under the circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Where this supplementary regulation applies.
3. Ceiling prices of pork loins derived from hogs you slaughter or dressed hogs you purchase.
4. How to determine the base price.
5. Permissible additions to the base price.
6. Ceiling prices of pork loin cuts derived from hogs you slaughter or dressed hogs you purchase.
7. How to compute the ceiling prices of the pork loins you buy for resale or the pork cuts derived from the pork loins you buy.
8. How to compute the total cost of pork loins.
9. How to compute your base week cost if pork loins were not delivered to you during the base week.

Sec.
10. Records.
11. General definitions.
Appendix A—Zone definitions.
Appendix B—Region definitions.

AUTHORITY: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong., as amended.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation establishes ceiling prices for wholesale and retail sales of pork loins and pork cuts derived from the pork loin. These ceiling prices supersede those established by the General Ceiling Price Regulation for these items, but this regulation does not supersede the other provisions of that regulation.

SEC. 2. *Where this supplementary regulation applies.* This supplementary regulation is applicable in the forty-eight states and the District of Columbia.

SEC. 3. *Ceiling prices of pork loins derived from hogs you slaughter or dressed hogs you purchase.* Your ceiling price for a pork loin derived from a hog you slaughter or a dressed hog you purchase is the base price specified in section 4, plus the applicable additions specified in section 5.

SEC. 4. *How to determine the base price.* (a) If you deliver the pork loin in Zone 1, your base price is 51 cents per pound. (Zones are defined in Appendix A.)

(b) If you deliver the pork loin in Zone 2, your base price is 51½ cents per pound.

(c) If you deliver the pork loin in Zone 3, your base price is 51⅞ cents per pound.

(d) If you deliver the pork loin in Zone 4, your base price is 52 cents per pound.

(e) If you deliver the pork loin in Zone 5, your base price is 51½ cents per pound plus 125 percent of the fresh meat carload freight rate to the point of delivery from Chicago, Illinois or East St. Louis, Illinois, whichever is lower. (Section 11 (b) defines "point of delivery" and "fresh meat carload freight rate."

(f) If you deliver the pork loin in Zone 6, your base price is 51 cents per pound plus 125 percent of the fresh meat carload freight rate to the point of delivery from either Omaha, Nebraska, South St. Paul, Minnesota, or Kansas City, Missouri, whichever is lowest.

SEC. 5. *Permissible additions to the base price*—(a) *Local kill addition.* (1) For pork loins derived from hogs slaughtered in Region A, you may add 2 cents per pound. (Regions are defined in Appendix B).

(2) For pork loins derived from hogs slaughtered in Region B, you may add 1½ cents per pound.

(3) For pork loins derived from hogs slaughtered in Region C, you may add 1 cent per pound.

(4) For pork loins derived from hogs slaughtered in Region D, you may add ½ cent per pound.

(5) For pork loins derived from hogs slaughtered in Region E, you may add 1 cent per pound.

(6) For pork loins derived from hogs slaughtered in Region F, you may add 1½ cents per pound.

(b) *Addition for bladeless loins.* For bladeless pork loins, you may add 1¼ cents per pound.

(c) *Local delivery addition.* If you deliver the pork loin or bladeless pork loin to the buyer's place of business you may add ½ cent per pound.

SEC. 6. *Ceiling prices of pork loin cuts derived from hogs you slaughter or dressed hogs you purchase.* Your ceiling price for a pork cut or specially trimmed pork loin, other than a bladeless pork loin, derived from the pork loin of a hog you slaughter or of a dressed hog you purchase shall be determined as follows:

(a) Compute your cents per pound ceiling price for pork loins sold to any class of purchaser under the General Ceiling Price Regulation, as effective prior to the issuance of this regulation.

(b) Compute your cents per pound ceiling price for pork loins sold to the same class of purchaser under section 3.

(c) Compare the figure computed under section 6 (a) with the figure computed under section 6 (b). The cents per pound difference between the two is your "cut differential."

(d) If the figure computed under section 6 (b) is more than the figure computed under section 6 (a), your ceiling price for a pork cut or specially trimmed pork loin, other than a bladeless pork loin, derived from the pork loin of a hog you slaughter or of a dressed hog you purchase shall be your cents per pound ceiling price for that item, sold to the same class of purchaser, under the General Ceiling Price Regulation, as effective prior to the issuance of this regulation, plus your "cut differential."

(e) If the figure computed under section 6 (b) is less than the figure computed under section 6 (a), your ceiling price for a pork cut or specially trimmed pork loin, other than a bladeless pork loin, derived from the pork loin of a hog you slaughter or of a dressed hog you purchase shall be your cents per pound ceiling price for that item, sold to the same class of purchaser, under the General Ceiling Price Regulation, as effective prior to the issuance of this regulation, minus your "cut differential."

SEC. 7. *How to compute the ceiling prices of the pork loins you buy for resale or the pork cuts derived from the pork loins you buy.* If you buy pork loins and resell those pork loins or pork cuts derived from those pork loins, you shall determine your ceiling price as follows:

(a) Compute the total number of pounds of pork loins delivered to you between January 19 and January 25, 1951, inclusive. This period is referred to as the "base week."

(b) Compute the total cost of pork loins delivered to you during the "base week." (See section 8.)

(c) Divide the figure computed under section 7 (a) into the figure computed under section 7 (b). The resulting quotient is your base week cost per pound in dollars and cents. If pork loins were not delivered to you during the base week, see section 9.

(d) Compute the total number of pounds of pork loins delivered to you during the seven days preceding each Monday after the effective date of this regulation.

(e) Compute the total cost of pork loins delivered to you during the seven days preceding each Monday after the effective date of this regulation. (See section 8.)

(f) Divide the figure computed under section 7 (d) into the figure computed under section 7 (e). The resulting quotient is your seven-day cost per pound in dollars and cents.

(g) Each Monday after the effective date of this regulation, compare your base week cost per pound with your seven-day cost per pound for the preceding seven days. The difference between the two is your "seven-day differential" in dollars and cents per pound.

(h) If your seven-day cost per pound for the seven-day period preceding any Monday after the effective date of this regulation is more than your base week cost per pound, your ceiling price for the seven-day period commencing with that Monday for pork loins bought and resold by you and for pork cuts derived from these pork loins shall be your dollars and cents ceiling price per pound for those items computed under the General Ceiling Price Regulation plus the "seven-day differential" for the seven-day period preceding that Monday.

(i) If your seven-day cost per pound for the seven-day period preceding any Monday after the effective date of this regulation is less than your base week cost per pound, your ceiling price for the seven-day period commencing with that Monday for pork loins bought and resold by you and for pork cuts derived from those pork loins shall be your dollars and cents ceiling price per pound for those items computed under the General Ceiling Price Regulation less the "seven-day differential" for the seven-day period preceding that Monday.

EXAMPLE: Between January 19 and January 25 1,000 pounds of pork loins were delivered to you. They cost you $500. Your base week cost per pound is $\frac{500}{1,000}$ or 50 cents. During the seven-day period preceding Monday, August 6, 3,000 pounds of pork loins are delivered to you. They cost you $1,530. Your seven-day cost per pound is $\frac{1,530}{3,000}$ or 51 cents. Your seven-day differential is your seven-day cost per pound (51 cents) minus your base week cost per pound (50 cents), or 1 cent. If your General Ceiling Price Regulation price for pork loins or pork loin cuts is 55 cents per pound, your ceiling price for these items during the seven-day period beginning August 6 is 55 cents plus the seven-day differential of 1 cent, or 56 cents per pound. If, during the seven-day period beginning August 6, 2,000 pounds of pork loins are delivered to you and they cost you $960, your seven-day cost per pound is $\frac{960}{2,000}$ or 48 cents. Your seven-day differential is your seven-day cost per pound (48 cents) minus your base week cost per pound (50 cents), or 2 cents. Your ceiling price for pork loins or pork loin cuts for the seven-day period commencing August 13 becomes 55 cents (your GCPR price) minus the seven-day differential of 2 cents, or 53 cents per pound.

SEC. 8. *How to compute the total cost of pork loins.* Your cost of pork loins for a given period of time shall be the net amount you paid your supplier for pork loins delivered to you during that period of time, plus any transportation charges you paid for the delivery of those pork loins to your business establishment.

SEC. 9. *How to compute your base week cost if pork loins were not delivered to you during the base week.* If pork loins were not delivered to you during the base week, compute the total number of pounds of pork loins delivered to you during the seven-day period beginning with the first day pork loins were delivered to you after January 25, 1951. Compute the total cost of pork loins delivered to you during that seven-day period. Divide the total number of pounds into the total cost. The quotient is your base week cost per pound.

SEC. 10. *Records.* Each of you who buys pork lions and resells those pork loins or pork cuts derived from those pork loins shall make and preserve for inspection by the Office of Price Stabilization for a period of two years complete and accurate records showing your seven-day cost per pound for each week after the effective date of this regulation and your pork loin base week cost per pound. You shall prepare the records showing your pork loin base week cost per pound within two weeks after the issuance of this regulation.

SEC. 11. *General definitions.* (a) When used in this regulation, the term:

(1) Bladeless pork loin means a loin of pork from which the whole shoulder blade has been removed. The bladeless loin shall weigh 16 pounds or less.

(2) Pork loin means a fresh or frozen pork loin trimmed in accordance with good commercial practice. Excess fat shall be removed from the tenderloin and the fat on the back of the loin shall not exceed ½ inch in thickness. The loin shall weigh 16 pounds or less.

(b) When used in section 4 of this regulation, the term:

(1) Fresh meat carload freight rate means the charge solely for the transportation by rail of a carload of fresh pork (exclusive of any charges for services, e. g., icing) including the federal transportation fax thereon.

(2) Point of delivery means the rail unloading point nearest the seller's slaughtering or cutting plant if the seller does not pay the freight to the rail unloading point nearest the buyer's place of business, or the rail unloading point nearest the buyer's place of business if the seller pays the freight to that point. If no fresh meat carload freight rate is established to the applicable delivery point listed in section 4 (e) or 4 (f), the nearest point to which such freight rate is established shall become the applicable delivery point.

Effective date. This regulation shall become effective on July 30, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

APPENDIX A—ZONE DEFINITIONS

(a) "Zone 1" means the area described as follows: The entire state of Iowa, except the counties of Dubuque, Jackson, Clinton, and Scott; that portion of Minnesota south of and including the counties of Lac Qui Parle, Chippewa, Renville, McLeod, Carver, Hennepin, Ramsey and Washington; that portion of Wisconsin included in the counties of St. Croix, Dunn, Pierce, Pepin and Buffalo; that portion of South Dakota south and east of and including the counties of Grant, Codington, Clark, Spink, Beadle, Sanborn, Davison, Hutchinson and Bon Homme; that portion of Nebraska east of and including the counties of Knox, Antelope, Wheeler, Greeley, Howard, Hall, Adams and Webster; that portion of Kansas included in the counties of Jewell, Mitchell, Cloud, Clay, Riley, Pottawatomie, Jackson, Jefferson, Leavenworth, Wyandotte, Atchison, Doniphan, Brown, Nemaha, Marshall, Washington and Republic; and that portion of Missouri north of and including the counties of Jackson, Lafayette, Salina, Howard, Boone, Callaway, Montgomery, Warren and St. Charles.

(b) "Zone 2" means the area described as follows: That portion of Wisconsin south of and including the counties of Chippewa, Taylor, Marathon, Shawano, Oconto, Brown and Door; that portion of Illinois north of and including the counties of St. Clair, Clinton, Marion, Clay, Richland and Lawrence; that portion of Missouri included in the City and County of St. Louis; and that portion of Iowa included in the counties of Dubuque, Jackson, Clinton and Scott.

(c) "Zone 3" means that portion of Indiana north of and including the counties of Sullivan, Greene, Monroe, Brown, Bartholemew, Decatur and Franklin.

(d) "Zone 4" means that portion of Ohio west of and including counties of Ottawa, Erie, Huron, Richland, Knox, Licking, Fairfield and north of and including counties of Pickaway, Fayette, Greene, Montgomery and Preble.

(e) "Zone 5" means the area described as follows: That portion of the United States east of and including the states of New York, Pennsylvania, West Virginia, Kentucky, Tennessee and Mississippi; that portion of Louisiana which lies east of and including the parishes of West Feliciana, East Baton, Ascension, St. James, St. John the Baptist, St. Charles, Orleans, St. Bernard and Plaquemines; that portion of Illinois not in Zone 2; that portion of Indiana not in Zone 3; that portion of Ohio not in Zone 4; and that portion of Michigan lying between Lake Michigan and Lake Huron.

(f) "Zone 6" means the area of the United States not included in Zones 1, 2, 3, 4, or 5.

APPENDIX B—REGION DEFINITIONS

(a) "Region A" means the area described as follows: The entire states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey and Delaware; the District of Columbia; the state of Maryland, except Allegany and Garrett Counties; the portion of New York east of and including the counties of St. Lawrence, Jefferson, Lewis, Herkimer, Otsego and east and southeast of and including the County of Delaware; that portion of Pennsylvania east of and including the counties of Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin; and that portion of Virginia including the counties of Loudoun and Fairfax.

(b) "Region B" means the area described as follows: That portion of New York not in Region A; that portion of Pennsylvania not in Region A; that portion of Maryland including the counties of Garret and Allegany; and that portion of West Virginia including the counties of Mineral, Hampshire, Morgan, Berkeley and Jefferson.

(c) "Region C" means the area described as follows: The lower peninsula of Michigan (that portion of Michigan lying between Lake Michigan and Lake Huron); that portion of Ohio east, southeast, and south of, and including the counties of Lorain, Ashland, Holmes, Coshocton, Musingum, Perry, Hocking, Ross, Highland, Clinton, Warren and Butler; and that portion of West Virginia not included in Region B.

(d) "Region D" means the area described as follows: That portion of Virginia not included in Region A; and that portion of Kentucky east of and including the counties of Boone, Gallatin, Owen, Franklin, Woodford, Mercer, Boyle, Casey, Russell and Cumberland.

(e) "Region E" means the area described as follows: The entire states of Arizona, New Mexico, and Nevada; and that portion of Texas included in the counties of El Paso, Hudspeth, Culbertson, Jeff Davis, Reeves, Pecos, Terrell, Brewster, and Presidio.

(f) "Region F" means the states of Washington, Oregon, and California.

[F. R. Doc. 51-8396; Filed, July 30, 1951; 4:21 p. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Wage Regulation No. 14]

GWR 14—BONUSES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), this General Wage Regulation No. 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

Many existing compensation practices provide for the payment of bonuses. This regulation permits employers who have paid bonuses, in accordance with a plan or otherwise, to continue those payments without prior specific Board approval. These payments, however, must be conformed to the over-all wage stabilization program. Accordingly, the regulation governs the bonus payments which may be made in any bonus year.

In the formulation of this regulation, due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Scope.
2. Bonus payments according to an established plan.
3. Payments not according to an established plan.
4. Amount to be offset.

AUTHORITY: Sections 1 through 4 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161 (15 F. R. 6105); E. O. 10233 (16 F. R. 3503).

SEC. 1. *Scope.* (a) This regulation shall not apply to bonus payments which (1) are customarily computed by the employer more frequently than every three months or (2) are directly related to the number of hours worked or units produced or sold by the employee receiving the bonus.

(b) This regulation applies only to bonus payments which may be put into effect without prior specific Board approval. Applications for approval of all other bonus payments may be submitted to the nearest appropriate office of the Wage and Hour Division.

SEC. 2. *Bonus payment according to an established plan.* Bonus payments which conform to an established plan which predetermines, on a precise and objective basis, the method or formula for computing the total bonus for the employees in the particular bonus group may be paid without specific prior Board approval, subject to the following standards:

(a) The plan must have been either (1) in continuous operation since January 25, 1949, or (2) contained in a written collective bargaining agreement executed on or before January 25, 1951, or (3) communicated in writing to the employees on or before January 25, 1951.

(b) The method of computation of the amounts or percentages used in 1950 shall not be changed in subsequent years. The total bonus must be distributed among the employees in the particular group so that (1) the average amount or percentage of bonus paid to the employees in the current bonus year shall not exceed the average amount or percentage paid in the preceding bonus year, and (2) no employee in the particular group shall receive a bonus in an amount or percentage greater than the largest bonus paid to any employee in the particular group for the preceding bonus year.

(c) Any established plan as defined in paragraphs (a) and (b) of this section, which has resulted or may result in the payment to an individual employee of a total bonus in any bonus year of 25 percent or more of his total wages, salaries, and other compensation, excluding bonuses, in any such year, shall be submitted for post-review to the nearest appropriate office of the Wage and Hour Division within three months following the effective date of this regulation.

SEC. 3. *Payments not according to an established plan.* In the absence of a plan conforming to section 2 of this regulation, the total amount or percentage of bonus given to any employee or to a successor in the same job during any bonus year, shall not exceed the amount or percentage of bonus paid to the employee during the preceding bonus year, provided, that any payment to an individual employee in any bonus year, of 25 percent or more of his total wages, salaries, and other compensation, excluding bonuses, in any such year, shall require Board approval.

SEC. 4. *Amount to be offset.* Any increase in bonus payments, after the base pay period, which results from a change in the method or formula for computing the bonuses shall be offset against the total amount of future increase permitted by General Wage Regulation 6.

Adopted unanimously by the Wage Stabilization Board.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-8889; Filed, July 30, 1951; 1:59 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Direction 5]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 5—RECEIPT OF AUTHORIZED CONTROLLED MATERIALS ORDERED FOR DELIVERY PRIOR TO JULY 1, 1951

This direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

SECTION 1. A person whose delivery order for controlled materials has been accepted by a supplier for delivery during the second calendar quarter of 1951, may accept delivery of such materials during the third calendar quarter of 1951 without charging his third quarter allotment of such materials where the postponement of delivery has occurred through no fault of such person but by reason of the inability of the supplier to deliver on the original delivery date. Where the original order specified delivery in the third quarter 1951, such person must deduct the amount of such materials from his third quarter allotment whether he obtained them by use of an authorized controlled material order, a rated order, or an unrated order.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 69, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E .O. 10200, Jan. 3, 1951, 16 F. R. 61.)

This direction shall take effect on July 30, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-8898; Filed, July 30, 1951; 4:25 p. m.]

[NPA Order M-19 as amended July 30, 1951]

M-19—CADMIUM

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of the order as amended has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

This amendment makes numerous changes in NPA Order M-19 as last amended April 26, 1951. It relaxes some of the existing limitations on the use of cadmium and increases the amount permitted to be used for pigments.

Sec.

1. What this order does.
2. Definitions.
3. Use of cadmium.
4. Production of cadmium-containing items.
5. Production of cadmium-plated products.
6. Delivery of cadmium, cadmium-containing items, or cadmium-plated products.
7. Defense orders for cadmium-containing items and cadmium-plated products.
8. Inventories.
9. Applications for adjustment or exception.
10. Records and reports.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 69, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 69, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order controls deliveries of cadmium from a producer or distributor. The order also states the purposes for which cadmium, cadmium-containing items, and cadmium-plated products may be produced. In addition, the order imposes inventory controls on cadmium.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Base period" means the 6-month period ending June 30, 1950.

(c) "Cadmium" means all grades of metallic cadmium, oxide, or plating salts produced directly from ores, concentrates, or other primary materials, or redistilled, remelted, or otherwise recovered from cadmium scrap or any secondary cadmium-bearing material; and cadmium-bearing materials suitable for the manufacture of pigments.

(d) "Distributor" means any person regularly engaged in the business of buying cadmium and selling the same in forms suitable for general fabrication or electroplating. It also includes laboratory supply houses to the extent they are engaged in buying and selling cadmium in any form to laboratories.

SEC. 3. *Use of cadmium.* No person may use any cadmium in any fashion except to produce the cadmium-containing items listed in section 4 of this order, or to produce an electroplated coating on the products listed in section 5, and then only to the extent necessary to meet applicable specifications or for the proper service performance of the end-products.

Notwithstanding the foregoing, a person may use cadmium for research, control, analysis, synthesis, assaying, or educational work. The provisions of sections 4, 5, and 6 of this order do not prohibit the completion of items containing cadmium or cadmium-plated products not listed in sections 4 or 5 if they were in the process of manufacture on or before January 1, 1951, and such completion is effected not later than January 31, 1951.

SEC. 4. *Production of cadmium-containing items.* No person shall produce any cadmium-containing item except those listed in paragraphs (a) through (p) of this section, and then only for the purposes and subject to the qualifications set forth in said paragraphs (a) through (p):

(a) Pigments for the following:

(1) Luminescent paint for military uses.

(2) Luminescent printing ink for military uses.

(3) Luminescent paper for military and Government Printing Office uses.

(4) Luminescent plastic for military uses.

(5) Signal and illuminating glassware for safety, religious, military, and industrial uses.

(6) Thermometer tubing.

(7) Rubber sea buoys.

(8) Dental purposes.

(9) Artists' colors.

(10) X-ray fluoroscopic screens for medical or metallurgical purposes.

(11) Luminescent coatings for cathode ray tubes, except tubes to be used in signs, lighting fixtures, or lamps.

(12) Pigments for all other purposes: *Provided, however,* That no person shall use in any one month in the production of pigments for such other purposes a quantity of cadmium by weight in excess of 60 percent of his average monthly use of cadmium for such purposes during the base period.

(b) Silver brazing alloys containing no more than 25 percent by weight of cadmium (except that silver solder containing not in excess of 95 percent cadmium may be used where centrifugal stresses are encountered at operating temperatures over 500° F.).

(c) Copper-base alloys containing no more than 1.25 percent by weight of cadmium for the following:

(1) Current carrying parts of electrical current interruption devices to the extent that sufficient contact pressure cannot be maintained in service with other less critical materials.

(2) Parts inside electronic tubes.

(3) Resistance welding electrodes.

(4) Overhead electrical contact wire in railroad (including industrial and mines), streetcar, and trolley bus systems.

(5) Multistrand railroad signal bond wire.

(6) Shunt wire leads for motors and generators.

(7) Flexible terminals of resistors, condensers, and field coils.

(d) Low melting point alloys for the following:

(1) Dry-type rectifier elements.

(2) Fire protective systems, safety devices, and electrical fuses.

(3) Plugs for screwless fasteners in rimless metal spectacles.

(4) Dental use.

(5) Seals between brass and glass parts of liquid high voltage fuses.

(e) Low melting point alloys containing no more than 10 percent by weight of cadmium for the following:

(1) Plastic fire control instruments for the mounting of optics.

(2) Gold alloy for gold-filled spectacle frames.

(3) The manufacture of inspection gauges.

(4) Bending of thin wall tubes.

(5) Bending of finished roll-formed and extruded shapes.

(f) Low melting point alloys containing no more than 6.5 percent by weight of cadmium for the following:

(1) Anchorage of punch press dies and bushings in drill jigs.

(2) Location of control points and surfaces (except floor grouting) in construction of fixtures.

(g) Zinc-base alloys, containing no more than 0.5 percent by weight of cadmium, for rolling.

(h) Type metal containing no more than 0.5 percent by weight of cadmium.

(i) Lead-base alloys, containing no more than 3 percent by weight of cadmium, for the coating of copper wire.

(j) Items classified as secret, to the extent that certification of engineering necessity accompanies orders issued by the military services of the United States, the Atomic Energy Commission, or the United States Coast Guard.

(k) Standard cells.

(l) Electrolytic testers for storage batteries.

(m) Cadmium-impregnated carbon or cadmium-silver alloys for use as contacts in electric current interruption devices.

(n) Bearings for rolling mills, heavy duty diesel engines, and automotive replacements.

(o) Cadmium chemicals for any use other than the manufacture of pigments or for use in the manufacture of pigments permitted under paragraph (a) of this section. The manufacturer of cadmium chemicals may sell such chemicals without requiring the certificate called for in section 6 of this order: *Provided, however,* No person may sell such chemicals if he knows or has reason to know that they will be used in the manufacture of pigments not permitted by paragraph (a) of this section.

(p) High tensile copper wire containing not more than 1 percent of cadmium by weight where electric conductivity and strength are required, but only to the extent that no other material can be used.

SEC. 5. *Production of cadmium-plated products.* No person shall produce any cadmium-plated product except those listed in paragraphs (a) through (y) of this section and then only for the purposes and subject to the qualifications set forth in said paragraphs (a) through (y):

(a) Functional parts which in service are subjected to frequent and extended periods of intermittent immersion in sea water or wet sprays of sea water.

(b) Heddles, spiders, brackets, and pin boards used in textile plants to the extent that corrosive action makes the use of other materials impracticable.

(c) Ferrous hardware parts in direct contact with fabric or leather to be used on the following:

(1) Aircraft parachutes.

(2) Aircraft safety belts.

(3) Aircraft shoulder harnesses.

(4) Aircraft bomb slings.

(5) Letter straps.

(d) Moving parts which require close tolerances for proper functioning and on parts adjacent to such moving parts to the extent that the tolerances cannot be maintained in service with other finishes because of mechanical or electrical interference by the products of corrosion or wear.

(e) Operating parts of electric controllers and switches.

(f) Functional ferrous parts subject to the combined effect of corrosion and stress which in service reach a temperature of 500° F. or higher, and all parts in contact with such ferrous parts.

(g) Parts which serve to maintain an electrical contact for the suppression of radio interference.

(h) Electrical contact parts of aircraft ignition harnesses and propeller hubs.

(i) Parts of electrical equipment to the extent that they, for performance reasons, must be soldered with the use of non-corrosive fluxes and where other finishes do not provide required corrosion protection.

(j) The following parts of electronic equipment:

(1) Surfaces involved in unsoldered butt joints which must remain constant in electrical or radio frequency spectrum resistance or both.

(2) Surfaces which require good conductivity for radio frequency spectrum current.

(3) Nonferrous parts in contact with aluminum parts for prevention of electrolytic corrosion.

(k) Ferrous nuts, bolts, screws and other threaded parts, washers, hi-shear rivets, lock bolts, and cotter pins for use in aircraft.

(l) Nuts, bolts, machine screws, and studs having threads ⅜-inch diameter and smaller and/or having 16 or more threads per inch.

(m) Parts subject to frictional contact at least one of which is a moving part to the extent that other finishes of required thickness and corrosion protective value cause gouging, seizure, or binding.

(n) Parts which in service are subjected to the corrosive action of chlorine except on items which contact chlorine only during laundry operations.

(o) Parts of items classified as secret, to the extent that certification of engineering necessity accompanies orders issued by the military services of the United States, the Atomic Energy Commission, or the United States Coast Guard.

(p) Ferrous springs (including lock washers), and parts which of necessity have been assembled with such springs

before the plating operation, to the extent that other finishes do not provide necessary corrosion protection during use, and where their application causes embrittlement of the spring which cannot be removed satisfactorily by low temperature heat treatment.

(q) Carburetor, magneto, and generator parts, and parts of automotive and aircraft fuel pumps which come in contact with fuel.

(r) Hose clamps for aircraft.

(s) External parts of engines for combat aircraft, excluding attachments which are not integral parts of the engine proper, such as clips, clamps, lugs, and further excluding such parts on which alternative finishes have proven satisfactory in service and newly designed parts performing similar functions.

(t) Hydraulic fitting coupling sleeves made of copper-base alloys for use in aircraft.

(u) Electrical contact parts which touch parts of aluminum, magnesium, or their alloys.

(v) Threaded fittings of gray and malleable iron to the extent that other finishes do not provide required corrosion protection and tolerance, and threaded cast iron castings weighing 1 pound or less.

(w) Synthetic yarn and cotton twisters.

(x) High carbon wire for carding.

(y) Aircraft battery hold-down bars.

(z) Prosthetic devices where use of other materials is impracticable due to corrosion.

SEC. 6. *Delivery of cadmium, cadmium-containing items, or cadmium-plated products.* (a) Commencing on April 1, 1951, no person may deliver cadmium or any cadmium-containing item or cadmium-plated product unless he obtains directly, or through a dealer, from the person who will receive delivery thereof a signed certification as follows:

> The undersigned, subject to statutory penalties, certifies that the cadmium, cadmium-containing items, and cadmium-plated products herein ordered will be used by the undersigned only for the purposes and to the extent permitted by NPA Order M-19.

This certification constitutes a representation to the seller and to the National Production Authority that the cadmium, cadmium-containing items, and cadmium-plated products delivered will be used only for purposes permitted by this order and that such use is not prohibited by other applicable orders or regulations of the National Production Authority.

(b) The provisions of this section will not apply to deliveries of: (1) Cadmium to any agency of the United States for its stockpile of strategic materials; (2) cadmium, cadmium-containing items, or cadmium-plated products for purposes of resale only; (3) cadmium-containing items or cadmium-plated products in connection with retail sales; or (4) finished subassemblies ready for assembly by purchaser into final end-product.

SEC. 7. *Defense orders for cadmium-containing items and cadmium-plated products.* Notwithstanding the provisions of NPA Reg. 2 which establishes a priorities system, unless otherwise directed by the National Production Authority, rated orders calling for cadmium-containing items or cadmium-plated products are subject to the provisions of sections 4, 5, and 6 of this order.

SEC. 8. *Inventories.* No person obtaining cadmium, cadmium-containing items, or cadmium-plated products, for any purpose may receive or accept delivery of a quantity of such materials if his inventory is, or by such receipt would become, in excess of that necessary to meet his deliveries or supply his services on the basis of his scheduled method and rate of operation during the succeeding 30-day period, or in excess of a "practicable minimum working inventory" (as defined in NPA Reg. 1), whichever is less, except where it becomes necessary to exceed a 30-day inventory because of minimum purchasable quantities.

SEC. 9. *Applications for adjustment or exception.* (a) Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

(b) To enable the National Production Authority to evaluate applications for adjustment or exception in cases where it is not practicable to substitute other less scarce materials for cadmium, such applications in the form of requests for authorization to use cadmium for purposes not permitted by this order should be forwarded to the National Production Authority by letter, in duplicate, setting forth the following information:

(1) Period of time, not exceeding 6 months, for which adjustment is requested.

(2) Quantity of cadmium applicant proposes to consume monthly (i) for purposes permitted by this order and (ii) for purposes covered by the application, stating the sources from which the latter cadmium will be obtained.

(3) Description (and for cadmium-containing alloys, the alloy composition), function, specification number, and cadmium requirement of each part or of each group of parts fulfilling related functions.

(4) The "DO" symbol, if the order or contract bears a "DO" classification.

(5) Justification, including reasons why substitutes are not satisfactory; e. g., faulty performance, lack of facilities, or shortage of manpower.

(6) Such other information as the applicant may wish to submit.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F)

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C. Ref: M–19.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order, as amended, shall take effect, except as otherwise specifically stated, on July 30, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-8897; Filed, July 30, 1951; 4:25 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

WORLD WAR I; ESTABLISHMENT OF SERVICE-CONNECTED DISABILITY OF LESS THAN 10 PER CENTUM

In § 4.176, paragraphs (b) (2) (ix) and (c) are amended and paragraph (b) (2) (x) is deleted as follows:

§ 4.176 *World War I; establishment of service-connected disability of less than 10 per centum (Public No. 484, 73d Congress, act of June 28, 1934, as*

amended, Public No. 198, 76th Congress, act of July 19, 1939). * * *

(b) *Definition of term "disability," as used herein.* * * *

(2) * * *

(ix) A wound or injury incurred in action with an enemy of the United States or as the result of an act of such an enemy, as shown by official records or other competent evidence: *Provided,* That the wound or injury required medical treatment during service or resulted in a scar or other permanent residual: *Provided further,* That the issuance of a Purple Heart for the condition will be accepted as evidence of incurrence and medical treatment during service, if information on such issuance first noted in discharge or other papers is followed up by special inquiry of the Veterans Administration and officially confirmed by the service department concerned: *And provided further,* That the indication of incurrence and medical treatment during service thus to be established is not rebutted by other evidence. Included are gunshot and other wounds; gas inhalation, gas burns, or gas poisoning; shell shock; injuries received in accidents, explosions, and the like; burns; fractures and dislocations from falls and the like; laceration by barbed-wire entanglements; and similar injuries.

(x) [Deleted.]

* * * * *

(c) *Caution on service-connection.* Paragraph (b) of this section is definitive of disability only and should not in any instance be used or cited (except as to paragraph (b) (2) (ix)) as authority for service-connection which must be established in accordance with the laws and regulations governing the period of service involved.

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat 9; 38 U. S. C. 11a, 426, 707)

This regulation effective August 1, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-8825; Filed, July 31, 1951; 8:52 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter B—Hunting and Possession of Wildlife

PART 6—MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

Basis and Purposes. Section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755, 16 U. S. C. 704) authorizes and directs the Secretary of the Interior, from time to time, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory birds to determine when, to what extent, and by what means, such birds, or any part, nest or egg thereof, may be hunted, taken, captured, killed, possessed, sold, purchased, shipped, transported, carried, or exported.

On May 22, 1951, the public was invited to participate in the preparation of these regulations by submitting their views, data, or arguments, in writing to Albert M. Day, Director, Fish and Wildlife Service, Washington 25, D. C,, on or before July 9, 1951 (16 F. R. 4983). Careful consideration has been given to the views, data and arguments received and the results of studies and investigations by personnel of the Fish and Wildlife Service, of State agencies, and of other qualified organizations, both public and private. Accordingly, it has been determined that amendments to the regulations should be issued at this time which include the establishment of seasons, bag and possession limits on those migratory birds for which seasons are to open on or about September 1. In order to give sufficient time to evaluate the results of nesting studies and late spring surveys, the regulations will be supplemented not later than September 1 to fix the seasons and establish bag and possession limits on migratory waterfowl, coot and woodcock for which the season will not open before October 1.

In view of those provisions of Executive Order No. 10250 which authorized the Secretary of the Interior to adopt these regulations without approval of the President it is deemed advisable to revoke all previous regulations at this time and reissue in amended form the regulations governing this subject matter and appearing in this part. Accordingly, the regulations in this part are amended to read as follows:

Sec.

6.1 Definitions of migratory birds and game mammals.
6.2 Definitions of terms.
6.3 Means by which migratory game birds may be taken.
6.4 Open seasons, bag limits, and possession of certain migratory game birds.
6.5 Taking of certain migratory nongame birds by Eskimos and Indians in Alaska.
6.6 Shipment, transportation, and possession of certain migratory game birds.
6.7 Transportation of game mammals to and from Mexico.
6.8 Propagating, scientific and other permits.
6.9 Permits to kill, frighten or otherwise herd migratory birds injurious to agriculture or other interests.
6.10 State laws for the protection of migratory birds.

AUTHORITY: §§ 6.1 to 6.10 issued under sec. 3, 40 Stat. 755, as amended; 16 U. S. C. 704. Interpret or apply E. O. 10250, June 5, 1951, 16 F. R. 5385.

§ 6.1 *Definitions of migratory birds and game mammals*—(a) *Migratory birds.* Migratory birds included in the terms of the conventions between the United States and Great Britain for the protection of migratory birds, and between the United States and United Mexican States for the protection of migratory birds and game mammals concluded, respectively, August 16, 1916, and February 7, 1936, are as follows:

(1) *Game birds.* (i) Anatidae, or waterfowl, including brant, wild ducks, geese, and swans.

(ii) Gruidae, or cranes, including little brown, sandhill, and whooping cranes.

(iii) Rallidae, or rails, including coots, gallinules, and sora and other rails.

(iv) Limicolae (charadrii), or shorebirds, including avocets, curlews, dowitchers, godwits, knots, oyster-catchers, phalaropes, plovers, sandpipers, snipe, stilts, surf birds, turnstones, willet, woodcock, and yellowlegs.

(v) Columbidae, or pigeons, including doves and wild pigeons.

(2) *Insectivorous and other nongame birds.* Cuckoos (including road-runner and anis), flickers, and other woodpeckers; nighthawks, or bullbats, chuck-will's-widow, poor-wills, and whip-poor-wills; swifts; hummingbirds; kingbirds; phoebes, and other flycatchers; horned larks; bobolinks, cowbirds, blackbirds, grackles, meadowlarks, and orioles; grosbeaks (including cardinals), finches, sparrows, and buntings (including towhees); tanagers; martins and other swallows; waxwings; phainopeplas; shrikes; vireos; warblers; pipits, catbirds, mockingbirds, and thrashers; wrens; brown creepers; nuthatches; titmice (including chickadees, verdin and bushtits); kinglets and gnatcatchers; robins and other thrushes; and auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murres, petrels, puffins, shearwaters, and terns.

(b) *Game mammals.* Game mammals under the terms of the aforesaid convention between the United States and the United Mexican States include:

Antelope, mountain sheep, deer, bears, peccaries, squirrels, rabbits, and hares.

§ 6.2 *Definition of terms.* For the purposes of §§ 6.1 to 6.10, the following terms shall be construed, respectively, to mean and to include:

(a) *Secretary.* Secretary of the Interior of the United States.

(b) *Director.* Director, Fish and Wildlife Service, United States Department of the Interior.

(c) *Regional Director.* Regional Director, Fish and Wildlife Service, United States Department of the Interior.

(d) *Person.* Individual, club, association, partnership, or corporation, any one or all, as the context requires.

(e) *Take.* Hunt, kill, or capture, or attempt to hunt, kill, or capture.

(f) *Open season.* Time during which migratory birds may be taken.

(g) *Transport.* Ship, carry, export, import, and receive or deliver for shipment, conveyance, carriage, exportation, or importation.

§ 6.3 *Means by which migratory game birds may be taken.* (a) Migratory game birds on which open seasons are specified in § 6.4 may be taken during such seasons only with bow and arrow or with a shotgun not larger than No. 10 gage, fired from the shoulder, except as permitted by §§ 6.5, 6.8, and 6.9, but they shall not be taken with or by means of any automatic-loading or hand-operated repeating shotgun capable of holding more than three shells, the magazine of which has not been cut off or plugged with a one-piece metal or wooden filler incapable of removal without disassembling the gun so as to reduce the capacity of the said gun to not more than three shells at one time in the magazine and chamber combined. Such birds may be taken during

the open seasons from land or water, with aid of a dog, and from a blind, boat, or other floating craft not under tow or sail, except sinkbox (battery), motorboat (excluding a boat having a detached outboard motor), and sailboat: *Provided,* That nothing in this section shall permit the taking of migratory game birds from or by means, aid, or use of any motor-driven conveyance, motor vehicle, or aircraft of any kind, the taking of waterfowl by means, aid, or use of cattle, horses, mules, or live duck or goose decoys, the concentrating, driving, rallying, or stirring up of waterfowl and coots by means or aid of any motor-driven land, water, or air conveyance or sailboat: *Provided further,* That nothing in this section shall exclude the picking up of injured or dead waterfowl, coot, rails, or gallinules by means of a motorboat, sailboat, or other craft.

(b) Waterfowl, mourning doves, and white-winged doves, may not be taken directly or indirectly, by baiting and they may not be taken over any baited place. As used in this section "baiting" shall mean the placing, exposing, depositing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat, or other grain, salt, or other feed so as to constitute for such birds a lure, attraction, or enticement to, on, or over the area where hunters are attempting to take them, and "baited place" shall mean any place where, at any time during the open seasons on such birds, shelled, shucked, or unshucked corn, wheat, or other grain, salt, or any other feed whatsoever that may attract such birds is directly or indirectly placed, exposed, deposited, distributed or scattered. Nothing in this section shall be construed to apply to propagating, scientific, or other operations in accordance with the terms of permits issued pursuant to § 6.8, or to the taking of birds over properly shocked corn and standing crops of corn, wheat, or other grain or feed, and grains found scattered solely as a result of normal agricultural harvesting, or to the feeding of migratory game birds at any time not in connection with hunting.

(c) No person over 16 years of age may take migratory waterfowl unless at the time of such taking he has on his person an unexpired Federal migratory-bird hunting stamp, validated by his signature written across the face thereof in ink. Persons not over 16 years of age may take migratory waterfowl without such stamp.

§ 6.4 *Open seasons, bag limits, and possession of certain migratory game birds.* (a) During the open seasons prescribed and except as hereinafter provided in this section, ducks, geese, brant, and coot may be taken daily from one-half hour before sunrise to one hour before sunset, and rails, gallinules, woodcock, mourning or turtle doves, white-winged doves, and band-tailed pigeons from one-half hour before sunrise to sunset. The hour for the announcement of hunting of waterfowl and coot on the first day of the season, including each first day of the split seasons, shall be 12 o'clock noon.

(b) A person may take in any one day during the open seasons prescribed therefor not to exceed the numbers of migratory game birds permitted in this section of which numbers shall include all birds taken by any other person who for hire accompanies or assists him in taking such birds. When so taken such birds may be possessed in the number specified in this section, except that no person on the opening day of the season may possess any migratory game birds in excess of the applicable daily limits and no person may possess any freshly killed migratory game bird during the closed season for such bird.

(c) Nothing in this part shall be deemed to permit the taking of migratory birds on any reservation or sanctuary established under the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1222), or any area of the United States set aside under any other law, proclamation, or Executive order for use as a bird, game, or other wildlife reservation, breeding ground, or refuge, or on any area designated as a closed area under the Migratory Bird Treaty Act except so far as may be permitted by the Secretary of the Interior.

(d) No migratory bird may be taken at any time, by any means, from, on, or across any highway, road, trail, or other right-of-way, whether public or private, within the exterior boundaries of any duly established national wildlife refuge.

(e) The open seasons (dates inclusive) on the following migratory game birds only, the daily bag and possession limits, and the exceptions to the hours of hunting heretofore stated, shall be as shown in the following schedules:

(1) *Atlantic Flyway States.*

	Rails and gallinules [1]		Mourning or turtle dove
	Sora	Others	
Daily bag limits	25	[2] 15	8.
Possession limits	25	[2] 15	8.
Seasons in: [3]			
Connecticut [4]	Sept. 1–Oct. 30		
Delaware	Sept. 1–Oct. 30		Oct. 1–Oct. 30. [5]
Florida	Sept. 15–Nov. 13 [6]		Dec. 15–Jan. 13. [5 7]
Georgia	Sept. 1–Oct. 30		Sept. 15–Sept. 29 [5] and Jan. 15–Jan. 29.
Maine [4]			
Maryland	Sept. 1–Oct. 20		Oct. 5–Nov. 3. [5]
Massachusetts [4]	Oct. 20–Oct. 30		
New Hampshire [4]	Sept. 1–Oct. 30		
New Jersey	Sept. 1–Oct. 30		
New York [4]			
North Carolina	Sept. 1–Oct. 30		Sept. 15–Sept. 29 [5] and Jan. 1–Jan. 15.
Pennsylvania	Sept. 1–Oct. 30		Oct. 8–Nov. 6. [5]
Rhode Island [4]	Sept. 1–Oct. 30		
South Carolina	Sept. 1–Oct. 30		Sept. 16–Sept. 30 [5] and Dec. 23–Jan. 6.
Vermont	Sept. 1–Oct. 30		
Virginia	Sept. 1–Oct. 30		Oct. 2–Oct. 31. [5]
West Virginia	Sept. 1–Oct. 30		
Puerto Rico	Dec. 15–Feb. 12		

[1] Rails and gallinules: When permitted to be taken during the waterfowl season they may not be hunted after 1 hour before sunset.
[2] Not more than 15 in the aggregate of rails (other than sora) and gallinules.
[3] No open season in District of Columbia but migratory game birds may be possessed therein in accordance with § 6.6 (c).
[4] Scoter, eider and old-squaw ducks may be taken in open coastal waters only, beyond outer harbor lines, in Connecticut, Maine, Massachusetts, New Hampshire, New York, and Rhode Island, from Sept. 28 to Dec. 31. In areas other than those beyond outer harbor lines such birds may be taken during the open season for other ducks. In these States only, the daily bag limit is 7 scoter, eider or old-squaw ducks singly or in the aggregate, and not exceeding 14 in possession singly or in the aggregate.
[5] Shooting hours for mourning doves in States indicated—12 noon until sunset.
[6] Florida: Rails (including sora) and gallinules, daily bag and possession limit 15, singly or in aggregate of all kinds.
[7] Florida: Mourning doves in Dade, Monroe, and Broward Counties, Oct. 1 to Oct. 30.

NOTES: The seasons for hunting rails and gallinules in Maine and New York will conform to the waterfowl season dates to be prescribed in August.

(2) *Mississippi Flyway States.*

	Rails and gallinules [1]		Mourning or turtle dove
	Sora	Others	
Daily bag limits	25	[2] 15	8.
Possession limits	25	[2] 15	8.
Seasons in:			
Alabama			Dec. 17–Jan. 15. [3]
Arkansas	Sept. 1–Oct. 30		Sept. 15–Oct. 14. [3]
Illinois	Sept. 1–Oct. 30		Sept. 1–Sept. 30.
Indiana	Sept. 1–Oct. 30		
Iowa			
Kentucky	Sept. 1–Oct. 30		Sept. 15–Oct. 14. [3]
Louisiana	Sept. 1–Oct. 30		Dec. 1–Dec. 30. [3]
Michigan			
Minnesota	Sept. 16–Nov. 14		
Mississippi	Oct. 15–Dec. 13		Dec. 15–Jan. 13. [3]
Missouri	Sept. 1–Oct. 30		Sept. 1–Sept. 30.
Ohio	Sept. 1–Oct. 30		
Tennessee			Sept. 16–Sept. 30 [3] and Oct. 16–Oct. 30.
Wisconsin			

[1] Rails and gallinules: When permitted to be taken during the waterfowl season they may not be hunted after 1 hour before sunset.
[2] Not more than 15 in the aggregate of rails (other than sora) and gallinules.
[3] Shooting hours for mourning doves in States indicated—12 noon until sunset.

NOTES: The seasons for hunting rails and gallinules in Alabama, Michigan and Wisconsin will conform to the waterfowl season dates to be prescribed during August.

(3) *Central Flyway States.*

	Rails and gallinules [1]		Mourning or turtle dove
	Sora	Others	
Daily bag limits	25	[2] 15	10.
Possession limits	25	[2] 15	10.
Seasons in:			
Colorado			Sept. 1-Oct. 12.
Kansas	Sept. 1-Oct. 30		Sept. 1-Sept. 30.
Montana			
Nebraska	Sept. 1-Oct. 30		Sept. 1-Sept. 30.
New Mexico	Sept. 1-Oct. 30		Sept. 1-Oct. 12.[3]
North Dakota	Sept. 1-Oct. 30		
Oklahoma	Sept. 1-Oct. 30		Sept. 1-Sept. 30.
South Dakota	Sept. 1-Oct. 30		
Texas	Sept. 1-Oct. 30		[4] [5].
Wyoming	Sept. 1-Oct. 30		

[1] Rails and gallinules: When permitted to be taken during the waterfowl season they may not be hunted after 1 hour before sunset.
[2] Not more than 15 in the aggregate of rails (other than sora) and gallinules.
[3] New Mexico: Shooting hours for mourning doves on first day of season, 12 noon until sunset; thereafter from sunrise to sunset.
[4] Texas: Mourning doves in Val Verde, Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Milan, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, Sept. 1 to Oct. 10 from 12 noon until sunset; in the rest of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks Kenedy, and Willacy Counties), Nov. 15 to Dec. 24, from 12 noon until sunset; in these latter counties Sept. 14, 16, and 18 from 4 p. m. until sunset and from Nov. 15 to Dec. 21 from 12 noon until sunset.
[5] Texas: White-winged doves in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Dimmit, La Salle Jim Hogg, Brooks, Kenedy, Willacy, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Culberson, Hudspeth and El Paso Counties, Sept. 14, 16, and 18 from 4 p. m. until sunset; daily bag and possession limit for white-winged or mourning doves is not more than 10 singly or in the aggregate of both kinds; no open season in rest of State.

(4) *Pacific Flyway States.*

	Rails and gallinules [1]		Mourning or turtle dove	Band-tailed pigeons
	Sora	Others		
Daily bag limits	25	[2] 15	10 [3]	6.
Possession limits	25	[2] 15	10 [3]	6.
Seasons in:				
Arizona [3]	Sept. 1-Oct. 30		Sept. 1-Oct. 15	
California [3]			Sept. 1-Sept. 30	[4].
Idaho			[5]	
Nevada			Sept. 1-Sept. 30	
Oregon			Sept. 1-Sept. 15	Sept. 1-Sept. 30.
Utah	Sept. 1-Oct. 30		[6]	
Washington				Sept. 1-Sept. 30.
Alaska [7]				

[1] Rails and gallinules: When permitted to be taken during the waterfowl season they may not be hunted after 1 hour before sunset.
[2] Not more than 15 in the aggregate of rails (other than sora) and gallinules.
[3] White-winged dove in Arizona and in Imperial County, Calif., Sept. 1 to Sept. 15. The daily bag and possession limit for white-winged or mourning doves is not more than 10 singly or in the aggregate of both kinds.
[4] California: Band-tailed pigeon Sept. 16 to Sept. 30 and Dec. 17 to Dec. 31.
[5] Idaho: Mourning doves, no open season in Boundary, Bonner, Benewah, Shoshone, Kootenai, Clark, Fremont, Madison, Caribou, and Teton Counties; in rest of State, Sept. 1 to Sept. 15.
[6] Utah: Mourning doves in Tooele, San Juan, Beaver, Iron, Washington, Uintah, Millard and Juab Counties, Sept. 1 to Sept. 9; no open season in rest of State.
[7] Alaska: Ducks, geese and brant (except Ross's goose), and coot. In the Second and Fourth Judicial Divisions Sept. 1 to Oct. 25; in the Third Judicial Division (except Kodiak-Afognak Island group), Sept. 7 to Oct. 31; in the First Judicial Division and the Kodiak-Afognak Island group Oct. 1 to Nov. 24; provided that scoter, eider and merganser ducks also may be taken in the Third Judicial Division west of 152° west longitude from Sept. 7 to Dec. 21, and in the Second and Fourth Judicial Divisions from Sept. 1 to Dec. 15. The daily bag limit for scoters and eiders is 10 singly or in the aggregate of all kinds and the possession limit is not more than 20 singly or in the aggregate. The daily bag limit for American and red-breasted mergansers is 25 singly or in the aggregate of both kinds with no possession limit after the first day of the season. Limits for other ducks not over 4 a day with 8 in possession. Daily bag and possession limits for the following geese and brant: a bag limit of not more than (a) 2 Canada geese or its subspecies, or (b) 2 whitefronted geese, or (c) 2 brant or (d) 1 each of any 2 of these 3 kinds with a possession limit of not more than 2 each of any 2 of these kinds; in addition a daily bag limit of 4 snow or emperor geese singly or in the aggregate of both kinds, with a possession limit of not more than 8 singly or in the aggregate of both kinds.

Provided, however, That whenever the Director of the Fish and Wildlife Service shall find that emergency State action to prevent forest fires in any extensive area has resulted in the shortening of the season during which the hunting of any migratory game bird is permitted and that a compensatory extension or reopening of the hunting season for such birds will not result in a diminution of the abundance of birds to any greater extent than that contemplated for the original hunting season, the hunting season for the birds so affected may, subject to all other provisions of this subchapter, be extended or reopened by the Director upon request of the chief officer of the agency of the State exercising administration over wildlife resources. The Director of the Fish and Wildlife Service shall fix the length of the extended or reopened season, which in no event shall exceed the number of days during which hunting has been so prohibited, and he shall publicly announce the extended or reopened season.

§ 6.5 *Taking of certain migratory nongame birds by Eskimos and Indians in Alaska.* In Alaska, Eskimos and Indians may take, in any manner and at any time, and may possess and transport, auks, auklets, guillemots, murres, and puffins and their eggs and skins for use of themselves and their immediate families for food and clothing.

§ 6.6 *Shipment, transportation, and possession of certain migratory game birds*—(a) *Transportation in or out of Alaska, Puerto Rico, and the United States.* (1) Migratory game birds and parts thereof, which if dressed have the head, head plumage, and feet attached and which have been lawfully taken, may be transported in or out of Alaska, Puerto Rico, District of Columbia, or any State during the open season where taken: *Provided,* That the number of such birds permitted to be transported out of or into any such State, Alaska, Puerto Rico, or the District of Columbia or to a foreign country during any one calendar week shall not exceed for one person the number permitted by § 6.4 to be in the possession of one person where taken.

(2) Any such birds or parts thereof transported from Alaska, Puerto Rico, or any State not later than 48 hours following the close of the open season therein may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination.

(3) Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof contained therein clearly and conspicuously marked on the outside thereof.

(b) *Importations from Canada, Mexico, or other foreign country.* Migratory game birds of species on which open seasons are prescribed by § 6.4, and parts thereof, which if dressed have the head, head plumage, and feet attached (except that such birds from Mexico must be dressed, drawn and have the head and feet removed) and which have been lawfully taken and possessed in and exported from a foreign country, may be transported into the United States, Alaska, or Puerto Rico during the open seasons where taken: *Provided,* That shipments from Mexico must be accompanied by a Mexican export permit and shipments from Canada must be accompanied by tags or permits if required by provincial or dominion law: *And provided further,* That the number of such migratory game birds permitted to be so imported during any one calendar week shall not exceed for one person the greatest number of each species permitted to be possessed by one person anywhere in the United States not including Alaska.

Any such birds or parts thereof transported from Canada or Mexico not later than 5 days immediately following the open season where taken may continue in transit for such additional time immediately after shipment, not to exceed 5 days, as is necessary to deliver them to their destination. Any package in which such birds or parts thereof are transported shall have the name and address of the shipper and of the consignee and an accurate statement of the numbers and kinds of birds or parts thereof therein contained clearly and conspicuously marked on the outside thereof.

(c) *Possession.* Within the maximum possession limits prescribed by § 6.4 migratory game birds lawfully taken within a State or transported or imported in accordance with the provisions of paragraphs (a) or (b) of this section, may be possessed in any State, District of Columbia, Alaska, or Puerto Rico during the open season where taken and for an

additional 90 days next succeeding the said open season.

For the purposes of the regulations in this part the ownership and possession of birds legally taken by any hunter shall be deemed to have ceased when such birds have been delivered by him to (1) a post office, (2) a common carrier, or (3) a locker, storage plant, or similar facility for transportation to some person other than the hunter or a member of the hunter's immediate household. As used in this section, "locker, storage plant, or similar facility" includes only those facilities as are engaged in the business of receiving and handling birds and keep and make available for inspection by any officer authorized to enforce these regulations at any reasonable time records showing the names and addresses of both the consignors and the consignees of such birds.

(d) *Limitations upon transportation and importation.* Nothing contained in this section shall be construed as permitting transportation of migratory game birds, or parts thereof, from, to, or through any State, Alaska, Puerto Rico, or the District of Columbia, or to or through Canada, Mexico, or other foreign countries, contrary to the laws of the place in which taken or from, to, or through which transported; nor shall any such birds be imported from Canada, Mexico, or other foreign countries contrary to the laws of the place in which taken or from, to, or through which transported.

§ 6.7 *Transportation of game mammals to and from Mexico*—(a) *To Mexico.* Game mammals or parts or products thereof, taken in and transported from a State, Territory, or the District of Columbia, may be transported to Mexico, if the importation thereof is not prohibited by law or regulation of that country, upon presentation to the collector of customs at the port of exit of the certificate of an official, warden, or other officer of the game department of such State, Territory, or District, that such game mammals, or parts or products thereof, which must be listed in the certificate, were taken or acquired and are being transported in compliance with the laws and regulations of such State, Territory, or District.

(b) *From Mexico.* Game mammals, dead or alive, their parts or products, may be transported from Mexico into the United States if accompanied by a Mexican export permit, and if alive by such permit as may be required under regulations of the Secretary of the Treasury relating to transportation of wild animals and birds under humane and healthful conditions: *Provided,* That their possession in any State or Territory or the District of Columbia, will be subject to the laws of such State, Territory, or District.

§ 6.8 *Propagating, scientific and other permits*—(a) *General authorization.* Any person, without a permit, may possess and transport for his own use legally acquired live migratory waterfowl and the plumage and skins of legally taken migratory game birds; and such person may possess, dispose of, and transport for the making of fishing flies, bed pillows, and mattresses, and for similar commercial uses, but not for military nor ornamental use, feathers of wild ducks and wild geese legally killed, or seized and condemned by Federal or State game authorities.

(b) *Special authorization.* Imports from Mexico must be accompanied by Mexican export permits, but otherwise State or municipal game farms or city parks may acquire, possess, dispose of, and transport lawfully obtained live migratory waterfowl without a special permit; and public museums, zoological parks and societies, and public scientific and educational institutions may acquire by gift, loan or purchase and may possess, dispose of, and transport lawfully obtained migratory birds and their eggs, nests, or parts without obtaining a special permit. No such birds may be sold to, purchased from, or exchanged with any person not authorized pursuant to this section to sell, purchase, or exchange them.

(c) *Special permits.* Permits for the importation, taking, sale, purchase or other acquisition, and possession of live migratory birds and their eggs for propagating purposes; for the importation, taking, sale, purchase or other acquisition, and possession of migratory birds and their eggs, nests, or parts for scientific and other limited purposes; for the disposition and transportation of such birds, eggs, nests, parts and their increase; and for the mounting or other preparation by a taxidermist of such birds, eggs, or nests, may be issued by the Director, Fish and Wildlife Service, Washington 25, D. C., upon such terms and conditions as are consistent with the protection of the species and the general purposes of §§ 6.1 to 6.10 which terms and conditions may include, among other things, the inspection of premises and records by authorized employees of the Department, the keeping of records and the making of reports. Importations from Mexico under this paragraph must be accompanied by a Mexican export permit.

To insure the preservation of migratory birds, permits to take for scientific and propagating purposes may be denied or they may limit the number and species of such birds or their eggs to be taken thereunder, the place where they may be taken, and the manner and means of taking. Migratory birds, their eggs, and nests may not be sold to, purchased from, or exchanged with any person not authorized by this section or by a permit issued under this paragraph to make such sale, purchase, or exchange.

No permit issued under this paragraph shall authorize the taking, possession, sale, purchase, exchange, or transportation of migratory birds or their eggs or nests unless the permittee also possesses whatever permit may be required for such action pursuant to the laws and regulations of the State, Territory, or District concerned.

(d) *Transfer and revocation.* No permit issued under the regulations in this part shall be transferable. Any permits heretofore or hereafter issued under authority of the regulations in this part may be terminated for violation of the regulations in this part or failure to comply with the terms and conditions of the permit.

(e) *Application for permits.* Applications for permits shall be addressed to the Director, Fish and Wildlife Service, Washington 25, D. C., in such form as he may prescribe.

(f) *Marking of packages.* Every package in which migratory birds or parts, nests, or eggs thereof are shipped wholly within a State or Territory or the District of Columbia, or in which such birds or parts or eggs thereof are transported by any means whatever from one State, Territory, or the District of Columbia, to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof to show the names and addresses of the consignor and consignee, the contents of the package, the number of the permit under authority of which it is shipped or transported and the purpose for which the birds or parts, nests, or eggs are being shipped or transported.

§ 6.9 *Permits to kill, frighten, or otherwise herd migratory birds injurious to agriculture or other interests*—(a) *Localized injuries.* Upon receipt by the Director, or the Regional Director in the region where the injury occurs, of information from the owner, tenant, sharecropper, or other person that migratory birds are injuring his crops or other property on the land on which he resides or over which he exercises control together with a statement of the location of the area, the nature of the crops or other interests being injured, the extent of such injury, and the particular species of birds committing the injury, an investigation will be made, and if it is determined from such investigation that the injury complained of is substantial and can be so abated, permits to kill, frighten, or otherwise herd the birds may be issued by the Director, or by the Regional Director if authorized by the Director, in which permits will be specified the time during which, the means and methods by which, and the person or persons by whom the birds may be killed, frightened, or herded, and the disposition to be made of the birds killed, and such other restrictions as may be deemed necessary and appropriate in the circumstances of the particular case.

Every person exercising any privilege granted in a permit issued by the Director or Regional Director shall keep an accurate record of all migratory birds killed by him, and whenever requested by the Director or by the Regional Director shall submit promptly, on a form provided by the Fish and Wildlife Service for the purpose, a report correctly stating the species and the number of each species of migratory birds killed by him, and in any event shall submit such report to the Regional Director on or before January 10 of each year. Failure to submit a report as required by this section will be sufficient cause for revocation of the permit or withdrawal of any privilege accorded any person failing to make the report.

§ 6.10 *State laws for the protection of migratory birds.* Nothing in this part or

in any permit issued thereunder shall be construed to permit the taking, possession, sale, purchase, or transportation of migratory birds, or parts, nests, or eggs thereof contrary to the laws and regulations of any State or Territory or the District of Columbia, made for the purpose of giving further protection to migratory birds, their nests, and eggs, when such laws and regulations are not inconsistent with the conventions between the United States and any other country for the protection of migratory birds or with the Migratory Bird Treaty Act and do not extend the open seasons for such birds beyond the dates prescribed by this part.

These regulations shall become effective September 1, 1951.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 27, 1951.

[F. R. Doc. 51-8882; Filed, July 31, 1951; 8:57 a. m.]

Subchapter C—Management of Wildlife Conservation Areas

PART 33—CENTRAL REGION

SUBPART—CHAUTAUQUA NATIONAL WILDLIFE REFUGE, ILLINOIS

FISHING

Basis and purpose. The prohibition against the use of motorboats that has been in effect on the Chautauqua National Wildlife Refuge was designed to protect aquatic vegetation and other waterfowl habitat. It now appears possible to allow some liberalization in the use of boats powered by outboard motors without detriment to such habitat.

Inasmuch as the following regulation is a relaxation of the existing prohibition against the use of motorboats on the refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, § 33.39 is revised to read as follows:

§ 33.39 *Use of motorboats.* The use of boats powered by outboard motors not to exceed five (5) horsepower is permitted for recreational fishing during the period April 15 to the third Sunday in September, inclusive. Commercial fishermen who are under contract with the Illinois Natural History Survey are authorized to use inboard and outboard motorboats during the period from April 15 to September 30, inclusive, only when engaged in experimental contract fishing. Boats are prohibited in any area posted by the Officer in Charge when such action is necessary, in his opinion, for the protection of wildlife or wildlife habitat.

(45 Stat. 1224; 16 U. S. C. 715i)

Dated: July 26, 1951.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 51-8790; Filed, July 31, 1951; 8:45 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter F—Merchant Ship Sales Act of 1946

[Gen. Order 60, Supp. 8, Amdt. 3]

PART 299—RULES AND REGULATIONS, FORMS, AND CITIZENSHIP REQUIREMENTS

SUBPART C—CHARTER OF WAR-BUILT VESSELS TO CITIZENS

Paragraph (k) *Preliminary determination and payment of "additional charter hire"* of § 299.31 *Charter of war-built vessels to citizens of the United States,* as amended, is hereby amended further:

1. In subparagraph (1) of paragraph (k) by changing the period, immediately following the word "involved," at the end of the first sentence thereof to a comma and adding the following: *"Provided,* That, for the period from January 1, 1951 to June 30, 1951, such payment shall be made on or before August 31, 1951, and that, for each succeeding quarter-annual period (i. e., September 30, December 31, March 31, and June 30), such payments shall be made within sixty (60) days after the close of each such period"; and

2. In subparagraph (4) of paragraph (k) by deleting the word "monthly," immediately preceding the word "statements," from the next to the last sentence thereof.

(Sec. 204, 49 Stat. 1987, as amended, sec. 12, 60 Stat. 49; 46 U. S. C. 1114, 50 U. S. C. App. 1745)

Dated: July 24, 1951.

[SEAL] E. L. COCHRANE,
Maritime Administrator.

[F. R. Doc. 51-8824; Filed, July 31, 1951; 8:51 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 8736, 8975, 8976, 9175]

PART 1—PRACTICE AND PROCEDURE

ACCEPTANCE OF APPLICATIONS

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Dockets No. 8736 and 8975; Amendment of the Commission's rules, Regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; Utilization of frequencies in the Band 470 to 890 Mcs. for television broadcasting, Docket No. 8976; Fifth Report and Order of Commission.

1. On May 6, 1948, the Commission issued a "Notice of Proposed Rule Making (FCC 48-1569) in the above-entitled Dockets 8736 and 8975 designed to amend its table of television channel assignments for the United States. During the hearing subsequently held by the Commission on its proposed Table, evidence was presented concerning tropospheric interference, directional transmitting antennas, increased power and mileage spacings between television stations. As a result of this evidence, an Industry-Commission Conference was held on September 13, and 14, 1948, on the following issue, among others: "If the standards are to be revised, what policy should be adopted with respect to applications now pending before the Commission." At the conclusion of that Conference the Commission announced its plan to hold an engineering conference "to consider questions regarding revision of the Commission's rules, regulations and standards with respect to the technical phases of television allocations."

2. On September 30, 1948, the Commission issued a "Report and Order" (FCC 48-2182), commonly referred to as the "freeze" order. By the terms of said order, § 1.371 of the Commission's rules was amended by adding footnote 8a thereto, reading as follows:

[8a] Pending further consideration of the issues in Docket Nos. 8975 and 8736, requests for television authorizations on channels 2 through 13 will be considered in accordance with the following procedure:

(a) Applications pending before the Commission and those hereafter filed for permits to construct television stations on channels 2 through 13 will not be acted upon by the Commission but will be placed in the pending files.

(b) Applications pending before the Commission and those hereafter filed for modification of existing permits or licenses will be considered on a case-to-case basis and Commission action thereon will depend on the extent to which they are affected by the issues to be resolved in the proceedings bearing Docket Nos. 8975 and 8736.

(c) No hearing dates will be scheduled with respect to applications for construction permits which have been designated for hearing, and in cases in which hearings have been commenced or completed but decisions have not been issued, no further action will be taken.

(d) This procedure does not apply to construction permits or other television authorizations heretofore issued by the Commission.

3. Pursuant to the provisions of subparagraph (a) above, no applications then pending or thereafter filed for construction permits for new television stations have been granted, and there are now on file with the Commission 420 such applications. Since December 1949, in considering various applications before it for modification of outstanding construction permits, the Commission has clarified its intentions concerning the "case-to-case basis" specified in the subparagraph (b). In passing on these applications, the Commission has not granted applications for modification of construction permits where such grants would result in increased coverage over that resulting from the effective radiated powers and antenna heights specified in the applicants' authorizations outstanding on September 30, 1948, the date of the Commission's "freeze" order. It has granted requests for lower powers and increased antenna heights which would result in coverage not in excess of that existing on the "freeze" date. It has not granted increased powers and lower antenna heights since such increased power involved questions of increased tropo-

spheric interference. It has issued partial grants in accordance with the above policy.

4. On March 22, 1951, the Commission issued its "Third Notice of Further Proposed Rule Making" (FCC 51–244) in which it provided in paragraph 10 thereof the following:

10. The most important single factor which induced the issuance by the Commission of its "freeze" order of September 30, 1948, was the desire to ascertain whether sufficient mileage spacing had been provided between assignments set forth in its table. On the basis of the data contained in the record of this proceeding the Commission is proposing the separations specified in the attached Appendix A. In the light of these separations the Commission proposes to take the following actions upon the expiration of the time specified in paragraph 12 herein for the filing of comments and oppositions thereto:

(a) The Commission will determine whether any issue has been raised which would prevent the lifting of the "freeze" with respect to channel assignments in Alaska, Hawaiian Islands, Puerto Rico and Virgin Islands. These Territories are sufficiently removed from the continental United States so as not to be involved in the separations problems of continental United States and present no assignment problem with any neighboring countries. Separations have been maintained within the Territories which are in accordance with the Commission's proposals in Appendix A. Accordingly, in the absence of any issue with respect to these separations, the Commission proposes to lift the "freeze" with respect to the above Territories without waiting to reach a final determination on all the assignments proposed in Appendix C.

(b) The Commission will determine whether any issue has been raised with respect to the Commission's proposed assignments in the UHF band. In the absence of such issue, and where serious procedural or practical objections do not exist, the Commission will consider lifting the "freeze" on applications which specifically request a UHF channel.

(c) The Commission will determine whether any issue has been raised with respect to applications by existing television licensees and permittees to increase power in accordance with the proposals set forth in Appendix A. In the absence of such issue the Commission will consider lifting the "freeze" so far as existing stations are concerned on a case-to-case basis where it appears that a grant of increased power not in excess of the maximum specified in Appendix A will not affect channel assignment proposals offered by the Commission or by interested parties and will not unduly restrict the Commission's flexibility in reaching final determinations with respect to assignments still in issue.

(d) Should the Commission take action in accordance with the views expressed in subparagraphs (a), (b), and (c) above, a reasonable period will be provided for the filing of appropriate applications.

5. In advancing the above proposals for a partial lifting of the "freeze" the Commission recognized that the factors which called for a continuance of the "freeze" on the construction of new VHF television stations in the United States were not the same, in all respects, as those relating to the Territories, the UHF band, and increased power for existing stations. The Commission was of the opinion that under certain conditions a partial lifting of the "freeze" might be effected in the three instances specified in paragraph 10 of the Third Notice. However, with respect to the construction of new television stations in the VHF band, it became evident that a change in a channel assignment in a particular city, or the retention of a particular assignment might have a chain reaction on assignments in areas hundreds of miles away. For example, assuming the mileage separations specified in Appendix A, if a channel were changed in City X, it might require a change in co-channel assignments within a 180-mile radius from City X, as well as in adjacent channel assignments within 70 miles of City X, and possible shifting of other channels. These channel changes might require corresponding shifting of channels located within a 180-mile radius from the second group of channels. In the same way, if construction permits were issued for new stations in City X either on the existing channels or on the proposed channels, it might have the effect of freezing channel assignments within 180 miles, which, in turn, might freeze assignments within another 180 miles, and so on. It followed, therefore, that any crystallization of channel assignments resulting from the authorization and construction of new television stations in particular areas might remove the element of flexibility, an element which is essential if the Commission is to remain free to adopt an assignment table based on the soundest engineering principles.

6. On June 15, 1951, in a "Memorandum Opinion and Order" (FCC 51–635) the Commission designated for oral argument questions relating to its authority to issue a Table of Assignments as part of its rules and to reserve channels for non-commercial educational stations. Thereafter, on June 21, 1951, the Commission issued its "Third Report of Commission" (FCC 51–640) in which it explained why it could not, at that time effectuate the purposes of paragraph 10 of the Third Notice. In that Report the Commission pointed out that because of the existence of substantive and procedural objections it would take no action at that time to lift the "freeze" with respect to applications for UHF channels; and that, pending the above-mentioned oral argument, it would take no action at that time to lift the "freeze" in the Territories and to permit existing stations to increase power. Subsequently, on July 13, 1951, the Commission issued its "Memorandum Opinion" (FCC 51–709) in which it concluded that it had legal authority under the Communications Act of 1934, as amended, to "(1) Prescribe as part of its rules and subject to change through rule making a table specifying the channels upon which television station assignments may be made in specified communities and areas; and (2) designate and reserve certain of the assignments provided in such table for use by non-commercial educational television stations." In view of these conclusions we have again considered the possibilities suggested in paragraph 10 (a) and (c) of our Third Notice. And we have concluded that it is now possible, consistent with the basic criteria set out in paragraph 10 (c) to take certain steps permitting some increase in power for existing stations. A separate further report will be issued with respect to the suggestion contained in paragraph 10 (a).

7. In suggesting the possibility, in the Third Notice, of permitting increased power for existing stations we recognized that this might be accomplished without encountering problems such as those which would arise if we permitted new stations to be constructed in areas having no service at present. Without prejudice to those areas not now having stations, we would be providing for a better service to the public from existing stations and would be creating a situation in which, as a general matter, existing stations could operate on a more nearly equal basis from the viewpoint of coverage—a condition which would contribute materially to the healthy development of the new television industry.

8. In paragraph 10 (c) of the Third Notice the criteria we enunciated were, in essence, that increases in power for existing stations would be permitted if, upon consideration of all comments, we could permit such increases on a "case-to-case" basis in a manner which would not affect channel assignment proposals offered by the Commission or by interested parties in this proceeding, and would not unduly restrict the Commission's flexibility in reaching final determinations with respect to assignments still in issue. Out of approximately 700 comments filed by interested parties pursuant to the Commission's Third Notice, only two comments opposed the Commission's proposal to increase power of existing stations. Neither of the two opposing comments advanced a single reason as to why the proposal should not be effectuated.[1] From a review of the many comments and oppositions heretofore filed in this proceeding we do not believe it to be advisable at this point in the proceeding to permit increases to the powers specified in Appendix A. However, the Commission is of the opinion that some action can be taken during this interim period to accomplish in part the basic purpose expressed in paragraph 10 (c) of that Notice. The Commission proposes to continue its present policy of considering applications for modification of existing facilities which request changes in transmitters, antennas or locations therefor, under the terms of the existing "freeze" policy as described in paragraph 3 herein. We would also provide, on an interim basis, for a more efficient use of authorized stations through the granting of special temporary authority (STA) permitting temporary increases in power within the framework of the Commission's existing rules and standards "which will not affect channel assignment proposals offered by the Commission or by interested

[1] The Comments referred to are those of Radio Virginia, Inc., WXGI, Richmond, Virginia and of Radio Kentucky, Inc. WKYW, Louisville, Kentucky. These comments, in pertinent parts, are as follows:

Radio Virginia, Inc.: "2) In general, we wish to register opposition to these phases of the plan: * * * C—The plan to grant power increases on the VHF channels".

Radio Kentucky, Inc.: "Radio Kentucky, Inc. opposes the granting of further power increases to VHF channels."

parties and will not unduly restrict the Commission's flexibility in reaching final determinations with respect to assignments still in issue." Accordingly, the Commission proposes to consider, on a case-to-case basis, requests by existing stations for special temporary authority to increase coverage beyond that permitted under the "freeze" policy. The following considerations will be applicable to such requests for special temporary authority:

(a) Community stations are permitted, pursuant to § 3.603 of the Commission's rules, to operate with a maximum effective radiated power of 1 kw and with an antenna height of 500 feet above average terrain. The Commission will consider requests by existing community stations (three in number) operating 500 watt transmitters with less than 500 watts power output for special temporary authority to increase transmitter power output to that figure, provided that the effective radiated power may not exceed 1 kw. Transmitters of more than 500 watts rating will not be authorized.

(b) Section 3.604 of the Commission's rules permits metropolitan stations to operate with effective radiated power not in excess of 50 kw with antenna height of 500 feet. However, under the provisions of said section, antenna heights in excess of 500 feet are permissible but such grants may be subject to reduced effective radiated power "so that the coverage (within the 5000 uv/m contour) shall be substantially similar to that which would be provided by 50 kilowatts effective radiated peak power and a 500 foot antenna." Under this rule antenna heights in excess of 500 feet have been authorized, but the Commission has until now limited effective radiated power so that the reduced power and increased antenna height would provide equivalent 5000 uv/m coverage. The Commission now will consider requests by metropolitan stations operating 5 kilowatt transmitters at less than 5 kilowatt power output for special temporary authorization to increase transmitter power output to that figure, provided (1) the effective radiated power may not exceed 50 kilowatts and (2), where antenna heights exceed 2000 feet, the Commission may limit effective radiated power to less than 50 kilowatts.

(c) Section 3.605 of the Commission's rules provides for rural stations serving areas more extensive than those served by metropolitan stations, where the additional areas served are predominantly rural in character. This rule does not limit the powers and antenna heights of such stations and, prior to the "freeze", applications therefor were considered on a case-to-case basis. The Commission will consider requests by rural stations to use the same power proposed for metropolitan stations in subparagraph (b) above.

(d) Grants made in accordance with the provisions of subparagraphs (a), (b) and (c) above will be issued subject to the condition that they are without prejudice to any determination which the Commission may hereafter make with respect to outstanding proposals concerning Appendices A, B, C and D of the Third Notice.

(e) Special temporary authorizations issued pursuant to the above requests, and extensions thereof, will be limited to periods not in excess of six months.

(f) Applications by stations for changes in their classification will not be granted.

9. Applications filed by existing stations for changes of transmitters and antennas will, therefore, be considered in accordance with the existing "freeze" order, and requests for operation of authorized equipment beyond the limits of the "freeze" policy will be considered for temporary periods in accordance with the procedure described above. Since amendment of our rules to provide for this procedure constitutes an amendment relating to practice and procedure before the Commission, and constitutes a statement of policy, under section 4 of the Administrative Procedure Act proposed rule making is not required and said amendment may be made effective immediately.

Accordingly, it is ordered, This 25th day of July 1951, that effective immediately, § 1.371 of the Commission's rules and regulations is amended so that subparagraph (b) of footnote 8a (designated footnote 10 in the Code of Federal Regulations) shall read as follows:

(b) Formal applications pending before the Commission and those hereafter filed for modification of existing permits or license will be considered on a case-to-case basis and Commission action thereon will depend on the extent to which they are affected by the issues to be resolved in the proceedings bearing Docket Nos. 8736, 8975, 9175 and 8976. Such formal applications will be considered on the basis that neither the coverage within the 500 uv/m contour nor the effective radiated power shall exceed that authorized on September 30, 1948; applications requesting greater coverage or power will be given consideration on the basis of partial grants within these limits. Licensees and permittees of television stations may apply by letter or other informal application for special temporary authority (STA), and for extensions thereof, for periods not in excess of six months, to operate under the following terms and conditions:

(1) Community television stations operating 500 watt transmitters with less than 500 watts power output may apply for special temporary authority to increase transmitter power output to that figure; provided that the effective radiated power may not exceed 1 kw.

(2) Metropolitan and rural television stations operating 5 kilowatt transmitters at less than 5 kilowatts power output may apply for special temporary authority to increase transmitter power output to that figure. In no event may the effective radiated power of a metropolitan or rural station exceed 50 kw. Where the antenna height of a metropolitan or rural television station exceeds 2,000 feet above average terrain, the effective radiated power of such station may be limited to less than 50 kw.

(3) Applications by existing television stations for changes in their classifications will not be granted.

(4) Any authorization issued pursuant to the above subparagraphs shall be granted subject to the condition that it is without prejudice to any action the Commission may take with respect to outstanding proposals concerning Appendices A, B, C, and D of the Third Notice of Further Proposed Rule Making and that such authorizations will either be modified to conform with any final determinations reached by the Commission in said proceeding, or will be cancelled.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154)

Adopted: July 25, 1951.

Released: July 26, 1951.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8846; Filed, July 31, 1951; 8:56 a. m.]

[Docket No. 9971]

PART 9—AERONAUTICAL SERVICES

SERVICE AUTHORIZED

At the session of the Federal Communications Commission held in its offices in Washington, D. C., on the 25th day of July 1951;

The Commission having under consideration the above captioned matter which proposed to amend § 9.431 of the Commission's rules and regulations governing aeronautical services, in order to eliminate the provision thereof which requires the Commission licensees in Alaska to guard the frequency 3105 kc; and

It appearing, that in accordance with the requirements of the Administrative Procedure Act, a notice of proposed rule making was duly published in Volume 16 of the FEDERAL REGISTER on May 16, 1951, which notice proposed the above amendment to the Commission's rules; and

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments having expired, all comments were considered, including those filed in Docket 9827 which were made a part of this proceeding in the notice of proposed rule making and no objections to the proposal were received; and

It further appearing, that this amendment relieves an existing restriction; and

It further appearing, that the public interest, convenience and necessity will be served by this amendment, the authority for which is contained in sections 4 (i), 303 (b), (c), (d) and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective immediately, § 9.431 (b) of the Commission's rules and regulations governing aeronautical services is deleted.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082 as amended; 47 U. S. C. 303)

Released: July 26, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8847; Filed, July 31, 1951; 8:56 a. m.]

[1] Commissioner Jones dissenting.

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 170]

NOTIFICATION OF ADDRESS OF RESIDENT ALIENS

NOTICE OF PROPOSED RULE MAKING

JULY 23, 1951.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), notice is hereby given of the proposed issuance by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, of the following rules relating to the notification of address of resident aliens as required by the Alien Registration Act of 1940, as amended (54 Stat. 673; section 24, Public Law 831, 81st Congress; 8 U. S. C. 451). In accordance with subsection (b) of said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1063, Temporary Federal Office Building X, Nineteenth and East Capitol Streets NE., Washington 25, D. C., written data, views, and arguments relative to the substantive provisions of the proposed amendment. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

Section 170.6 of Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

§ 170.6 *Notification of address of resident aliens.* Any alien who is in the United States on January 1st of any year in other than a lawful nonimmigrant status or lawful nonquota immigrant student status and who is required to be registered under the Alien Registration Act, 1940, as amended (54 Stat. 673; Public Law 831, 81st Cong.; 8 U. S. C. 451), shall between January 1st and 11th, inclusive, of that year notify the Commissioner of Immigration and Naturalization in writing of his current address. In the case of an alien for whom a parent or guardian is required to apply for registration, the notification shall be made by the parent or guardian. The notification shall be made on Form I–53, Address Report Card, which may be obtained at any post office during the notification period, January 1st to 11th, inclusive. All entries on the Address Report Card shall be printed clearly in ink or with a dark or indelible pencil except the signature which shall be written in ink or with a dark or indelible pencil. Such card shall not be bent, folded, creased, torn, or mutilated in any way. The card shall be signed by the alien or parent or guardian and handed to a postal clerk at any United States Post Office during the notification period, January 1st to 11th, inclusive. Such card will be submitted to the Commissioner of Immigration and Naturalization by the post office officials.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

BENJAMIN G. HABBERTON,
Acting Commissioner, Immigration and Naturalization.

Approved: July 26, 1951.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 51–8816; Filed, July 31, 1951; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

U. S. STANDARDS FOR GRADES OF FROZEN LIMA BEANS

EXTENSION OF TIME

Proposed revised United States Standards for Grades of Frozen Lima Beans were set forth in the notice which was published in the FEDERAL REGISTER on April 27, 1951 (16 F. R. 3621).

In consideration of comments and suggestions received indicating the need for further study of the proposed changes, notice is hereby given of an extension until January 1, 1952, of the period of time within which written data, views, and arguments may be submitted by interested parties for consideration in connection with the aforesaid proposed revised United States Standards for Grades of Frozen Lima Beans.

Done at Washington, D. C., this 27th day of July 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51–8851; Filed, July 31, 1951; 8:57 a. m.]

[7 CFR Part 52]

U. S. STANDARDS FOR GRADES OF MAPLE SIRUP

EXTENSION OF TIME

Proposed revised United States Standards for Grades of Maple Sirup were set forth in the notice which was published in the FEDERAL REGISTER on April 21, 1951 (16 F. R. 3487).

In consideration of comments and suggestions received indicating the need for further study of the proposed changes, notice is hereby given of an extension until January 1, 1952, of the period of time within which written data, views, and arguments may be submitted by interested parties for consideration in connection with the aforesaid proposed revised United States Standards for Grades of Maple Sirup.

Done at Washington, D. C., this 27th day of July, 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51–8852; Filed, July 31, 1951; 8:57 a. m.]

[7 CFR Part 904]

[Docket No. AO 231]

HANDLING OF MILK IN GREATER BOSTON, MASS., MARKETING AREA

NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS TO A RECOMMENDED DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENTS TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900) notice is hereby given that the time for filing exceptions to each of the findings and conclusions, except findings and conclusions with respect to issue No. (5), contained in the recommended decision with respect to a proposed marketing agreement and proposed amendments to the order, as amended regulating the handling of milk in the Greater Boston, Massachusetts, Marketing area, which was issued July 13, 1951 (16 F. R. 6873) is hereby extended to August 7, 1951.

Dated: July 27, 1951, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51–8850; Filed, July 31, 1951; 8:57 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 12]

[Docket No. 10021]

ALLOCATION OF FREQUENCIES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. It is proposed to amend § 12.111 by changing the parenthetical statements now appearing in paragraphs (a) (1) (i) (*a*) and (*b*) to indicate, clearly, that, for purposes of that section of the rules, the entire State of Minnesota shall be considered to lie West of the Mississippi River, and shall be included among the states described in subdivision (*b*) as "Mississippi River to West Coast U. S." It is further proposed to amend the table contained in footnote 2 of § 2.104 (a) to accomplish the same purpose. The proposed amendments are set forth below.

3. The proposed amendments are issued under the authority of sections 4 (i) and 303 (r) of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before September 25, 1951, a written statement or brief setting forth his comments. At the same time any person who favors the amendments as set forth may file a statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within fifteen days from the last day for filing the said original comments or briefs. The Commission will consider all such comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules, an original and fourteen copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: July 25, 1951.

Released: July 26, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend § 12.111 (a) (1) (i) (*a*) and (*b*) of Part 12, "Rules Governing Amateur Radio Service" to read as follows:

(*a*) Mississippi River to East Coast U. S. (except Minnesota, Florida, and states bordering Gulf of Mexico): 1800 to 1825 kc and 1875 to 1900 kc, using type A–1 or A–3 emission. Power input to the plate circuit of the tube or tubes supplying power to the antenna shall not exceed 500 watts day, 200 watts night.

(*b*) Mississippi River to West Coast U. S. (including the State of Minnesota but not including States bordering Gulf of Mexico): 1900 to 1925 kc and 1975 to 2000 kc, using type A–1 or A–3 emission. Power input to the plate circuit of the tube or tubes supplying power to the antenna shall not exceed 500 watts day, 200 watts night, except in the State of Washington where daytime power is limited to 200 watts and nighttime power to 50 watts.

2. Amend footnote 2 to § 2.104 (a) of Part 2, "Rules Governing Frequency Allocation and Radio Treaty Matters; General Rules and Regulations", in the following particulars:

a. Amend the first item under "Area" in the table contained in the footnote to read: "Mississippi River to East Coast U. S. (except Minnesota, Florida, and States bordering Gulf of Mexico)."

b. Amend the second item under "Area" in the table contained in the footnote to read: "Mississippi River to West Coast U. S. (including the State of Minnesota but not including States bordering Gulf of Mexico)."

[F. R. Doc. 51–8849; Filed, July 31, 1951; 8:56 a. m.]

[47 CFR Part 10]

[Docket No. 10020]

PUBLIC SAFETY RADIO SERVICES

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule-making in the above-entitled matter.

2. It is proposed to amend § 10.255 (g) and (h) of Part 10, "Rules Governing Public Safety Radio Services" to permit use of the frequency 5135 kc in Alaska with A3 emission for fixed police communication. This proposed use of the frequency 5135 kc would be in addition to its presently authorized use for zone and interzone police stations operating with A1 emission. Such use of this frequency in Alaska would be subject to the condition that no harmful interference is caused to other stations and that a power limitation of 1,000 watts input to the final radio frequency stage be imposed. This is to be accomplished by the addition of a new limitation note 15 to paragraphs (g) and (h) of § 10.255 of the rules.

3. The proposed amendments are issued under the authority of sections 4 (i) and 303 (c), (f), and (r) of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before September 10, 1951, a written statement or brief setting forth his comments. At the same time any person who favors the amendments as set forth may file a statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within fifteen days from the last day for filing the said original comments or briefs. The Commission will consider all such comments, briefs, and statements presented before taking final action in the matter. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules, an original and fourteen copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: July 25, 1951.

Released: July 26, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend § 10.255 (g) by adding limitation 15 to the frequency 5135 kc.

2. Amend § 10.255 (h) by adding subparagraph 15 to read as follows:

(15) This frequency may be assigned to fixed stations in the Police Radio Service in Alaska for point-to-point radiotelephone communications, using type A3 emission and a maximum plate input power of 1,000 watts to the final radio frequency stage of the transmitter, subject to the condition that no harmful interference is caused to the service of any police station employing type A1 emission on this frequency including any operations conducted in accordance with outstanding regional agreements and further subject to the condition that no harmful interference is caused to the service of any station, which in the discretion of the Commission may have priority on the frequency with which interference results.

[F. R. Doc. 51–8848; Filed, July 31, 1951; 8:56 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 30672 et al.]

CALIFORNIA, IDAHO, AND OREGON

RESTORATION ORDER NO. 1304 UNDER FEDERAL POWER ACT

JULY 26, 1951.

Pursuant to the following-listed determinations of the Federal Power Commission and in accordance with Departmental Order No. 2583 sec. 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-described public lands, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under the public-land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended, and, as to DA–698 California and DA–388 Idaho, subject also to the stipulation that, if and when the lands are needed for power development, any structures or improvements located thereon that may be found to interfere with such development shall be removed or relocated without expense to the United States, its licensees or permittees:

Determination No.	Dates and types of withdrawal	Type of restoration	Land
DA-679 California	Power-site reserve No. 560 of Oct. 30, 1916.	Under the applicable public-land laws.	California: T. 12 N., R. 9 W., M. D. M., sec. 10, SW¼NW¼ and W½SW¼, containing 120 acres.
DA-698 California	Power-site reserve No. 216 of Oct. 28, 1911.	do	California: T. 5 S., R. 6 E., H. M., sec. 27, SE¼NE¼, containing 40 acres.
DA-388 Idaho	Power-site reserve No. 345 Mar. 3, 1913.	do	Idaho: T. 21 N., R. 1 E., B. M., sec. 23, SW¼NE¼, containing 40 acres.
DA-69 Oregon	Power-site reserve No. 623 of May 7, 1917.	do	Oregon: T. 33 S., R. 2 E., W. M., sec. 1, SE¼SW¼, containing 40 acres.
DA-360 Oregon	Power-site reserve No. 662 of Dec. 12, 1917.	do	Oregon: T. 26 S., R. 9 W., W. M., sec. 10, NW¼, NE¼SW¼, and SE¼; sec. 14, NE¼NE¼, N½NW¼, and SE¼SW¼; containing 520 acres.

The character of the above-described lands is as follows:

DA-679 California, inaccessible rugged mountain land suitable for selection, public sale, exchange, or grazing lease.

DA-698 California, principally valuable for grazing.

DA-388 Idaho, principally suitable for forestry purposes, with a possibility of containing one or more small areas above the high-water mark of Little Salmon River suitable for summer home or recreational sites.

DA-69 Oregon, five acres suitable for small-tract lease; remainder best adapted for grazing and production of timber.

DA-360 Oregon, forest land suitable for exchange.

These lands will not be subject to occupancy or disposition until they have been classified. It is unlikely that they will be classified as suitable for homestead, desert-land, or, with the exception of the small areas mentioned in DA-388 Idaho and DA-69 Oregon, for small-tract use.

The lands described shall be subject to application by the States of California, Idaho, and Oregon, respectively, for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 91st day after the date of publication. At that time the said lands shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable law, and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Land Office at Sacramento, California, the Land and Survey Office at Boise, Idaho, or the Land Office at Portland, Oregon, respectively.

WILLIAM ZIMMERMAN, Jr.,
Acting Director.

[F. R. Doc. 51-8791; Filed, July 31, 1951; 8.45 a. m.]

CIVIL AERONAUTICS BOARD

[Regs., Serial No. SR-367]

CIVIL AERONAUTICS ADMINISTRATOR

DELEGATION OF AUTHORITY TO PERMIT AIR CARRIERS UNDER CONTRACT TO THE MILITARY SERVICES TO DEVIATE FROM PARTS 40, 41, 42, 45 AND 61 OF THE CIVIL AIR REGULATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 26th day of July 1951.

Some time ago the Air Transport Association (ATA) on behalf of several scheduled air carriers under contract to the military services requested that authority be granted to such carriers to permit them to deviate from certain provisions of Parts 40, 41, 42, 45, and 61, under which they were then required to operate, in order to permit such carriers to accomplish expeditiously the mission assigned them by the military services. ATA stated that, in view of the type of operations that these air carriers had been requested to perform, certain provisions of those parts imposed an undue burden upon the air carriers involved. It appeared that several difficulties encountered in complying with current regulations resulted from the fact that some of the air carriers were acting in the capacity of prime contractors with the military services, while others were acting as sub-contractors and were merely furnishing aircraft and/or flight crews to another air carrier for use in operations conducted pursuant to the military contracts. It should be noted that Parts 40, 41, 42, 45, and 61 were designed to be applicable to scheduled and irregular air carrier operations performed under normal operating conditions. The Board believed that the type of operation which air carriers were expected to perform in executing their obligations under military contracts was a specialized type of operation different in many respects from the normal type of air carrier operation envisaged by the then current Civil Air Regulations relating to air carrier operations. For those reasons, the Board, on July 28, 1950, adopted Special Civil Air Regulation SR-349, which delegated authority to the Administrator to permit air carriers under contract to the military services to deviate from certain parts of the Civil Air Regulations in performing such contracts, such authority to terminate on August 1, 1951.

Since the military requirements, as a result of which Special Civil Air Regulation SR-349 was promulgated, continue to exist, and since no serious objection to the present regulation has been raised during nearly a year of operations under it, the Board believes the Civil Air Regulations applicable to air carriers should continue to be adjusted to the type of operation to be conducted under military contracts to the extent that the Administrator finds that deviation from those regulations is necessary or desirable for the expeditious conduct of such operations. Accordingly, the Board concludes that the provisions of SR-349 should be immediately extended for one year to maintain the delegated authority in the Administrator without lapse.

The Board considers it necessary to continue to limit the operations conducted pursuant to any deviation granted by the Administrator to those operations conducted pursuant to military contracts and to require that all operations conducted in accordance with such deviations be conducted in accordance with such terms and conditions as the Administrator may prescribe in granting the deviation. It is anticipated that the Administrator will, as part of the procedure in issuing a deviation of major importance, coordinate his decision with the Board and the appropriate military authorities.

For the reasons stated above, notice and public procedure hereon are impracticable and contrary to the public interest, and the Board finds that good cause exists for making this Special Civil Air Regulation effective without prior notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates a Special Civil Air Regulation, effective August 1, 1951, to read as follows:

1. Contrary provisions of the Civil Air Regulations notwithstanding, the Administrator may, upon application by an air carrier, authorize an air carrier under contract to the military services, or an air carrier furnishing civil aircraft and/or flight crews to another air carrier for use in operations conducted pursuant to a contract with the military services, to deviate from the applicable provisions of Parts 40, 41, 42, 45, and 61, to the extent that he finds upon investigation a deviation from those regulations is necessary or desirable for the expeditious conduct of such operations.

2. Any authority granted by the Administrator pursuant to this regulation shall be limited to those operations conducted pursuant to military contracts and shall not be applicable to any other type of operation.

3. The Administrator shall, in any authorization granted pursuant to this regulation, specify the terms and conditions under which the air carrier may deviate from the currently prescribed regulations, and each carrier shall, in the conduct of operations pursuant to military contracts, comply with such terms and conditions.

This regulation shall terminate August 1, 1952, unless sooner superseded or rescinded.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007,

as amended, 1010; 49 U. S. C. and Sup. 551, 554)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-8828; Filed, July 31, 1951; 8:52 a. m.]

[Docket No. 4341]

NORTHWEST AIRLINES, INC.; CARGO CASE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Northwest Airlines, Inc., under sections 401 and 416 of the Civil Aeronautics Act of 1938, as amended, for an exemption and for amendment of its certificate of public convenience and necessity for route No. 3.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned to be held on August 6, 1951, is postponed to August 7, 1951, at 10:00 a. m., e. d. s. t., in Conference Room "C," Departmental Auditorium, Constitution Avenue between Twelfth and Fourteenth Streets NW., Washington, D. C., before Examiner Walter W. Bryan.

Dated at Washington, D. C., July 26, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-8819; Filed, July 31, 1951; 8:50 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Defense Mobilization Order 10]

DEFENSE PRODUCTION ADMINISTRATOR

DESIGNATING AS OFFICER OF THE GOVERNMENT TO DETERMINE, WITH RESPECT TO NEED FOR SCHOOL FACILITIES, AREAS WHICH ARE CRITICAL BY REASON OF NATIONAL DEFENSE ACTIVITIES

By virtue of the authority vested in me by Executive Order 10193 of December 16, 1950, and Executive Order 10269 of July 6, 1951, it is hereby ordered:

1. The Administrator of the Defense Production Administration is designated the officer of the Government to exercise the authority vested in the President by the paragraph appearing under the heading, "Federal Security Agency—Office of Education—Grants for Surveys and School Construction" of the Third Supplemental Appropriation Act, 1951, Public Law 45, 82nd Congress, and delegated to the Director of Defense Mobilization by section 1 of Executive Order 10269, to determine areas which are critical areas by reason of national defense activities.

2. The Commissioner of Education shall furnish the Administrator of the Defense Production Administration such information as may be requested by the Administrator concerning measures taken to provide school facilities in areas determined pursuant to paragraph 1 of this order, to be critical areas by reason of national defense activities.

3. The Administrator of the Defense Production Administration shall exercise the functions provided for by this order subject to the direction and control of the Director of Defense Mobilization.

4. This order shall take effect on August 1, 1951.

OFFICE OF DEFENSE MOBILIZATION,
C. E. WILSON,
Director.

[F. R. Doc. 51-8885; Filed, Aug. 1, 1951; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9605, 10019]

GULF BEACHES BROADCASTING CO., INC., AND ALABAMA-GULF RADIO

ORDER DESIGNATNG APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Gulf Beaches Broadcasting Company, Incorporated, St. Petersburg Beach, Florida, Docket No. 9605, File No. BP-7302; Howard E. Pill, tr/as Alabama-Gulf Radio, Foley, Alabama, Docket No. 10019, File No. BP-8012; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 18th day of July 1951:

The Commission having under consideration the above-entitled applications for identical facilities (1310 kc, 1kw, daytime), with the Gulf Beaches Broadcasting Company, Incorporated proposal to be at St. Petersburg Beach, Florida, and the Alabama-Gulf Radio proposal to be at Foley, Alabama.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding commencing at 10:00 a. m. on September 4, 1951, at Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the corporate applicant, its officers, directors and stockholders and the technical, financial and other qualifications of the individual applicant to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION
[SEAL] T. J. SLOWIE,
Secretary

[F. R. Doc. 51-8845; Filed, July 31, 1951; 8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1115]

COLORADO INTERSTATE GAS CO., AND CANADIAN RIVER GAS CO.

ORDER CONTINUING HEARING

JULY 25, 1951.

On July 12, 1951, Colorado Interstate Gas Company and Canadian River Gas Company filed an application for continuance of hearing in the above entitled matter.

This proceeding was instituted on the Commission's own motion instituting an investigation of the reasonableness of the rates of the above named companies.

On February 28, 1951, the Commission entered its order at Docket No. G-1326, issuing a certificate of public convenience and necessity authorizing, among other things, the acquisition by Colorado Interstate of certain facilities of Canadian River.

On March 16, 1951, the Commission entered its order fixing date of hearing in this proceeding to commence on August 1, 1951.

The application for continuance of hearing states that in order to accomplish the acquisition or merger of Canadian River, certain proceedings involving Southwestern Development Company, holder of all of Canadian River's common stock must be determined by the Securities and Exchange Commission. Hearing on this matter before the Securities and Exchange Commission is scheduled to commence on August 6, 1951.

The application for continuance of hearing requests a continuance until February 4, 1952.

The Commission finds:

(1) It would not be in the public interest to continue the hearing in this proceeding until February 4, 1952.

(2) Good cause exists for continuing the hearing until October 1, 1951.

The Commission orders:

(A) The public hearing in this proceeding heretofore fixed to commence on August 1, 1951, be and the same is

hereby continued to commence on October 1, 1951, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: July 26, 1951.

By the Commission. Commissioner Buchanan dissenting.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-8792; Filed, July 31, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26284]

SCRAP IRON FROM TENNESSEE TO ERIE, PA.

APPLICATION FOR RELIEF

JULY 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 950.

Commodities involved: Scrap iron or steel, carloads.

From: Oak Ridge and Blair, Tenn.

To: Erie, Pa.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 950, Supp. 155.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8798; Filed, July 31, 1951; 8:47 a. m.]

[4th Sec. Application 26285]

VARIOUS COMMODITIES FROM SOUTHERN TERRITORY

APPLICATION FOR RELIEF

JULY 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1062 and other tariffs, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

From: Points in southern territory.

To: Points in southern and official territories.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8799; Filed, July 31, 1951; 8:47 a. m.]

[4th Sec. Application 26286]

COILED RODS FROM CHICAGO, ILL., DISTRICT TO KANSAS CITY, MO.

APPLICATION FOR RELIEF

JULY 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3733.

Commodities involved: Rods, coiled, iron or steel, carloads.

From: Chicago and South Chicago, Ill., Gary, Ind., and other points in the Chicago switching district.

To: Kansas City, Mo.

Grounds for relief: Competition with rail and water carriers.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3733, Supp. 43.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8800; Filed, July 31, 1951; 8:47 a. m.]

[4th Sec. Application 26287]

BITUMINOUS FINE COAL TO BROADMOOR AND HIGHLAND PARK, IOWA

APPLICATION FOR RELIEF

JULY 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3920.

Commodities involved: Coal which has passed through a bar screen not exceeding one and one-half inches between bars, or its equivalent, carloads.

From: Mines in the Southwest.

To: Broadmoor and Highland Park, Iowa.

Grounds for relief: Circuitous routes, market competition, and to maintain grouping.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3920, Supp. 26.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8801; Filed, July 31, 1951; 8:47 a. m.]

[4th Sec. Application 26288]

COAL TAR AND PITCH FROM MINNEQUA, COLO., TO DENISON, TEX.

APPLICATION FOR RELIEF

JULY 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3904.

Commodities involved: Coal tar and pitch, carloads.

From: Minnequa, Colo.

To: Denison, Tex.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3904, Supp. 53.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8802; Filed, July 31, 1951; 8:48 a. m.]

[4th Sec. Application 26289]

MAGAZINES FROM DES MOINES, IOWA, TO GEORGIA, FLORIDA, AND TENNESSEE

APPLICATION FOR RELIEF

JULY 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3589, pursuant to fourth-section order No. 9800.

Commodities involved: Magazines and periodicals, also magazine parts or sections thereof, including books, noibn, not in excess of 25 percent of weight, carloads.

From: Des Moines, Iowa.

To: Atlanta, Ga., Jacksonville, Fla., and Nashville, Tenn.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8803; Filed, July 31, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2620]

ALGONQUIN GAS TRANSMISSION CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER CERTAIN FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 24th day of July A. D. 1951.

Algonquin Gas Transmission Company ("Algonquin"), a subsidiary of New England Gas and Electric Association, a registered holding company, having filed an application-declaration and amendments thereto pursuant to sections 6 (b) and 7 of the Public Utility Holding Company Act of 1935 (the "act") and Rule U-50 promulgated thereunder relating to the proposed issuance and sale privately to insurance companies, in accordance with the terms of a bond purchase agreement, of not less than $24,000,000 or more than $27,600,000 principal amount of First Mortgage Pipeline Bonds, 3¾ percent series, due 1971; and

Said application-declaration, as amended, having specified certain estimated fees and expenses to be incurred in connection with the proposed transactions aggregating $101,368, including a fee of $35,000 payable to The First Boston Corporation, Algonquin's financial adviser, legal fees in the amount of $12,500, payable to Palmer, Dodge, Gardner, Bickford & Bradford, counsel for Algonquin, $10,000 for legal fees of Burns, Blake & Rich, counsel for Algonquin, and a fee in the amount of $5,000 payable to Ralph E. Davis for services in preparing a report on Algonquin's natural gas supply; and

The record not having been completed with respect to the other fees and expenses to be incurred in connection with the proposed transactions, namely, those to be paid by Algonquin to the purchasers' counsel, Wilke, Owen, Farr, Gallagher & Walton and the fees of Algonquin's counsel for services to be rendered subsequent to the initial sale of bonds under the bond purchase agreement; and

The Commission by order dated June 21, 1951 (Holding Company Act Release No. 10637), having granted the application and permitted the declaration to become effective, and said order having contained a reservation of jurisdiction over all fees and expenses in connection with the proposed transactions; and

The applicant-declarant having requested the Commission to consider the fees and expenses specified in the application-declaration, as amended, prior to the completion of the record with respect to the fees and expenses of counsel for the purchasers of the bonds and any other fees of Algonquin's counsel; and

The Commission having examined the application-declaration, as amended, and having considered the fees and expenses specified therein and having concluded that said fees and expenses are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved herein with respect to the fees and expenses specified in said application-declaration, as amended, be and the same hereby is released, and that jurisdiction is continued with respect to the payment by Algonquin of legal fees and expenses of counsel for the purchasers of the bonds and over any fees of counsel for Algonquin for services rendered following the initial sale of bonds under the bond purchase agreement.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8793; Filed, July 31, 1951; 8:46 a. m.]

[File No. 70-2656]

NEW ENGLAND ELECTRIC SYSTEM ET AL.

ORDER AUTHORIZING PROPOSED NOTE ISSUES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 24th day of July A. D. 1951.

In the matter of New England Electric System, Beverly Gas and Electric Company, Gloucester Electric Company, Malden Electric Company, Northampton Electric Light Company, Northern Berkshire Gas Company, Quincy Electric Light and Power Company, Suburban Gas and Electric Company, Weymouth Light and Power Company, File No. 70-2656.

New England Electric System ("NEES"), a registered holding company, and its above named public utility subsidiary companies, hereinafter individually referred to as "Beverly", "Gloucester Electric", "Malden Electric", "Northampton Electric", "Northern Berkshire", "Quincy", "Suburban" and "Weymouth" and collectively referred to as "the borrowing companies", having filed applications-declarations, pursuant to sections 7, 10, and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-23, U-43 (a) and U-45 (b) (1) promulgated thereunder, regarding the following transactions:

The borrowing companies propose to issue to NEES, from time to time but not later than September 30, 1951, unsecured promissory notes in an aggregate principal amount up to but not exceeding

$1,525,000. Said notes will mature April 1, 1952, and will bear interest at the prime interest rate charged by banks for such notes at the time said notes are issued to NEES. It is stated in the applications-declarations that said prime interest rate at the present time is 2½ percent. If said prime interest rate is in excess of 2¾ percent at the time any of such notes is issued, NEES and the specific borrowing company will file an appropriate amendment to this filing setting forth therein the principal amount of the note proposed to be issued and the rate of interest thereon at least five days prior to the execution and delivery thereof. NEES and the borrowing companies request that, unless the Commission notifies it and the borrowing company to the contrary within said five days period, such amendment will become effective at the end of such period. The applications - declarations further state that the proposed notes may be prepaid, in whole or in part, prior to maturity.

Other than note indebtedness to NEES, aggregating $3,185,000, the borrowing companies do not have any indebtedness represented by notes payable to banks or any advances payable to NEES. The following table shows the aggregate face amount of additional promissory notes proposed to be issued to NEES by each of the borrowing companies:

Company:	*Aggregate amount of notes proposed to be issued to NEES*
Beverly	$100,000
Gloucester Electric	25,000
Malden Electric	200,000
Northampton Electric	100,000
Northern Berkshire	500,000
Quincy	200,000
Suburban	200,000
Weymouth	200,000
Total	1,525,000

The applications-declarations further state that the proceeds to be derived from the proposed note issues will be used by each of the borrowing companies for construction, or for construction and costs of conversion to natural gas.

The applications-declarations further state that incidental services in connection with the proposed transactions will be performed, at cost, by New England Power Service Company, an affiliated service company; such cost being estimated not to exceed $100 for NEES and each of the borrowing companies, or an aggregate of $900.

The applications-declarations further state that no state commission or federal commission, other than this Commission, has jurisdiction over the proposed transactions.

NEES and the borrowing companies request that the Commission's order herein become effective upon issuance thereof.

Said applications-declarations having been filed on June 22, 1951, and notice of such filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act and the Commission not having received a request for a hearing with respect to said applications-declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that said applications-declarations satisfy the requirements of the applicable provisions of the act and the rules and regulations thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the applications-declarations be granted and permitted to become effective forthwith;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935, that said applications-declarations be and the same hereby are granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-8794; Filed, July 31, 1951; 8:46 a. m.]

[File No. 812-737]

PENNROAD CORP.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of July A. D. 1951.

Notice is hereby given that The Pennroad Corporation (Applicant) has filed an application pursuant to sections 6 (c), 10 (f) and 17 (b) of the Investment Company Act of 1940 for an order granting exemption from the provisions of sections 10 (f) and 17 (a) of said act to permit Applicant to purchase from Kuhn, Loeb & Co. 800 shares of 4 percent Cumulative Second Preferred Stock, $100 par value, of Charles Pfizer & Co., Inc. (Pfizer) at the public offering price of $101.50; and for two transactions in which Applicant purchased 50 shares from Riter & Co., and 500 shares from Morgan Stanley & Co., of the same stock at the same price.

Applicant is a closed end, non-diversified, management investment company registered under the Investment Company Act of 1940. George W. Bovenizer, one of Applicant's directors, is a partner of Kuhn, Loeb & Co., one of the underwriters of said issue of stock of Pfizer. The purchases during the existence of the underwriting or selling syndicate are prohibited by section 10 (f) of the act and the proposed sale by Kuhn, Loeb & Co. is prohibited by section 17 (a) of the act, unless the Commission shall grant exemptions therefrom. The application alleges that applicant has made payment for the shares purchased from Riter & Company and Morgan Stanley and Company but has postponed settlement with Kuhn, Loeb & Company pending action by this Commission on the application. It is stated that failure to apply for and obtain the necessary exemption as to the transactions with Riter & Co. and Morgan Stanley & Co. resulted from applicant's misunderstanding of the proper application of the act to the circumstances of such transaction. The application further alleges that the proposed purchases are in the interest of Pennroad and its stockholders; that the shares are a desirable investment; that the closing price of the shares on the New York Stock Exchange on July 16, 1951 was $115.25 per share; that the terms thereof, including the consideration, are reasonable and fair and do not involve overreaching on the part of anyone concerned; that the proposed transactions are consistent with Pennroad's policy as recited in its registration statement and with the general purposes of the act; and that the exemptions sought are consistent with the protection of investors.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission on or at any time after August 6, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than August 3, 1951, at 5:30 p. m., e. d. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-8795; Filed, July 31, 1951; 8:46 a. m.]

[File No. 70-2646]

POTOMAC EDISON CO. ET AL.

ORDER PERMITTING SALE OF COMMON STOCKS BY WHOLLY-OWNED SUBSIDIARY COMPANIES AND ACQUISITION THEREOF BY PARENT HOLDING COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of July 1951.

In the matter of the Potomac Edison Company, Northern Virginia Power Company, Potomac Light and Power Company, South Penn Power Company, File No. 70-2646.

The Potomac Edison Company ("Potomac Edison"), a registered holding company and a public utility company,

and three of its direct and wholly-owned public utility subsidiaries, namely, Northern Virginia Power Company ("Northern Virginia"), Potomac Light and Power Company ("Potomac Light") and South Penn Power Company ("South Penn"), having filed a joint application-declaration, and one amendment thereto, pursuant to sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-43 and U-44 promulgated thereunder with respect to the following transactions:

Northern Virginia, Potomac Light and South Penn propose to issue and sell additional shares of their authorized and unissued capital stock and Potomac Edison proposes to acquire such shares in each case for a cash consideration equal to the aggregate par or stated value thereof as follows: (a) Northern Virginia, 4,500 shares common stock par value $100 per share, aggregating $450,000; (b) Potomac Light, 6,250 shares common stock par value $100 per share, aggregating $625,000; and (c) South Penn, 70,000 shares capital stock no par stated value $5 per share, aggregating $350,000.

Each of the subsidiary companies of Potomac Edison proposes to use the proceeds from the sale of such additional shares of capital stock for the construction of property additions, except that in the case of Potomac Light $100,000 is to be used to discharge its open account indebtedness payable to Potomac Edison.

Potomac Edison at the present time owns all of the capital stocks of Northern Virginia, Potomac Light and South Penn, as well as the outstanding indebtedness of Potomac Light. All of the outstanding shares of capital stocks of these three subsidiary companies are at the present time pledged under the indenture of Potomac Edison securing its First Mortgage and Collateral Trust Bonds, it being proposed that the additional shares to be issued at this time and acquired by Potomac Edison will be pledged under said indenture in accordance with the requirements thereof.

The filing states that Potomac Edison presently has in its treasury funds in excess of the aggregate purchase price of the shares of capital stocks proposed to be acquired and that accordingly no financing by Potomac Edison is required in connection with its acquisition of such shares. The filing further states that fees and expenses involved in the proposed transactions will not exceed $3,200.

The filing contains authorizations from the Public Service Commission of Maryland, the Public Service Commission of West Virginia, the State Corporation Commission of Virginia, and the Public Utility Commission of Pennsylvania with respect to certain aspects of the various transactions.

Notice of the filing of this joint application-declaration having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and

The Commission finding with respect to the joint application-declaration, as amended, that all of the applicable statutory standards are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act, that said joint application-declaration, as amended, be and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8796; Filed, July 31, 1951; 8:46 a. m.]

[File No. 70-2670]

PHILADELPHIA CO.

NOTICE OF FILING FOR AUTHORITY TO RENEW FOR ONE YEAR BANK LOAN NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of July 1951.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies. Declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than August 8, 1951, at 5:30 p. m. e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street N.W., Washington 25, D. C. At any time after August 8, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

On August 21, 1950, the Commission issued its Findings, Opinion, and Order (Holding Company Act Release No. 10044), which among other things, permitted Philadelphia to issue bank loan notes, aggregating $17,500,000 to Mellon National Bank and Trust Co. of Pittsburgh, Pennsylvania, Chase National Bank of the City of New York, New York, Continental Illinois National Bank and Trust Company of Chicago, Illinois, and Harris Trust and Savings Bank of Chicago, Illinois. The notes, which were issued on August 23, 1950, provide for maturity one year after issuance, with an option on Philadelphia's part to renew them for two further periods of one year each, and for an interest rate of 2 percent per annum for the first year and, if renewed, 2⅛ percent thereafter. Said order of August 21, 1950, prohibited Philadelphia from extending the maturity of any of the bank loan notes without securing a further order of this Commission permitting such extension.

Philadelphia intends to prepay $1,500,000 of said bank loan notes on July 23, 1951, and proposes to renew, in accordance with their terms, the remainder of said notes, in the aggregate amount of $16,000,000 for a further period of one year from August 23, 1951.

The declaration states that Philadelphia also intends to prepay $1,500,000 of the $16,000,000 of renewed bank loan notes at some time between August 23, 1951, and December 31, 1951.

Philadelphia states that the expenses in connection with the proposed transactions will be nominal.

The declarant requests that the Commission's order herein become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8797; Filed, July 31, 1951; 8:47 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority 16]

DIRECTOR OF REGION 12

DELEGATION OF AUTHORITY TO ESTABLISH GROUP ADJUSTMENT OF CERTAIN CONTRACT CARRIER RATES

Delegation of authority to establish group adjustment of certain contract carrier rates in accordance with the provisions of section 5 (d) of SR 39 to GCPR.

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950 (64 Stat. 812), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738) this delegation of authority is hereby issued.

1. *Authority to act under Section 5 (d) of Supplementary Regulation 39 to the General Ceiling Price Regulation.* Authority is hereby delegated to the Director of Region 12 of the Office of Price Stabilization to establish or adjust, on a uniform group basis, the ceiling rates of all contract carriers engaged in the

transportation of fruit and vegetables in a local area in Region 12, provided individual applications are filed by a representative number of the carriers commonly engaged in handling that particular traffic, or by a user of such service.

The delegation of authority in this item shall take effect on July 30, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8886; Filed, July 30, 1951; 12:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 60, Amendment 1]

DAVID D. DONIGER & CO., INC.

CEILING PRICES AT RETAIL

Statement of Considerations. On March 9, 1951, David D. Doniger & Co., Inc., of 303 Fifth Avenue, New York 16, N. Y., filed an application for permission to establish uniform dollar-and-cent retail ceiling prices for its branded articles. On May 25, 1951, Special Order 60, under section 43 of Ceiling Price Regulation 7, was issued, establishing specific retail uniform ceiling prices for Doniger's branded articles.

Thereafter, on June 7, 1951, Doniger filed an application to amend Special Order 60, in which application it sought to have uniform retail ceiling prices for its branded articles fixed in relation to costs falling within specified cost brackets. Bracket costs in place of cost lines for each particular price line will allow for minor changes in cost without affecting the general level of retail prices of Doniger products under Ceiling Price Regulation 7. This method of stating costs is partly undertaken because of regulations which allow for fluctuating costs to the retailer.

Accordingly, the Director has determined that Special Order 60 be amended to establish ceiling prices at retail based upon costs to the retailer falling within specified cost brackets.

Amendatory provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, Special Order 60 is hereby amended in the following respects:

1. Paragraph 1 is amended to read as follows:

The following ceiling prices are established for sales after the effective date of this amendment by any seller at retail of men's and boys' sportswear distributed by David D. Doniger & Co., Inc., 303 Fifth Avenue, New York 16, New York (hereinafter called the "wholesaler"), having the brand names "McGregor," "Prep McGregor," and "Wee McGregor" and described in the applications dated March 9, 1951, and June 7, 1951. Sales may, of course, be made at less than these ceiling prices. The wholesaler's prices listed below carry terms of 2/10 net 30.

Wholesaler's selling price (per unit)	*Ceiling price at retail (per unit)*
$0.42- $0.48	$0.75
.49- .55	.85
.56- .67	1.00
.68- .82	1.25
.83- .94	1.50
.95- 1.09	1.65
1.10- 1.27	(A) 2.00
1.28- 1.42	2.25
1.43- 1.57	2.50
1.58- 1.71	2.75
1.72- 1.93	2.95
1.94- 2.23	3.50
2.24- 2.53	3.95
2.54- 2.85	4.50
2.86- 3.15	(B) 5.00
3.16- 3.43	5.50
3.44- 3.73	5.95
3.74- 4.00	6.50
4.01- 4.33	6.95
4.34- 4.63	7.50
4.64- 4.93	7.95
4.94- 5.23	8.50
5.24- 5.53	8.95
5.54- 5.85	9.50
5.86- 6.28	(C) 10.00
6.29- 6.87	10.95
6.88- 7.33	11.95
7.34- 7.63	12.50
7.64- 7.93	12.95
7.94- 8.23	13.50
8.24- 8.68	13.95
8.69- 9.28	(D) 15.00
9.29- 9.87	15.95
9.88- 10.47	16.95
10.48- 11.07	17.95
11.08- 11.68	18.95
11.69- 12.27	19.95
12.28- 12.87	20.95
12.88- 13.33	21.95
13.34- 13.63	22.50
13.64- 14.07	22.95
14.08- 14.68	23.95
14.69- 15.28	(E) 25.00
15.29- 15.73	25.95
15.74- 16.20	26.50
16.21- 16.80	27.50
16.81- 17.23	28.50
17.24- 17.67	28.95
17.68- 18.73	29.95
18.74- 20.25	32.50
20.26- 21.75	35.00
21.76- 23.23	37.50
23.24- 24.75	39.95
24.76- 26.25	42.50
26.26- 27.75	45.00
27.76- 29.23	47.50
29.24- 31.48	49.95
31.49- 34.48	55.00
34.49- 37.48	59.95
37.49- 40.48	65.00
40.49- 43.48	69.95
43.49- 46.48	75.00
46.49- 49.48	79.95

(A) Retail price in boys' line is $1.95.
(B) Retail price in boys' line is $4.95.
(C) Retail price in boys' line is $9.95.
(D) Retail price in boys' line is $14.95.
(E) Retail price in boys' line is $24.95.

Paragraph 2 is revoked.

Paragraph 3 is amended to read as follows:

2. The retail ceiling price of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation falling within the same bracket of selling prices to the retailer, having the same brand or company name and first sold by the wholesaler after the effective date of this special order.

The first sentence of paragraph 4 is amended to read as follows:

3. On and after September 27, 1951, David D. Doniger & Co., Inc., must mark each article listed in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Effective date. This amendment shall become effective on July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8887; Filed, July 30, 1951; 12:17 p. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18236]

EMMA GEISSLER

In re: Real property owned by Emma Geissler. F-28-31512.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emma Geissler, whose last known address is Egenolffstrasse 10, Frankfort Am Main, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Real property situated in the City of Tujunga, County of Los Angeles, State of California, particularly described in Exhibit A, set forth below and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Real property situated in the County of Los Angeles, State of California, described as follows: Lot Sixty-six (66), of Tract No. 6729, in the City and County of Los Angeles, State of California, as per map recorded in Book 76, Page 76, of Maps, Records of Los Angeles County, California.

[F. R. Doc. 51-8830; Filed, July 31, 1951; 8:52 a. m.]

[Vesting Order 18237]

JOSEPH FISCHER

In re: Estate of Joseph Fischer, deceased. File No. D-28-13013; E & T No. 17138.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karolina Fischer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Josef Fischer and of Ludwig Fischer, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Joseph Fischer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Joseph Feigel, as administrator, acting under the judicial supervision of the Surrogate's Court of Munroe County, New York;

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Josef Fischer and Ludwig Fischer, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8831; Filed, July 31, 1951; 8:53 a. m.]

[Vesting Order 18238]

MAX BRUENING ET AL.

In re: Securities owned by Max Bruening and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A set forth below and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhiibt A set forth below and by reference made a part hereof are corporations, partnerships, associations or other business organizations organized under the laws of Germany and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. Katharina von Herff, whose last known address is Freiburg-Breisgau, Hoerscherberg 17, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Karl Luft, whose last known address is Eichelsdorf 16, Krs. Buedingen/Hessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Caroline Wagner, whose last known address is Hanau, Weihergraben 7, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That Alfred Leipold, whose last known address is Kassel-Niederzwehren, von Steinstr. 15, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Emilie Rasch, whose last known address is Lauterbach/Hessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That the personal representatives, heirs, next of kin, legatees and distributees of Conrad Eisenach, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

9. That Heinrich Steuernagel, whose last known address is Nieder-Bessingen, Hauptstr. 15, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Maria Petermann, whose last known address is Crumstadt/Ried, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

11. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

b. One (1) warrant numbered 28902 for 333 shares of capital stock and one (1) fractional warrant numbered 014331 for one-third of one share of stock of The Aviation Corporation, owned by Katharina von Herff, which warrants are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) certificate of participation numbered 17080, issued for the benefit of certain depositors and creditors of The United States National Bank of Johnstown, Johnstown, Pennsylvania, of $766.12 face value, owned by Karl Luft, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) guaranteed first mortgage certificate numbered 139262 issued January 1, 1932, by the Title Guarantee and Trust Company, New York, on bond numbered C-9311 of $3,000.00 face value guaranteed by Bond and Mortgage Guarantee Company, owned by Heinrich Steuernagel, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. Two (2) Western New York and Pennsylvania Company scrip certificates numbered 1121 and 1122 of $15.00 face value each, owned by Caroline Wagner, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. One (1) certificate of deposit numbered BO 23 for 5 shares of preferred stock (Series B) and one (1) certificate of deposit, numbered A082, for 5 shares of preferred stock (series A) of Chicago Rapid Transit Company, owned by Alfred Leipold, which certificates are presently in the custody of the Attorney General of the United States, together

with any and all rights thereunder and thereto,

g. Two (2) Trustee's certificates numbered 01291 and 01292, issued by the Liberty Title and Trust Company, each certificate for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Emilie Rasch which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. Two (2) shares of the Eureka Yacht Club Building Improvement Scrip Loan of $10.00 face value each, evidenced by certificate numbered 3, owned by the personal representatives, heirs, next of kin, legatees and distributees of Conrad Eisenach, deceased, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

i. Three (3) The Denver and Rio Grande Western Railroad Company general mortgage sinking fund gold bonds, due August 1, 1955, numbered and of the face values as follows:

Certificate No.:	*Face value*
D2019	$500.00
C5630	100.00
C5631	100.00

owned by Maria Petermann, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

12. That to the extent that the persons referred to in subparagraphs 1, 2 and 8 hereof and the persons named in subparagraphs 3, 4, 5, 6, 7, 9 and 10 hereof are not within a designated enemy country the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of Issuer	Class of stock	Par value	Certificate No.	Number of shares	Owner
Adloff Realty Co	Capital	$100.00	19	51¼	Max Bruening.
Porto Rican American Tobacco Co.	Class A common	None	W02503	25	Katharina von Herff.
South Shore Manufacturing Co.	Preferred	100.00	7	30	Do.
Do	Common	100.00	7	60	Do.
Southern Pines Country Club, Inc.	Capital	10.00	6	3	Do.
Consolidated American Royalty Corp.	Common	None	C1809	8	John P. Donate.
Bancamerica-Blair Corp	Capital	1.00	SFF12415	5	Greta Heil, Wilhelm Heil, Elisabeth Sommerlad, Dr. Wilhelm Heil.
Cities Service Co	Common	None	XL 193514 XL 239464 VL 639707 VL 936747	27	Albert Klinkerfuss.
Do	do	None	VL 133867	10	Hugo Obst.
The Denver & Rio Grande Western R. R. Co.	6 percent cumulative preferred.	100.00	PF 14126	2	Bankhaus von Wangenheim & Co.
Agfa Ansco Corp	Common	1.00	CF 94	20	Luise Friefrau von Wangenheim.
Gold Syndicate	Capital	1.00	746	250	W. von Huelsen.
The New York, New Haven & Hartford R. R. Co.	7 percent cumulative preferred.	100.00	NY/09653	10	Dorothea in der Stroth.
Buckow Borax Mines Consolidated, Inc.	Preferred	10.00	233	3	Erna Meiser.
Liberty Typewriter Co	Common	5.00	C 51	50	Fritz Johl and wife.
Do	Preferred	10.00	P 45	10	Do.
Mariposa Mine Association	Capital	1.00	349	25	Do.
Molle Typewriter Corp	Capital	1.00	849	400	Do.

[F. R. Doc. 51-8832; Filed, July 31, 1951; 8:53 a. m.]

[Vesting Order 18239]

EZRA J. CHOUEKE

In re: Debts owing to Ezra J. Choueke. F-39-285; C-1; C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ezra J. Choueke, whose last known address is No. 52, 1-chrome, Yamamoto-dori, Ikuta-ku, Kobe, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Ezra J. Choueke, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an amount of $10,693.43, as of December 31, 1945, presently on deposit in a special account, entitled Ezra J. Choueke, maintained at the branch office of the aforesaid bank located at 45 Madison Avenue, New York, New York, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation evidenced by a check held by Mamiye & Hidary, 7 West 30th Street, New York, New York, dated May 16, 1941, drawn on the Hong Kong & Shanghai Banking Corporation, 72 Wall Street, New York, New York, in the amount of $2,553.53, together with any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid check, including the right to any proceeds of collection therefrom presently held by the aforesaid Mamiye & Hidary,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ezra J. Choueke, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8833; Filed, July 31, 1951; 8:53 a. m.]

[Vesting Order 18240]

COMPANIA ARGENTINA DE MANDATOS-SOCIEDAD ANONIMA

In re: Debt owing to Compania Argentina de Mandatos-Sociedad Anonima,

also known as Argentina de Mandatos, Cia.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Uberseeische Bank A. G., also known as Banco Aleman Transatlantico and as Banco Alemao Transatlantico, the last known address of which is Fredreichstr. 103, Berlin N. W. 7, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany and is a national of a designated enemy country (Germany);

2. That Banco Aleman Transatlantico, the last known address of which is 1365 Casilla de Corree, Buenos Aires, Argentina, is a branch of Deutsche Uberseeische Bank, A. G., also known as Banco Aleman Transatlantico and as Banco Alemao Transatlantico, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by the aforesaid Deutsche Uberseeische Bank, A. G., and is a national of a designated enemy country (Germany);

3. That Compania Argentina de Mandatos-Sociedad Anonima, also known as Argentina de Mandatos, Cia., is a corporation organized under the laws of Argentina, whose principal place of business is located in Buenos Aires, Argentina, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by, or a substantial part of the stock of which is or has been owned or controlled, directly or indirectly, by the aforesaid Banco Aleman Transatlantico, and is a national of a designated enemy country (Germany);

4. That the property described as follows: That certain debt or other obligation of the Marine Midland Trust Company, 17 Battery Place, New York 4, New York, arising out of funds allocable to Compania Argentina de Mandatos-Sociedad Anonima, also known as Argentina de Mandatos, Cia., on deposit in the account of Corn Products Refining Co.—Blocked Dividends Payable, maintained with the aforesaid Marine Midland Trust Company and representing income and accummulations on preferred and common stock of the aforesaid Corn Products Refining Company, owned by the aforesaid Compania Argentina de Mandatos-Sociedad Anonima, also known as Argentina de Mandatos, Cia., together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Compania Argentina de Mandatos-Sociedad Anonima, also known as Argentina de Mandatos, Cia., the aforesaid national of a designated enemy country (Germany);

and it hereby determined:

5. That Banco Aleman Transatlantico and Compania Argentina de Mandatos-Sociedad Anonima, also known as Argentina de Mandatos, Cia., are controlled by, or acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany);

6. That to the extent that the persons named in subparagraph 1, 2, and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8834; Filed, July 31, 1951; 8:53 a. m.]

[Vesting Order 18241]

HEINRICH GEORG EMERICH

In re: Stock owned by and debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Georg Emerich, deceased. F-28-31167.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Georg Emerich, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Twenty-five (25) shares of no par value common capital stock of Southern Pacific Company, 165 Broadway, New York 6, New York, evidenced by certificates numbered G250740 and G250741 for ten (10) shares each and F509605 for five (5) shares, registered in the name of Margareta Caterina Emerich, Legal Administratrix of Heinrich Georg Emerich, deceased, together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation of Southern Pacific Company, 165 Broadway, New York 6, New York, representing the proceeds of sale of a warrant to subscribe for stock of said company and held by said company for the account of Margareta Caterina Emerich, Legal Administratrix of Heinrich Georg Emerich, deceased, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Georg Emerich, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8835; Filed, July 31, 1951; 8:53 a. m.]

[Vesting Order 18242]

ACCOUNTS OWNED BY GERMANY

In re: Accounts owned by Germany. F-28-7418-G-1; F-28-7418.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the State of Wurttemburg, the City of Stuttgart, and other Associated Cities or Municipalities in the State of Wurttemburg, are political subdivisions of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of coupon accounts opened for the purpose of paying coupons due November 1, 1926, to May 1, 1933, inclusive, entitled "State of

Wurttemburg Consolidated Municipal External Loan of 1925 Seven Per Cent Serial Gold Bonds, due 1926 to 1945" maintained at the office of the aforesaid bank, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, subject to all lawful liens and setoffs of The Chase National Bank of the City of New York,

b. That certain debt or other obligation of City Bank Farmers Trust Company, 22 William Street, New York, New York, arising out of an interest account opened prior to January 1, 1935, entitled "State of Wurttemburg Consolidated Municipal External Loan of 1925 Seven Per Cent Serial Gold Bonds, due 1926 to 1945" maintained at the office of the aforesaid bank, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, and

c. That certain debt or other obligation of City Bank Farmers Trust Company, 22 William Street, New York, New York, arising out of a loan service account opened prior to January 1, 1935, entitled "State of Wurttemburg Consolidated Municipal External Loan of 1925 Seven Per Cent Serial Gold Bonds, due 1926 to 1945" maintained at the office of the aforesaid bank, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8836; Filed, July 31, 1951; 8:54 a. m.]

[Vesting Order 18243]

DEBT OWING TO GERMANY

In re: Debt owing to Germany. F-28-13988 and G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That City of Munich, also known as Landeshauptstadt München, is a political subdivision of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, arising out of cash held by the aforesaid, The Chase National Bank, as Paying Agent, for payment of unpresented coupons, maturing February 1, 1933 and prior thereto, detached from and/or appurtenant to the City of Munich, Germany, Seven Per Cent Serial Gold Bonds of 1925, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8837; Filed, July 31, 1951; 8:54 a. m.]

[Vesting Order 18244]

KOMMUNALE LANDESBANK

In re: Bank account owned by Kommunale Landesbank in Darmstadt also known as Municipal Bank of the State of Hesson. F-28-7153-E-1; G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kommunale Landesbank in Darmstadt also known as Municipal Bank of the State of Hessen, the last known address of which is Peter-Gemeinderstrasse 14, Darmstadt, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Darmstadt, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Dillon, Read & Co., 28 Nassau Street, New York, New York, arising out of a coupon account to pay unpresented coupons due May 1, 1933 and prior thereto, entitled Municipal Bank of the State of Hessen 7 percent Serial Bonds, maintained with the aforesaid Dillon, Read & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kommunale Landesbank in Darmstadt also known as Municipal Bank of the State of Hessen, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8838; Filed, July 31, 1951; 8:54 a. m.]

[Vesting Order 17476, Amdt.]

KAMEKI ARAMAKI

In re: Safe deposit lease and contents owned by Kameki Aramaki, also known as Kameko Aramaki and as K. Aramaki. D-39-2862-F-1.

Vesting Order 17476, dated March 1, 1951, is hereby amended as follows and not otherwise:

By deleting subparagraph 2 (b) of the aforesaid Vesting Order 17476 and substituting therefor the following subparagraph 2 (b):

All property of any nature whatsoever owned by Kameki Aramaki, also known as Kameko Aramaki and as K. Aramaki in the safe deposit box referred to in subparagraph 2 (a) hereof and any and all rights of said person evidenced or represented thereby, including particularly but not limited to the following:

1. One (1) Yellow Metal Waltham watch and chain.
2. One (1) Yellow Metal plain ring.
3. One (1) Yellow Metal ring with stone removed.
4. Two (2) Yellow Metal rings with white stones.
5. One (1) Yellow Metal ring with red stones.
6. One (1) Yellow Metal ring with one red stone one blue stone and one stone missing.
7. One (1) White Metal ring with three white stones.
8. Six (6) Yellow metal religious emblems, and
9. Three (3) United States Savings Bonds, Series "E", said bonds bearing the numbers and of the face value set forth below:

C5378002E $100.00 face value.
C5378003E $100.00 face value.
L3921924E $50.00 face value.

together with any and all rights thereunder and thereto,

All other provisions of said Vesting Order 17476 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8843; Filed, July 31, 1951; 8:55 a. m.]

[Vesting Order 18245]

DR. OTTO R. VAN LAUN

In re: Securities owned by Dr. Otto R. van Laun, also known as Otto R. v. Laun, Otto R. von Laun, Otto R. V. Laun, Otto van (Van) Laun and as Otto R. van (Van) Laun. F-28-31584.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Otto R. van Laun, also known as Otto R. v. Laun, Otto R. von Laun, Otto R. V. Laun, Otto van (Van) Laun and as Otto R. van (Van) Laun, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Two (2) shares of $100.00 par value common stock of American Telephone & Telegraph Company, 195 Broadway, New York, New York, a corporation organized under the laws of the State of New York, evidenced by certificates numbered L 172525 and L 181986, together with any and all declared and unpaid dividends thereon,

b. Three (3) shares of common stock of Cudahy Packing Company, Omaha, Nebraska, a corporation organized under the laws of the State of Maine, evidenced by certificate numbered N036367, together with any and all declared and unpaid dividends thereon,

c. Five (5) shares of common stock of P. Lorillard Company, 119 W. 40th Street, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificate numbererd J 31041, together with any and all declared and unpaid dividends thereon, and

d. All rights and interest in, to and under a certificate for One (1) share of 7% Preferred Capital stock of Tennessee Electric Power Company (now liquidated), said certificate numbered NYO 14411, together with all declared and unpaid dividends and liquidating dividends on the aforesaid stock, and including any and all rights to funds on deposit with the First National Bank of New York, 2 Wall Street, New York, New York, arising out of the liquidation of the aforesaid Tennessee Electric Power Company, and allocable to said share of stock,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Dr. Otto R. van Laun, also known as Otto R. v. Laun, Otto R. von Laun, Otto R. V. Laun, Otto van (Van) Laun and as Otto R. van (Van) Laun, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8839; Filed, July 31, 1951; 8:54 a. m.]

[Vesting Order 18246]

KURT NIEHAUS ET AL.

In re: Securities and cash accounts owned by Kurt Niehaus and others. F-28-2658.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kurt Niehaus, Imke Steinhoff, Gertrude Bose, Franz Bose and Horst Bose, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. All those certain securities (including without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York, New York, in account number F-21792 entitled Gmo. Niehaus & Co. and account number F-33184 entitled Gmo. Niehaus & Co. Account No. 1, together with any and all rights thereunder and thereto, and any and all declared and unpaid dividends on shares of stock,

b. That certain debt or other obligation of The Chase National Bank of the City of New York, 11 Broad Street, New York, New York, arising out of cash balances held in account number F-21792 entitled Gmo. Niehaus & Co. and account number F-33184 entitled Gmo. Niehaus & Co. Account No. 1, together with any and all rights to demand, enforce and collect the same,

c. All those certain securities (including without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants), presently in the custody of the National City Bank of New York, 55 Wall Street, New York, New York, in account number B-24409 entitled Gmo. Niehaus & Co., together with any and all rights thereunder and thereto, and any and all declared and unpaid dividends on shares of stock, and

d. That certain debt or other obligation of the National City Bank of New York, 55 Wall Street, New York, New York, arising out of a cash account entitled Gmo. Niehaus & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Kurt Niehaus, Imke Steinhoff, Gertrude Bose, Franz Bose and Horst Bose, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8840; Filed, July 31, 1951; 8:54 a. m.]

[Vesting Order 17906, Amdt.]

SOCIETE DE BANQUE SUISSE

In re: Societe de Banque Suisse, Basle, Switzerland. F-63-2748 (Basle).

Vesting Order 17906, dated May 18, 1951, is hereby amended as follows and not otherwise:

By deleting from Exhibit A, attached to and by reference made a part of said Vesting Order 17906, all reference to stock of General Motors Corporation and substituting therefor the following:

11. 274 shares of $5.00 par value common capital stock of General Motors Corporation, evidenced by the certificates for $10.00 par value common capital stock of said corporation whose numbers are set forth below, for the numbers of shares indicated:

10-share certificates. C-154960, E-320267, E-343690, E-375702, E-375703, E-375704, E-375705, E-375668.

5-share certificates. E-378239, E-378248, E-378249, E-378250, E-378251, E-378252, E-378253, E-378256, E-378257, E-278261.

7-share certificates. C-154961.

All other provisions of said Vesting Order 17906 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8844; Filed, July 31, 1951; 8:55 a. m.]

[Vesting Order 18247]

JOHANN WEHRLI & CIE

In re: Stock registered in the name of Johann Wehrli & Cie, Zurich, Switzerland, and owned by persons whose names are unknown. F-63-863.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of Johann Wehrli & Cie, together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

American Wine Company $1.00 par value common stock evidenced by certificate number 1871 for 3,000 shares.

[F. R. Doc. 51-8841; Filed, July 31, 1951; 8:55 a. m.]

FEDERAL REGISTER

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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10276

ADMINISTRATION OF THE HOUSING AND RENT ACT OF 1947, AS AMENDED, AND TERMINATION OF THE OFFICE OF THE HOUSING EXPEDITER

By virtue of the authority vested in me by the Constitution and Statutes, including section 208 (a) of the Housing and Rent Act of 1947, as amended, and as President of the United States and Commander in Chief of the armed forces, it is hereby ordered as follows:

1. (a) All powers, duties, and functions conferred upon the President by Title II of the Housing and Rent Act of 1947, as amended, exclusive of section 208 (a), as amended, of the said Act, shall be administered through the Economic Stabilization Agency (established by Part IV of Executive Order No. 10161 of September 9, 1950). The said powers, duties, and functions may be exercised and performed by the Economic Stabilization Administrator or, subject to his direction and control, by such officers and agencies of the Economic Stabilization Agency as the said Administrator shall designate.

(b) All powers, duties, and functions conferred upon the President by Title I of the Housing and Rent Act of 1947, as amended, exclusive of section 4 (e) thereof, as amended, shall be administered through the Housing and Home Finance Agency. The said powers, duties, and functions may be exercised and performed by the Housing and Home Finance Administrator or, subject to his direction and control, by such officers and agencies of the Housing and Home Finance Agency as the said Administrator shall designate.

2. The Office of the Housing Expediter is hereby terminated and disposition shall be made of its affairs according to the following paragraphs of this order.

3. The records, property, and personnel of the Office of the Housing Expediter shall be transferred, and the unexpended balances of appropriations, allocations and other funds of the Office of the Housing Expediter shall be transferred or otherwise made available, to the Economic Stabilization Agency, except that any such records relating to matters within the scope of paragraph 1 (b) of this order shall be transferred to the Housing and Home Finance Agency. The Director of the Bureau of the Budget shall make such determinations and dispositions and take such measures, which shall be carried out in such manner as the Director shall direct and by such agencies as he shall designate, as he shall deem to be necessary in order to effectuate the provisions of this section.

4. In order that the confidential status of any records affected by this order shall be fully protected and maintained, the use of any confidential records transferred hereunder shall be so restricted by the Economic Stabilization Agency and the Housing and Home Finance Agency as to prevent the disclosure of information concerning individual persons or firms to persons who are not engaged in functions or activities to which such records are directly related, except as provided for by law or as required in the final disposition thereof pursuant to law.

5. The authority of the Economic Stabilization Administrator under the provisions of this order shall, subject to the provisions of section 206 (e) of the Housing and Rent Act of 1947, as amended, be deemed to include authority to institute, maintain and defend civil proceedings in any court (including the Emergency Court of Appeals), relating to the matters within the scope of paragraph 1 (a) of this order including any such proceedings pending on the effective date of this order.

6. All provisions of prior Executive orders, proclamations or parts thereof in conflict with this order are amended accordingly. All other prior and currently effective orders, rules and regulations, directives and other similar instruments relating to any matter affected by the provisions of this order or issued by the Housing Expediter or the Office of the Housing Expediter terminated hereunder or by any predecessor or constituent agency thereof or by any Federal agency, shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

7. The Economic Stabilization Administrator shall liquidate any of the

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affairs of the Office of the Housing Expediter not otherwise provided for in this order.

8. The provisions of this order shall be effective as of the effective date of the Defense Production Act Amendments of 1951.

HARRY S. TRUMAN

THE WHITE HOUSE,
July 31, 1951, 7:01 p. m., e. d. t.

[F. R. Doc. 51-8977; Filed, Aug. 1, 1951; 10:08 a. m.]

EXECUTIVE ORDER 10277

AMENDING REGULATIONS RELATING TO THE SAFEGUARDING OF VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES OF THE UNITED STATES

By virtue of the authority vested in me by Public Law 679, 81st Congress, 2d Session, approved August 9, 1950, which amended section 1, Title II of the act of June 15, 1917, 40 Stat. 220 (50 U. S. C. 191), and as President of the United States, I hereby prescribe the following amendments of the regulations prescribed by Executive Order 10173 of October 18, 1950, which regulations constitute Part 6, Subchapter A, Chapter I, Title 33 of the Code of Federal Regulations:

1. Paragraph (a) of § 6.04–1 is amended to read as follows:

§ 6.04–1 *Enforcement.* (a) The rules and regulations in this part shall be enforced by the captain of the port under the supervision and general direction of the District Commander and the Commandant, and all authority and power vested in the captain of the port by the regulations in this part shall be deemed vested in and may be exercised by the District Commander and the Commandant.

2. Section 6.10–1 is amended to read as follows:

§ 6.10–1 *Issuance of documents and employment of persons aboard vessels.* No person shall be issued a document required for employment on a merchant vessel of the United States nor shall any licensed officer or certificated man be employed on a merchant vessel of the United States unless the Commandant is satisfied that the character and habits of life of such person are such as to authorize the belief that the presence of the individual on board would not be inimical to the security of the United States: *Provided,* That the Commandant may designate categories of merchant vessels to which the foregoing shall not apply.

3. Section 6.10–7 is amended to read as follows:

§ 6.10–7 *Identification credentials.* The identification credential to be issued by the Commandant shall be known as the Coast Guard Port Security Card, and the form of such credential, and the conditions and the manner of its issuance shall be as prescribed by the Commandant after consultation with the Secretary of Labor. The Commandant shall not issue a Coast Guard Port Security Card unless he is satisfied that the character and habits of life of the applicant therefor are such as to authorize the belief that the presence of such individual on board a vessel or within a waterfront facility would not be inimical to the security of the United States. The Commandant shall revoke and require the surrender of a Coast Guard Port Security Card when he is no longer satisfied that the holder is entitled thereto. The Commandant may recognize for the same purpose such other credentials as he may designate in lieu of the Coast Guard Port Security Card.

4. A new subpart 6.14 is added to read as follows:

SUBPART 6.14—SECURITY OF WATERFRONT FACILITIES AND VESSELS IN PORT

§ 6.14–1 *Safety measures.* The Commandant, in order to achieve the purposes of these regulations, may prescribe such conditions and restrictions relating to the safety of waterfront facilities and vessels in port as he finds to be necessary under existing circumstances. Such

conditions and restrictions may extend, but shall not be limited to, the inspection, operation, maintenance, guarding, and manning of, and fire-prevention measures for, such vessels and waterfront facilities.

§ 6.14–2 *Condition of waterfront facility a danger to vessel.* Whenever the captain of the port finds that the mooring of any vessel to a wharf, dock, pier, or other waterfront structure would endanger such vessel, or any other vessel, or the harbor or any facility therein by reason of conditions existing on or about such wharf, dock, pier, or other waterfront structure, including, but not limited to, inadequate guard service, insufficient lighting, fire hazards, inadequate fire protection, unsafe machinery, internal disturbance, or unsatisfactory operation, the captain of the port may prevent the mooring of any vessel to such wharf, dock, pier, or other waterfront structure until the unsatisfactory condition or conditions so found are corrected, and he may, for the same reasons, after any vessel has been moored, compel the shifting of such vessel from any such wharf, dock, pier, or other waterfront structure.

5. A new subpart 6.19 is added to read as follows:

SUBPART 6.19—RESPONSIBILITY FOR SECURITY OF VESSELS AND WATERFRONT FACILITIES

§ 6.19–1 *Primary responsibility.* Nothing contained in this part shall be construed as relieving the masters, owners, operators, and agents of vessels or other waterfront facilities from their primary responsibility for the protection and security of such vessels or waterfront facilities.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 1, 1951.

[F. R. Doc. 51–8984; Filed, Aug. 1, 1951; 10:43 a. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[FCA Order 526]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON COMMODITY LOANS

The rate of interest which may be charged by the Springfield Bank for Cooperatives and the Omaha Bank for Cooperatives, as specified in §§ 70.5 and 70.6 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 2½ per centum per annum, effective on and after August 1, 1951.

(Sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

Dated: July 30, 1951.

[SEAL] I. W. DUGGAN,
Governor.

[F. R. Doc. 51–8902; Filed, Aug. 1, 1951; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 960—IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, NORTH DAKOTA, AND IN CERTAIN COUNTIES OF IOWA AND OF INDIANA

ORDER TERMINATING MARKETING ORDER AND PROVIDING FOR LIQUIDATION OF ASSETS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), hereinafter referred to as the "act," and of Marketing Order No. 60, as amended (7 CFR, Part 960), hereinafter referred to as the "amended order," regulating the handling of Irish potatoes grown in the States of Michigan, Wisconsin, Minnesota, North Dakota, the counties of Clay, Emmet, Palo Alto, Pocahontas, Kossuth, Winnebago, Hancock, Wright, Hamilton, Worth, Cerro Gordo, and Mitchell, in the State of Iowa, and Warren, Benton, White, Carroll, Cass, Miami, Wabash, Huntington, Wells, Adams, and all counties lying north thereof, in the State of Indiana, hereinafter referred to as the "production area," it is hereby found and determined that the provisions of said amended order will, on and after 11:59 p. m., c. s. t., August 15, 1951, no longer tend to effectuate the declared policy of the act.

It is therefore ordered, That, subject to the terms and conditions which are set forth below, the provisions of said amended order be, and they are hereby, terminated effective at 11:59 p. m., c. s. t., August 15, 1951, pursuant to section 8c (16) (A) of the act and § 960.84 (b) of the amended order.

It is hereby further ordered, That the liquidation action in this instance shall be handled by the North Central Potato Committee (including members and alternates) as constituted at the effective time of the termination of said amended order, and in accordance with the terms and conditions which are set forth therein for application to liquidation action, said terms and conditions being set forth in § 960.85 thereof. To implement such indicated terms and conditions: It is hereby further ordered, as follows:

(1) Said committee members, as joint trustees, shall conduct the liquidation action subject to the general supervision and control of the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington, D. C.

(2) Said trustees shall keep books, and other appropriate records of their operations, which shall reflect clearly all of their acts and transactions as trustees, which books and other records shall be subject, at any time, to examination by the Secretary or his designated representative.

(3) Any furniture, fixtures, or other personal property shall be sold by the trustees under such conditions and in such manner as may be approved in writing by the aforesaid Director of the Fruit and Vegetable Branch; and any funds derived from such sales shall become a part of the liquid assets for distribution to handlers after all obligations have been paid.

(4) Any balance of money remaining in excess of liabilities shall be disbursed to persons who were handlers during the current fiscal year; and such disbursement shall be made to each handler in the proportion that his respective contribution to the assessment fund for that fiscal year bears to the total contributions to the assessment fund for the fiscal year by all handlers.

(5) Said trustees shall be reimbursed for expenses necessarily incurred by them in the performance of their duties hereunder.

(6) An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him.

With respect to violations, rights accrued, or liabilities incurred under the amended order being terminated prior to the effective time of such termination action, all provisions of said amended order in effect prior to the effective time of such termination action shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, or liability.

Under date of June 8, 1951, there was issued an order (16 F. R. 5628) directing that a referendum be conducted among producers of Irish potatoes grown in the production area for the purpose of determining whether persons who were such producers during a representative period specified by the Secretary favored the termination of the amended order. The referendum conducted pursuant to the aforesaid referendum order developed that, of the producers who voted in such referendum, 62.6 percent by number favored or approved termination of said amended order, and that such producers who favored or approved termination of said amended order produced for market

78.1 percent of the production represented in the referendum.

It is hereby found and determined that it is impracticable and unnecessary to give preliminary notice and engage in public rule making procedure (5 U. S. C. 1001 et seq.) in that (1) interested potato producers have had an opportunity to express their preferences as to possible termination through the aforesaid referendum; (2) termination was favored by a majority of potato producers voting in the referendum; (3) no useful purpose would be served by continuing the amended order beyond the termination date set forth above, as no regulation has been in effect, and none is contemplated, during the current fiscal period, and (4) interested handlers might be adversely affected if the expense of liquidation of the committee's assets was increased by reason of the delay inherent in further rule making proceedings.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 27th day of July 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-8884; Filed, Aug. 1, 1951; 8:52 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[Fifth General Revision of Export Regulations, Amdt. 67 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

1. Section 373.7 *Special provisions for machinery and parts* is amended in the following particulars:

Subparagraph (3) of paragraph (a) *Information required with license applications to export machinery and parts* is amended to read as follows:

(3) With respect to replacement parts, applications must state the range of or specific sizes and types of the units of equipment for which the parts are required, the dollar value and quantity. A detailed list of the parts is required only with respect to automotive replacement parts proposed for export to certain destinations set forth in paragraph (d) of this section.

Paragraph (c) *Pumps, compressors, blowers, exhausters, fans, and parts,* subparagraph (1), subdivisions (i) and (ii) are amended to read as follows:

(i) Designed delivery pressure at pump discharge pounds per square inch (for deep well turbine pumps under Schedule B No. 735700). Reported pressure is to be the designed delivery pressure at pump discharge as calculated by the manufacturer under the assumed condition that the bowl assembly is directly connected to the drive head assembly without intervening column pipe;

(ii) Designed working temperature in degrees Fahrenheit for continuous operations;

A new paragraph (d) is added thereto to read as follows:

(d) *Automotive replacement parts.* In addition to the information required by paragraph (a) of this section, license applications covering automotive replacement parts for export to certain destinations, as set forth in subparagraphs (1) and (2) following, must be filed in accordance with the provisions set forth in subparagraph (3) of this paragraph (d).

(1) *Commodities.* The provisions of this paragraph are applicable to applications for licenses to export the following commodities to the destinations set forth in subparagraph (2) of this paragraph:

Schedule B No.	*Commodity*
547400	Carbon brushes for starting, lighting and ignition equipment (automotive only).
709200	Starting, lighting, and ignition equipment, except spark plugs.
769100	Ball bearings and parts, except balls (automotive only).
769200	Roller bearings and parts, except rollers (automotive only).
769310	Balls for bearings (automotive only).
769315	Rollers for bearings (automotive only).
792120	Leaf springs, automotive, for replacement.
792305	Automobile parts for replacement, n. e. s. (include parts for assembly on new vehicles with foreign names).
	Automobile engines for replacement on vehicles with either American or foreign trade names, or assembly on new vehicles with foreign trade names:
793130	Diesel and semi-Diesel.
793150	Gasoline.

(2) *Destinations.* The provisions of this paragraph are applicable to applications for licenses to export the commodities set forth in subparagraph (1) of this paragraph to any of the following destinations:

British Malaya (including the Colony of Singapore, the Federation of Malaya, the Colony of North Borneo (including Brunei and Labuan), the Colony of Sarawak, and other insular possessions).

Burma.
Ceylon.
Indochina (Vietnam, Laos, Cambodia).
Indonesia.
Philippines.
Thailand (Siam).

(3) *Additional application requirements.* In addition to the provisions of paragraph (a) of this section and other applicable requirements, applications for licenses to export automotive replacement parts listed in subparagraph (1) of this paragraph to the destinations set forth in subparagraph (2) of this paragraph (d) must be accompanied by the following documents:

(i) A photostatic or other true copy of the import permit issued to the purchaser or ultimate consignee named on the application. (See § 372.9.)

(ii) A statement containing the following information:

The total quantity of the commodities listed in subparagraph (1) of this paragraph exported by the applicant to the named ultimate consignee (or purchaser, if different) during the years 1950 and 1951; if none, so state.

Whether a letter of credit has been established for the proposed shipment; if so, give the number, dollar value, expiration date, and name and address of person by whom established. If no letter of credit has been established, state what method of financing will be used for the proposed shipment.

The unshipped balance on each outstanding export license, by OIT case number, for any of the automotive replacement parts listed in subparagraph (1) of this paragraph to the country of destination shown on the application.

This part of the amendment shall become effective as of July 26, 1951.

2. Section 380.1 *Transfer of licenses* is amended in the following particulars:

Paragraph (b) *Information from transferor* and paragraph (c) *Information from transferee* are amended to read as follows:

(b) *Information from transferor.* Transfer of export licenses may be effected only by amendment to the original license and only upon request of the original licensee.

In requesting transfer of an outstanding license, the licensee must submit a completed Form IT-763, Request for and Notice of Amendment Action, in triplicate, together with the original license if it is being held by him, and also a signed letter from the person to whom the license is to be transferred, giving supporting information as requested under paragraph (c) below. When setting forth the reasons for the requested transfer in item 10 of Form IT-763, the licensee shall also state whether or not any consideration has been or will be paid for the transfer. The name and address of the proposed transferee shall be shown in item 12 of Form IT-763.

If the original license is being held by a collector of customs at the time the licensee submits request for transfer, he must show in item 11 of Form IT-763 the address of the collector of customs with whom the original license has been deposited. Also, in such cases, the licensee must submit an additional triplicate (yellow) copy of Form IT-763, "Notice to Applicant," showing in item 4 of one copy the name and address of the original licensee and on the other copy the name and address of the person to whom the license is to be transferred. This extra triplicate (yellow) copy of Form IT-763 will be used for notifying the transferee of the action taken.

(c) *Information from transferee.* The request for transfer from the original licensee must be accompanied by a

[1] This amendment was published in Current Export Bulletin No. 631, dated July 26, 1951. The amendment to § 373.7, paragraph (c), subparagraph (1), subdivisions (i) and (ii), which makes no substantive change, was published in the reprint pages of the Comprehensive Export Schedule, dated July 26, 1951.

signed letter from the person to whom transfer is to be made stating:

(1) That if transfer is approved, the transferee will assume all the transferor's responsibility to the Department of Commerce under the license and export regulations.

(2) Whether any consideration has been or will be paid for the transfer.

(3) That the transferee has an order (or an accepted order, where the commodity is subject to the accepted order requirement) from the foreign purchaser named on the license for the commodities described thereon. This part of the amendment shall become effective as of July 26, 1951.

3. Section 380.2 *Amendments or alterations of licenses* is amended in the following particulars:

Paragraph (b) *Where to file* is amended in the following particulars:

Subparagraph (2) is amended to read as follows:

(2) *Amendment requests on which field offices may take action.* With the exceptions set forth in subparagraphs (3) and (4) of this paragraph, the Department of Commerce field offices listed in subparagraph (1) of this paragraph are authorized to take action on requests for amendment of licenses of the following types only:

(i) Extension of validity period.

(ii) Correction of obvious errors in the license, such as mistakes in typing in name and address.

(iii) Change of quantity or dollar value required as result of factors beyond the control of the licensee, such as unforeseen over-runs of the mill. Field offices of the Department of Commerce are limited in their approvals of such amendment requests, however, to specified small percentage increases in the licensed quantity or dollar value.

(iv) Change of the licensee's address.

Two new subparagraphs (3) and (4) are added thereto to read as follows:

(3) *Amendment requests on which field offices may not take action.* The Department of Commerce field offices are not authorized to take action on requests for amendments to licenses under the following conditions. All such requests shall be filed with the Office of International Trade, Department of Commerce, Washington 25, D. C.

(i) Licenses covering exportations to Subgroup A countries, Hong Kong, or Macao unless the amendment involves no more than a correction of obvious errors in the license, such as mistakes in typing.

(ii) Requests for amendment of licenses involving shipments to be cleared from any port other than as authorized in subparagraph (1) of this paragraph, or where the intended port of exit is not known to the licensee.

(4) *Duplicate requests covering same license.* Requests for amendment shall not be submitted to or acted upon by any field office of the Department of Commerce if an amendment request covering the same license is currently pending action or has been previously denied by the Washington office of the Office of International Trade, or by any other field office.

Paragraph (c) *Procedure for submitting requests for amendments*, subparagraph (2), is amended to read as follows:

(2) *Information required.* All numbered items shown on IT–763 must be completely filled in on all copies.

(i) The reasons for the requested amendment must be clearly stated in answer to item 10.

In requesting an amendment for change in the purchaser or ultimate consignee, the licensee must comply (*a*) with the provisions of § 372.3 (d) regarding a statement from the ultimate consignee (purchaser) if the shipment is destined to an R country; and (*b*) with the provisions of § 373.1 (b) regarding evidence and certification of accepted orders, if applicable to the commodity being exported. Such certification may be made on the back of Form IT–763 or on a sheet attached thereto.

Where the request for amendment involves a change in the country of destination as well as a change in the purchaser or ultimate consignee, the applicant must explain fully the circumstances which prevented shipment to the original country of destination, in item 10 of Form IT–763.

(ii) The address of the collector of customs with whom the license has been or will be deposited must be entered in item 11. If the exporter has not deposited his license with the collector at the intended port of exit, he must do so at the time of submitting his request for an amendment. The licensee must not retain the license when submitting an amendment request. If the exporter does not know the intended port of exit, he shall return his license to the Office of International Trade with his request for amendment on Form IT–763; in which case, the applicant shall enter the word "Unknown" in answer to item 11.

(iii) In completing item 12, "Amend license to read as follows," the applicant must identify that portion of the license upon which amendment is requested and insert the proposed change.

This part of the amendment shall become effective as of July 26, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51–8901; Filed, Aug. 1, 1951; 8:54 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter B—Property Improvement Loans

PART 203—TITLE I MORTGAGE INSURANCE: ELIGIBILITY REQUIREMENTS

DEFENSE PRODUCTION ACT OF 1950 CONTROLS

Section 203.20b (d) (3) is hereby amended to read as follows:

(3) Where an application is made to the Commissioner in the nature of a request to reopen or reissue an expired commitment, provided that the Commissioner finds that such commitment was not subject to the provisions of § 203.20a or to this section when issued, and that such commitment expired on or after July 19, 1950, and that the application of the provisions of § 203.20a or this section to the reopened or reissued commitment would cause severe hardship to the mortgagor or mortgagee. If the Commissioner finds that such expired commitment when issued was subject to the provisions of § 203.20a, but not to this section, the provisions of this section shall not apply, but the reopened or reissued commitment shall be subject to the same credit control provisions which were applicable to the expired commitment when issued.

(Sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. and Sup., 1730g. Interprets or applies sec. 102, Pub. Law 475, 81st Cong.)

Issued at Washington, D. C., July 27, 1951.

[SEAL] FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 51–8873; Filed, Aug. 1, 1951; 8:50 a. m.]

Subchapter C—Mutual Mortgage Insurance

PART 221—MUTUAL MORTGAGE INSURANCE: ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING ONE- TO FOUR-FAMILY DWELLINGS

DEFENSE PRODUCTION ACT OF 1950 CONTROLS

Section 221.26d (d) (3) is hereby amended to read as follows:

(3) Where an application is made to the Commissioner in the nature of a request to reopen or reissue an expired commitment, provided that the Commissioner finds that such commitment was not subject to the provisions of § 221.26c or this section when issued, and that such commitment expired on or after July 19, 1950, and that the application of the provisions of § 221.26c or this section to the reopened or reissued commitment would cause severe hardship to the mortgagor or mortgagee. If the Commissioner finds that such expired commitment when issued was subject to the provisions of § 221.26c, but not to this section, the provisions of this section shall not apply, but the reopened or reissued commitment shall be subject to the same credit control provisions which were applicable to the expired commitment when issued.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b)

Issued at Washington, D. C., July 27, 1951.

[SEAL] FRANKLIN D. RICHARDS,
Federal Housing Commissioner.

[F. R. Doc. 51–8874; Filed, Aug. 1, 1951; 8:50 a. m.]

Chapter VIII—Office of Housing Expediter

TERMINATION AND TRANSFER OF POWERS, DUTIES, AND FUNCTIONS

CROSS REFERENCE: For termination of the Office of Housing Expediter and transfer of powers, duties, and functions to the Economic Stabilization Administrator and the Housing and Home Finance Administrator, *see* Executive Order 10276, *supra*.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

PART 6—PROTECTION AND SECURITY OF VESSELS, HARBORS, AND WATERFRONT FACILITIES

CROSS REFERENCE: For amendment of §§ 6.04–1, 6.10–1, and 6.10–7, and addition of §§ 6.14–1, 6.14–2, and 6.19–1, *see* Executive Order 10277, *supra*.

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

ATLANTIC OCEAN AND CONNECTING WATERS IN VICINITY OF MYRTLE ISLAND, VA.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), and Chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), § 204.48 is hereby prescribed, as follows:

§ 204.48 *Atlantic Ocean and connecting waters in vicinity of Myrtle Island, Va.; Air Force practice bombing, rocket firing, and gunnery range*—(a) *The danger zone.* The waters of the Atlantic Ocean and connecting waters within an area described as follows: Beginning at latitude 37°12'18", longitude 75°46'00"; thence southwesterly to latitude 37°08'21", longitude 75°50'00"; thence northwesterly along the arc of a circle having a radius of three nautical miles and centered at latitude 37°11'16", longitude 75°49'29", to latitude 37°10'14", longitude 75°52'57"; thence northeasterly to latitude 37°14'12", longitude 75°48'55"; and thence southeasterly along the arc of a circle having a radius of three nautical miles and centered at latitude 37°11'16", longitude 75°49'29", to the point of beginning.

(b) *The regulations.* (1) No vessel shall enter or remain in the danger zone except during intervals specified and publicized from time to time in local newspapers or by radio announcement.

(2) This section shall be enforced by the Commanding General, Tactical Air Command, Langley Air Force Base, Virginia, and such agencies as he may designate.

[Regs. July 17, 1951, 800.2121–ENGWO]
(Sec. 4, 28 Stat. 362, as amended; 33 U. S. C. 1. Interprets or applies 40 Stat. 892; 33 U. S. C. 3)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–8890; Filed, Aug. 1, 1951; 8:53 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 18, Revision 1, Amendment 2]

CPR 18, REV. 1—MANUFACTURERS' PRICES FOR WOOL YARN AND FABRICS

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency Order No. 2 (16 F. R. 738) this Amendment 2 to Ceiling Price Regulation 18, Revision 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13, as amended, makes necessary the issuance of this amendment clarifying the status of Ceiling Price Regulation 18, Revision 1.

General Overriding Regulation 13 was issued to carry out the antirollback provisions contained in the extension of the Defense Production Act of 1950 until July 31, 1951, and the legislative intent which indicated that the *status quo* should be preserved pending further Congressional consideration. The effect of General Overriding Regulation 13 was to suspend the provisions of Ceiling Price Regulation 18, Revision 1 except as to those yarns and fabrics as to which the manufacturer had actually put the regulation into effect on or before June 30, 1951 and except as that regulation may have been used to price new yarns or fabrics pursuant to section 3 of General Overriding Regulation 13. The revocation of General Overriding Regulation 13 lifts this suspension and Ceiling Price Regulation 18, Revision 1, therefore, becomes applicable to all of a manufacturer's yarns and fabrics which are subject to its provisions.

As originally issued the regulation permitted manufacturers subject to the regulation to use either that regulation Ceiling Price Regulation 18 or the General Ceiling Price Regulation during the period between May 9, 1951, and June 11, 1951. On and after June 11, 1951, they were required to use Ceiling Price Regulation 18, Revision 1. Amendment 1 to the regulation extended to July 16, 1951, the date after which such manufacturers were required to use Ceiling Price Regulation 18, Revision 1. This Amendment 2 extends the period during which either the General Ceiling Price Regulation, Ceiling Price Regulation 18 or Ceiling Price Regulation 18, Revision 1 may be used to August 13, 1951, and requires the use of Ceiling Price Regulation 18, Revision 1 on and after that date.

It should be noted that but for the issuance of General Overriding Regulation 13 on June 30, 1951, the use of Ceiling Price Regulation 18, Revision 1 would have become mandatory on July 16, 1951, and that no extension of that date would have been granted. The extension granted by this amendment enables manufacturers, who in the confusion resulting during the interim period may not have completed the computations of their ceiling prices and filed the reports required in section 21 of the regulation, to do so. No further extension will be granted.

AMENDATORY PROVISION

Ceiling Price Regulation 18, Revision 1, as amended by Amendment 1, is hereby further amended in the following respects:

Wherever the date "July 16, 1951" appears in sections 1 and 22, that date is changed so as to read "August 13, 1951."

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment is effective on July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51–8933; Filed, July 31, 1951; 2:07 p. m.]

[Ceiling Price Regulation 22, Amendment 1 to Supplementary Regulation 7]

CPR 22—MANUFACTURERS GENERAL CEILING PRICE REGULATION

SR 7—MODIFICATIONS AND ALTERNATIVE PROVISIONS FOR MANUFACTURERS OF CHEMICALS

EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R, 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 7 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13, as amended, lifts the suspension of Ceiling Price Regulation 22 and its supplementary regulations. To conform with this action the effective date of this supplementary regulation and of the filing date for the reports provided for therein are extended.

AMENDATORY PROVISION

Supplementary Regulation 7 to Ceiling Price Regulation 22 is amended in the following respects:

1. The date "August 1, 1951" appearing in section 3 (c) is changed to "September 4, 1951" so as to make the paragraph read as follows:

(c) *Reports.* If you wish to add a maintenance aid repair materials cost adjustment to your base period prices, you must file with the Rubber, Chemicals and Drugs Division, Office of Price Stabilization, Washington 25, D. C., on or before September 4, 1951, a statement

of the maintenance and repair materials cost adjustment factor or factors which you have computed, identifying the unit of your business or groups of units for which each such factor is computed. Thereafter you may add to your ceiling prices under section 3 of CPR 22 the maintenance and repair materials cost adjustment permitted by this section.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment to Supplementary Regulation 7 shall become effective July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8932; Filed, July 31, 1951; 2:07 p. m.]

[Ceiling Price Regulation 22, Amdt. 1 to Supplementary Regulation 8]

CPR 22—MANUFACTURERS GENERAL CEILING PRICE REGULATION

SR 8—METHOD FOR DETERMINING CEILING PRICES FOR CERTAIN RUBBER PRODUCTS

ADDITIONS TO PRICE ADJUSTMENT TABLE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Amendment 1 to SR 8 to CPR 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 8 to Ceiling Price Regulation 22 enlarges section 4 to include the specified products listed below. Therefore the Statement of Considerations contained in Supplementary Regulation 8 applies here as well. As there stated, uniform cost increase factors were generally calculated on the basis of information submitted on Forms 15 or Forms 16 by at least fifty percent of the subject manufacturers by number and representing at least seventy percent of the production of the commodities in each group. The groupings of commodities as to which any specified base period and adjustment factor would apply and such specified base period were selected by OPS only after consultation with and on the recommendation of the particular industry advisory committee involved. Each manufacturer must multiply his prices in the specified base period by the applicable industry-wide cost factor to obtain his new ceiling prices for such products. It is expected that no general rise in the price level of any of listed rubber products will occur even where permitted by this regulation. Considerations of particular applicability are as follows:

As respects bare rubber thread, all the uniform cost increase factors fell between 1.32 and 1.53, being proportionately higher for the thicker size product lines. Some intermediate factors were adjusted slightly, with the advice and recommendation of the industry advisory committee, so as to insure normal price relationships. It is estimated that the use of these uniform factors will result in about a 5 to 6 percent over-all price decrease below the GCPR level.

In regard to adhesive plaster, gauze and cotton, the figures indicated that two factors applied to the base period prices of commodities in the two respective categories would be sufficient to appropriately reflect post-Korean cost increases for the entire industry. It was decided, on the recommendation of the industry advisory committee, to adjust the resulting figures to the GCPR price level in accordance with the principles of SR 2 to CPR 22. Since such an adjustment would result in only insignificant changes from the GCPR level, this regulation uses a factor of exactly 1.00 for both categories so as to maintain GCPR prices.

As respects rubber flooring, which is now made from synthetic rather than natural rubber, the industry-wide weighted average cost increase factor was approximately 17 percent, while rubber flooring prices had generally risen by approximately 14 percent. Therefore, ceiling prices for rubber flooring under this amendment will be slightly higher than under the General Ceiling Prices Regulation.

In the case of friction and rubber tape, all the uniform cost increase factors fell between 19 and 27 percent. Since the average weighted price increases on these four categories during the same period fell between 21 and 27 percent, the application of these cost increase factors to base period prices will result in slight rollbacks below the GCPR price level in two product lines and retention of GCPR ceiling prices for the other two.

With respect to V-belts, the weighted average cost increase factors for the seven product lines varied between 16.8 and 21.7 percent, while the price increases over the same period varied between 16.7 and 22.1 percent. After consultation with the industry, it was decided to translate the factor into GCPR terms in accordance with SR 2 to CPR 22. In view of the negligible differences in the amounts of mark-ups in five product lines between the base period and the cutoff date, a factor of 1.00 was assigned to all five product lines. Since the price increases were significantly greater than the cost increases in the other two product lines, a factor of 0.95 was assigned for farm equipment belts, and 0.97 for original equipment automotive type fan belts. The total effect of these changes is a slight rollback from the GCPR level.

As to flat rubber belting, the weighted average cost increases over a pre-Korea base for the nine items ranged from 18 percent to 34 percent. Price increases, however, were greater than cost increases except for chute lining and the extra cover thickness for the better grade of conveyor belting. The application of these cost increase factors, other than for the two exceptional items noted above, will result in rollbacks of from 2.5 percent to 10 percent below the GCPR level.

In the case of rubber hose, the 23 cost increase factors calculated ranged all the way from 8 percent to 32 percent because of the great variety of constructions and rubber compounds used in building hose. In 15 of the 23 product lines the weighted average cost increases from the base period to the cutoff date were less than the weighted average price increases over the same period, so that rollbacks from present ceiling price levels are required. In 8 of the 23 product lines the weighted average cost increases were greater than the weighted average price increases, so that rollforwards from present price levels would be permissible. These would be so slight, however, that the industry is not expected to take advantage of the permitted increases. It is anticipated that the cumulative result will show approximately a 3 percent to 4 percent rollback.

With regard to rubber lined tanks and pipes, the four weighted average cost increase factors, calculated on a base period of the last quarter of 1949, were found to be somewhat larger than the price adjustments over the same period.

As respects rubber covered rolls, the three weighted average cost and price increase factors fell between 8 and 30 percent, cost increases being higher than price increases in one case, lower in a second case, and about equal in the third.

As respects hard rubber rods, sheets, and tubes, of the six uniform cost increase factors, two are greater than, two are less than, and two are approximately the same as the corresponding average price increases over the same period.

With respect to hard rubber battery products, the cost increase factors since the respective base periods all varied within rather narrow limits, and the weighted average cost increases factors exceeded the price increases for the three product lines over the same period by a small amount in every case.

In the case of latex foam and chemically blown sponge rubber products, all cost increase factors were found to be substantially larger than the price adjustments over the same period. These results can be explained in part by the fact that the rubber cost is by far the highest cost entering into these products, by the large rise in the price of rubber, and by the shortage of synthetic rubber which is cheaper. When GSA announced a drop in the price of natural latex and natural crude rubber, effective July 1, 1951, the Director concluded that it would be undesirable and impractical to permit price increases based upon the previous high costs and instead made certain recalculations to take the price drop into account. Upon consultation with the industry, the Director determined that these lower adjustment factors were approximately in line with what they would have been if originally calculated at the recently announced GSA reduced price for natural rubber latex. All fifteen resulting cost increase factors, which are the ones appearing in section 4, are larger than the corresponding price increases so that rollforwards in all seven product lines are permissible.

As respects rubber mats and matting, excluding automotive and household mats, a comparison between weighted average cost and price increases since the base period indicates that cost in-

creases have been less than price increases for the first, third and fifth product lines, about equal for the second, and somewhat more for the fourth. The total effect of the ceiling price changes brought about by this regulation will probably be an over-all price decline rather than increase.

Concerning hydraulic brake cups and parts and boots, two of the calculated cost increase factors were greater than the corresponding percentage price increases since the base period, while one factor was somewhat less. The results call for one small rollback, one substantial rollforward, and one very small rollforward.

In the case of automotive mats in the original equipment trade, the weighted cost increase factor was 1.3091, and the weighted average of the price adjustment ratios submitted was 1.2013. On the recommendation of the Industry Advisory Committee, OPS applied SR 2 to CPR 22. The resulting adjusted factor to be applied to GCPR prices is therefore 1.08973, indicating that rollforwards are permissible.

Regarding toy and small lawn mower tires, the weighted average cost increase factor was 14.49 percent, while the corresponding weighted average price increase was 9.58 percent. Thus ceiling prices will increase an average of less than 5 percent, though the variations among individual companies indicate that some companies will have a rollback, while others will be entitled to a rollforward of present ceiling prices.

In regard to typewriter platens and rolls, the variation between the industry-wide cost adjustment factors and the corresponding price adjustment factors was small, the figures lying between 10 percent and 20 percent in each case. The cost increases were smaller than the price increases in all product lines except the third, though the only significant price reduction indicated is in the fourth product line.

As respects semi-pneumatic or zero pressure agricultural tires, weighted average cost increase factors were found to exceed the average price adjustment, and in the case of such industrial tires, to be less than the corresponding price adjustment factor. Thus rollforwards are in order for agricultural tires, rollbacks are indicated for industrial tires, and it is expected that the cumulative effect of both will be one of little overall change.

In the case of graphic art materials, cost increase factors among the six product lines varied from 6 percent to 17 percent, while corresponding price adjustments varied from 13 percent to 28 percent. The results call for rollbacks of varying degrees. The cumulative effect of these new ceiling prices is an indicated average rollback of 3 percent from the General Ceiling Price Regulation level.

Finally, as to camelback and tire and tube repair material, factors are established for application to a pre-Korea base period. Comparisons were made between pre-Korea prices plus permitted cost increases and present ceilings. Using 66¢ as the cost of natural rubber, some items were calculated as entitled to slight rollforwards of 2 percent to 3 percent. Effective July 1, 1951, however, the cost of natural rubber fell to 52¢ per pound, and, as in the case of latex foam rubber, the Director, after consulting the industry advisory committee, concluded that the actual current cost should be used in these calculations, and accordingly arrived at new factors which result in new ceilings approximately 2 percent to 12 percent below the GCPR level. In the case of Grade F camelback, however, the actual pre-Korea price level is retained, since any further in-line adjustment might require an even lower price level.

Manufacturers of the rubber products added to this supplementary regulation are subject to section 3 of the regulation which relieves them of the necessity of filing Form 8 and waiting the 15-day period prescribed in CPR 22. Section 3, however, requires such manufacturers to file with OPS their ceiling prices under this regulation before they may accept payment for any sale of products covered by this regulation.

AMENDATORY PROVISIONS

Section 4 of SR 8 to CPR 22 is hereby amended by adding the following products and respective cost factors to it:

Kind of rubber product [1]	Factor base period	Factor [2]	Original base period
Bare rubber thread [5]			
Heavy:			
Cut sizes 18, 24, 30, 36, 42	July 1, 1949–Sept. 30, 1949.	1.5313	July 1, 1949–Sept. 30, 1949.
Extruded sizes 30, 37			
Medium A:			
Cut sizes 50, 58	do	1.5141	Do.
Extruded sizes 44, 50			
Medium B:			
Cut sizes 70	do	1.4513	Do.
Extruded sizes 65			
Fine A:			
Cut sizes 85	do	1.3778	Do.
Extruded sizes 75			
Fine B:			
Cut sizes 100, 112, 120	do	1.3260	Do.
Extruded sizes 90, 100, 110			
All adhesive plaster, gauze and cotton—packaged goods, including but not limited to spool adhesives, adhesive bandages, elastic adhesive dressings, medicated plasters, except corn and bunion plasters, moleskin adhesives, gauze bandages, sterile pads, including cotton filled, dental gauze, first-aid kits, U. S. P. cotton, cotton balls, nonsterile roll cotton, cotton tipped applicators, dental cotton.	Dec. 19, 1950–Jan. 25, 1951.	1.00	July 1, 1949–Sept. 30, 1949.
All adhesive plaster, gauze, and cotton—Hospital goods including but not limited to adhesive tape, bulk gauze and crinolin, bandage rolls, sponges including cotton filled, plaster paris gauze, miscellaneous ready-made dressings and accessories, cotton balls, cotton and gauze padding, hospital OB pads—cotton filled, cotton tipped applicators.	do	1.00	Jan. 1, 1950–Mar. 31, 1950.
Rubber flooring—tile, sheets and accessories—not including mats and matting.	Oct. 1, 1949–Dec. 31, 1949.	1.17	Oct. 1, 1949–Dec. 31, 1949.
Friction tape			
1. Commercial friction tape	Jan. 1, 1950–Mar. 31, 1950.	1.1998	Jan. 1, 1950–Mar. 31, 1950.
2. Commercial rubber tape	do	1.2112	Do.
3. ASTM friction tape	do	1.2122	Do.
4. ASTM rubber tape	do	1.2638	Do.
V belts [6]			
1. Heavy duty industrial type V-belts including multiple and variable speed V-belts.	Dec. 19, 1950–Jan. 25, 1951.	1.00	July 1, 1949–Sept. 30, 1949.
2. Light duty or fractional horsepower type V-belts	do	1.00	Do.
3. Connector or open end type "V" and round belting, industrial and railroad.	do	1.00	Do.
4. Agricultural implement V-belts and all round endless belts	do	.95	Do.
5. Original equipment or car manufacturers automotive fan type V-belt.	do	.97	Do.
6. Replacement automotive fan type V-belts and flat belts sold under manufacturers' brand.	do	1.00	Do.
7. Replacement automotive fan type V-belts sold under private brand.	do	1.00	Jan. 1, 1950–Mar. 31, 1950.
Flat rubber belting [7]			
1. Conveyor and elevator belting with approximately 16–19 pounds skim coat friction, approximately 2,500 to 3,000 p. s. i. tensile strength covers, 1/8" x 1/32" cover thicknesses, with or without breaker fabric, including the following when made to the foregoing approximate specifications: oil resisting, hot material, canners, rough top and grain belting, pulley lagging, screen diaphragms and bog beater belting and paddles.	Apr. 1, 1950–June 24, 1950.	1.224	Apr. 1, 1950–June 24, 1950.
2. Extra charge for additional cover thicknesses for items in group 1.	do	1.347	Do.
3. Conveyor and elevator belting with approximately 12–15 pounds friction, approximately 850 to 1,000 p. s. i. tensile strength covers, 1/8" x 1/32" cover thicknesses, with or without breaker fabric, including the following when made to the foregoing approximate specifications: oil resisting, hot material, canners, rough top and grain belting, pulley lagging and screen diaphragms.	Apr. 1, 1950–June 24, 1950.	1.180	Apr. 1, 1950–June 24, 1950.
4. Extra charge for additional cover thicknesses for items in group 3.	do	1.180	Do.
5. Transmission belting, with hard duck plies, approximately 20–24 pounds skim coat friction, including endless hammermill belting, cord transmission belting and axle-light transmission belting.	do	1.240	Do.
6. Transmission belting, with soft duck plies, approximately 20–24 pounds skim coat friction.	do	1.243	Do.
7. Transmission belting, with soft duck plies, approximately 12–15 pounds friction.	do	1.212	Do.
8. Endless farm belting, with soft duck plies, approximately 12–15 pounds friction.	do	1.183	Do.
9. Chute and launder lining	do	1.275	Do.

See footnotes at end of table.

Kind of rubber product [1]	Factor base period	Factor [2]	Original base period
Rubber hose [7] [8]			
1. Air brake and signal hose, including AAR specification	Apr. 1, 1950–June 24, 1950.	1.2646	Apr. 1, 1950–June 24, 1950.
2. Garden hose, black, competitive quality, coupled or uncoupled.	July 1, 1949–Sept. 30, 1949.	1.1793	July 1, 1949–Sept. 30, 1949.
3. Garden hose, standard quality, coupled or uncoupled	do	1.2364	Do.
4. Water hose, molded and braided, including AAR specification and golf course hose.	Apr. 1, 1950–June 24, 1950.	1.1867	Apr. 1, 1950–June 24, 1950.
5. Oxy-acetylene hose, molded and braided, including AAR specification and twin welding hose.	do	1.1630	Do.
6. Air and spray hose, molded and braided, including AAR specification; service station air hose (coupled or uncoupled); and braided covered air tubing.	do	1.1550	Do.
7. Multipurpose hose, with oil resisting synthetic tube and cover.	do	1.1266	Do.
8. Water hose, wrapped duck, including AAR specification; chemical hose and wrapped fabric fire hose.	do	1.1548	Do.
9. Wrapped fabric hose for the following severe services: sand blast, acid discharge, cement placement, cement gun and grouting.	do	1.3172	Do.
10. Air and spray hose, wrapped fabric, including AAR specification, and motor vehicle air and vacuum brake hose.	do	1.1920	Do.
11. Steam, hot water and railroad carheat hose, wrapped fabric including AAR specification, packing house, creamery, sanitary and brewers' hose.	do	1.1962	Do.
12. Oil suction and discharge hose, including barge loading and molasses hose.	do	1.1055	Do.
13. Hand-built hose for severe service including dredging sleeves, cement unloading hose, flexible pipe, sand suction hose, mud-pump hose and acid suction hose.	do	1.1422	Do.
14. Hand-built house for general service, including water suction hose, fire engine suction hose (hard), tender tank hose, agricultural suction hose, dust collection and exhaust hosb and insulation blowing hose.	do	1.1214	Do.
15. Cotton rubber-lined fire and mill hose, single jacket	do	1.2029	Do.
16. Cotton rubber-lined fire and mill hose, double jacket. Rubber covered woven fire and mill hose, fire engine suction hose (soft).	do	1.2542	Do.
17. Gasoline and fuel oil tank truck hose, including butane-propane (L. P. G.) and anhydrous ammonia hosc.	do	1.1059	Do.
18. Gasoline pump hose	do	1.1240	Do.
19. Steam hose, glass, asbestos or wire braided, including steam ironing hose.	do	1.0867	Do.
20. Horizontal braided mandrel cured hose, including air hose, water hose, jetting hose, welding hose, low and medium pressure hydraulic control hose, motor vehicle air and vacuum brake hose.	do	1.1723	Do.
21. Rotary drillers hose, coupled	do	1.0840	Do.
22. High pressure wire braided hose other than steam, including hydraulic control and high pressure grease hosc.	do	1.0867	Do.
23. Chernack Loom suction hose	do	1.1061	Do.
Rubber linings and roll coverings			
1. Tanks, all shapes	Oct. 1, 1949–Dec. 31, 1949.	1.2467	Oct. 1, 1949–Dec. 31, 1949.
2. Tank cars, all sizes	do	1.2563	Do.
3. Pipes	do	1.2283	Do.
4. Pipe fittings	do	1.1573	Do.
5. Industrial roll (except steel mill rolls and printers rollers) including paper mill, textile and tanners' rolls	do	1.3048	Do.
6. Steel mill rolls—natural rubber covering	do	1.2342	Do.
7. Steel mill rolls—synthetic rubber covering	do	1.0799	Do.
Hard rubber			
1. Ground rods	Jan. 1, 1950–Mar. 31, 1950.	1.2574	Jan. 1, 1950–Mar. 31, 1950.
2. Sheets	do	1.3563	Do.
3. Ground tubes	do	1.4114	Do.
4. Pipe	do	1.1981	Do.
5. Fittings	do	1.0999	Do.
6. Smoking pipe bits	do	1.2469	Do.
7. Storage battery containers, automotive	do	1.160	Do.
8. Storage battery cover parts, automotive	do	1.2025	Do.
9. Composition storage battery covers	July 1, 1949–Sept. 30, 1949.	1.2750	July 1, 1949–Sept. 30, 1949.

See footnotes at end of table.

Kind of rubber product [1]	Factor base period	Factor [2]	Original base period
Latex foam sponge			
1. Head pillows	Oct. 1, 1949–Dec. 31, 1949.	1.28	Oct. 1, 1949–Dec. 31, 1949.
2. Mattresses	do	1.65	Do.
3. Solid uncored slabs	do	1.39	Do.
4. Cored slabs	do	1.45	Do.
5. Molded shaped cushions	do	1.55	Do.
6. Small shapes such as shoul ler pads and arm rests	do	1.28	Do.
7. Automotive seat topper pads for origiual equipment	do	1.45	Do.
Chemically blown sponge			
1. Slab sheets	do	1.30	Do.
2. Continuous rolls	do	1.43	Do.
3. Cut stock	do	1.43	Do.
4. Windlace rod	do	1.43	Do.
5. Coated weatherstripping	Apr. 1, 1950–June 24, 1950.	1.22	Apr. 1, 1950–June 24, 1950.
6. Uncoated weatherstripping	do	1.20	Do.
7. Arm rests and pads	do	1.33	Do.
8. Miscellaneous molded parts (other than above)	do	1.24	Do.
Mats and matting [9]			
1. Corrugated matting, approximately 1/8" thickness, black	do	1.1162	Do.
2. Corrugated matting, approximately 1/8" thickness, colors other than black.	do	1.2528	Do.
3. Mats and matting, cloth inserted or cloth black, 3/16" and over in thickness.	do	1.1700	Do.
4. Switchboard matting	do	1.2145	Do.
5. Stair treads	do	1.2709	Do.
Hydraulic brake cups and parts and boots			
1. Brake cups and parts	do	1.1783	Do.
2. Boots, natural rubber	do	1.2299	Do.
3. Boots, synthetic rubber	do	1.1017	Do.
Automative mats for original equipment	Dec. 19, 1950–Jan. 25, 1951.	1.0897	Oct. 1, 1949–Dec. 31, 1949.
Tires for toys and small lawn mowers	July 1, 1949–Sept. 30, 1949.	1.1449	July 1, 1949–Sept. 30, 1949.
Typewriter platens and rolls			
1. Cushion platens	Jan. 1, 1950–Mar. 31, 1950.	1.1507	Jan. 1, 1950–Mar. 31, 1950.
2. Lined platens	do	1.1305	Do.
3. Unlined single wall platens	do	1.1593	Do.
4. Typewriter feed rolls	do	1.1186	Do.
Industrial and agricultural tires; semi-pneumatic			
1. Industrial	July 1, 1949–Sept. 30, 1949.	1.3999	July 1, 1949–Sept. 30, 1949.
2. Agricultural	do	1.6117	Do.
Graphic arts			
1. Engravers' gums, synthetic rubber	Apr. 1, 1950–June 24, 1950.	1.1104	Apr. 1, 1950–June 24, 1950.
2. Unvulcanized printers' gums, synthetic rubber	do	1.0788	Do.
3. Offset blankets, nitrill ruhber (huna N)	July 1, 1949–Sept. 30, 1949.	1.1725	July 1, 1949–Sept. 30, 1949.
4. Newspaper blankets, foundation blankets, natural rubber	do	1.1196	Do.
5. Newspaper blankets, top blankets, 0.025 gauge (approximate) uitril rubber (buna N).	do	1.0933	Do.
6. Newspaper blankets, nonfelt type blanket 0.083 gauge (approximate) nitril rubher (buna N).	do	1.0654	Do.
Camelback and tire and tube repair materials			
1. Camelback—natural rubber [10]	July 1, 1949–Sept. 30, 1949.	1.6800	July 1, 1949–Sept. 30, 1949.
2. Camelback—synthetic grade A [10]	Apr. 1, 1950–June 24, 1950.	1.1976	Apr. 1, 1950–June 24, 1950.
3. Camelback—synthetic grade C [10]	do	1.1850	Do.
4. Camelback—reclaim—grade F [10]	do	1.0000	Do.
5. Cushion gum [11]	Sept. 1, 1949–Dec. 31, 1949.	1.3305	Sept. 1, 1949–Dec. 31, 1949.

See footnotes at end of table.

Kind of rubber product [1]	Factor base period	Factor [2]	Original base period
Camelback and tire and tube repair materials—Continued			
6. Cord fabric	July 1, 1949–Sept. 30, 1949.	1.2697	July 1, 1949–Sept. 30, 1949.
7. Vulcanizing cement	do	1.2819	Do.
8. Air bags	do	1.3546	Do.

[1] Rubber means only natural, synthetic and reclaimed rubber, unless otherwise specified.
[2] In the case of rubber bands or other rubber products, if instead of increasing your base period prices, you choose to decrease the quantity of your base period package pursuant to section 31 of CPR 22, then you divide the base period quantity by the applicable factor here to obtain the minimum quantity package permitted.
[3] For sizes not shown the manufacturer shall use the factor of the closest size of the same type: cut or extruded.
[4] These product line definitions pertain to all sizes, grades, constructions and sections sold to both OEM and replacement trade unless otherwise stated. However, this does not include V-belts made of assembled segments.
[7] Manufacturers of flat belting and hose (except garden hose) west of the Rockies may use Apr. 1, 1950–July 10, 1950, for both factor base period and original base period to put them on an equitable price level with Eastern manufacturers.
[8] Hose as used in this regulation includes any color, size, length or grade of hose without fittings unless otherwise specified.
[9] Except automotive, household and perforated mats.
[10] The category and quality of camelback referred to in this item must be identical with the category and quality of camelback so labeled and sold by the particular manufacturer in the specified base period.
[11] Including but not limited to stripping stock, padding stock, filler strip and gum, tread gum, and tube gum (quick cure and cured back).

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective on August 13, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51–8919; Filed, July 31, 1951; 11:41 a. m.]

[Ceiling Price Regulation 37, Amendment 2]

CPR 37—PRIMARY COTTON TEXTILE MANUFACTURERS' REGULATION

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency Order No. 2 (16 F. R. 738) this Amendment 2 to Ceiling Price Regulation 37 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13, as amended, makes necessary the issuance of this amendment clarifying the status of Ceiling Price Regulation 37.

General Overriding Regulation 13 was issued to carry out the anti-roll-back provisions contained in the extension of the Defense Production Act of 1950 until July 31, 1951, and the legislative intent which indicated that the status quo should be preserved pending further Congressional consideration. The effect of General Overriding Regulation 13 was to suspend the provisions of Ceiling Price Regulation 37 except as to those yarns and fabrics as to which the manufacturer had actually put the regulation into effect on or before June 30, 1951, and except as that regulation may have been used to price new yarns or fabrics pursuant to section 3 of General Overriding Regulation 13. The revocation of General Overriding Regulation 13 lifts this suspension and Ceiling Price Regulation 37, therefore, becomes applicable to all of a manufacturer's yarns and fabrics which are subject to its provisions.

As originally issued the regulation permitted manufacturers subject to the regulation to use either that regulation or the General Ceiling Price Regulation during the period between May 16, 1951, and May 28, 1951. On and after May 28, 1951, they were required to use Ceiling Price Regulation 37. Amendment 1 to the regulation extended to July 2, 1951, the date after which such manufacturers were required to use Ceiling Price Regulation 37. This Amendment 2 extends the period during which either the General Ceiling Price Regulation or Ceiling Price Regulation 37 may be used to August 13, 1951, and requires the use of Ceiling Price Regulation 37 on and after that date.

It should be noted that but for the issuance of General Overriding Regulation 13 on June 30, 1951, the use of Ceiling Price Regulation 37 would have become mandatory on July 2, 1951, and that no extension of that date would have been granted. The extension granted by this amendment enables manufacturers, who in the confusion resulting during the interim period may not have completed the computations of their ceiling prices and filed the reports required in section 13 of the regulation, to do so. No further extension will be granted.

AMENDATORY PROVISION

Ceiling Price Regulation 37, as amended by Amendment 1, is hereby further amended in the following respects:

Wherever the date "July 2, 1951" appears in section 1, 12 (b) and 14, that date is changed so as to read "August 13, 1951."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment is effective July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51–8931; Filed, July 31, 1951; 2:06 p. m.]

[Ceiling Price Regulation 41, Amendment 2]

CPR 41—SHOE MANUFACTURERS' REGULATION

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency Order No. 2 (16 F. R. 738) this Amendment 2 to Ceiling Price Regulation 41 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13, as amended, makes necessary the issuance of this amendment clarifying the status of Ceiling Price Regulation 41.

General Overriding Regulation 13 was issued to carry out the antirollback provisions contained in the extension of the Defense Production Act of 1950 until July 31, 1951, and the legislative intent which indicated that the *status quo* should be preserved pending further Congressional consideration. The effect of General Overriding Regulation 13 was to suspend the provisions of Ceiling Price Regulation 41 except as to those shoes as to which a manufacturer had actually put the regulation into effect on or before June 30, 1951, and except as that regulation may have been used to price new shoes pursuant to section 3 of General Overriding Regulation 13. The revocation of General Overriding Regulation 13 lifts this suspension and Ceiling Price Regulation 41, therefore, becomes applicable to all of the manufacturer's shoes which are subject to its provisions.

As originally issued the regulation permitted manufacturers subject to the regulation to use either that regulation or the General Ceiling Price Regulation during the period between June 4, 1951, and July 2, 1951. On and after July 2, 1951, they were required to use Ceiling Price Regulation 41. This Amendment 2 extends the period during which either the General Ceiling Price Regulation or Ceiling Price Regulation 41 may be used to August 13, 1951, and requires the use of Ceiling Price Regulation 41 on and after that date. It should be noted that but for the issuance of General Overriding Regulation 13 on June 30, 1951, the use of Ceiling Price Regulation 41 would have become mandatory on July 2, 1951, and no extension of that date would have been granted. The extension granted by this amendment enables manufacturers, who in the confusion resulting during the interim period may not have completed the computations of their ceiling prices, to do so. No further extension will be granted.

In addition, section 25 (c) of Ceiling Price Regulation 41 is amended to permit applications for temporary adjustments to carry out existing contracts to be filed on or before September 15, 1951. Previously, the date was August 15, 1951.

AMENDATORY PROVISIONS

Ceiling Price Regulation 41, as amended by Amendment 1, is hereby

further amended in the following respects:

1. Wherever the date "July 2, 1951" appears in sections 1 (c) and 28, that date is changed so as to read "August 13, 1951."

2. Wherever the date "August 15, 1951" appears in section 25 (c), that date is changed so as to read "September 15, 1951."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment is effective July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8930; Filed, July 31, 1951; 2:06 p. m.]

[General Overriding Regulation 13, Revocation]

GOR 13—CONTINUATION OF CEILING PRICES IN EFFECT ON JUNE 30, 1951, FOR COMMODITIES OR SERVICES COVERED BY SPECIFIED MANUFACTURERS' REGULATIONS

General Overriding Regulation 13 was issued as an interim measure, based on Public Law 69, for the month of July 1951, pending further Congressional consideration of the extension and amendment of the Defense Production Act of 1950. The provisions of Public Law 69 are not being extended. General Overriding Regulation 13 is no longer necessary and is accordingly being revoked. The Manufacturers' Regulations listed in Section 1 of GOR 13 are therefore made fully effective in accordance with their terms at the time of issuance. Amendments to these regulations granting time to comply with certain filing requirements are being issued simultaneously.

The Office of Price Stabilization has under consideration the question of what other changes in its regulations should be issued pursuant to S. 1717, passed by both Houses of Congress and now pending before the President.

Pursuant to the defense Production Act of 1950 (Public Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency Gencral Order No. 2 (16 F. R. 738), General Overriding Regulation 13 is hcreby revoked effective July 31, 1951.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8934; Filed, July 31, 1951; 2:14 p. m.]

[Ceiling Price Regulation 56]

CPR 56—CEILING PRICES FOR CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

Pursuant to the Defense Production Act, as amended (Pub. Law 774, 81st Cong.) Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Order No. 2 (16 F. R. 738) this Ceiling Price Regulation 56 is issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes methods for determining ceiling prices for canned apricots, canned sweet cherries, and canned red sour pitted cherries of the 1951 pack. Additional processed fruits and berries and related products will be added later.

PRICING METHODS OF THE REGULATION

The pricing methods of this regulation are the same as in the companion regulation CPR 55 covering ceiling prices for certain processed vegetables of the 1951 pack. Because of the close similarity and relationship between CPR 55 and this regulation, the statement of considerations for CPR 55 is hereby incorporated by reference in its entirety as the statement of considerations for this regulation with the modifications set out in this statement.

TREATMENT OF RAW MATERIAL COST

As in the case of CPR 55, this regulation recognizes raw material cost increases up to but not in excess of the legal minima prices for fruits and berries as determined by the Secretary of Agriculture. Therefore, the determination of the maximum amount which will be recognized has been made for all the fruits listed in Table III of the regulation. Although this regulation initially covers only canned apricots, canned red sour pitted cherries and canned sweet cherries, it will be expanded ultimately to include within its scope all of the canned fruits named in Table III.

Although CPR 55 included percentage as well as dollars-and-cents adjustments in the determination of raw material allowance, this regulation eliminates the percentage factor in that computation for the following two reasons. First, the inclusion of the percentage unnecessarily complicates pricing techniques and methods. Second, it allows unwarranted increases in price by allowing the processor to use either a percentage or a dollars-and-cents method which results in the higher price, thus almost invariably affording the processor an opportunity to use a raw material increase factor in excess of the actual parity price.

The ceiling price determined under this regulation will reflect increases in grower prices for processed sweet cherries and apricots due to severe crop losses in producing states. The normal legal minimum prices for these items are adjusted by the percentage of 1951 processing crop loss from the ten year (1940-49) average crop as reported by the U. S. Department of Agriculture for each of the producing states. The adjustments are in accordance with the provisions of section 402 (d) (3) of the Defense Production Act which requires that appropriate allowances shall be made in ceiling prices for processed agricultural commodities to reflect substantial reductions in merchantable crop yields, unusual increases in cost of production, and other factors which result from agricultural hazards.

RECOGNITION OF SUGAR COST CHANGES

Sugar costs are an important item in the production of processed fruits and berries. Present sugar prices are substantially higher than those prevailing during the base period year 1948. The amount of these increases in sugar prices may be reflected in ceiling prices determined under this regulation. Specific formulas are provided in the regulation for determining each processor's individual sugar cost increase which he has experienced between 1948 and 1951.

EFFECT OF PRICE LEVELS

It is most difficult to determine the exact effect of this regulation which fixes many ceiling prices for many different items of many individual processors. However, the basic purpose of this regulation is to grant an allowance in ceiling prices, for some increases in specified costs occurring since 1948. In the case of canned apricots, red sour pitted cherries and sweet cherries, the only fruit products now included in the regulation, available data obtained from OPS records and industry studies show that this regulation will result in a slight increase in overall prices.

Although the net effect of the issuance of this regulation will probably result in rollforwards the issuance of the regulation at this time is deemed imperative. The items covered by this regulation were not generally sold during the base period at the canner level. Because of the period of the year during which the items included in this regulation are packed, canners would have sold out their entire supplies of the 1950 pack of these items prior to the General Ceiling Price Regulation base period and would not have commenced their 1951 pack until long after the end of that base period. Consequently, in the absence of issuance of this or a similar regulation, the only method generally available for these sellers to obtain ceiling prices would be by individual application under Section 7 of the General Ceiling Price Regulation. Accordingly, in light of these considerations and the additional fact that the 1951 pack of the items covered by this Ceiling Price Regulation will soon be completed, it is necessary that this regulation be issued immediately.

CONCLUSIONS

In formulating this regulation, the Director of Price Stabilization has consulted with the Industry Advisory Committee and given full consideration to its recommendations. The Director finds that any changes in business practices, cost practices, or methods under this regulation are necessary to prevent circumvention or evasion of the ceiling prices for fruits covered by this regulation. In his judgment, the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act, as amended.

Insofar as practicable, the Director of Price Stabilization has given due consideration to the national effort to effect maximum production in furtherance of the Defense Production Act, as amended,

to prices prevailing during the period May 24, 1950 to June 24, 1950, and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. Coverage of this regulation.
2. Ceiling prices f. o. b. factory for sales by processors of items sold during the base period.
3. Ceiling prices for grower-processors, grower-owned cooperatives and other processors who purchase raw materials on an open-end contract.
4. Ceiling prices for processors who did not sell the item during the base period, but who sold other items of the product during that period.
5. Ceiling prices for processor-wholesalers and for processor-retailers.
6. Ceiling prices for processors who are unable to figure their ceiling prices under sections 2, 3 or 4 of this regulation.
7. Individual authorization of ceiling prices.
8. Adjustment of processors' ceiling prices.
9. Uniform f. o. b. factory prices for different factories in different pricing areas.
10. Delivered prices.
11. Uniform delivered pricing by zones or areas.
12. Payment of brokers.
13. Special packing expenses that may be reflected in ceiling prices.
14. Units of sale and fractions of a cent.
15. Maintenance of customary discounts, allowances and price differentials.
16. Export sales.
17. Storage.
18. Records which must be kept.
19. Reports which must be filed.
20. Sales slips and receipts.
21. Transfer of factory.
22. Adjustable pricing.
23. Treatment of excise taxes.
24. Compliance with this regulation.
25. Petitions for amendments, protests and interpretations.
26. Definitions.

AUTHORITY: Sections 1 to 26 issued under sec. 704, Pub. Law 774, 81st Cong., as amended.

SECTION 1. *Coverage of this regulation*—(a) *What products and sellers are covered by this regulation.* This regulation establishes methods for calculating ceiling prices for sales by processors of the 1951 and later packs of the following named processed fruits, berries, juices, nectars, purees, mixtures of fruit, and mixtures of juices and nectars processed from these fruits and berries:

Product:
Canned apricots.
Canned red sour pitted cherries.
Canned sweet cherries.

Other fruits or berries may be added from time to time. This regulation applies to all sales by a processor, as the term is defined in section 26, of canned fruits and berries, and mixtures thereof, and of purees, juices and nectars, and mixtures thereof, whether packed in tin or glass, processed from the specified fruits or berries. It applies to these sales even though the processor has procured the item of the product from other sources. This regulation does not apply to any listed fruit or berry which is packed and sold as "baby food", or as "junior food", or which is processed by freezing, drying or dehydration, or to any jams, jellies, preserves or marmalades processed from the specified fruits and berries.

(b) *Pricing provisions to be used.* The main pricing method for most processors is found in section 2 of this regulation. If, however, you are a grower-processor, a grower-owned cooperative, or if you purchase raw materials on open-end contracts, your ceiling prices are determined by sections 2 and 3 of this regulation. Section 4 of this regulation sets forth the method of computing your ceiling prices for items not sold during the base period. Section 5 provides pricing methods for processor-wholesalers and processor-retailers. Sections 6 and 7 of this regulation establish methods by which processors who cannot compute their ceiling prices under the other provisions of the regulation may obtain ceiling prices.

(c) *Where this regulation applies.* This regulation applies in the 48 states of the United States and the District of Columbia.

(d) *What this regulation supersedes.* For the products and sellers covered, this regulation supersedes the General Ceiling Price Regulation (16 F. R. 808).

SEC. 2. *Ceiling prices f. o. b. factory for sales by processors of items sold during the base period.* You shall compute for each factory your ceiling prices for each "item" of a product covered by this regulation by first determining your "base price". Next you shall adjust your base price by an adjustment for cost increases other than sugar and raw materials; then by an adjustment for sugar costs; and finally by an adjustment for "raw material" costs.

(a) *How to determine your base price.* Your base price is your "weighted average sales price" per dozen containers f. o. b. factory for each item sold during the "base period" as defined in this regulation. "Weighted average sales price" is the total gross sales dollars charged f. o. b. factory for the item during the base period divided by the number of dozens of containers of that item sold.

(1) *What sales and sales contracts you include in your weighted average sales price.* All sales and confirmed sales contracts at firm prices of the 1948 pack of the item made in the regular course of business during the base period shall be included, regardless of the date of delivery. If you desire, you may include in your computation of your weighted average sales price sales made during the base period of items from a prior pack. Sales contracts made at times other than during the base period shall not be included, even though delivery was made during the base period. However, the following sales and sales contracts shall be excluded, even though they were made during the base period: Sales at retail (including sales to growers and employees) and at wholesale; sales to government procurement agencies, institutional, commercial and industrial users, state agencies and political subdivisions thereof; and sales of damaged goods, or of goods packed for experimental purposes.

(2) *Separate base prices.* You shall figure a separate base price for each item.

(3) *Base price for each factory group.* You may determine one base price for any group of factories, all of which are located in the same pricing area (i. e., each factory must be located in the same area both for permitted increases other than sugar and raw material, and for the maximum permitted increase in raw material cost). In figuring a single base price for a group of factories, you shall include all sales made in the base period for each factory in the group to obtain your weighted average sales price.

(b) *How to adjust for permitted increases other than sugar and raw material.* After obtaining your base price for the item, you shall multiply it by the appropriate figure set forth in Table I for the area in which your factory is located.

TABLE I—PERMITTED INCREASES OTHER THAN SUGAR AND RAW MATERIAL

Product	Area		Adjustment factors
	No.	States included	
Canned apricots	I	California	1.09
	II	All other States	1.11
Canned sweet cherries (dark and light varieties).	I	Oregon and Washington.	1.04
	II	All other States	1.035
Canned R. S. P. cherries.	I	All States	1.035

The resulting figure is your "adjusted base price."

(c) *How to figure the adjustment for sugar cost increases.* Next you shall determine your adjustment for sugar cost increases which you have incurred since your 1948 base period determined by the first one of the following methods which is applicable.

(1) *Adjustment for items for which dollars-and-cents increases are provided.* If the item for which you are determining a ceiling price is one that appears in Table II, you shall determine a "'multiplier", as follows:

(i) Determine the dollars-and-cents difference per hundred weight between the weighted average cost of sugar used in the product in 1948 and in 1951 up to the time of computation of your ceiling price.

(ii) Then if this difference is an increase of 1951 cost over 1948 cost, determine a "multiplier" by applying the dollars-and-cents increase in cost of sugar per hundredweight to the following range:

Increased cost per hundred weight in dollars and cents		Multiplier
$0.00	$0.12	0
$0.13	$0.37	1
$0.38	$0.62	2
$0.63	$0.87	3
$0.88	$1.12	4
$1.13	$1.37	5
$1.38	$1.62	6
$1.63	$1.87	7

For each additional $0.25 increase per hundredweight of sugar, increase your multiplier by one, in accordance with the above range.

EXAMPLE: If your increase in cost of sugar is $0.67 per hundredweight, your multiplier is 3.

(iii) Having determined your multiplier you apply it to the appropriate figure in Table II. The result is your permitted increase in net cost of sugar in dollars-and-cents for the item.

TABLE II—ADJUSTMENT FOR INCREASE IN SUGAR COSTS

[Dollars per dozen containers for sugar cost increases of one-fourth cent]

Fruits	Pack style	Grades	8-ounce cans	No. 300 cans	No. 303 1 and 1T cans	No. 2 cans	No. 2½ cans	No. 10 cans
Applesauce		All grades	0.0014	0.0026	0.0028	0.0035	0.0051	0.0186
Apricots	Halves, unpeeled	Extra heavy (fancy) cut-out density of 25°–40° Brix	.0034	.0064	.0070	.0087	.0126	.0158
		Heavy (choice) cut-out density of 21°–25° Brix	.0023	.0043	.0048	.0059	.0086	.0311
		Light (standard) cut-out density of 16°–21° Brix	.0014	.0025	.0028	.0034	.0050	.0182
		Slightly sweetened water (substandard) cut-out density of less than 16° Brix.	.0005	.0010	.0010	.0013	.0019	
	Whole, unpeeled	Extra heavy (fancy) cut-out density of 25°–40° Brix	.0038	.0072	.0080	.0098	.0142	.0478
		Heavy (choice) cut-out density of 21°–25° Brix	.0026	.0049	.0054	.0066	.0096	.0324
		Light (standard) cut-out density of 16°–21° Brix	.0016	.0028	.0032	.0039	.0056	.0190
		Slightly sweetened water (substandard) cut-out density of less than 16° Brix.	.0006	.0011	.0012	.0015	.0022	
	Whole, peeled	Extra heavy (fancy) cut-out density of 25°–40° Brix	.0034	.0063	.0070	.0086	.0124	.0442
		Heavy (choice) cut-out density of 21°–25° Brix	.0023	.0043	.0048	.0058	.0084	.0300
		Light (standard) cut-out density of 16°–21° Brix	.0014	.0025	.0028	.0034	.0050	.0176
		Slightly sweetened water (substandard) cut-out density of less than 16° Brix.	.0005	.0010	.0010	.0013	.0019	
Cherries, dark and light sweet.	All styles	Extra heavy (fancy) cut-out density of 25°–25° Brix	.0020	.0038	.0042	.0052	.0075	.0280
		Heavy (choice) cut-out density of 20°–25° Brix	.0014	.0027	.0030	.0038	.0054	.0201
		Light (standard) cut-out density of 16°–20° Brix	.0010	.0018	.0020	.0024	.0034	.0128
		Slightly sweetened water (substandard) cut-out density of less than 16°.	.0004	.0008	.0009	.0012	.0016	
Fruit cocktail		Extra heavy (fancy) cut-out density of 22°–350 Brix	.0025	.0047	.0052	.0048	.0092	.0296
		Heavy (choice) cut-out density of 18°–22° Brix	.0018	.0033	.0037	.0036	.0066	.0212
		Light (standard) cut-out density of 14°–18° Brix	.0012	.0022	.0024	.0022	.0044	.0136
Peaches, clingstone		Extra heavy (fancy) cut-out density of 24°–35° Brix	.0030	.0055	.0061	.0075	.0109	.0404
		Heavy (choice) cut-out density of 19°–24° Brix	.0020	.0037	.0042	.0051	.0074	.0275
		Light (standard) cut-out density of 14°–19° Brix	.0012	.0022	.0024	.0030	.0044	.0162
		Slightly sweetened water (substandard) cut-out density of less than 14° Brix.	.0004	.0008	.0009	.0012	.0016	
Peaches, freestone		Extra heavy (fancy) syrup 55 percent sugar when packed	.0032	.0060	.0066	.0082	.0118	.0434
		Heavy (choice) syrup 40 percent sugar when packed	.0021	.0041	.0045	.0056	.0080	.0295
		Light (standard) syrup 25 percent sugar when packed	.0012	.0024	.0026	.0032	.0047	.0173
		Slightly sweetened water (seconds) syrup 10 percent sugar when packed.	.0005	.0009	.0010	.0012	.0018	.0066
Pears, Bartlett		Extra heavy (fancy) cut-out density of 22°–35° Brix	.0026	.0049	.0054	.0068	.0098	.0354
		Heavy (choice) cut-out density of 18°–22° Brix	.0019	.0035	.0039	.0048	.0070	.0255
		Light (standard) cut-out density of 14°–18° Brix	.0012	.0023	.0025	.0030	.0044	.0162
		Slightly sweetened water (substandard) cut-out density of less than 14° Brix.	.0006	.0011	.0012	.0015	.0022	
Plums		Extra heavy (fancy) syrup 55 percent sugar when packed	.0036	.0068	.0076	.0093	.0134	.0496
		Heavy (light) syrup 40 percent sugar when packed	.0024	.0046	.0051	.0063	.0092	.0336
		Light (standard) syrup 25 percent sugar when packed	.0014	.0027	.0030	.0037	.0054	.0198
		Slightly sweetened water (seconds) syrup 10 percent sugar when packed.	.0006	.0010	.0012	.0014	.0020	.0075
Prunes, fresh		Extra heavy (fancy) syrup 40 percent sugar when packed	.0028	.0052	.0058	.0071	.0103	.0378
		Heavy (choice) syrup 30 percent sugar when packed	.0020	.0038	.0042	.0052	.0074	.0274
		Light (standard) syrup 20 percent sugar when packed	.0013	.0025	.0028	.0034	.0048	.0178
		Slightly sweetened water (substandard) syrup 10 percent sugar when packed.	.0006	.0011	.0012	.0013	.0022	.0075

(iv) Then you shall add the result determined in subdivision (iii) of this subparagraph to your adjusted base price.

(2) *Adjustment for items for which no dollars-and-cents increases are provided.* If the item is one for which there is no applicable figure in Table II, you shall determine your increase in sugar cost by the following method:

(i) Determine the dollars-and-cents difference per hundredweight between the weighted average cost of sugar used in the product in 1948 and in 1951 up to the time of computation of your ceiling price.

(ii) Then convert this dollars-and-cents increase per hundredweight to the increase in sugar cost in cents per pound of sugar.

(iii) Determine the amount of sugar which you actually use in processing the item per dozen.

(iv) Multiply the amount of sugar which you actually use in processing the item by the amount of your sugar cost increase per pound.

(v) Add the result to your adjusted base price.

(3) *Figuring adjustment for mixtures of sucrose, dextrose and other sweeteners and their mixtures.* If you use dextrose, corn syrup, corn syrup solids or liquid sugar in processing an item, you shall first convert all sweetening ingredients, including sucrose, to a solids basis in accordance with Table 23 of the publication, Conversion Factor and Weights and Measures for Agricultural Commodities and Their Products (U. S. Department of Agriculture, Production and Marketing Administration, August, 1947) or equivalent tables. Then determine the cost increase or decrease for each sweetening ingredient in accordance with subparagraphs (1) or (2) of this paragraph, and compute the total cost increase of all sweeteners in the item weighted to reflect the proportion of each sweetening ingredient in the item.

You then add the result to your adjusted base price.

(4) The result of the computation in subparagraphs (1), (2) or (3) of this paragraph is your "adjusted base price including adjustment for sugar cost increases".

(d) *How to figure the raw material adjustment.* Next you shall determine your raw material adjustment by the following procedure:

(1) Determine the difference between your 1948 "weighted average raw material cost" and, up to the time of the computation of your ceiling price for the item, your 1951 "weighted average raw material cost" per ton (or other unit of purchase), delivered or contracted to be delivered, at your factory. If your 1951 costs so determined exceed your 1948 costs, and the permitted adjustment in Table III is a plus figure, you shall use either your actual increase, or the increase for the area in which your factory is located, as provided in Table III, whichever is lesser. If your 1951 costs exceed your 1948 costs and the permitted adjustment shown in Table III is a minus quantity, you must use the decrease shown in the table. If your 1948 costs exceed your 1951 costs you shall either use your actual decrease or the decrease for the area in which your factory is located, as provided in Table III, whichever is greater.

TABLE III—RAW MATERIAL COST ADJUSTMENTS

Raw material	Area	Unit	Permitted adjustment in dollars per unit
Apricots	California	Ton	+49.00
	Utah	do	+78.30
	Washington, Oregon	do	+64.10
	All other States	do	+45.40
Cherries, sour	Ohio	do	−1.00
	New York, Pennsylvania, Oregon, and Washington	do	+25.00
	Michigan, Utah	do	+55.00
	All other States	do	+77.00
Cherries, sweet	California, for brining	do	0
	California, for canning	do	−1.00

TABLE III—RAW MATERIAL COST ADJUSTMENTS—Continued

Raw material	Area	Unit	Permitted adjustment in dollars per unit
Cherries, sweet	Idaho for brining	do	+21.00
	Idaho, for canning	do	+15.00
	New York, Pennsylvania, Ohio, for all processing	do	+54.00
	Oregon, Washington, for brining	do	+105.00
	Oregon, Washington, for canning	do	+99.00
	Michigan, for all processing	do	+41.00
	All other States, for all processing	do	+20.00
Cranberries	All States	Barrel	+10.50
Figs	California	Ton	+51.00
	Texas	do	+71.00
Peaches, clingstone	All States	do	+11.10
Peaches, freestone	Oregon, Washington	do	+23.65
	California	do	+11.90
	South Carolina	do	−5.30
	Georgia	do	+11.95
	Michigan	do	+12.50
	All other States	do	+16.31
Pears	California	do	−26.50
	Oregon, Washington	do	−7.30
	All other States	do	+2.00
Plums	California	do	−6.80
	All other States	do	+23.20
Prunes (fresh)	Washington, Oregon	do	+28.00
	All other States	do	+24.70
Blackberries	All States	Pound	+.062
Boysenberries	do	do	+.025
Gooseberries	do	do	+.029
Loganberries	do	do	+.023
Raspberries, Black	do	do	+.005
Raspberries, Red	do	do	+.07
Strawberries	Louisiana	do	+.006
	California	do	+.020
	All other States	do	+.021
Youngberries	All States	do	+.021
Blueberries:			
Wild	do	do	+.051
Cultivated	do	do	+.005
Currants	do	do	+.051
Crabapples	do	Ton	+27.00
Quinces	do	do	+35.00

(2) You then divide your average raw material cost adjustment per ton (or other unit of purchase), as determined under subparagraph (1) of this paragraph, by your average yields per ton (or other unit of purchase) of the raw material for the years 1948, 1949, and 1950 (or such of them in which you packed the product), reduced to dozens of containers of the product, and adjust for grade yield distribution according to your customary practice during such period.

The result of the computation in subparagraph (2) of this paragraph, is your upward or downward adjustment for raw material costs in dozens of containers of the item.

(e) *Your ceiling price.* (i) If the final result of the calculations for raw material cost adjustments provided in paragraph (d) is an increase, you shall add the increase to your "adjusted base price including adjustment for sugar cost increases" as determined in accordance with paragraph (c).

(ii) If the final result of the calculations for raw material cost adjustments provided in paragraph (d) is a decrease, you shall subtract the decrease from your "adjusted base price including adjustment for sugar cost increases" as determined in accordance with paragraph (c).

The result is your ceiling price f. o. b. factory per dozens of containers for the item.

(f) *Recalculation.* If, during the pack, your purchase price for the same grade or grades of the raw material changes from that which you were paying when you computed your prevailing ceiling price for the item, you shall recalculate your ceiling price for the item when your pack has reached an amount equal to 20 percent of your 1950 pack of the same item (or if you did not pack the item in 1950, then equal to 20 percent of your estimated 1951 pack), and immediately after you have completed the pack. You need not recalculate if the change in raw material cost is an increase. In any case of recalculation of ceiling price no goods shall be delivered after the recalculation at a price higher than the recomputed ceiling price.

In recomputing a ceiling price on an item under this paragraph you shall base your calculation on the weighted average cost of all of the raw material used in packing the item up to the time when you are making the recomputation.

(g) *Sales f. o. b. shipping points other than factory.* If, during the base period, you sold all or portions of an item at a shipping point other than the factory where the item was canned, and if you did not absorb the transportation costs from your factory to this shipping point, you must, in computing your ceiling price f. o. b. factory, subtract from your base period sales price the transportation costs for the item from its factory of origin to such location. Then add to your f. o. b. factory ceiling price, for all or any portion of the item sold f. o. b. such location, the current transportation costs per sales unit from factory to such location.

(h) *Special pricing provisions for mixed fruits and fruit cocktail.* [Provisions of this paragraph to be added by amendment.]

(i) *Different classes of sales.* If you sold during the base period the same item, as defined in section 26 of this regulation, in not more than two classes of sales so that the price of the lower class of sales differed from the higher priced class by a specific and definite dollar-and-cents differential, you may compute your ceiling price under this section for the item by using only the weighted average sales during the base period of the lower class. In all sales of the higher priced class, to buyers other than governmental agencies, institutional, or industrial users, you may add to the ceiling price for the item the same dollars-and-cents differential which existed during the base period between the lower and higher classes, provided your sales of the higher priced class from your 1951 pack shall not exceed 100% of the higher of either (1) the number of dozen of the higher priced class sold in 1950, or (2) your 1950 proportion of the dozens sold of the higher priced class to your 1950 total sales in dozens of the item.

SEC. 3. *Ceiling prices for grower-processors, grower-owned cooperatives and other processors who purchase raw materials on an open-end contract*—(a) *Computation of ceiling prices.* (1) If you are a grower-processor, a grower-owned cooperative or a processor who purchases on open-end contracts and, if in 1948 and 1951 you purchased at least 10 percent of your total use of raw material at prices definitely ascertainable at time of making this computation, you shall use the weighted average of these outside purchases as your raw material cost and calculate under section 2. If in 1948 and 1951 you did not have any such outside purchases you shall first determine your "base price", "adjusted base price", and adjustment for sugar cost increase per dozen containers as provided in section 2 of this regulation. Then, if in both 1948 and 1951 you sold to other processors the same kind of raw material which you are processing in 1951 in a total amount equal to or exceeding 10 percent of the amount processed by you in each such year, you shall use the weighted average of such sales in each of the years 1948 and 1951 as the equivalent of the weighted average cost of raw material for each such year in making the determinations for raw material cost adjustments required under section 2 (d) of this regulation.

(2) If you are a grower-processor, a grower-owned cooperative, or a processor who purchases raw materials on an open-end contract and if you are unable to determine your 1948 and 1951 weighted average cost equivalent under subparagraph (1) of this paragraph, because you have not completed your 1951 pack of the product or for other reasons, you shall borrow the 1948 and 1951 weighted average raw material cost per ton (or other unit of purchase) of the processor of the same kind of raw material who is located nearest your factory and who has determined his weighted average raw material costs for those years in conformity with section 2 of this regulation. You shall then use these borrowed average raw material costs in making the determinations for raw material cost adjustments required under section 2 (d) of this regulation.

(3) If you are a grower-owned cooperative and if you are unable to compute the difference between your 1948 and 1951 costs subparagraphs (1) or (2) of

this paragraph, in computing your raw material cost adjustment under section 2 (d),

(i) You may use an amount up to but not in excess of the amount of the increase provided in Table III, if that table shows an increase, for raw material for the area in which your plant is located;

(ii) You shall use the amount shown in Table III if that table shows a decrease for raw material for the area in which your plant is located.

(4) You shall then determine your ceiling price in accordance with section 2 (e), (f), (g), (h) and (i) of this regulation.

(b) *Required pass-back to growers.* If you are a grower-owned cooperative, this permitted increase for raw material cost may be taken only if you pass back the entire increase to growers. The amount you must pass back to growers shall be computed as follows:

(1) Compute the full amount per ton paid to the grower in 1948 for the same raw material.

(2) Add to this amount the per ton increase computed in accordance with paragraph (a) of this section and included in your sales prices.

(3) Divide this total by the number of dozen containers produced per ton of raw material. This is your raw material cost per dozen containers.

(4) Multiply the raw material cost per dozen containers by the number of dozen containers sold during the accounting period. The result is the total amount which must be paid to the grower including the amount to be passed back. The amount passed back must be paid within 30 days after the end of your normal accounting period.

(c) *Reports required under this section.* If you are a grower-owned cooperative and if you determine your raw material permitted cost increases under paragraph (a) of this section, you shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., not less than 30 nor more than 60 days after the end of each normal accounting period, a report by registered mail giving all of the computations required by paragraph (b) of this section. This report may be on a form available at Office of Price Stabilization offices.

(d) Ceiling prices established under this section are subject to revision by the Director of Price Stabilization in accordance with section 7 (f) of this regulation.

SEC. 4. *Ceiling prices for processors who did not sell the item during the base period but who sold other items of the product during that period*—(a) *Items quoted in an opening price list which differ only in container size.* This paragraph provides the method for pricing an item you did not sell during the base period if (1) you sold during the base period at least one other "comparison item" which differed only in container size and for which you have computed a price under this regulation, and (2) you quoted prices both on the item to be priced and the comparison item in any written opening price list. In such case, apply the percentage differential, as determined from your most recent opening price list for 1950 or earlier, between the item to be priced and the comparison item, to the ceiling price established under this regulation for the comparison item. The result is your ceiling price for the item being priced.

(b) *Items which differ only in type or size of container.* If you did not sell an item during the base period and if you cannot price under paragraph (a) of this section, but if you can establish a ceiling price for another item which differed only in size of container or which differed only in type of container, you shall select the item which differs only in size of container or in type of container and which is nearest in size to the item to be priced. The item so selected shall be the comparison item.

(1) You shall determine the "direct cost" of the comparison item. Direct cost shall include the cost of all materials, both ingredient and packaging, and all direct processing labor.

(2) You shall then determine the "direct cost" of the item to be priced, by the same method by which the direct cost of the comparison item is determined.

(3) You shall then divide the direct cost of the comparison item into the ceiling price of the comparison item as determined under section 2 of this regulation; and multiply this quotient by the direct cost of the item to be priced. The result is the ceiling price of the item being priced.

(c) *Items which differ only in grade.* If you are unable to figure a ceiling price for an item of a particular grade of a product under section 2 of this regulation because you had no base period sales of the item, but you are able to compute ceiling prices for three other items of the same product under section 2, you shall compute the ceiling price for the item in question by a mathematical comparison of the established ceiling prices of the three comparison items of the same product as follows:

(1) Let "X" denote the item being priced.

(2) Select comparison item "A" which shall differ only in grade from "X".

(3) Select comparison item "B" which shall differ only in container size from "X".

(4) Select comparison item "C" which (i) shall differ both in grade and container size from "X"; (ii) shall differ from "A" only as to container size and (iii) shall differ from "B" only as to grade.

(5) You shall then divide the ceiling price for "B" by the ceiling price for "C" and multiply the result by the ceiling price for "A". The result is the ceiling price for the item being priced.

Example	*Price per dozen*
(1) "X", the item being priced, is standard halves unpeeled apricots in No. 2½ cans	
(2) "A" is choice halves unpeeled apricots in No. 2½ cans	$3.00
(3) "B" is standard halves unpeeled apricots in No. 1T cans	1.60
(4) "C" is choice halves unpeeled apricots in No. 1T cans	1.85

then $\frac{1.60}{1.85} = 0.8648 \times \$3.00 = \$2.5944$

(5) The ceiling price for item "X" is $2.59½ per dozen, if your established method is to quote in one-half cents, or $2.59 per dozen if your established method is to quote in even cents.

SEC. 5. *Ceiling prices for processor-wholesalers and for processor-retailers.* If you are a processor-wholesaler or processor-retailer, as defined in section 26, with respect to an item, you shall compute your ceiling price for the item as follows:

(a) *Your base price.* You shall compute your base price by the first one of the following methods which is applicable: *Provided, however,* That all items of the product shall be priced by the same method.

(1) If you sold during the base period 10 percent or more of your total 1948 production of the product to wholesalers or to chain store buying agencies who were in no way associated or affiliated with you, you shall use the weighted average sales price of such sales as your base price.

(2) If you are unable to price under subparagraph (1) of this paragraph, and if you are a processor-wholesaler, you determine the weighted average sales prices of your sales of the item as a wholesaler during the base period, and divide this weighted average by the markup factor provided in CPR 14 as amended (16 F. R. 2725) for the wholesale class in which you operate having the highest markup. If you a processor-retailer, you determine the weighted average sales price of your sales of the item as a retailer during the base period, and divide this weighted average by the decimal equivalent of 100 percent plus the markup percentage provided in CPR 15, as amended (16 F. R. 2735) for Group 4 stores.

You then deduct the total transportation cost from the wholesale or retail figure resulting from the above division. The resulting figure converted to dozens is your base price as that term is used in section 2 (a) of this regulation.

(b) *Ceiling price f. o. b. factory.* Using the price determined under paragraph (a) of this section, you shall then determine your f. o. b. factory ceiling price in accordance with the provisions of section 2 of this regulation.

(c) *Ceiling prices at wholesale.* For any sales of the item at wholesale, you shall proceed as a wholesaler under the provisions of CPR 14, as amended, finding your "net cost" by substituting your f. o. b. factory ceiling price determined above for the "amount you paid your supplier" under CPR 14, as amended.

(d) *Ceiling prices at retail.* For any sales of the items at retail, you shall proceed as a Group 4 retailer under the provisions of CPR 15, as amended, finding your "net cost" by substituting your f. o. b. factory ceiling price determined above for the "amount you paid your supplier" under CPR 15, as amended.

SEC. 6. *Ceiling prices for processors who are unable to figure their ceiling prices under sections 2, 3 or 4 of this regulation.* (a) If you are unable to figure your ceiling price for an item under sections 2, 3 or 4 of this regulation, you shall use as your ceiling price

for that item the simple average of the ceiling prices, for the same item, of the three processors of the item located nearest your factory in the same pricing area as defined in section 2 (a) (3) of this regulation. If there are less than three in the area, you may use the average of the available ceiling prices of two processors. Ceiling prices established under this section are subject to revision by the Director of Price Stabilization in accordance with section 7 (f) of this regulation. If you are unable to secure the ceiling prices of the required number of processors, you shall apply to the Office of Price Stabilization, Washington 25, D. C., for an individual authorization of a ceiling price in accordance with section 7 of this regulation.

(b) If you believe that the ceiling price obtained by using the provisions of paragraph (a) of this section is not representative of the competitive price level at which you have customarily sold your products, or if you use merchandising methods in their sale and distribution different from those of such processors, you may apply under section 7 of this regulation to the Office of Price Stabilization, for a ceiling price. In filing an application under this section, you shall submit your selling prices for the years 1948, 1949, and 1950 (or such of these years as available), of all items of the same or most closely comparable product, and prices (if available) of the processors whose ceilings you are using for the same years covering the same or comparable product, together with a statement of reasons why you believe you cannot establish your ceiling under paragraph (a) of this section.

SEC. 7. *Individual authorization of ceiling prices.* If you cannot determine your ceiling price for an item under any of the foregoing pricing methods of this regulation you shall, before delivering the item to any purchaser, apply to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., for a ceiling price for each factory or group of factories at which you process the item. This application may be made on a form available at Office of Price Stabilization offices

(a) *Information that must be given in all cases.* In all such cases, you shall submit, if available, the following information in your application:

(1) A description in detail of the item for which a ceiling price is sought, a statement of the facts that make it different from the most similar item for which you have determined a ceiling price, identifying the similar item and stating its ceiling price, and a statement giving the reasons why a ceiling price cannot be established under the pricing methods of this regulation. The statement should indicate whether sales of the item have previously been made, and if so, whether a ceiling price was established under the General Ceiling Price Regulation, and if so, the ceiling price so established for each class of purchaser and the section of that regulation under which established.

(2) The 1948 and 1951 weighted average raw material costs per ton (or other unit) figured in the manner and subject to the limitations set forth in section 2 (d) of this regulation and a statement showing your current case (unit) yield.

(3) Breakdown by item of the estimated total costs computed in accordance with your customary accounting practice.

(4) The ceiling price proposed for the item, indicating whether it is for sale to wholesalers, retailers, consumers, or other classes of purchasers, and any discounts, or allowances that should be applicable to the proposed price and a list of your customary discounts, transportation and other allowances and price differentials.

(5) The volume of the item which you have on hand and which you expect to produce during the remainder of the pack year.

(b) *Supplementary information must be given if specifically requested.* You shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., within 15 days after receipt of its request such additional information as shall be requested. If you fail, without reasonable explanation, to submit all additional information that may have been requested within 15 days after the request is mailed, your application shall be considered withdrawn and the docket closed. Unless the application is refiled, the docket will not be reopened upon later receipt of this information, and further consideration by the Office of Price Stabilization will not be given.

(c) *Disposition of application.* Upon receipt of the application, the Office of Price Stabilization will authorize a ceiling price, or a method for determining the ceiling price, for the applicant or for sellers of the item generally. The ceiling price authorized shall be one that bears a proper relationship to those for comparable commodities and sellers.

A proposed price shall be considered authorized 20 days after the application (or all additional information that may have been requested) is mailed by registered air mail, addressed to Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., unless within that time the applicant has received from the Office of Price Stabilization a notice to the contrary.

(d) *Delivery before authorization of ceiling prices.* After filing the application, you may deliver the item and receive a payment of not more than 75 percent of the proposed price, but you may not receive further payment for it until a ceiling price is authorized.

(e) *Failure to apply when required.* If you fail to apply for a ceiling price under this section when required to do so, the Office of Price Stabilization may authorize a ceiling price for your sales of the item bearing a proper relationship to those for comparable commodities and sellers. This will not relieve you of your obligation to comply with this section or with any other provision of this regulation, nor will it relieve you of any penalty for failure to do so.

(f) *Revision of prices by the Office of Price Stabilization.* Any ceiling price established under this section shall be subject to revision at any time by the Office of Price Stabilization.

SEC. 8. *Adjustment of processors' ceiling prices.* [Provisions to be added by amendment.]

SEC. 9. *Uniform f. o. b. factory prices for factories in different pricing areas.* (a) If you process the item being priced at more than one factory and if your ceiling prices for the item vary by factories located in different pricing areas, you may establish a uniform ceiling price for the item for any group of factories in those areas by figuring a weighted average of their separate ceiling prices.

(b) For any two or more factories selected by you, the "weighted average ceiling price" shall be figured by you as follows:

(1) You shall (i) determine the total estimated receipts which would have been obtained if your total production of the item at those factories during 1950 had been sold at the separate ceiling prices otherwise determined under this regulation and, (ii) divide that figure by the total number of dozens of the item included in that total production. The result is your uniform f. o. b. factory price.

(c) If you at any time recalculate your ceiling prices for an item under the provisions of section 2 of this regulation, you shall at that time refigure your weighted average ceiling price under this section.

SEC. 10. *Delivered prices.* You may figure a delivered ceiling price by adding to the ceiling price for the item f. o. b. factory, the amount of the current transportation charges per sales unit of that item.

SEC. 11. *Uniform delivered pricing by zones or areas*—(a) *Sellers who sold during 1950 on a uniform delivered price by zones or areas*—(1) *For one factory.* If you sold or delivered an item covered by this regulation during 1950 on an established uniform delivered price basis by zones or areas, you may establish a delivered ceiling price for the same zone or areas by adding to your ceiling price f. o. b. factory, an average transportation charge, figured on the same basis as you figured such charge during 1950, but at current transportation rates. If you desire to sell an additional item not sold during 1950 on such uniform delivered price basis, you may establish a uniform delivered ceiling price for the same zones or areas, by adding to your f. o. b. factory ceiling price for the item, transportation charges which are mathematically proportional by shipping weight to the charges which were added to an item of the nearest shipping weight sold on a uinform delivered price basis in 1950.

(2) *For two or more factories.* If you sold an item during the calendar year 1950 from two or more factories on an established uniform delivered price basis, by zones or areas, regardless of the factories from which the shipment was made, you may continue such practice for the same zones or areas. Your uniform delivered ceiling price for the item shall be the weighted average of the delivered ceiling prices, as figured in sub-

paragraph (1) of this paragraph, for the item computed on the basis of the proportion of sales of the pack of the item made during 1950 from each of your respective factories.

SEC. 12. *Payment of brokers.* In accordance with trade custom every broker shall be considered as the agent of the processor and not the agent of the buyer. In each case, the amount paid by the buyer to the processor plus any amount paid for brokerage service to the broker shall not exceed the total of the processor's ceiling price and allowable transportation costs actually paid by the processor or by the broker.

The term "broker" includes a "finder".

SEC. 13. *Special packing expenses that may be reflected in ceiling prices*—(a) *Conditions under which special packing expenses may be reflected in ceiling prices.* Special packing expenses to meet special written requirements of the buyer for government use, for export, or for gifts are a basis for increasing ceiling prices for sales of an item if the following conditions are satisfied:

(1) The item must be packed in a manner, package or container that is different from and more expensive than standard packing; and

(2) The processor must pack the goods for sale by himself; and not for another on a custom or "toll" basis.

(b) *Ceiling prices for sales that meet the conditions of paragraph (a).* For any sale that satisfies the requirements of paragraph (a) of this section, your ceiling price as otherwise determined under this regulation may be increased by the following amount:

(1) The additional cost of packing according to the specifications of the buyer in excess of the cost of standard packing, if the processor packs the item himself, or

(2) The additional amount actually paid to another person for packing according to specifications of the buyer in excess of the cost of standard packing, if the processor does not pack the item himself.

(c) *Invoice and record-keeping requirements.* In any cases where your ceiling price is increased under paragraph (b) of this section, you shall:

(1) Show separately the amount of the increase in your contract of sale or on your invoice.

(2) In addition to the records otherwise specified by this regulation, prepare and keep for inspection by the Office of Price Stabilization, for two years, from the date of your invoice to the buyer, accurate records showing the cost of standard packing and the cost of packing according to the specifications of the buyer.

(d) *Computation of costs.* Costs must be figured according to your established accounting methods. Appropriate allowances shall be made for any materials salvaged in unpacking and repacking.

(e) *Meaning of "packing" and "standard packing".* "Packing" means the providing of wrappings, inner containers, or outer containers; the placing of items in such wrappings or containers; the application of any special coverings or coatings; and any unpacking and repacking necessary to conform to the specifications of the buyer.

"Standard packing" means the most expensive packing the cost of which was included in figuring the ceiling prices established by this regulation.

SEC. 14. *Units of sale and fractions of a cent.* (a) Ceiling prices shall be stated in terms of the same general sales units (like dozens, cases, etc.) in which you have customarily quoted prices for the product. Sales in units other than those in which you computed your ceiling price shall be at that ceiling price adjusted for the number of containers in the unit and for customary discounts and differentials.

(b) Amounts computed in the process of figuring a ceiling price (other than the ceiling price itself) shall be carried to four decimal places (hundredth of a cent). If any figured ceiling price includes a fraction of a cent, you shall adjust the ceiling price to the nearest cent or one-half cent in accordance with your established method for quoting your sales prices.

SEC. 15. *Maintenance of customary discounts, allowances and price differentials.* You shall not change any customary allowance, discount or other price differential as defined in section 26 of this regulation to a purchaser or class of purchaser, if the change results in a higher price to that purchaser or class. However, this provision shall not require you to sell any item unlabeled, or under a buyer's label, or to extend or duplicate any temporary promotional campaign.

SEC. 16. *Export sales.* The ceiling price at which you may export any item covered by this regulation shall be determined in accordance with the regulation applicable to such sales.

SEC. 17. *Storage.* Storage costs incurred on goods owned by you shall not be added to your ceiling prices if absorbed by you during the base period. Storage by you of goods owned by the buyer shall be charged for in accordance with the rates provided by the ceiling price regulation applicable to such services.

SEC. 18. *Records which must be kept.* If you make sales covered by this regulation you shall:

(a) Make and preserve for examination by the Office of Price Stabilization, for two years from the date of your invoice to the buyer, all records of the same kind as you have customarily kept, relating to the prices which you charged for those sales, and

(b) Preserve for examination by the Office of Price Stabilization for as long as the Defense Production Act, as amended, remains in effect, and for two years thereafter, all your existing records which were the basis of figuring your ceiling prices in the manner directed by this regulation, showing the method used in figuring the ceiling prices.

SEC. 19. *Reports which must be filed.* (a) If you determine ceiling prices for items of the processed fruits or berries covered by this regulation, you shall mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., a report on a form obtainable from the Office of Price Stabilization, signed by you, for all items for which you determine ceiling prices under this regulation. All items of the product of a particular fruit or berries shall be included on one form. However, a supplemental form shall be filed if ceiling prices for some items of a product are determined or recalculated at a later date. Copies of the reporting form may be obtained from any field office of the Office of Price Stabilization, or from the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C.

(b) The reports required by this section for any item shall be mailed to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., within 5 days after such item is offered for sale, or the ceiling price is recalculated.

SEC. 20. *Sales slips and receipts.* If you have customarily given a purchaser a sales slip, invoice or similar evidence of purchase, you shall continue to do so. Upon request, you shall, regardless of previous custom, give the purchaser a receipt showing the date, your name and address, the name and quantity of each item sold, and the price received for it.

SEC. 21. *Transfer of factory.* If a factory of a processor subject to this regulation is sold or its operation otherwise transferred to you on or after July 31, 1951, your ceiling prices with respect to such factory shall be the same as those to which your transferor would have been subject if no such transfer had taken place, and your obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to you all records of transactions prior to the transfer which he has and which are necessary to enable you to comply with the record provisions of this regulation.

SEC. 22. *Adjustable pricing.* You may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery, but you may not, unless authorized by the Office of Price Stabilization, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Stabilization after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution and will not interfere with the purposes of the Defense Production Act, as amended. The authorization may be given by the Director of Price Stabilization or by any official of the Office of Price Stabilization having authority to act upon a pending request for a change in price or to give the authorization. The authorization will be given by order except that it may be given by letter or telegram when the contemplated action is the authorization of an individual ceiling price.

SEC. 23. *Treatment of excise taxes*—(a) *Taxes in effect during base period.* If, during the base period, you separately

stated and collected any excise or similar tax you may continue to collect the current amount of any such tax in addition to your ceiling price. If you did not customarily during the base period state and collect separately from the purchase price, the amount of tax paid by you, you may not collect the amount of such tax in addition to your ceiling price.

(b) *Taxes imposed since base period.* In all other cases, if at the time you determine your ceiling price the statute or ordinance imposing the tax does not prohibit you from stating and collecting the tax separately from the purchase price, you may collect in addition to your ceiling price, the amount of the tax actually paid by you.

In every case when the tax is collected from the purchaser the amount thereof shall be separately stated.

SEC. 24. *Compliance with this regulation*—(a) *No selling or buying above ceiling prices.* Regardless of any contract or obligation no person shall sell or deliver or, in the course of trade, buy or receive any item at a price higher than the ceiling price established by this regulation.

(b) *Evasion.* No person shall evade a ceiling price, directly or indirectly, whether by commission, service, transportation, or other charge or discount, premium, or other privilege; by tie-in requirement or other trade understanding; by any change of style of pack; by a business practice relating to grading, labeling or packaging or in any other way.

(c) *Enforcement.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act, as amended.

SEC. 25. *Petitions for amendments, protest and interpretations.* Any protest, petition for amendment, or request for interpretation of this regulation, may be filed in accordance with the provisions of Price Procedural Regulation 1, Revised (16 F. R. 9055).

SEC. 26. *Definitions.* When used in this regulation the term:

(a) "Base Period" of a product means the sixty day period beginning with the first day in 1948 that the processor processed any item of such product of a fruit or berry covered by this regulation.

(b) "Customary allowances, discounts and price differentials" means those differentials for cash discount, swell allowance, allowance for buyer's labels, for unlabeled goods, for differences in volume of sales, for class of buyer, for class of sale, or for method or time of delivery which were customary in the business of the processor and in effect prior to and during the base period.

(c) "Grade" means the commercial grade or customary trade quality designation at the time of shipment. However, where the processor elects to use grades as established and defined by any governmental agency and sells the item under any such grade designation, the term "grade" means such grade at time of shipment.

(d) "Item" means a kind, variety, grade, density, size, style of pack or container type and size of a product.

(e) "Person" means an individual, corporation, partnership, association, or any other organized group of persons, and their legal successors or representatives. The term includes the United States, its agencies, other governments, their political subdivisions and their agencies.

(f) "Processor" means a person who is engaged commercially in preserving a fruit or berry by processing so as to extend materially the period of its availability for consumption as a food. The term includes a person who has the item processed for him by another and who owns the raw material immediately prior to and through the period of processing.

(g) "Processor-retailer" means a processor who sells the item at retail.

(h) "Processor-wholesaler" means a processor who sells the item at wholesale.

(i) "Product" means the common and usual name of a finished food processed from a fruit or berry covered by this regulation, but does not include baby foods, junior foods, jams, jellies, marmalades or preserves.

(j) "Sales at retail" means sales to ultimate consumers other than commercial, industrial and institutional users.

(k) "Sales at wholesale" means sales with respect to which processor has performed the function of selling as a wholesaler to retail stores, but not including sales to chain store buying agencies, or to associations of retail store buying agencies which warehouse the product prior to distribution to the individual retail outlet.

(l) "Sales units" means your customary invoicing quantities of the item, such as dozens, cases, etc.

(m) "Weighted average raw material cost" means the total amount paid by the processor to the grower for the raw agricultural material plus any transportation, storage, harvesting, seeds and plants, crates, boxes, bags, acquisition, and other direct costs, paid or incurred by the processor up to the point of delivery at the factory, divided by the total tons (or other units) of raw material purchased.

Effective date. The effective date of this regulation is July 31, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8920; Filed, July 31, 1951; 11:41 a. m.]

[Ceiling Price Regulation 57]

CPR 57—CEILING PRICES FOR ANTI-FREEZE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 733), this Ceiling Price Regulation 57 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for all sales of anti-freeze produced in the United States and sold in the 48 States of the United States and the District of Columbia. Imported anti-freeze is controlled by Ceiling Price Regulation 31, but sales for export and export sales are covered by this regulation until governed by a ceiling price regulation on exports.

Sales of anti-freeze are largely seasonal in character. In the spring of the year manufacturers and resellers begin to make preparations for the winter season so that adequate supplies will be available throughout the country when the first cold weather appears. The manufacturers and distributors of anti-freeze are now making shipments for the 1951–52 season. The need for certain pricing standards, together with the relative simplicity of a dollar-and-cents ceiling type of regulation, makes a tailored regulation for the anti-freeze industry more desirable than the provisions of the General Ceiling Price Regulation or the Manufacturers' General Ceiling Price Regulation.

This regulation sets specific ceiling prices for three types of anti-freeze, which are designated Types S, SC and P anti-freeze. Type S is a "volatile" type anti-freeze containing synthetic alcohols, principally synthetic methanol. Type SC is a diluted synthetic methanol product. Type P is a permanent type anti-freeze and consists largely of glycol compounds. Different ceiling prices are set, depending on whether the anti-freeze is "standard" or "substandard", as defined in the regulation. In the event that other types of anti-freeze are produced, provision is made for application to the Director of Price Stabilization for establishment of appropriate ceiling prices.

The ceiling prices established by this regulation are based upon prices put into effect during January 1951 by producers responsible for a major portion of the production of anti-freeze. Margins of resellers have been generally maintained.

This regulation sets specific dollar and cents ceiling prices for sales at retail and sales to retail dealers. For all other sales the sellers will use the specific dollar and cents ceiling prices for sales to retail dealers as the basis for computing their ceiling prices to their other classes of purchasers. The computation is made by applying to the ceiling prices for sales to retail dealers the same percentage discounts as those in effect for sales to these other classes of purchasers during the period April 1, 1950, to December 1, 1950, or by applying a formula designed to accomplish parallel results. In view of the diverse methods of marketing anti-freeze through oil companies and chain outlets, as well as through various types of wholesalers, the method or formula provided for determination of ceiling prices for sales at levels other than the consumer and retail dealer level is more appropriate than specific dollar and

cents ceiling prices as were established at the consumer and retail dealer levels. For new sellers and those unable to price in unusual situations, provision is made for application to the Director for the establishment of ceiling prices.

FINDING OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this ceiling price regulation, the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

To the extent that such standards as are used in this regulation were not previously in general use in the industry, the Director finds that no practicable alternative exists for securing effective price control with respect to these materials.

REGULATORY PROVISIONS

Sec.

1. Sales covered by this regulation.
2. Relation to other regulations.
3. Retail ceiling prices for standard types S, SC and P anti-freeze.
4. Ceiling prices for sales of standard types S, SC and P anti-freeze to retail dealers.
5. Ceiling prices for sales of standard types S, SC and P anti-freeze to persons other than retail dealers or individual consumers.
6. Ceiling prices for substandard types S, SC and P anti-freeze.
7. Customary price differentials.
8. Ceiling prices for anti-freeze of types other than type S, SC or P.
9. No increased charges for containers.
10. Records which you must keep.
11. Receipts to purchasers.
12. Information required to be placed on anti-freeze containers.
13. Marking and posting by retailers of anti-freeze.
14. Separate statement of taxes required.
15. Prohibitions.
16. Evasion.
17. Charges lower than ceiling prices.
18. Petitions for amendment.
19. Adjustable pricing.
20. Penalties.
21. Definitions.

AUTHORITY: Sections 1 to 21 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, September 9, 1950, 15 F. R. 6105, 3 CFR, 1951 Supp.

SECTION 1. *Sales covered by this regulation.* This regulation establishes ceiling prices for all sales of anti-freeze in the 48 states of the United States and in the District of Columbia, except sales of anti-freeze which has been imported. Until the issuance of a ceiling price regulation covering exports, this regulation also covers export sales of anti-freeze and sales for export.

SEC. 2. *Relation to other regulations.* This regulation supersedes the General Ceiling Price Regulation and Ceiling Price Regulation 22 with respect to all sales of anti-freeze covered by this regulation. Ceiling Price Regulation 31 is applicable to sales of imported anti-freeze. When a ceiling price regulation covering exports is issued, it will apply to export sales and sales for export.

SEC. 3. *Retail ceiling prices for standard types S, SC and P anti-freeze*—(a) *Ceiling prices.* The ceiling prices for sales at retail of standard types S, SC and P anti-freeze, except those sales covered by paragraph (b) of this section, are:

CEILING PRICE

Quantity	Type S	Type SC	Type P
(1) 1 gallon or more, per gallon	$1.50	$1.40	$3.75
(2) Less than 1 gallon, per quart	.40	.35	1.00

Customary price differentials must be allowed in accordance with section 7 of this regulation. If, for example, you allowed a special discount to fleet owners, you must allow the same discount now.

These retail ceiling prices include draining the automobile cooling system and refilling with a mixture of water and anti-freeze if you customarily did so without charge during the period October 1, 1950, to March 31, 1951, and if the buyer requests that it be done. If you did not sell anti-freeze during that period, you must install the anti-freeze in the cooling systems without charge if sellers like you did so during that period.

(b) *Private brands.* If you sell standard Type S, SC, or P anti-freeze at retail under your own brand name, and if you are not a manufacturer, your ceiling prices for sales at retail are determined as follows:

(1) Find the highest price at which you sold your private brand standard Type S, SC, or Type P anti-freeze during the period October 1, 1950, to December 1, 1950.

(2) Determine the difference in dollar and cents between that price and the price for the same type and quantity of an anti-freeze listed in the following schedule:

SCHEDULE

Quantity	Type S	Type SC	Type P
(1) 1 gallon or more, per gallon	$1.25	$1.15	$3.50
(2) Less than 1 gallon, per quart	.35	.30	.95

(3) Subtract that difference from the retail ceiling prices set forth in paragraph (a) of this section for anti-freeze of the same type and quantity. If the resulting price is a figure which is not a multiple of five, you may adjust that price to the next highest five-cent figure. The resulting price is your ceiling price, but in no event shall the price be higher than the ceiling price established by paragraph (a) for a like sale.

SEC. 4. *Ceiling prices for sales of standard types S, SC and P anti-freeze to retail dealers.* The ceiling prices for sales of standard types S, SC and P anti-freeze to retail dealers are:

Container size	Ceiling price per gallon		
	Type S	Type SC	Type P
(1) 50–55 gallon drums	$0.90	$0.83	$2.41
(2) 1 gallon can, case lots and 5-gallon cans	.98	.91	2.51
(3) 1 quart can, case lots	1.05	.98	2.68

These prices include delivery to purchasers where you customarily provided free delivery to purchasers of the same class during the period April 1, 1950 to December 1, 1950. Where only part of delivery costs was borne by you during such period, you are required to bear part of the costs of delivery on terms at least as favorable as those in effect to purchasers of the same class during such period. If you did not sell anti-freeze during the period April 1, 1950 to December 1, 1950, you must bear transportation costs on the same terms that sellers like you bore during that period in sales to the same or similar classes of purchasers. Customary price differentials, in effect during the period April 1, 1950 to December 1, 1950 shall apply as required by section 7.

SEC. 5. *Ceiling prices for sales of standard types S, SC and P anti-freeze to persons other than retail dealers or individual consumers*—(a) *Standard types S, SC and P anti-freeze.* The ceiling prices for your sales of standard types S, SC and P anti-freeze to any purchaser other than one of the classes in section 3 or 4 are the ceiling prices set forth in section 4 less the same percentage discount which you allowed the same class of purchaser on sales in similar quantities during the period April 1, 1950 to December 1, 1950. Where your price was determined without reference to percentage discounts, your ceiling price is determined as follows:

(1) Find the highest price at which 10 percent or more of your standard type S, SC or P anti-freeze was sold during the period April 1, 1950 to December 1, 1950 to purchasers of the same class for which you are computing a ceiling price.

(2) Determine the highest price at which 10 percent or more of your standard anti-freeze of the same type was sold to retail dealers during the period April 1, 1950 to December 1, 1950.

(3) Divide the price found in (1) by the price found in (2).

(4) Apply the resulting ratio to the ceiling price set forth in section 4 for anti-freeze of the same type. The result is your ceiling price for that class of purchaser.

(b) *Applications for ceiling prices.* If you are unable to determine your ceiling prices under paragraph (a) of this section you must apply to the Office of Price Stabilization, Rubber, Chemicals and Drugs Division, Washington 25,

D. C. for the establishment of ceiling prices. Your application shall contain an explanation of why you are unable to determine your ceiling prices under this regulation and to the extent applicable to you shall contain the same information required by paragraph (b) of section 8 of this regulation. You may not sell your anti-freeze until the Director of Price Stabilization notifies you in writing of your ceiling prices. If, however, ceiling prices had been established for your anti-freeze under another regulation before the effective date of this regulation, you may, after your application is filed, sell at those ceiling prices while your application under this section is pending before the Director of Price Stabilization.

SEC. 6. *Ceiling prices for substandard types S, SC and P anti-freeze.* If you sell substandard anti-freeze as defined in section 21 your ceiling price for sales of types S, SC and P substandard anti-freeze is determined as follows:

(a) *Sales to retail dealers or individual consumers.* (1) Find the ceiling price for standard anti-freeze as determined in Sections 3 or 4 (whichever is applicable to the type of sale for which you are pricing) of the same quantity and type as the substandard antifreeze which you are pricing.

(2) Multiply the amount found in (1) by 0.75.

(3) Divide the amount found in (2) by the number of gallons of your substandard anti-freeze which must be added to one gallon of water to reduce the freezing point of the resulting mixture to ten degrees below zero (–10°) Fahrenheit. The result is the ceiling price of your substandard anti-freeze to the class of purchaser, and for the quantity you are pricing.

(b) *Sales to persons other than retail dealers or individual consumers*—(1) *Substandard Types S, SC and P.* The ceiling prices for your sales of substandard types S, SC and P anti-freeze to any purchaser other than one of the classes named in paragraph (a) of this section are the ceiling prices to retail dealers determined under paragraph (a) of this section less the same percentage discount which you allowed the same class of purchaser on sales in similar quantities during the period April 1, 1950, to December 1, 1950. Where your price was determined without reference to percentage discounts, your ceiling price is determined as follows:

(i) Find the highest price at which 10 percent or more of your substandard type S, SC or P anti-freeze was sold during the period April 1, 1950 to December 1, 1950 to purchasers of the same class for which you are computing a ceiling price.

(ii) Determine the highest price at which 10 percent or more of your substandard anti-freeze of the same type was sold to retail dealers during the period April 1, 1950 to December 1, 1950.

(iii) Divide the price found in (i) by the price found in (ii).

(iv) Apply the resulting ratio to the ceiling prices to retail dealers determined under paragraph (a) of this section for anti-freeze of the same type. The result is your ceiling price to that class of purchaser.

(2) *Applications for ceiling prices.* If you are unable to determine your ceiling prices under paragraph (b) (1) of this section, the provisions of section 5 (c) shall apply to you.

SEC. 7. *Customary price differentials.* For each class of purchasers you must maintain delivery terms, cash, trade and volume discounts, allowances, premiums and extras, deductions, price differentials for sales in containers other than those listed herein, guarantees, servicing terms and other terms and conditions of sale, at least as favorable as those which you had in effect during the period April 1, 1950 to December 1, 1950.

SEC. 8. *Ceiling prices for anti-freeze of types other than types S, SC, or P*—(a) *The ceiling prices.* The ceiling prices for an anti-freeze which is of a type other than type S, SC, or P (standard or substandard) shall be those specifically authorized by the Director of Price Stabilization. The Director will establish ceiling prices under this section which are in line with the ceiling prices otherwise established by this regulation.

(b) *Application for ceiling price required.* Before offering such an anti-freeze for sale, you must, if you are the manufacturer of the anti-freeze, send to the Office of Price Stabilization, Rubber, Chemicals and Drugs Division, Washington 25, D. C., by registered mail, an application for the establishment of prices by the Director of Price Stabilization. Your application must contain the following information:

(1) The geographical area in which you propose to distribute the anti-freeze.

(2) The types of resellers through which you propose to distribute the anti-freeze.

(3) The ceiling prices which you believe should be established for sales at the different levels of distribution through which your anti-freeze will be sold. Include an explanation of the reasons why you believe that those ceiling prices are in line with the ceiling prices established by this regulation. If ceiling prices were in effect for your anti-freeze prior to the date of this regulation, set forth those ceiling prices.

(4) The quantitative formula of the anti-freeze; ceiling or actual purchase price, whichever is lower, of each material in such formula, per unit of material; corresponding material cost for each material per gallon of anti-freeze; name and address of the supplier of each material whose ceiling price or actual selling price was used.

(5) Detailed breakdown of costs, other than material costs per gallon of anti-freeze, showing:

(i) Package costs, excluding direct labor cost for packaging, for each size and type of container.

(ii) Direct labor costs for packaging for each size and type of container.

(iii) Direct labor costs for preparing the anti-freeze.

(iv) Statement of proposed terms of delivery and estimated freight absorption.

(6) Statement as to the number of gallons of the anti-freeze which must be added to one gallon of water to reduce the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit, to zero degrees Fahrenheit, and by one degree Fahrenheit; specific gravity, boiling point and freezing point of the anti-freeze; boiling points and percentage compositions (by weight) of any constant boiling point mixtures which the anti-freeze forms with water; complete protection table, if available; and description and results of any tests that have been made as to the cooling properties, corrosive effects, and other properties of the anti-freeze.

(c) *Requirement of marking and posting.* Any authorization of ceiling prices under this section may contain such requirements as to the marking and posting of retail prices and other information as the Director of Price Stabilization may determine to be necessary to effectuate the purpose of this regulation.

(d) *Sales prohibited before prices established by OPS; exception.* You may not sell any anti-freeze required to be priced under this section until you have had ceiling prices established by the Director of Price Stabilization. If, however, ceiling prices had been established for your anti-freeze under another regulation before the effective date of this regulation, you may, after your application is filed, sell at those ceiling prices while your application under this section is pending before the Director of Price Stabilization.

SEC. 9. *No increased charges for containers.* The ceiling prices established by this regulation shall not be increased by any charges for containers. You may, however, require the return of containers, but in such case the ceiling prices which may be charged are the ceiling prices specifically set forth in this regulation less $0.03 per gallon. The same deduction shall be made in those cases where the buyer furnishes drums. Transportation costs with respect to the return or furnishing of containers shall, in all cases, be borne by the seller. When you make sales upon a container-returnable basis, you may require a reasonable deposit for the return of such containers, but the deposit must be refunded to the buyer upon the return of the containers in good condition within a reasonable time.

SEC. 10 *Records which you must keep*—(a) *Base period records.* (1) Within 30 days from the effective date of this regulation manufacturers and resellers other than retail dealers must prepare a statement showing their customary price differentials, as described in section 7 of this regulation, which were in effect during the period April 1, 1950 to December 1, 1950.

(2) This statement and all supporting records therefor must be preserved and kept available for examination by the Director of Price Stabilization for the life of the Defense Production Act of 1950, as amended, and for two years thereafter.

(b) *Current records.* You must keep for a period of not less than two years the following records:

(1) If you are a manufacturer, records of every sale made by you on and

after the effective date, showing the date of each sale, the name and address of the buyer, the quantity and type of anti-freeze sold, and the price contracted for or received;

(2) If you are a reseller other than a retail dealer, records of sales showing the same type of information as required of the manufacturer in subparagraph (1) of this paragraph, as well as records of all of your purchases of anti-freeze, showing the date of purchase, name and address of your supplier, quantity and type of anti-freeze bought, and the price paid.

(3) If you are a retail dealer, records of all of your purchases, showing the date of purchase, name and address of your supplier, quantity and type of anti-freeze bought, and the price paid.

SEC. 11. *Receipts to purchasers.* If you have customarily given your purchaser a sales slip or similar evidence of purchase during the period April 1, 1950 to December 31, 1950, you must continue to do so. If it has not been your custom to do so previously, you must nevertheless give your purchaser a receipt or similar evidence of purchase if he asks for one. The receipt must show your name and address, the amount and type of anti-freeze sold, the date sold, and the price received for the anti-freeze.

SEC. 12. *Information required to be placed on anti-freeze containers.* (a) Within 30 days after the effective date of this regulation, you may not package anti-freeze in containers unless the following information is marked on the containers or on labels securely affixed thereto:

(1) The type of anti-freeze contained therein.

(2) The strength of the anti-freeze contained therein.

Such strength may be so designated as follows: "Three quarts of this anti-freeze when added to one gallon of water will reduce the freezing point of the mixture to 10 degrees below zero Fahrenheit." Or, as an alternative, it may be designated by a complete anti-freeze protection table from which the above information may be obtained. However, where any anti-freeze is packaged which when added to water in the proportion of ¾ of a gallon or less of such anti-freeze to one gallon of water reduces the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit or lower the terms "standard" or "standard strength," may be used instead of the above statement or protection table.

(3) The applicable retail ceiling price as established by this regulation for the anti-freeze contained therein. Such price shall be designated as follows: "OPS Retail Ceiling Price $_____" The blank in the quoted phrase shall be filled in with the applicable retail ceiling price as established by this regulation.

(b) The type of the anti-freeze and the applicable retail ceiling price established by this regulation shall be printed in letters at least two inches high on containers of more than 5 gallons, and in letters at least as large as any other printed matter thereon other than the trade mark or trade name on containers of 5 gallons or less.

(c) The marking specified in paragraph (a) (3) of this section may be omitted where anti-freeze is sold directly to the United States, or to any agency thereof, or to any State or political subdivision thereto or to a commercial or industrial user.

SEC. 13. *Marking and posting by retailers of anti-freeze.* (a) If you sell anti-freeze at retail, you shall post the ceiling price of each type and brand of anti-freeze sold, in a manner plainly visible to and understandable by the purchasing public. The ceiling price may be posted on the shelf, bin, or rack upon or in which the commodity is kept, or it may be posted at the place in the business establishment where the commodity is offered for sale, and shall be marked "OPS Ceiling Price $_____."

(b) If you sell anti-freeze at retail from containers of more than 5 gallons which do not have properly marked thereon the information required by section 12, you shall mark such information in the form and manner prescribed in that section on such containers in a place thereon where it may be readily seen by the purchaser.

SEC. 14. *Separate statement of taxes required.* You may not collect the amounts of any excise sales tax or other similar tax paid by you as such, in addition to the ceiling price of anti-freeze as set by this regulation, unless it has been your practice to state and collect such taxes separately from your selling price of anti-freeze. In the case of such a tax imposed by law which is not effective until after the effective date of this regulation, you may collect the amount of the tax actually paid as such by you, if not prohibited by the tax law. You must in all such cases state separately the amounts of the tax.

SEC. 15. *Prohibitions.* (a) After the effective date of this regulation, regardless of any contract or other obligation, you shall not sell any anti-freeze at a price higher than the ceiling price established by or under this regulation, and you shall not buy in the course of trade or business any anti-freeze at a price higher than the ceiling price established by or under this regulation.

(b) You shall not agree, offer, solicit or attempt to do any of the foregoing.

SEC. 16. *Evasion.* Any practice which results in obtaining indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commissions, transportation arrangements, premiums, discounts, special privileges, tie-in agreements and trade understandings.

SEC. 17. *Charges lower than ceiling prices.* Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 18. *Petitions for amendment.* Any person seeking an amendment of this regulation may file a petition for amendment in accordance with Price Procedural Regulation 1.

SEC. 19. *Adjustable pricing.* Nothing in this regulation prohibits you from making a contract or from offering to sell anti-freeze at:

(a) The ceiling price in effect at the time of delivery, or

(b) A fixed price, or the ceiling price at the time of delivery, whichever is lower.

You may not, however, unless authorized by the Director of Price Stabilization, deliver or agree to deliver anti-freeze at a price to be adjusted upward in accordance with any increase in a ceiling price after delivery.

SEC. 20. *Penalties.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950 as amended.

SEC. 21. *Definitions.* When used in this regulation the term: (1) "Person" includes any individual, corporation, partnership, association or any other organized group of persons or legal successors or representatives of the foregoing, and the United States or any other Government or their political subdivisions or agencies.

(2) "Anti-freeze" means any product sold for use, without further processing, as a depressant of the freezing point of coolant water in internal combustion engines and designated as anti-freeze.

(3) "Standard anti-freeze" means any anti-freeze which when added to water in the proportion of ¾ of a gallon or less of such anti-freeze to one gallon of water, reduces the freezing point of the resulting mixture to 10 degrees below zero Fahrenheit or lower and which produces no more corrosion of the engine cooling system than would occur with water only.

(4) "Substandard anti-freeze" is an anti-freeze which does not meet as a minimum the requirements of a standard anti-freeze as defined in subparagraph (3) of this paragraph.

(5) "Type P anti-freeze" is an anti-freeze commonly regarded as "non-volatile" or "permanent" type anti-freeze containing as its principal freezing point depressant ethylene glycol, propylene glycol or similar compound.

(6) "Type S anti-freeze" is an anti-freeze commonly regarded as a "volatile" or "non-permanent" anti-freeze containing as its principal freezing-point depressant one or a combination of the following: Synthetic methanol, synthetic ethanol, synthetic isopropanol and similar synthetic alcohols, except an anti-freeze defined as type SC anti-freeze.

(7) "Type SC anti-freeze" is an anti-freeze commonly regarded as a "volatile" or "non-permanent" anti-freeze containing as its principal freezing-point depressant synthetic methanol and containing more than 3 percent water by volume.

(8) "Manufacturer" means any person who produces anti-freeze as defined in subparagraph (2) of this paragraph.

(9) "Sale at retail or retail sale" means a sale to an ultimate consumer.

(10) "Retail dealer" means a seller, other than a manufacturer, who in the regular course of business makes sales to the ultimate consumer.

(11) "Purchaser of the same class" means a purchaser of the same kind (for example, distributor, jobber, fleet owner, retail dealer, individual consumer) buying under the same or similar conditions of sale.

(12) "You" means any person subject to this regulation.

Effective date. This regulation shall be effective August 6, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8921; Filed, July 31, 1951; 11:42 a. m.]

[Ceiling Price Regulation 58]

CPR 58—RECLAIMED RUBBER

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., as amended), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Reclaimed rubber is produced from scrap rubber and is used as a raw material in the manufacture of rubber commodities. Rubber reclaimers also produce master batches, i. e., rubber compounds containing reclaimed rubber and other ingredients. During 1950 about 300,000 long tons of reclaimed rubber were produced by manufacturers in the United States. Production figures for the first five months of this year indicate that a substantially larger tonnage will be produced during 1951.

This regulation establishes ceiling prices for manufacturers of reclaimed rubber and persons performing custom reclaiming, master batching or custom master batching within the continental United States. The ceiling prices established apply to all sales of such commodities or services by such persons, including sales for export.

Uniform ceiling prices are established for certain listed grades of reclaimed rubber and ceiling prices are established for other grades of reclaimed rubber and for custom reclaiming, master batching and custom master batching on the basis of the seller's highest contract price for the same commodity or service during the period from November 15 to December 31, 1950.

Reclaimed rubber is sold on an f. o. b. plant basis, freight allowed. The ceiling prices established carry the seller's customary terms with respect to the allowance of freight and his customary differentials for shipment in carload and less than carload quantities.

The major grades of reclaimed rubber are standardized grades which normally are sold at uniform prices. Dollar and cent ceiling prices have been set for a number of such grades. These ceiling prices have been determined in accordance with the techniques of Ceiling Price Regulation 22.

This method of price control for such grades has been recommended by the Reclaimed Rubber Manufacturers Industry Advisory Committee and the necessary data, including prices for reclaimed rubber in the period April 1 to June 24, 1950, and material and labor cost increases have been determined and submitted by reclaimed rubber manufacturers, excluding those who produce solely for their own use.

Increases in the cost of scrap rubber have been allowed only up to the dollar and cent ceiling prices for scrap rubber established by Ceiling Price Regulation 59. On this basis, ceiling prices have been arrived at which, for whole tire reclaim are the same as, and for natural rubber tube and light colored carcass reclaim are considerably below, the ceiling prices for these grades of reclaim under the General Ceiling Price Regulation. The dollar and cent ceiling prices established for reclaimed rubber manufactured in plants located in California are lower than those established for the same grades reclaim produced in other plants, reflecting the differential between California and other manufacturers which normally prevails in the industry and which was reflected in prices in effect between April 1 and June 24, 1950. For light colored carcass reclaim, a specific dollar and cent ceiling price is established only for the number one grade. The regulation provides that the ceiling price of grades of light colored carcass reclaim below number one grade shall be determined in accordance with trade practice at a differential below the ceiling price for the number one grade commensurate with the difference in specific gravity and other relevant criteria.

The ceiling prices for other grades of reclaimed rubber are fixed on the basis of contract prices in the period November 15 to December 31, 1950, in order to bring the prices for such commodities into line with the ceiling prices for the miscellaneous kinds of scrap rubber, fixed on the basis of contract prices in the same period, as provided in Ceiling Price Regulation 59. The ceiling prices for the miscellaneous grades of reclaim thus represent a moderate rollback from ceiling prices under the General Ceiling Price Regulation, reflecting the rollback of the ceiling prices of the corresponding kinds of scrap rubber.

Ceiling prices for custom reclaiming, master batching and custom master batching are brought into line with the ceiling prices for reclaimed rubber by similarly fixing ceiling prices on the basis of contract prices in the November 15 to December 31, 1950, period.

To avoid hardship to sellers having contracts in effect on the date of issue of this regulation, providing for future delivery at a price higher than the ceiling price established by this regulation, provision is made for delivery under such contracts at the contract price provided that the product so delivered is placed in transit to the purchaser within fourteen days from the effective date of this regulation.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 1950, inclusive; and to relevant factors of general applicability.

In formulating this ceiling price regulation the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

The effect of this regulation upon business practices, cost practices, and means or aids to distribution in the industry has been considered. It is believed that no substantial changes in such practices or methods have been effected. To the extent that the provisions of the regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the Defense Production Act of 1950.

The specifications and standards employed in this regulation to described the different kinds, classes, or types of material or service for which ceiling prices are established by the regulation have been in general use in the trades and industries affected. To the extent to which this regulation standardizes any materials or services, no practicable alternative to such standardization exists for securing effective price control with respect to such materials or services.

REGULATORY PROVISIONS

Sec.

1. What this regulation covers.
2. Ceiling prices for grades of reclaimed rubber listed in Table I.
3. Ceiling prices for grades of reclaimed rubber not listed in Table I.
4. Ceiling prices for custom reclaiming, master batching, and custom master batching.
5. Allowance of freight.
6. Deposits for skids or pallets and charges for export packing.
7. Application for the establishment or adjustment of ceiling price.
8. Definitions.
9. Records.
10. Filing of price lists.
11. Reports of ceiling prices determined by base period contract prices.
12. Transfers of business or stock in trade.
13. Prohibitions.
14. Deliveries under contracts entered into prior to July 30, 1951.
15. Adjustable pricing.
16. Modification of ceiling prices by Director of Price Stabilization.
17. Petitions for amendment.
18. Penalties.

AUTHORITY: Sections 1 to 18 issued under Sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *What this regulation covers.* (a) This regulation applies to, and establishes ceiling prices for, persons producing reclaimed rubber or performing custom reclaiming, master batching, or custom master batching within the forty-eight States of the United States and the District of Columbia.

(b) The ceiling prices established by this regulation apply to sales of such commodities or services within the forty-eight States of the United States and the District of Columbia or for export from such area. With respect to all transactions for which ceiling prices are established by this regulation, the General Ceiling Price Regulation and all Ceiling Price Regulations are superseded. Section 6 of Supplementary Regulation 10 to Ceiling Price Regulation 22 is hereby revoked.

SEC. 2. *Ceiling prices for grades of reclaimed rubber listed in Table I.* (a) Your ceiling prices for the sale of reclaimed rubber of the grades listed in Table I are the prices listed in that table.

(b) Your ceiling price for a grade of light colored carcass reclaim below No. 1 grade shall be reduced below the price listed in Table I for the No. 1 grade by an amount commensurate with the difference in specific gravity and color as compared with the No. 1 grade, in accordance with trade practice.

(c) The ceiling prices established by paragraphs (a) and (b) are your ceiling prices for sales in carload quantities. Your ceiling prices for sales in other quantities are obtained by applying to the ceiling prices for sales in carload quantities your customary differentials for less than carload quantities.

SEC. 3. *Ceiling prices for grades of reclaimed rubber not listed in Table I.* (a) Your ceiling prices for grades of reclaimed rubber not listed in Table I are the prices quoted in your price list in effect on December 31, 1950.

(b) If you did not have such a list price in effect, for a particular grade, your ceiling price is the highest price at which you contracted in writing during the base period from November 15 to December 31, 1950, inclusive, to sell reclaimed rubber of the same grade. Such ceiling price applies only to sales in quantities comparable to the quantity covered by the base period contract used in determining such ceiling price. Your ceiling price for sales in other quantities is determined by applying to the base period contract price your customary differentials for sales in other quantities.

SEC. 4. *Ceiling prices for custom reclaiming, master batching, and custom master batching.* (a) Your ceiling prices for custom reclaiming, master batching, and custom master batching are the prices quoted in your price list in effect on December 31, 1950.

(b) If you did not have such a list price in effect, for a particular Commodity or Service, your ceiling price is the highest price at which you contracted in writing during the base period from November 15 to December 31, 1950, inclusive, to perform the same operation, with the same materials, if any, supplied by you. Such ceiling price applies only to sales in quantities comparable to the quantity covered by the base period contract used in determining such ceiling price. Your ceiling price for sales in other quantities is determined by applying to the base period contract price your customary differentials for sales in other quantities.

SEC. 5. *Allowance of freight.* Your ceiling price must carry your customary terms with respect to the allowance of freight.

SEC. 6. *Deposits for skids or pallets and charges for export packing.* (a) If you ship on skids or pallets supplied by you, you may require a deposit for such skids or pallets not in excess of your deposit charge in effect in December 1950.

(b) If the product which you ship is specially packed by you at the request of the buyer to meet export requirements and the cost of such packing exceeds the cost to meet the normal standards for domestic shipment, you may increase your ceiling price by the amount of the extra packing cost which you incur.

SEC. 7. *Application for the establishment or adjustment of a ceiling price.* (a) Before you may enter into a contract for the sale of reclaimed rubber, custom reclaiming, master batching, or custom master batching for which you cannot determine a ceiling price under any other provision of this regulation, you must apply to the Director of Price Stabilization, Washington 25, D. C. by registered mail, return receipt requested, for the establishment of a ceiling price, setting forth the information required by paragraph (c) of this section.

(b) If you believe that any of your ceiling prices determined under section 3 or 4 is out of line with the level of prices established by such section, you may apply to the Director of Price Stabilization, Washington 25, D. C., by registered mail, return receipt requested, for adjustment of your ceiling price, setting forth the information required by items (1) through (4) of paragraph (c) of this section and stating, in addition, the reasons why you believe your proposed price is in line with the level of prices established by section 3 or 4, whichever is applicable.

(c) An application under paragraph (a) of this section must contain the following information:

(1) Your name and address.

(2) A full description of the commodity or service covered by the application, including, if your application covers reclaimed rubber, the kind of scrap rubber used, the specific gravity of the reclaim, its color, degree of refinement and any other distinguishing characteristics.

(3) Your proposed ceiling price and the quantity differentials and terms with respect to allowance of freight which apply to such price.

(4) Give a detailed breakdown of the current unit direct cost of the commodity or service covered by your application together with the gross margin and the percentage markup which your proposed ceiling price represents over such direct cost. State also the average freight allowance which is covered by your proposed ceiling price. Current unit direct cost means the sum of the amounts (not higher than permitted by law) which it costs you for direct labor and materials to produce the commodity or render the service at the date of your application. Direct materials cost shall be computed on the basis of current replacement prices and direct labor cost shall be computed on the basis of current wage rates. The materials cost for materials which you manufacture shall be your current selling price for such commodities less the average freight allowance covered by your selling price.

(5) Give a detailed breakdown of your current unit direct cost for the most comparable commodity or service for which your ceiling price is established by section 2, 3, or 4; state your ceiling price for such commodity or service and the gross margin and percentage markup over current unit direct cost which such ceiling price reflects. State also the average allowance for freight which such ceiling price covers. Your proposed ceiling price may not represent a higher percentage markup over current unit direct cost than such percentage markup on the comparison commodity or service. The method used in computing current unit direct materials cost and current unit direct labor cost for the comparison commodity and for the commodity covered by your application must be the same in every respect. If you are not currently selling the comparison commodity or service, its current unit direct cost must be computed at the amounts it would cost you in direct materials and labor to produce the commodity or render the service at the date of your application. State the reasons for your selection of the comparison commodity or service. If the commodity or service covered by your application is not comparable to any commodity or service for which your ceiling price is established by section 2, 3, or 4, state why it is not comparable, and state why you believe that your proposed ceiling price is in line with the level of ceiling prices established by section 3 or 4, whichever is applicable.

(d) In acting on an application filed under paragraph (a) or (b) of this section, the Director of Price Stabilization may require you to supply any pertinent information not contained in your application. If in his judgment your proposed ceiling price is out of line with the level of ceiling prices established by this regulation he will disapprove such proposed ceiling price and, simultaneously or subsequently, establish a different amount as your ceiling price. After you have mailed your application and have received a return receipt, you may contract to sell at a price not higher than the price which shall be established as your ceiling price. Unless you are notified to the contrary by the Director of Price Stabilization, you may deliver under such contract while your application is pending. You may not, however, accept payment until the Director of Price

Stabilization has approved your proposed ceiling price or has established a different price as your ceiling price, provided that if 20 days have elapsed since the date on which your application was filed, as shown by your return receipt, and within that period you have not received from the Director of Price Stabilization a request for further information or a notification of the disapproval of your proposed ceiling price, that price is established as your ceiling price and you may thereafter accept payment at a price not higher than such ceiling price until such time as the Director of Price Stabilization designates a different price as your ceiling price. Where you have applied under paragraph (b) for an adjustment of an existing ceiling price, you may, of course, accept payment at a price not in excess of your existing ceiling price while your application for an adjustment of that price is pending.

SEC. 8. *Definitions.* "Customary quantity differential and customary allowance for freight" refer to your quantity differentials and your terms with respect to the allowance of freight in effect in June 1950, or if you did not have any such differential or terms in effect in June 1950, the quantity differential or terms with respect to the allowance of freight which you first put into effect between July 1 and December 31, 1950, inclusive.

"Custom master batching" refers to master batching in which the materials are supplied largely by the purchaser.

"Custom reclaiming" refers to the production of reclaimed rubber from materials supplied largely by the purchaser.

"Director of Price Stabilization:" This term extends to any official to whom the Director of Price Stabilization by order has delegated the function, power or authority referred to in the provision of this regulation under which such official is acting.

"Master batching" means the production of a rubber compound containing reclaimed rubber together with other ingredients.

"Person" includes any individual, corporation, partnership, association, any other organized group of persons, a legal successor or representative of any of the foregoing, the United States, any other government, and any political subdivision or agency of the United States or any other government.

"Purchase:" See the definition of "sell".

"Reclaimed rubber" means all kinds, grades, and qualities of the rubber material recovered from any vulcanized scrap rubber.

"Sell" means to sell, barter, exchange, transfer, or deliver or to contract to do any of the foregoing. The term "buy" and "purchase" shall be construed accordingly.

"You" means any person; "your" is to be construed accordingly.

SEC. 9. *Records*—(a) *Records of sales on and after August 6, 1951.* You must keep, and preserve for a period of two years, accurate records of each sale which you make on and after August 6, 1951, of reclaimed rubber, custom reclaiming, master batching, or custom master batching. You must include in such records any deposits required for skids or pallets and any charge for export packing.

(b) *Base period records.* You must preserve during the life of the Defense Production Act of 1950, and for two years thereafter, all records in your possession relating to the prices at which, between November 15 and December 31, 1950, inclusive, you contracted to sell any reclaimed rubber of a grade not listed in Table I, or any custom reclaiming, master batching, or custom master batching, and all records in your possession showing the deposits for skids and pallets which you required during December 1950.

(c) *General provisions as to record keeping.* The records required in (a) and (b) above are records showing the date of the contract of sale and the date of delivery, the name and address of the person to whom you sold, the commodity or service sold, the quantity sold, the price, the place to which shipment was made, and the transportation costs, if any, charged to the purchaser.

(d) *Preservation of records kept under the General Ceiling Price Regulation.* The provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect with respect to reclaimed rubber, custom reclaiming, master batching, and custom master batching insofar as they apply to the preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951 and the effective date of this regulation.

(e) *Preservation of price lists.* You must preserve during the life of the Defense Production Act of 1950, and for two years thereafter, a copy of each of your price lists for reclaimed rubber, custom reclaiming, master batching or custom master batching in effect on or after April 1, 1950. You must also preserve for the same period any records in addition to such price lists necessary to establish your customary quantity differentials and customary terms with respect to allowance of freight as defined in section 8.

SEC. 10. *Filing of price lists.* On or before September 6, 1951, you must file with the Director of Price Stabilization, Washington 25, D. C., your price lists in effect on December 31, 1950, for reclaimed rubber, custom reclaiming, master batching, and custom master batching. You must file with your price list a full description of each commodity or service covered by such price list, including for each grade of reclaimed rubber for which a price is listed, the kind of scrap rubber used, the specific gravity of the reclaim, its color, degree of refinement, and any other distinguishing characteristics.

SEC. 11. *Reports of ceiling prices determined by base period contract prices.* On or before September 6, 1951, you must file with the Director of Price Stabilization, Washington 25, D. C., a full description of each commodity or service for which your ceiling price is established under section 3 (b) or 4 (b) by reference to a base period contract price, giving the ceiling price for each such commodity or service, together with the quantity differentials and the terms with respect to allowance of freight which apply to such ceiling prices. Include in the description, for each grade of reclaimed rubber covered by your report, the kind of scrap rubber used, the specific gravity of the reclaim, its color, degree of refinement, and any other distinguishing characteristics.

SEC. 12. *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any reclaimed rubber, custom reclaiming, master batching or custom master batching business are or have been sold or otherwise transferred after November 14, 1950, and the transferee carries on the business, or sells such commodities or services, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject under this regulation if no such transfer had taken place. The transferor shall either preserve and make available, or turn over, to the transferee all records required by section 9, and the records so turned over shall be preserved by the transferee for the remainder of the period specified in section 9.

SEC. 13. *Prohibitions.* (a) You shall not sell, and you shall not buy in the regular course of business or trade, any reclaimed rubber, custom reclaiming, master batching, or custom master batching at a price higher than the ceiling price established by this regulation, regardless of any contract, agreement, understanding or other obligation. You may, of course, sell or buy at prices lower than the ceiling prices established by this regulation.

(b) You shall not evade or circumvent the provisions of this regulation by any means or device, direct or indirect. This prohibition includes, but is not limited to, means or devices making use of any commission, service, premium, discount, privilege, trade understanding, cross sale, tie-in agreement, or delivery or transportation device or arrangement.

(c) You shall not offer, solicit, attempt, or agree to do any act prohibited by this section.

SEC. 14. *Deliveries under contracts entered into prior to July 30, 1951.* If before July 30, 1951, you entered into a contract for the sale of reclaimed rubber, custom reclaiming, master batching, or custom master batching for future delivery at a price in excess of the ceiling price established by this regulation, you may deliver under such contract at the contract price provided that you place the product to be delivered in transit to the purchaser on or before August 20, 1951. The provisions of this section do not apply to contracts for sale at the ceiling price in effect at the time of delivery or to contracts for sale at either a fixed price or the ceiling price in effect at the time of delivery, whichever is lower. You may not deliver under such contracts at a price higher than the ceiling price established by this regulation.

SEC. 15. *Adjustable pricing.* Nothing in this regulation shall be construed to prohibit your making a contract or offer to sell a commodity or service covered by this regulation at (a) the ceiling price in effect at the time of delivery or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery.

SEC. 16. *Modification of ceiling prices by Director of Price Stabilization.* The Director of Price Stabilization may at any time modify ceiling prices established under this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

SEC. 17. *Petitions for amendment.* You may petition for amendment of this regulation in accordance with the provisions of Price Procedural Regulation I.

SEC. 18. *Penalties.* If you violate any of the provisions of this regulation you will be subject to the criminal penalties, civil enforcement actions, and suits on account of overcharges provided for by the Defense Production Act of 1950.

Effective date. This regulation shall become effective on August 6, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

TABLE I—CEILING PRICES FOR CERTAIN GRADES OF RECLAIMED RUBBER PER POUND—CARLOAD QUANTITY

	Reclaimers located in all other areas	Reclaimers located in California
Premium grade of specially selected whole tire reclaim (specific gravity under 1.20—plus or minus 2)	0.105	0.09¾
First line whole tire reclaim (specific gravity under 1.20—plus or minus 2)	.10	.09¼
Second line whole tire reclaim	.095	.08¾
Third line whole tire reclaim	.09¼	.085
Fourth line whole tire reclaim	.08¾	.08
Black carcass type reclaim	.14¼	.13¼
No. 1 grade light colored carcass reclaim (specific gravity 1.25 and under)[1]	.20¾	.17¾
No. 1 selected peel reclaim	.11¾	.11
No. 1 peel reclaim	.105	.09¾
Butyl tube reclaim	.145	.135
Special purpose natural rubber black tube reclaim	.21	.19¾
Natural rubber black tube reclaim	.20	.18¾
Natural rubber red tube reclaim	.24¼	.23¼
Natural rubber grey tube reclaim	.24¼	.23¼

[1] For your ceiling price for other grades of light colored carcass reclaim, see sec. 2 (b) of this regulation.

[F. R. Doc. 51-8935; Filed, July 31, 1951; 2:08 p. m.]

[Ceiling Price Regulation 59]

CPR 59—SCRAP RUBBER

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., as amended), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Scrap rubber is used in the manufacture of reclaimed rubber, which, together with natural and synthetic rubber, is a basic raw material in the production of rubber commodities. Scrap tires make up about 65 percent of the scrap rubber used by the domestic reclaiming mills, tire parts about 20 percent, scrap tubes 10 percent, and the balance consists of various miscellaneous kinds of scrap rubber. Scrap rubber is gathered by scrap collectors and purchased from them by wholesale scrap rubber dealers for resale to reclaimers or for resale to tire-splitters, who in turn sell tire parts to the reclaimers. Wholesale scrap rubber dealers also import scrap rubber and buy from collectors for resale in the export market.

What this regulation does. This regulation fixes dollar and cent ceiling prices for scrap tires, tire parts, and scrap tubes and sets ceiling prices for the remaining miscellaneous kinds of scrap rubber for each seller on the basis of the prices at which he contracted to sell between November 15 and December 31, 1950. The ceiling prices for scrap tires, tire parts, and scrap tubes apply to sales to wholesale scrap rubber dealers, sales to consumers, e. g., tire-splitters and reclaimers, export sales and sales for export. The ceiling prices for other kinds of scrap rubber apply to sales to consumers, export sales and sales for export. The ceiling prices established apply whether or not the scrap rubber is imported.

In accordance with the customary pricing pattern in the industry, the dollar and cent ceiling prices established by the regulation are based upon the delivered prices at the chief consuming centers. Price differentials between such consuming centers are established on the basis of customary differences in effect prior to June 25, 1950.

For sales of the major kinds of scrap rubber by a wholesale scrap rubber dealer to a consumer, delivered to the consumer's mill, a service fee not in excess of a specified ceiling service fee may be added to the dollar and cent ceiling prices otherwise applicable. Such service fees reflect the customary differentials between the prices which the wholesale scrap rubber dealer receives and the cost to the dealer.

While it has not been considered feasible at this time to establish uniform dollar and cent ceiling prices for the miscellaneous kinds of scrap rubber referred to above, provision is made for adjustment where the base period price of a particular seller which is established as his ceiling price is out of line with the ceiling prices of his competitors. Provision is also made for the establishment of a ceiling price for any miscellaneous kind of scrap rubber not dealt in during the base period or for any special type of scrap rubber for which the dollar and cent ceiling prices established in the regulation are found to be inappropriate.

A disparity has arisen since the spring of 1950 between prices of certain kinds of scrap rubber for domestic use and those for export sales, tending unduly to divert such scrap rubber from the domestic market. It is believed that the level of export ceiling prices established by this regulation as compared with that set for the domestic market will resolve this problem. Ceiling prices are established for sales for delivery at a port of exit at the same level as the ceiling prices for sales for delivery to domestic consuming mills. Ceiling prices for export sales similarly are established on the basis of the ceiling prices for delivery to domestic consuming mills plus the actual cost of transportation from the point of exit to the foreign point at which delivery is made. However, no service fee may be charged in export sales or sales for delivery at a port of exit.

This regulation establishes the same ceiling price for mixed tires, mixed passenger tires and mixed truck and bus tires. Truck and bus tires in general contain a higher percentage of natural rubber than passenger tires and as a result a differential has developed since the spring of 1950 between the price of truck and bus tires and mixed tires. By January 1951 this differential had reached $5.00 per ton. Reclaimers using mixed tires have in the past expected to receive at least 30 percent truck and bus tires in the mixture and their operations are based on this expectation. If truck and bus tires were permitted to sell at a premium, such tires would be sorted out from mixed tires; thus only passenger tires would remain. After consultation with industry representatives, a single price for the three categories of tires referred to has been adopted as a means of meeting this problem.

In order to avoid hardship on sellers of scrap rubber having contracts for future delivery in effect on the date of issue of this regulation, provision is made for the delivery for a limited time under such contracts, at the contract price, of scrap rubber which the seller has purchased before the date of issue at a cost higher than his ceiling price for the sale of such scrap rubber established by this regulation.

This regulation supersedes the General Ceiling Price Regulation with respect to all sales of scrap rubber within the United States, thus removing from price control sales of scrap rubber within the United States for which ceiling prices are not fixed by this regulation. In the case of the major kinds of scrap rubber, i. e., scrap tires, tire parts, and scrap tubes, dollar and cents ceiling prices are established, as stated above, for sales to wholesale scrap rubber dealers, sales to consumers, and sales in the export mar-

ket. The quantity involved in sales to other classes of purchasers will normally be small, as, for example, in the case of sales of scrap tires or tubes to scrap collectors. Such sales have been exempted in the interest of simplicity since it is believed that the prices for such sales will fall into line with prices, subject to control, in the major channels in which scrap rubber is sold. If experience should demonstrate the need for price control on additional types of sales, ceiling prices for such sales will, of course, be established.

In the case of the miscellaneous kinds of scrap rubber other than scrap tires, tire parts, and scrap tubes, all sales except sales to consumers and sales in the export market are exempt. For such miscellaneous kinds of scrap rubber, as stated above, the ceiling prices established by this regulation are determined by reference to selling prices during the base period November 15 to December 31, 1950, and application must be made for the establishment of a ceiling price where a particular seller does not have a base period selling price which he can use as his ceiling price. The difficulties involved in applying this method of price control at the scrap collector level for each of the miscellaneous kinds of scrap rubber outweigh the advantages which might be gained thereby. Consequently, ceiling prices for the miscellaneous kinds of scrap rubber are fixed only for sales to consumers and sales in the export market, thus exempting substantially all sales of such kinds of scrap rubber made by the scrap rubber collector. Dollar and cent ceiling prices for the miscellaneous kinds of scrap rubber may in the future be established on the basis of the ceiling prices for the miscellaneous kinds of scrap rubber which are reported in accordance with the regulation by wholesale scrap rubber dealers. Such additional dollar and cent ceiling prices as may be established will, of course, apply to sales to wholesale scrap rubber dealers as do the dollar and cent ceiling prices presently established by this regulation.

Price levels. In June 1950 the delivered price in Akron, Ohio, a principal reclaiming center, was $18.00 to $22.00 per ton for mixed scrap tires and $0.06 per pound for scrap black tubes. The ceiling prices for these items under the General Ceiling Price Regulation ranged from $32.00 to $35.00 per ton and from $0.145 to $0.16 per pound, respectively. The rise in price reflected an increased demand for all kinds of rubber hydro-carbons and increases in the prices of natural and synthetic rubber. GR–S synthetic rubber rose from $0.185 per pound in June 1950 to a present ceiling price of $0.245 per pound. Natural rubber No. 1 smoked sheets rose from $0.16 per pound in the spring of 1950 to a peak of about $0.90 per pound in the autumn of that year, and have been selling recently at a price of $0.66 per pound. Effective July 1, the General Services Administration put into effect a price of $0.52 per pound.

In determining the ceiling prices established by this regulation, consideration has been given to the factors involved in the increases in the prices of scrap rubber and of competitive rubber hydro-carbons summarized above. Consideration has also been given to the relationship of scrap rubber prices to the prices of other scrap materials, the effect of the prices of scrap rubber on the cost of living and the cost of the defense program, and the increased demand for scrap rubber to meet the estimated needs for reclaimed rubber. On the basis of these considerations, ceiling prices for scrap tires, tire parts, and scrap tubes reflect present prices and are established at a level representing a rollback below the ceiling prices established under the General Ceiling Price Regulation. Ceiling prices for other kinds of scrap rubber are established at the level prevailing during December 1950.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 1950, inclusive; and to relevant factors of general applicability.

In formulating this ceiling price regulation the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

The effect of this regulation upon business practices, cost practices, and means or aids to distribution in the industry has been considered. It is believed that no major changes in such practices or methods have been effected. To the extent that the provisions of the regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the Defense Production Act of 1950.

The specifications and standards employed in this regulation to describe the different kinds, classes, or types of material or service for which ceiling prices are established by the regulation have been in general use in the trades and industries affected. To the extent to which this regulation standardizes any materials or services, no practicable alternative to such standardization exists for securing effective price control with respect to such materials or services.

REGULATORY PROVISIONS

Sec.

1. What this regulation covers.
2. Ceiling prices for the kinds of scrap rubber listed in Tables I and II when sold to a wholesale scrap rubber dealer or to a consumer.
3. Ceiling prices for kinds of scrap rubber not listed in Tables I and II when sold to a consumer.
4. Ceiling prices for export sales of scrap rubber and for sales of scrap rubber delivered F. A. S. port of exit.
5. Scrap rubber not meeting standard grade specifications.
6. Sorting, packing, and weight standards.
7. Special types of scrap rubber.
8. Records.
9. Reports of ceiling prices for kinds of scrap rubber not listed in Tables I and II.
10. Transfers of business or stock in trade.
11. Adjustable pricing.
12. Modification of ceiling prices by Director of Price Stabilization.
13. Petitions for amendment.
14. Deliveries under contracts entered into prior to July 30, 1951.
15. Definitions.
16. Prohibitions.
17. Penalties.

AUTHORITY: Sections 1 to 17 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.

SECTION 1. *What this regulation covers*—(a) *Sales to wholesale scrap rubber dealers and consumers.* This regulation establishes ceiling prices for scrap tires, tire parts, and scrap tubes when sold to a wholesale scrap rubber dealer or to a consumer, and ceiling prices for other kinds of scrap rubber when sold to a consumer.

(b) *Exports.* This regulation establishes ceiling prices for all export sales of scrap rubber and all sales of scrap rubber F. A. S. port of exit.

(c) *Imports and sales by importers.* The ceiling prices established by this regulation apply to imports and sales of scrap rubber by importers.

(d) *Geographical coverage.* This regulation applies to the forty-eight states of the United States and the District of Columbia.

(e) *Limitations on coverage of other regulations.* (1) On and after the effective date of this regulation, the General Ceiling Price Regulation shall not apply to scrap rubber in the forty-eight states of the United States and the District of Columbia.

(2) On and after the effective date of this regulation, Ceiling Price Regulation 31—Imports—shall not apply to scrap rubber.

(f) *Exempt transactions.* Neither this regulation, nor any other regulation of the Office of Price Stabilization, establishes a ceiling on the price at which scrap rubber may be sold for delivery within the United States in the following transactions:

(1) The sale of scrap tires, tire parts, and scrap tubes, if the person to whom such scrap rubber is sold is not a wholesale scrap rubber dealer or a consumer, and if the sale is not a sale for delivery F. A. S. port of exit.

(2) The sale of other kinds of scrap rubber, if the person to whom such scrap rubber is sold is not a consumer and if the sale is not a sale for delivery F. A. S. port of exit.

SEC. 2. *Ceiling prices for the kinds of scrap rubber listed in Tables I and II, when sold to a wholesale scrap rubber dealer or to a consumer.* If you sell scrap rubber of the kinds listed in Tables I and II to a wholesale scrap rubber dealer or to a consumer, your ceiling prices are established by either para-

graph (a), (b) or (c) of this section, whichever applies to the sale which you are making. If you are a wholesale scrap rubber dealer, you may adjust the ceiling price for each sale which you make to a consumer for delivery to a consuming mill by adding to your ceiling price for such sale as determined under paragraph (a) or (b) of this section the ceiling service fee listed in Table III for the consuming center nearest such consuming mill or in which such mill is located.

(a) *Ceiling prices—delivered to a consuming mill located in a chief consuming center.* If you deliver the scrap rubber to a consuming mill located in a consuming center listed in Tables I and II, your ceiling prices are the prices listed in those tables for that consuming center.

(b) *Ceiling prices—delivered to a consuming mill not located in a chief consuming center.* If you deliver the scrap rubber to a consuming mill not located in a consuming center listed in Tables I and II, your ceiling prices are the prices listed in those tables for the consuming center nearest the consuming mill.

(c) *Ceiling prices where delivery is not made to a consuming mill.* If you do not deliver the scrap rubber to a consuming mill, your ceiling price is determined by subparagraph (1) or (2) below, whichever results in a higher ceiling price.

(1) Your ceiling price is the ceiling price for the sale of scrap rubber of the same kind delivered to a consuming mill as determined under paragraph (a) or (b) of this section for such consuming mill as you elect to use as a basing point, less the lowest applicable charges for transportation to such consuming mill from the place at which you make delivery, or

(2) Your ceiling price is the ceiling price for the sale of scrap rubber of the same kind delivered F. A. S. port of exit as determined under section 4 (a) (1) for such port of exit as you elect to use as a basing point, less the lowest applicable charges for transportation to such port of exit from the place at which you make delivery. You may use as your basing point only a port of exit from which scrap rubber is customarily exported or a port of exit to which the person to whom you are selling states in writing that he proposes to ship such scrap rubber. You must keep such written statements available for inspection for a period of two years.

SEC. 3. *Ceiling prices for kinds of scrap rubber not listed in Tables I and II, when sold to a consumer.* (a) Your ceiling price for the sale to a consumer, delivered to the consumer's mill, of scrap rubber of any kind not listed in Table I or II is the highest price at which you contracted in writing in the base period from November 15, 1950, to December 31, 1950, inclusive, to sell scrap rubber of the same kind to any consumer, delivered to the consumer's mill.

(b) For sales to a consumer in which you do not deliver to the consumer's mill, your ceiling price is the ceiling price for scrap rubber of the same kind determined under paragraph (a), less the lowest applicable charge for transportation to the consumer's mill from the place at which you make delivery.

(c) Before you may contract to sell to a consumer scrap rubber of a kind in which you did not deal during the base period, you must apply in writing, to the Director of Price Stabilization, Washington 25, D. C., by registered mail, return receipt requested, for the establishment of a ceiling price, setting forth the information required in paragraph (e) of this section. You must also file an application under this section as required by paragraph (b) (3) of section 4.

(d) If you believe that any of your ceiling prices established by paragraph (a) or (b) of this section is out of line with the level of ceiling prices established by this regulation, you may apply in writing to the Director of Price Stabilization, Washington 25, D. C., by registered mail, return receipt requested, for adjustment of your ceiling price, setting forth the information required by paragraph (e) of this section.

(e) An application under paragraph (c) or (d) of this section must contain the following information:

(1) Your name and address.

(2) A full description of the kind of scrap rubber covered by the application.

(3) Your proposed ceiling price. Indicate whether your proposed ceiling price covers delivery to the consuming mill.

(4) State the basis on which you determined your proposed ceiling price and the reasons why you believe it is in line with the level of prices established by paragraph (a).

(f) In acting on an application filed under paragraph (c) or (d) of this section, the Director of Price Stabilization may require you to supply any pertinent information not contained in your application; if in his judgment your proposed ceiling price is out of line with the level of ceiling prices established by paragraph (a) of this section, he will disapprove such proposed ceiling price and, simultaneously or subsequently, establish a different amount as your ceiling price. After you have mailed your application and have received a return receipt, you may contract to sell at a price not higher than the price which shall be established as your ceiling price. Unless you are notified to the contrary by the Director of Price Stabilization, you may deliver under such contract while your application is pending. You may not, however, accept payment until the Director of Price Stabilization has approved your proposed ceiling price or has established a different price as your ceiling price, provided that if 20 days have elapsed since the date on which your application was filed, as shown by your return receipt, and within that period you have not received from the Director of Price Stabilization a request for further information or a notification of the disapproval of your proposed ceiling price, that price is established as your ceiling price and you may thereafter accept payment at a price not higher than such ceiling price until such time as the Director of Price Stabilization designates a different price as your ceiling price. Where you have applied under paragraph (d) for an adjustment of an existing ceiling price, you may, of course, accept payment at price not in excess of your existing ceiling price while your application for an adjustment of that price is pending.

SEC. 4. *Ceiling prices for export sales of scrap rubber and for sales of scrap rubber delivered F. A. S. port of exit.* Your ceiling prices for export sales and sales for delivery F. A. S. port of exit are determined under paragraph (a) for kinds of scrap rubber listed in Tables I and II and are determined under paragraph (b) for other kinds of scrap rubber. You may increase a ceiling price determined under this section by the amount of any allowance for special export packing permitted by section 6 (c).

(a) *Kinds of scrap rubber listed in Tables I and II—(1) Ceiling prices—delivered F. A. S. port of exit.* Your ceiling prices for the sale, for delivery F. A. S. port of exit, of scrap rubber of the kinds listed in Tables I and II are the prices listed in those tables which, as provided by paragraphs (a) and (b) of section 2, apply to sales for delivery to the consuming mill nearest the port of exit. No service fee may be added to such ceiling prices.

(2) *Ceiling prices for export sales.* Your ceiling prices for export sales of scrap rubber of the kinds listed in Tables I and II are the prices listed in those tables which, as provided by paragraphs (a) and (b) of section 2, apply to sales for delivery to the consuming mill nearest the port or other point of exit, plus the costs actually incurred by you in making delivery at the foreign point from the port or other point of exit. No service fee may be added to such ceiling prices.

(b) *Kinds of scrap rubber not listed in Tables I and II—(1) Ceiling prices—delivered F. A. S. port of exit.* Your ceiling price for the sale, for delivery F. A. S. port of exit, of scrap rubber of a kind not listed in Table I or II is the same as your ceiling price determined under section 3 for the sale of scrap rubber of the same kind to a consumer for delivery to the consumer's mill.

(2) *Ceiling prices for export sales.* Your ceiling price for the export sale of scrap rubber of a kind not listed in Table I or II is the same as your ceiling price determined under section 3 for the sale of scrap rubber of the same kind to a consumer for delivery to the consumer's mill, plus the costs actually incurred by you in making delivery at the foreign point from the port or other point of exit.

(3) *Determination of ceiling price for a kind of scrap rubber not dealt in during the base period.* If you propose to export, or sell delivered F. A. S. port of exit, scrap rubber of a kind not listed in Table I or II and you have not determined a ceiling price under Section 3 for the sale of such scrap rubber to a consumer for delivery to the consumer's mill, you must file an application under paragraph (c) of section 3 for the establishment of such ceiling price before you may enter into the sale which you propose to make. After filing such appli-

cation you must comply with the provisions of paragraph (f) of section 3.

SEC. 5. *Scrap rubber not meeting standard grade specifications.* (a) The ceiling prices established above for the kinds of scrap rubber listed in Tables I and II apply to sales of scrap of standard grade or quality or higher. The specifications set forth in the footnotes to Tables I and II define the standard grade or quality of each kind of scrap rubber listed in those tables. In addition, each kind, to be of standard grade or quality, must be free from foreign materials, including mud, stones, and cinders and may not contain more than 2½ percent moisture. The presence of one of the objectionable features specified in the preceding sentence or in the specifications in Tables I or II applicable to the kinds of scrap rubber sold shall be deemed to lower the quality of such scrap rubber. The ceiling price of scrap rubber of a quality lower than standard grade shall be less than the ceiling price for standard grade by an amount commensurate with the difference in quality involved in accordance with practice in the trade.

The ceiling price of scrap tubes shall be decreased by ½ cent per pound where such tubes contain valves, black rubber valve cots, or valve bases which are objectionable under the applicable specifications set forth in the footnotes to Table II.

(b) The ceiling prices of scrap rubber of a kind not listed in Table I or II which is of a quality below that established by trade practice as the standard grade of that kind of scrap rubber shall be less than the ceiling price for the standard grade by an amount commensurate with the difference in quality involved in accordance with practice in the trade.

SEC. 6. *Sorting, packing, and weight standards.* (a) The ceiling prices established above are ceiling prices for scrap rubber that is packed as follows:

(1) Tires and beadless tires may be shipped bundled or loose in cars.

(2) All other kinds of scrap rubber shall be packed in bags, bales, or bundles with each kind packed separately, properly segregated in the car or truck, and clearly labeled. Each bale or bundle shall weigh not less than 500 pounds nor more than 1,500 pounds and shall be well and securely bound. Bales which fall apart during shipment or unloading shall be considered as having been shipped loose.

(b) The ceiling price for a mixture of different kinds of scrap rubber shall be the ceiling price for the kind having the lowest ceiling price. In addition, in the case of bags or bales which must be opened and sorted, and in the case of scrap rubber not packed in accordance with the provisions of paragraph (a), the ceiling price shall be decreased by ½ cent per pound.

(c) If the scrap rubber which you sell is specially packed by you at the request of the buyer to meet export requirements and the cost of such packing exceeds the cost of packing to meet the standards of paragraph (a) of this section, your ceiling price may be increased by the amount of the extra packing cost incurred by you.

(d) All scrap rubber shall be paid for on the basis of the net weight determined at the buyer's plant or the net weight shown by a sworn weigher's certificate secured by and at the expense of the seller, a copy of which shall be supplied to the buyer. Bags, coverings, or containers shall not be included in the net weight nor shall the buyer be under obligation to return them to the seller.

SEC. 7. *Special types of scrap rubber.* If you wish to apply for a ceiling price higher than that otherwise established by this regulation for scrap rubber which is of a kind listed in Table I or II but which is specially sorted or otherwise of a special type, you may apply in writing to the Director of Price Stabilization, Washington 25, D. C., by registered mail, return receipt requested, for the establishment of a ceiling price. You may file such an application whether you propose to buy or sell such scrap rubber. Your application must set forth the following information:

(a) Your name and address, and whether you propose to sell or purchase such scrap rubber.

(b) The names and addresses of the persons to whom you propose to sell or from whom you propose to buy.

(c) A full description of the type scrap rubber covered by your application and the use to be made of it by you or the persons purchasing from you.

(d) The quantity of such scrap rubber which you propose to sell or buy and the period of time during which you wish your proposed ceiling price to remain in effect.

(e) Your proposed ceiling price.

(f) The places of delivery to which your proposed ceiling price applies. Indicate whether your proposed ceiling price covers delivery to the consuming mill.

(g) In the case of specially sorted scrap rubber, the extra cost per pound of sorting and handling above the cost of sorting and packing to meet the requirements of paragraph (a) of section 6. If the actual cost is not available and the estimated cost is given, indicate this fact.

(h) State the basis on which you determined your proposed ceiling price and the reasons why you believe your proposal should be approved.

In acting on an application filed under this section, the Director of Price Stabilization may require you to supply any pertinent information not contained in your application; if in his judgment your proposed ceiling price is not fair and equitable or will not effectuate the purposes of Title IV of the Defense Production Act of 1950 he will disapprove such proposed ceiling price and, simultaneously or subsequently, establish a different amount as your ceiling price. After you have mailed an application under this section, and have received a return receipt, you may contract to sell or to buy at a price not higher than the price which shall be established as your ceiling price. Unless you are notified to the contrary by the Director of Price Stabilization, you may deliver or accept delivery under such contract while your application is pending. However, you may not accept or make payment at a price in excess of the ceiling price established by section 2 or 4, whichever is applicable, until the Director of Price Stabilization has approved your proposed ceiling price or has established a different price as your ceiling price, provided that if 20 days have elapsed since the date on which your application was filed, as shown by your return receipt, and within that period you have not received from the Director of Price Stabilization a request for further information or a notification of the disapproval of your proposed ceiling price, that price is established as your ceiling price and you may thereafter accept or make payment at a price not higher than such ceiling price until such time as the Director of Price Stabilization designates a different price as your ceiling price.

SEC. 8. *Records*—(a) *Records of sales and purchases on and after August 6, 1951.* (1) You must keep accurate records of each sale to a consumer, each sale for delivery F. A. S. port of exit, and each export sale of scrap rubber of any kind which you make on and after August 6, 1951.

(2) If you are a wholesale scrap rubber dealer, you must keep accurate records of each purchase or sale of scrap rubber which you make on or after August 6, 1951.

(3) If you are a consumer, you must keep accurate records of each purchase of scrap rubber which you make on or after August 6, 1951.

(4) Such records must be preserved for two years.

(b) *Base period records.* You must preserve during the life of the Defense Production Act of 1950, and for two years thereafter, all records in your possession relating to the prices at which, between November 15 and December 31, 1950, inclusive, you contracted to sell to a consumer scrap rubber of a kind not listed in Tables I and II. If you are a consumer you must preserve all records in your possession relating to the prices at which, between November 15 and December 31, 1950, inclusive, you contracted to buy scrap rubber of a kind not listed in Tables I and II.

(c) *General provisions as to record keeping.* The records required in (a) and (b) above are records showing the date of the contract of sale and the date of delivery, the name and address of the person to whom you sold or from whom you bought, the quantity of each kind of scrap rubber sold or purchased, the price and the place of delivery. Such records shall be available for inspection by the Director of Price Stabilization.

(d) *Preservation of records kept under the General Ceiling Price Regulation.* The provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect with respect to scrap rubber insofar as they apply to the preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951, and the effective date of this regulation.

SEC. 9. *Reports of ceiling prices for kinds of scrap rubber not listed in Tables*

I and II. If between November 15 and December 31, 1950, inclusive, you sold to a consumer scrap rubber of a kind not listed in Table I and II, you must file with the Director of Price Stabilization, Washington 25, D. C., on or before September 6, 1951, a list giving a full description of each such kind of scrap rubber and stating your ceiling prices established by paragraph (a) of section 3 for such scrap rubber. With respect to each such ceiling price, indicate the quantity sold under the base period contract used to establish such ceiling price and the place to which such scrap rubber was delivered.

SEC. 10. *Transfers of business or stock in trade.* If the business, assets, or stock in trade of any scrap rubber business are sold or otherwise transferred after the effective date of this regulation and the transferee carries on the business, or sells scrap rubber, in an establishment separate from any other establishment previously owned or operated by him, the ceiling price of the transferee for the sale to consumers of kinds of scrap rubber not listed in Tables I and II shall be the same as those to which his transferor would have been subject if no such transfer had taken place. The transferor shall either preserve and make available, or turn over, to the transferee all records which the transferor has preserved in accordance with section 8 and records so turned over shall be preserved by the transferee for the remainder of the period specified in section 8.

SEC. 11. *Adjustable pricing.* Nothing in this regulation shall be construed to prohibit your making a contract or offer to sell scrap rubber at (a) the ceiling price in effect at the time of delivery or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery.

SEC. 12. *Modification of ceiling prices by Director of Price Stabilization.* The Director of Price Stabilization may at any time modify ceiling prices established under this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

SEC. 13. *Petitions for amendment.* You may petition for amendment of this regulation in accordance with the provisions of Price Procedural Regulation 1.

SEC. 14. *Deliveries under contracts entered into prior to July 30, 1951.* If before July 30, 1951, you entered into a contract for the future delivery of scrap rubber at a price higher than the ceiling price established by this regulation for such sale, you may deliver scrap rubber under such contract at the contract price, provided that (a) the scrap rubber which you deliver under such contract was purchased by you before July 30, 1951, (b) the cost of such scrap rubber to you, including any charges for its transportation incurred by you, exceeds your ceiling price for the sale of such scrap rubber established by this regulation, and

(c) Such scrap rubber either:

(1) Was in transit to the person repurchasing from you on August 6, 1951,

(2) Had been delivered to you prior to August 6, 1951, and is delivered to or placed in transit to the person repurchasing from you on or before August 13, 1951, or

(3) Is delivered to you pursuant to this section and is immediately placed in transit to the person repurchasing from you.

The provisions of this section do not apply to contracts for sale at the ceiling price in effect at the time of delivery or to contracts for sale at either a fixed price or the ceiling price in effect at the time of delivery, whichever is lower. Delivery under such contracts may not be made at a price higher than the ceiling price established by this regulation.

SEC. 15. *Definitions.*

"Chief consuming center" means a consuming center, i. e., a municipality, listed in Tables I and II.

"Consumer" means any person consuming scrap rubber in the production of reclaimed rubber, or of any other product, and includes any person who splits scrap rubber tires into their component parts. The term consumer includes a consumer buying scrap rubber within the United States for foreign consumption.

"Consuming mill" means a mill, plant, or other regular place of business in which a consumer uses scrap rubber.

"Director of Price Stabilization." This term extends to any official to whom the Director of Price Stabilization by order has delegated a function, power or authority referred to in the provision of this regulation under which such official is acting.

"Export sale" means a sale for delivery at a point outside the United States of scrap rubber which, before or after the sale takes place, the seller transports or causes to be transported from a point within the United States to a foreign point. Export means to make an export sale.

"Import" means a sale, for delivery at a point within the United States, of scrap rubber which, before or after the sale takes place, the seller transports or causes to be transported from a foreign point to a point within the United States.

"Lowest applicable charges for transportation" means the lowest applicable published charges for transportation by rail, water, or truck carrier, or, if no such charges are published, the direct costs actually involved in such transportation.

"Person" includes any individual, corporation, partnership, association, any other organized group of persons, a legal successor or representative of any of the foregoing, the United States, any other government, and any political subdivision or agency of the United States or any other government.

"Purchase:" See the definition of "sell".

"Rubber" means all types and forms of natural and synthetic rubber.

"Scrap rubber" includes any waste or discarded rubber article or material usable for the production of reclaimed rubber or in the manufacture of any product. Scrap rubber does not include rubber articles or materials which are acquired for the purpose of repairing or reconditioning them, or of reselling them to be repaired or reconditioned, to make them usable for their original purpose, provided that, if such articles or materials are sold mixed with scrap rubber, they shall be considered to be scrap rubber unless they are segregated from the scrap, and provided further that scrap rubber includes the following commodities regardless of the purpose for which they are acquired, and regardless of any repairs or reconditioning treatment given them:

(a) Tubes which have been damaged to the extent that they cannot be repaired so as to qualify as a sound tube.

(b) Tires which have been slashed or otherwise mutilated by the manufacturer or brand owner prior to delivery by him to any person.

(c) Tires which the manufacturer has found defective and which he has removed from production before completion.

(d) Tires having badly buckled plies due to creased airbags, plies omitted, plies trimmed at bead toe due to excessive pinch at bead, beads two-thirds or less of the intended width, broken wires, more than one ply of tire soft or spongy, open cords due to leaky airbags, or other such defects which render the tire unfit for use on the wheel of a vehicle.

(e) Tires having any one of the following injuries or wear conditions:

(1) Having outside bulges.

(2) Having exposed bead wires.

(3) Having breaks in the bead reinforcement.

(4) Having damaged, broken, or cut bead wires.

(5) Having loosened cords or ply on inside of casing or ply separated.

(6) Having more than three radial cracks extending through the rubber into the cords.

(7) Having blow-outs, cuts, or injuries greater in length than one-half the tire cross-sectional diameter.

(8) Having a cord body worn through more than one-half of the total number of plies or otherwise worn to such an extent that they cannot be effectively repaired for safe use under normal operating conditions.

(9) Having or requiring more than three sectional and/or reinforcement repairs.

(10) Having sectional or reinforcement repairs of breaks, cuts, or cracks which before repairing were longer than one-half the cross-sectional diameter of the tire.

(11) Hard, inflexible (aged or excessively weathered), water soaked, or dry rotted.

"Sell" means to sell, barter, exchange, transfer, or deliver, or to contract to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

"Ton" means a short ton of 2,000 pounds.

"United States" means the forty-eight States of the United States and the District of Columbia.

"Wholesale scrap rubber dealer" means a person who buys scrap rubber for resale to a consumer or to an exporter or for export and who is generally recog-

nized in the trade as a wholesale scrap rubber dealer as distinguished from a scrap collector.

"You" means any person; "Your" is to be construed accordingly.

SEC. 16. *Prohibitions.* (a) You shall not sell, and you shall not buy in the regular course of business or trade, any scrap rubber at a price higher than the ceiling price established by this regulation, regardless of any contract, agreement, understanding or other obligation. You may, of course, sell or buy at prices lower than the ceiling prices established by this regulation.

(b) You shall not evade or circumvent the provisions of this regulation by any means or device, direct or indirect. This prohibition includes, but is not limited to, means or devices making use of any commission, service, premium, discount, privilege, trade understanding, cross sale, tie-in agreement, or delivery or transportation device or arrangement.

(c) You shall not offer, solicit, attempt, or agree to do any act prohibited by this section.

SEC. 17. *Penalties.* If you violate any of the provisions of this regulation you will be subject to the criminal penalties, civil enforcement actions, and suits on account of overcharges provided for by the Defense Production Act of 1950.

Effective date. This regulation shall become effective on August 6, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

TABLE I—TIRES

[Ceiling delivered prices for chief consuming centers (per ten)]

	Akron, Ohio; Buffalo N. Y.	Naugatuck, Conn.; Butler, N. J.	East St. Louis Ill.	Memphis, Tenn.	Gadsden, Ala.	Los Angeles, Calif.
Mixed tires [1]	$26.00	$24.25	$23.75	$23.00	$21.50	$14.75
Mixed passenger tires [1]	26.00	24.25	23.75	23.00	21.50	14.75
Mixed truck and bus tires [1]	26.00	24.25	23.75	23.00	21.50	14.75
Mixed beadless tires [2]	34.00	32.00	31.00	30.25	28.25	20.00
Mixed beadless passenger tires [2]	34.00	32.00	31.00	30.25	28.25	20.00
Mixed beadless truck and bus tires [2]	34.00	32.00	31.00	30.25	28.25	20.00

[1] Mixed tires, mixed passenger tires, and mixed truck and bus tires: Consist of whole pneumatic tire casings and shall be free from tire sections, hard, oxidized, burnt, filled, non-pneumatic, single tube, and motorcycle tires, and from leather, metal, and rubber compounded with Thiokol. Recapped tires are not considered good delivery except against mixed natural and synthetic tire orders. Mixed passenger tires are tires having six plies or less. Mixed truck and bus tires are tires having seven plies or more; earthmover, tractor and airplane tires are not acceptable unless it is so specified in the purchase contract. Mixed tires are a mixture of mixed passenger and mixed truck and bus tires.

[2] Mixed beadless tires, mixed beadless passenger tires, and mixed beadless truck and bus tires: Consist of mixed tires, mixed passenger tires, and mixed truck and bus tires, respectively, from which the beads have been removed, but which otherwise conform to the definition of the corresponding classification of tires. Any of the three kinds of beadless tires may be specified as dykes, which means that two or more plies of fabric have been removed but otherwise the specifications are the same.

TABLE II—TIRE PARTS AND TURES CEILING DELIVERED PRICES FOR CHIEF CONSUMING CENTERS

	All consuming centers listed in table I except Los Angeles, Calif.	Los Angeles, Calif.
Tire parts [1] *(per ton)*		
Light colored carcass	$130.00	$97.50
Black carcass	50.00	33.50
No. 1 peelings	65.00	52.75
No. 2 peelings	42.00	31.00
No. 3 peelings	38.00	27.00
Buffings	30.00	23.00
Truck and bus S. A. G.	28.00	17.50
Passenger S. A. G.	28.00	17.50
Mixed S. A. G.	26.00	17.25
Tubes [2] *(per pound)*		
Light colored tubes	.16	.15
Natural rubber red tubes	.16	.15
Natural rubber black tubes	.115	.105
Mixed natural rubber tubes	.10	.09
Butyl rubber tubes	.057	.05
GR-S synthetic rubber tubes	.02	.01
Mixed synthetic tubes	.03	.02

[1] Tire parts: Consist of parts resulting from the splitting or processing of scrap tires. They shall be free from metal, leather, and hard, burnt, or oxidized material and free from Thiokol. In the case of each kind of peelings, the peelings from passenger tires and the peelings from truck and bus tires shall be packed separately. Mixtures of peelings from these two types of tires are not acceptable unless it is so specified in the purchase contract.

(a) *Light colored carcass and black carcass.* Carcass consists of pieces of mixed tires, mixed passenger tires, or mixed truck and bus tires, containing no tread, sidewall, bead, or cushion rubber. Light colored carcass consists of natural rubber carcass of such light colors as white, pink, gray, pure gum and light brown, free of all black edges and dark colored rubber. Black carcass consists of all black carcass; natural and synthetic rubber carcass shall be packed separately—mixtures are not acceptable unless so specified in the purchase contract.

(b) *No 1 peelings.* Consist of treads stripped from passenger and truck and bus tires, and shall be free of fabric.

(c) *No. 2 peelings.* These peelings are the same as No. 1 peelings except that they may contain cushion rubber, breaker fabric, and sidewalls, and not more than one full ply of carcass fabric.

(d) *No. 3 peelings (Baldhead).* These peelings are the same as No. 2 peelings except that a part of the thread has been removed.

(e) *Buffings.* Consist of the rubber scraped from the tread portion of a tire in the process of preparing it for recapping, and shall be free of all extraneous materials.

(f) *Passenger S. A. G., truck and bus S. A. G., and mixed S. A. G.* Consist of pieces of mixed passenger tires, mixed truck and bus tires, and mixed tires, respectively, from which the treads and beads have been removed and may or may not contain sidewall rubber or beads from which the wire has been removed.

[2] Tubes: Consist of inner tubes from pneumatic tires, free from crusty and oxidized tubes, puncture proof and puncture seal tubes, metal, and punchings. Sections of tube less than 12 inches long are not good delivery. All tubes except mixed natural rubber tubes and mixed synthetic rubber tubes shall be free from metal valves. Light colored tubes and natural rubber red tubes shall be free from black rubber valve cots and the bases of such valves.

(a) *Light colored tubes.* Consist of natural rubber tubes specially selected as to color by agreement between the buyer and the seller.

(b) *Natural rubber red tubes.* Shall be strictly red natural rubber tubes, passenger, truck and bus, or a mixture of the two.

(c) *Natural rubber black tubes.* Shall be strictly black natural rubber compounded tubes, passenger, truck and bus, or a mixture of the two.

(d) *Mixed natural rubber tubes.* Consist of a mixture of natural rubber tubes of various sizes, colors, and qualities and may contain valves unless otherwise specified in the purchase contract.

(e) *Butyl rubber tubes.* Consist solely of Butyl rubber tubes.

(f) *GR-S synthetic rubber tubes.* Consist solely of GR-S synthetic rubber tubes, and shall be free from Butyl rubber tubes.

(g) *Mixed synthetic rubber tubes.* Consist of a mixture of GR-S synthetic rubber tubes and Butyl rubber tubes of various sizes, colors, and qualities and may contain valves unless otherwise specified in the purchase contract.

TABLE III—SERVICE FEES ON SALES BY WHOLESALE SCRAP RUBBER DEALERS TO CONSUMERS DELIVERED TO CONSUMING MILL (PER TON)

	All consuming centers listed in Table I except Los Angeles, Calif.	Los Angeles, Calif.
All tires and beadless tires	$1.50	$1.00
Light colored carcass	6.50	5.00
Black carcass	2.50	1.75
No. 1 peelings	3.25	2.75
No. 2 peelings	2.25	1.50
No. 3 peelings	2.00	1.25
Buffings	1.50	1.25
Truck and bus S. A. G.	1.50	1.00
Passenger S. A. G.	1.50	1.00
Mixed S. A. G.	1.50	1.00
Light colored tubes	16.00	15.00
Natural rubber red tubes	16.00	15.00
Natural rubber black tubes	10.00	9.00
Mixed natural rubber tubes	10.00	9.00
Butyl rubber tubes	5.50	5.00
GR-S synthetic rubber tubes	2.00	1.00
Mixed synthetic tubes	3.00	2.00

[F. R. Doc. 51-8936; Filed, July 31, 1951; 2:10 p. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[Regulation 1]

REG. 1—CONSTRUCTION INDUSTRY STABILIZATION COMMISSION

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), and General Wage Regulation 12 (16 F. R. 6640), this Construction Industry Stabilization Commission Regulation No. 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

The Construction Industry Stabilization Commission was established by General Wage Regulation 12 of the Wage Stabilization Board to administer the Board's wage stabilization functions in the building and construction industry. The following regulation, issued by the Commission, carries out the mandate of the Board to stabilize wages on the basis of area rates, so far as practicable. It permits employers in the building and construction industry to pay mechanics and laborers employed directly on the site of the construction project at certain preapproved rates: The Davis-Bacon rate if the project is federally financed; the rates authorized by the Commission for specific job classifications in specific areas through publication in the Federal Register; or the rates legally paid on the effective date of this regulation. Applications for adjustment in rates in areas where rates are customarily fixed by collective bargaining may be filed by the parties engaged in collective bargaining, and in other areas, applications may be filed by the party who normally sets the rate unilaterally.

In accordance with General Wage Regulation 12 this regulation establishes the wage stabilization policy for the building and construction industry on the basis of area rates primarily. The policy of the Board's general wage regulations will serve as a basic guide to the Commission in the formulation of its decisions, but the automatic application of these regulations to the building and construction industry is inappropriate for the reasons set out in the Statement of Considerations to GWR 12. Pending the promulgation of policies and regulations specifically designed for this industry, General Wage Regulations 5, 6, 8, 9, 10 and 13 will not be applicable.

Due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act of 1950. This regulation is issued by a tripartite Commission which has consulted representatives of labor and industry, including trade association representatives. In the judgment of the Commission, this regulation is generally fair and equitable and will effectuate the purposes of Title IV of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Inapplicability of General Wage Regulations.
3. General rule covering wage and salary payments.
4. Preapproved wage and salary payments.
5. Rates in excess of area rate.
6. Applications for approval.
7. Notice to interested parties.
8. Standards of approval.
9. Decisions.

AUTHORITY: Sections 1 through 9 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, 15 F. R. 6105, 3 CFR, 1950 Supp.; E. O. 10233, 16 F. R. 3503.

SECTION 1. *Definitions.* Where used in this regulation:

(a) "Wages, salaries and other compensation" shall have the meaning defined by Section 702 (e) of the Defense Production Act and Wage Stabilization Board General Regulation No. 1.

(b) "Mechanics and laborers," "building and construction industry," "site of work," "project" and "area" shall have the meanings defined by Wage Stabilization Board General Wage Regulation No. 12.

(c) "Commission" means the Construction Industry Stabilization Commission established by Wage Stabilization Board General Wage Regulation No. 12.

(d) "Board" means the Wage Stabilization Board.

(e) "Authorized rate" means the rate for a particular job classification on a particular type of construction in a particular area which rate is preapproved by this regulation or is specifically approved by the Commission.

(f) "Approved rate" means a rate approved by action of the Commission in a specific case.

SEC. 2. *Inapplicability of General Wage Regulations.* In General Wage Regulation 12 the Board stated: "The special characteristics of the industry make many of the Board's present regulations, intended for general applicability to industrial employment relations, technically unsuited to the building and construction industry." The Commission shall submit to the Board for its approval adaptations of the existing general wage regulations to the building and construction industry as defined by General Wage Regulation 12. Pending the issuance of such policies and regulations designed for this industry, General Wage Regulations 5, 6, 8, 9, 10 and 13 shall not apply to employers and employees in the building and construction industry subject to the jurisdiction of the Commission. General wage regulations hereafter issued by the Board shall not apply to employers and employees in the building and construction industry subject to the jurisdiction of the Commission unless expressly provided therein.

SEC. 3. *General rule covering wage and salary payments.* Except as provided in section 4 of this regulation, no wages, salaries or other compensation may be paid to or received by mechanics and laborers in the building and construction industry employed directly on the site of the work in excess of the payments preapproved by this regulation or specifically approved by the Commission in accordance with this regulation. The payment or receipt of wages, salaries or other compensation not so authorized constitutes a violation of the Defense Production Act and subjects any party to such violation to the sanctions prescribed by that act and by the Executive Orders and regulations issued thereunder.

SEC. 4. *Preapproved wage and salary payments.* Without securing further approval of the Commission or Board, an employer may make the wage and salary payments preapproved by this section.

(a) *Rates predetermined by Secretary of Labor.* Any employer engaged in the performance of a federal government project pursuant to contract with any federal government agency or of any other project for which the Secretary of Labor has predetermined wage rates, may without further approval, pay for work performed in connection with such projects the wages or salaries which have been specified as applicable by the Secretary of Labor pursuant to the Davis-Bacon Act, the National Housing Act, the Hospital Survey and Construction Act, the Federal Airport Act, the Housing Act of 1949, or the School Survey and Construction Act of 1950.

(b) *Approved area rates.* Any employer may pay to a mechanic or laborer in the building and construction industry employed directly on the site of the work the approved area rate for his job classification as defined in subparagraph (1) of this paragraph: *Provided,* That a contractor who has increased his rate to the applicable area rate after customarily paying, subsequent to the effective date of this regulation, rates below the then prevailing area rates and who has thereafter reduced his rate below the area rate may not again increase his rate without the approval of the Commission.

(1) The approved area rate is the rate approved by the Commission, designated as such, and published in the Federal Register as the rate approved for, and applicable to, mechanics and laborers performing the work of the specific job classification on the specific type of construction in the area for which such rate is approved.

(2) An employer who pays an approved area rate or a rate preapproved under paragraph (c) of this section may continue to pay such rate notwithstanding any adjustment subsequently made by the Commission in the area rate, or an employer may adjust the rate he pays to conform with any adjustment made by the Commission in the area rate.

(c) *Rates in the absence of approved area rates.* (1) In the absence of an area rate approved and published under paragraph (b) of this section, any employer may pay to a mechanic or laborer in the building and construction industry, employed directly on the site of the work, an amount not in excess of the rate for the appropriate job classification and type of construction which was actually paid on the effective date of this regulation, without violation of the wage stabilization regulations then in force, under the terms of the local collective bargaining agreement negotiated by the customary parties in accordance with the customary practice in the area.

(2) In the absence of an area rate, approved and published under the procedure in paragraph (b) of this section, and where there is no established collective local bargaining agreement negotiated as described in subparagraph (1) of this paragraph, any employer may pay to a mechanic or laborer in the building and construction industry, employed directly on the site of the work, an amount not in excess of the rate for the appropriate job classification and type of construction, which was actually prevailing on the effective date of this regulation, without violation of wage stabilization regulations then in force, in the geographical area in which is located the project on which the mechanic or laborer is employed.

(3) Where no area rate has been approved for a job classification in a particular type of construction, any interested party may, in accordance with section 6, of this regulation, file a petition requesting the designation and publication of such a rate.

(d) *Travel.* Whenever an employee who has been required to report at the employer's shop or at any other particular site is required later, during the course of the same working day, to travel to a different working site, an employer may, without further approval, pay him for actual travel time at the authorized rate, and for actual travel expense.

(e) *Established premium payment practice.* An employer may pay travel expenses incurred by employees; or for actual travel time at the authorized rate; or subsistence; or premium compensation for work outside the regularly constituted workday or workweek;

or vacations and holiday payments; or contributions to welfare benefits, insurance, pension funds or annuities only if (1) a practice of making payments of the same kind and at the same rate was established without violation of wage stabilization regulations prior to the effective date of this regulation as an area practice in the particular area where such employer is operating, as demonstrated by definite evidence, or (2) such practice has been specifically approved by the Commission as an area practice for the particular area where such employer is operating, or (3) such employer has personally established such practice without violation of wage stabilization regulations prior to the effective date of this regulation in the same area as demonstrated by definite evidence, or has subsequently obtained specific approval of the Commission therefor.

SEC. 5. *Rates in excess of the area rate.* A contractor whose established rates on the effective date of this regulation for mechanics or laborers in the building and construction industry employed directly on the site of a project were greater than the rates preapproved by this regulation but did not violate the stabilization regulations then in force, may continue to pay such rates on such project until completion of the project or until the expiration of the construction contract under which the work was being done, whichever comes first. Upon completion of the project or expiration of the construction contract no rate in excess of the area rate may be paid.

SEC. 6. *Applications for approval*—(a) *Filing; area rates.* An application for the establishment or revision of an area rate or rates may be filed with the Construction Industry Stabilization Commission, U. S. Department of Labor, Washington, D. C., by any interested party according to whichever of the following methods may be appropriate:

(1) Where the customary practice in an area is to fix the applicable rate by collective bargaining, an application may be filed jointly by the international union (or Building and Construction Trades Department, AFL) and the contractors or association of contractors, who engage in such bargaining. The Commission will not act upon an application filed by a person who customarily takes part in collective bargaining unless it has also been signed by a representative group of persons who, according to established practice, participate in the area bargaining, or by their authorized representative, or unless an explantation of their failure to sign is included.

(2) In areas in which it is the established practice for a union to set a rate without collective bargaining, an application may be filed by the appropriate international union.

(3) A contractor or group of contractors whose practice is to establish rates without collective bargaining may file an individual application.

(b) *Filing; other rates:* An application for approval of rates for a particular employer or project may be filed:

(1) Jointly by the international union (or the Building and Construction Trades Department, AFL) and a contractor or group of contractors, where such rates are customarily fixed by collective bargaining, or

(2) Individually by a contractor or group of contractors whose employees have no designated representative for the purposes of collective bargaining.

(c) *Contents of application.* After its adoption all applications for the establishment, revision or approval of rates shall be filed on Construction Industry Stabilization Commission Form 1. Until Form 1 is adopted an application may be filed in any appropriate form setting forth in separate numbered paragraphs the information required by this section. Every application shall contain the following information with respect to the rates for which approval is sought:

(1) A statement of the proposed rate together with an identification of the specific job classifications, including apprentices, for which each rate is to be applicable.

(2) A specific definition of the geographic area in which the proposed rates are to be applicable.

(3) An identification of the type of construction for which the proposed rates are to be applicable, namely, building, heavy or highway construction.

(4) A statement as to the date upon which the proposed rates are to be made effective.

(5) In the case of rates other than area rates, a specific identification of the parties and project with respect to which the approval is sought.

(6) With respect to each job classification for which a rate is proposed, a statement of the area rate and of applicant's rates prevailing on January 15, 1950, on July 26, 1951, and on the date of the application.

(7) Where approval is sought for any changes in wage practices other than wage rates, a statement as to the proposed practices and the practices actually in effect by the parties on July 26, 1951.

(8) A statement of the differential proposed for working foremen and of what such differential was on July 26, 1951.

(9) Names and addresses of contractors' associations and individual contractors, and of local unions, with which negotiations for wage adjustments have been consummated.

(10) Two attested copies of the collective bargaining agreement on which the application is based and of the collective bargaining agreement, if any, in effect immediately preceding that agreement.

SEC. 7. *Notice to interested parties.* (a) Upon receipt of an application for the establishment, revision or approval of a rate, the Commission will give notice of the application by registered mail to all persons whom the Commission has reason to believe are interested therein. The notice shall be dated and shall state the earliest date at which the Commission may consider the case.

(b) Within 18 days of the date of the notice any interested person may file with the Commission a statement containing any information or arguments, either of fact or law, which he wishes the Commission to consider in acting upon the application.

(c) The granting of an oral hearing in connection with an application shall be in the sole discretion of the Commission. An oral hearing will be granted only under extraordinary circumstances when the Commission determines that such a hearing will facilitate a just and proper disposition of the case.

SEC. 8. *Standards of approval.* (a) In establishing, revising and approving rates, the Commission will be bound by the policies established by the regulations of the Wage Stabilization Board and Economic Stabilization Administrator, and subject to the direction and control of the Board, the Commission may make such modifications of said policies as it deems necessary to adapt them to the building and construction industry.

(b) Notwithstanding the general rule prohibiting the payment of rates approved for use in one area in a different area, the Commission recognizes that in particular branches of the industry the practice has been established of transferring certain specialist employees of exceptional training and skill from area to area and paying such employees the same rates irrespective of the area in which the employees may be utilized. Accordingly the Commission will approve such practice for any particular project on specific application of any employer where the application demonstrates (1) that on or prior to the effective date of this regulation he customarily employed specialized workers to work in different areas at a uniform wage rate; (2) that the authorization requested is in accord with his practice on such date; and, (3) that the authorization is limited to certain specified, highly specialized employees whose ratio to the number of employees on the project is not greater than the customary ratio used on projects in progress on such date.

SEC. 9. *Decisions.* (a) Rates approved on the basis of a specific application shall be applicable only to the particular parties who join in the application and only for such project or projects as are specified in the ruling, unless the ruling is designated as an "area-rate ruling" and is published as such.

(b) A decision of the Commission shall be final unless reconsidered upon an order of the Commission entered within 10 days after promulgation of the decision, or unless modified by the Board on appeal. No ruling of the Commission may be given effect by any party prior to receipt by such party of the official ruling. Each decision of the Commission will state the date on which any approved increase in rates may be made effective.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Construction Industry Stabilization Commission: July 26, 1951.

ARCHIBALD COX,
THOMAS J. CALIS,
Co-Chairmen.

Approved by the Wage Stabilization Board, July 26, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-8987; Filed, Aug. 1, 1951; 11:33 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-34, Revocation]

M-34—SOLE LEATHER

REVOCATION

NPA Order M-34, as amended June 28, 1951, is hereby revoked, effective July 31, 1951.

This revocation does not affect any liabilities incurred for violation of NPA Order M-34 as amended from time to time, or for violation of any adjustments, exceptions, directions, directives, or other actions of the National Production Authority under it.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-8950; Filed, July 31, 1951; 4:34 p. m.]

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 4]

DFO-4—REGULATIONS GOVERNING FILING OF AND ACTIONS ON PETITIONS FOR RELIEF FROM HARDSHIP AND OTHER ADJUSTMENTS AND EXCEPTIONS AND APPEALS

It is hereby found and determined that the provisions of this order are necessary and appropriate to promote the national defense; and this order is, therefore, made effective pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., approved September 8, 1950) as amended, and delegations of authority thereunder.[1] Consultation with industry representatives and with representatives of trade associations in advance of the issuance of this order has been rendered impracticable by the fact that the order applies to all food trades and industries.

[1] Executive Orders Nos. 10161 and 10200 (15 F. R. 6105; 16 F. R. 61); Defense Production Administration Delegation No. 1, as amended (16 F. R. 738, 4594); Defense Food Delegation No. 1 (15 F. R. 6424; 16 F. R. 2446, 3311, 3519); Memorandum of Agreement between the Administrator (PMA) and the Administrator (NPA), 16 F. R. 3410; NPA Delegation 10 (16 F. R. 3669); and NPA Delegation 14, as amended (16 F. R. 6735).

SUMMARY OF ORDER

This order sets forth the policies and procedures of the Production and Marketing Administration with respect to the submission of, and actions on, petitions for relief from hardship or for other adjustments and exceptions filed in accordance with the provisions of Defense Food Orders and other defense orders for which authority has been assigned to the Production and Marketing Administration. The order also sets forth policies and procedures governing the submission of, and action on, appeals relating to such petitions. The order does not apply to appeals from actions taken in connection with compliance proceedings.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Basis for petitions.
3. Procedure for filing petitions.
4. Action on petitions.
5. Basis for appeals.
6. Procedure for filing appeals.
7. Action on appeals.

AUTHORITY: Sections 1 to 7 issued under sec. 704, Pub. Law 774, 81st Cong., as amended.

SECTION 1. *Definitions.* (a) "PMA" means the Production and Marketing Administration, United States Department of Agriculture.

(b) "Administrator" means the Administrator, or Acting Administrator of PMA.

(c) "Director" means the Director or Acting Director of a Branch or Office of PMA.

(d) "Other PMA Official" means officials of PMA other than the Administrator and the Director.

(e) "Defense Order" means (1) any order, regulation or directive, issued by PMA and designated as a Defense Food Order, Sub-Order, or Amendment, and (2) any other order, under the Defense Production Act of 1950, as amended, with respect to which authority has been assigned to PMA to take final action on appeals, adjustments or exceptions thereunder.

(f) "Appeals Board" means the PMA Defense Order Appeals Board.

(g) "Petition" means a written request from a person seeking relief from the application of the provisions of a Defense Order to the petitioner: (1) on the grounds that compliance therewith would work an exceptional or unreasonable hardship on him, or (2) on any other grounds set forth in a Defense Order for exceptions or adjustments in the application of the provisions of such order.

(h) "Appeal" means a written request from a person seeking review by the Appeals Board of action taken by a Director or other PMA Official on a petition.

SEC. 2. *Basis for petitions.* As a general rule, a Defense Order will provide for the filing of a petition in any case where a person affected by the order considers that compliance therewith would work an exceptional or unreasonable hardship on him. To be entitled to relief, the petitioner must establish that the hardship encountered by him is an exceptional or unreasonable hardship not suffered generally by others in the same trade or industry or in the same relative position. Certain Defense Orders not issued, but administered, by PMA may provide additional grounds for submitting petitions in connection with such orders. In the case of such orders, all criteria and standards set forth in such orders or other applicable regulations of the issuing agencies shall govern PMA actions on such petitions.

SEC. 3. *Procedure for filing petitions.* Petitions shall be filed with the official designated in the applicable Defense Order or other instrument designating the official with whom petitions shall be filed. As a general rule, the official administering the Defense Order and to whom the Defense Order designates communications shall be sent is the official responsible for acting on petitions. Each petition shall be in writing and shall set forth all pertinent facts, the specific Defense Order involved, the nature of the relief sought, and the justification therefor.

SEC. 4 *Action on petitions.* The Director or Other PMA Official authorized to act on a petition shall consider the petition and notify the petitioner in writing as to the action taken. If the petitioner is dissatisfied with such action and has new and substantial facts to submit, he may request reconsideration of the petition on the basis of such facts, by the Director or Other PMA Official who acted on the petition. Each such request shall be in writing and set forth such facts. The Director or Other PMA Official shall thereupon reconsider such petition and notify the petitioner in writing as to the action taken.

SEC. 5. *Basis for appeals.* In the event a petitioner is dissatisfied with action taken by a Director or Other PMA Official on a petition and has no new and substantial facts to submit as a basis for reconsideration, he may file an appeal.

SEC. 6. *Procedure for filing appeals.* (a) An appeal shall be signed by the appellant or his authorized representative and shall be filed in quadruplicate with the Director or Other PMA Official who acted on the petition. Such appeal shall be considered filed when it is delivered to the office of such Director or Other PMA Official.

(b) An appeal shall set forth (1) the name, address and business of the appellant; (2) the nature of the PMA action appealed from, including, but not being limited to its date, case or other identifying number and the Defense Order under which it was taken; (3) the basis for the appeal; and, if the appellant requests a hearing, (4) a statement to that effect. All documents offered by an appellant in support of his appeal shall be submitted in quadruplicate.

SEC. 7. *Action on appeals.* (a) The Director or Other PMA Official with whom an appeal is filed shall forward such appeal promptly to the Appeals Board. The Appeals Board shall act as an impartial body for the Administrator in the consideration of appeals; action

by a majority of the Board shall constitute action by the Appeals Board; and its decisions shall be final.

(b) The Appeals Board shall docket the appeal and, in its discretion, hold informal hearings on any appeal either upon its own initiative or upon request by the appellant. The appellant's case is not prejudiced by the fact that he does not request a hearing.

(c) If a hearing is to be held, the Appeals Board shall fix the date, time and place and shall notify the appellant thereof as well as the Director or Other PMA Official from whose decision the appeal is being taken. The Appeals Board, in its discretion, may also arrange for participation in such hearings by other persons or Government officials. It is not required that an appellant may be represented by counsel at any such hearing but he may be so represented if he desires. If he is represented by counsel or other person but is not present at the hearing, the appellant must notify the Appeals Board in writing that he has authorized such counsel or other person to represent him at the hearing and has furnished such counsel or other person with the information necessary for presenting appellant's case. Any misrepresentation of fact, or any withholding of fact, is punishable under the applicable Federal statutes.

(d) The Appeals Board, over the signature of the Chairman of the Board, shall, in writing, notify the appellant, the Director or other PMA Official, and other parties to the appeal of the decision of the Appeals Board. The Appeals Board may, in its discretion, reconsider its decisions upon a proper showing of good cause for such reconsideration. The Appeals Board does not issue or furnish opinions with respect to its decisions.

The functions exercised under this order are excluded from the operations of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) except as to the requirements of section 3 thereof.

Done at Washington, D. C., this 28th day of July 1951. This order shall take effect August 2, 1951.

[SEAL] G. F. GEISSLER,
Administrator, Production and Marketing Administration.

[F. R. Doc. 51-8990; Filed, Aug. 1, 1951; 11:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 14—LEGAL SERVICES, SOLICITOR'S OFFICE

SUBPART D—LEGAL SERVICES

1. Section 14.502 is amended to read as follows:

§ 14.502 *Domestic relations questions.* (a) Subject to the provisions of paragraphs (b) and (c) of this section, the chief attorney is authorized to prepare and release legal opinions on all questions submitted relating to the validity and legal effects of marriages (ceremonial or otherwise), divorces, ostensible marriages (void or voidable), adoptions, and legitimacy of children.

(b) In the following instances the chief attorney may refer the request to the solicitor or may prepare a tentative opinion:

(1) Issues as to discontinuing gratuity payments by reason of ostensible remarriage, i. e., the rule announced in the case of Will Herring, XC 1 299 509 (24 Sol. 439);

(2) Restoration of such payments to a widow whose subsequent marriage is annulled in an action not actually contested;

(3) Cases in which there are contesting claimants to insurance proceeds or dividends;

(4) Conflict of law questions arising from the entry of inconsistent judgments in two or more jurisdictions;

(5) Unusual situations involving the law of two or more jurisdictions.

(c) All opinions prepared by chief attorneys shall be subject to approval by the solicitor. For that purpose, the chief attorney will forward to the solicitor a copy of each opinion (except title opinions). If the opinion (1) is on one of the matters enumerated in paragraph (b) of this section, (2) is not within the purview of paragraph (a) of this section, (3) is not predicated on an applicable governing solicitor's opinion or Veterans' Administration issue, the chief attorney will defer releasing the original pending advice from the solicitor.

2. Section 14.505 is amended to read as follows:

§ 14.505 *Legal advice or assistance on general law, State law, real and personal property law, loan guaranty or insurance cases, personnel, fiscal matters, etc.* (a) Written or oral requests for legal advice or assistance from the appropriate chief attorney are authorized to be made by managers of hospitals and domiciliaries, district and regional offices, and by chiefs of divisions of regional offices: *Provided however,* The inquiry shall be in writing if the chief attorney so requests. Except as to questions of State law or of general law, the chief attorney will confine his advice and opinions to matters covered by Veterans' Administration precedents and issues will be covered thereby, and will not go beyond the scope thereof. Irrespective of whether the request be oral or written, the chief attorney is authorized to give such advice or opinion in writing, and, if the question is one which may involve widespread application of the opinion, it shall be in writing.

(b) Subject to the exception stated in paragraph (a) of this section, if no applicable solicitor's opinion or governing Veterans' Administration issue is found, the chief attorney will forward copy of his opinion to the solicitor and will not release the opinion unless and until approved by the solicitor. In lieu of preparing opinions, the chief attorney in his discretion is authorized to submit the question to the solicitor, with appropriate comments and citations of statutes and cases readily accessible.

(c) Opinions other than those governed by paragraph (b) of this section or § 14.502 (c) properly can be released by the chief attorney at the time he forwards copy thereof to the solicitor.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation effective August 2, 1951.

[SEAL] O. W. CLARKE,
Deputy Administrator.

[F. R. Doc. 51-8826; Filed, Aug. 1, 1951; 8:54 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 27—LETTER, CALL, AND LOCK BOXES, AND KEY DEPOSITS

RENT OF BOXES

In § 27.7 *Rent of boxes* (39 CFR 27.7) amend the first sentence of paragraph (d) to read as follows: "When a box is rented after the beginning of the quarter the rent to be collected shall be computed by multiplying the number of days remaining in the quarter, including the day on which the box is rented, by the rates and dividing the product by the total number of days in the quarter, except that rental for the entire quarter should be collected from a box holder who pays for the right to continue the use of a box which he held during the previous quarter."

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-8877; Filed, Aug. 1, 1951; 8:51 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

MISCELLANEOUS AMENDMENTS

A. In § 127.55 *General information* amend paragraph (c) (3) by deleting "and" between "Palestine" and "Germany", and by inserting ", and Gold Coast Colony" between "Germany" and "it".

B. In § 127.71 *Sealing* amend paragraph (a) by inserting "Gold Coast Colony (insured)" between "Gibraltar (insured)" and "Great Britain and Northern Ireland (insured)".

C. In § 127.102 *Special provisions applicable to international insurance service* (16 F. R. 688, 1900 and 2682) amend paragraph (a) by inserting "Gold Coast Colony" between "Gibraltar" and "Great Britain and Northern Ireland".

D. In § 127.267 *Gold Coast Colony* make the following changes:

1. Amend the tabulated information below the table of rates in subdivision (ii) of paragraph (b) (1) to read as follows:

Weight limit: 22 pounds.
Customs declaration: 1 Form 2966.
Dispatch note: No.

Parcel-post sticker: 1 Form 2922.
Sealing: Insured parcels must, and ordinary parcels may be sealed.
Group shipments: No.
Registration: No.
Insurance: Yes (surface parcels only).
C. o. d.: No.

2. Amend paragraph (b) (2) to read:

(2) *Indemnity.* See subcaption "Insurance".

3. Redesignate subparagraphs (4) and (5) as (5) and (6) and insert a new subparagraph (4) to read as follows:

(4) *Insurance.* Surface parcels may be insured subject to the following limits of indemnity when prepaid at the postage rate applicable, in addition to the insurance fees mentioned hereunder:

Limit of indemnity:	Fee (cents)
Not over $10	20
From $10.01 to $25	25
From $25.01 to $50	35
From $50.01 to $80	55

Insurance return receipt. Requested at time of mailing, 5 cents; after mailing, 10 cents.

The insurance of parcels containing coin, platinum, gold or silver, whether manufactured or unmanufactured, precious stones, jewels, or other precious articles is obligatory. If a parcel containing such articles is sent uninsured through error, it shall be placed under insurance by the office which first observes the fact of its having been mailed uninsured, and treated accordingly.

Every parcel containing precious stones, jewelry or any article of gold, silver or platinum exceeding $400 in value shall be packed in a box measuring not less than 3 feet 6 inches in length and girth combined.

Each insured parcel and its customs declaration must have shown thereon (both in arabic figures and in roman letters spelled out in full), in United States currency and in gold francs, the amount for which the parcel is insured. No alteration or erasure of the indication on the customs declaration is allowed; if an error is made, a fresh customs declaration must be prepared.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25; 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-8876; Filed, Aug. 1, 1951; 8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

EXPORT LICENSES REQUIRED FOR ARTICLES AND PARCELS TO CERTAIN POREIGN COUNTRIES

In § 127.85b *Export licenses required for articles and parcels to certain foreign countries* (16 F. R. 2657) amend subparagraph (1) and (2) of paragraph (a) to read as follows:

(1) List I, China, except Taiwan (Formosa), (including Manchuria).

Classes of mail acceptable without export license. (i) Letters (merchandise prohibited in letter mails).

(ii) Post cards.
(iii) Commercial papers.
(iv) Printed matter.

Classes of mail requiring presentation of export license. (i) Samples of merchandise.

(2) List II, Tibet (see under country item "India").

Classes of mail acceptable without export license. (i) Letter and letter packages, except those containing merchandise.
(ii) Post cards.
(iii) Commercial papers.
(iv) Printed matter.

Classes of mail requiring presentation of export licenses. (i) Letter packages containing merchandise.
(ii) Samples of merchandise.
(iii) Parcel post.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-8875; Filed, Aug. 1, 1951; 8:50 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter S—Rights-of-Way

[Circular No. 1795]

PART 244—RIGHTS-OF-WAY FOR CANALS, DITCHES, RESERVOIRS, WATER PIPE LINES, TELEPHONE AND TELEGRAPH LINES, TRAMROADS, ROADS AND HIGHWAYS, OIL AND GAS PIPELINES, ETC.

RIGHTS-OF-WAY THROUGH PUBLIC LANDS AND RESERVATIONS FOR OIL AND NATURAL GAS PIPELINES AND PUMPING PLANT SITES

A new section, numbered 244.53 and reading as follows, is added at the end of Part 244:

§ 244.53 *Common carrier stipulation required.* Each application for a natural gas pipeline right-of-way must include the following stipulation:

(a) The applicant agrees that it will operate the pipeline as a common carrier in accordance with the provisions of the Mineral Leasing Act as now or hereafter amended and pertinent regulations heretofore or hereafter adopted thereunder and that it will transport natural gas for others, whether such gas is produced from Government lands or not, at reasonable rates and subject to conditions to be allowed or determined by the regulatory agency having jurisdiction over such transportation, provided that no condition shall be imposed by the applicant which is inconsistent with the applicant's obligation to operate its pipeline as a common carrier. The applicant agrees to provide common carrier transportation service requested, including firm service, as follows:

(1) When any request for the transportation of natural gas is made and there is unused capacity in the applicant's pipe line, the applicant agrees promptly, or within such time as may be fixed by the Secretary, (i) to file with the regulatory agency having jurisdiction over such matter an application for issuance of authority to the applicant to transport such gas, to the extent of the unused capacity of the pipe line, if an application for such authority is required by the law applicable to such agency or by the rules or regulations of such agency, and, upon the issuance of such authority, to commence to render service to the extent of the unused capacity of the pipe line pursuant to the terms and conditions of such authority, or (ii) where no such authority need be obtained in advance of transportation, to file a rate schedule or tariff with such regulatory agency and to commence to render transportation service at the rates and subject to the conditions allowed or determined by such agency. Nothing in this paragraph (1) shall be construed to prevent any right of appeal which the applicant may have under applicable law from the issuance of authority under clause (i) or from any determination of rates or conditions under clause (ii) of the preceding sentence, but no appeal taken by the applicant shall delay the commencement of transportation service by the applicant as provided in that sentence.

(2) If there is no unused capacity or insufficient unused capacity in the applicant's pipeline at the time when the request for transportation is made, the applicant agrees promptly, or within such time as may be fixed by the Secretary, to file with any regulatory agency having jurisdiction over such matter an application for issuance of authority to the applicant to increase the capacity of its pipeline sufficiently to enable the applicant to provide for the transportation of the natural gas proposed for shipment, but the applicant shall not be required to apply for the issuance of authority to increase the capacity of its pipeline to such an extent that such increased capacity, when added to any increased capacity theretofore provided pursuant to this stipulation, will exceed that capacity of the pipeline not devoted to common carrier transportation at the time the request for common carrier transportation is made. The applicant shall be required to file an application for authority to increase the capacity of its pipeline only if the prospective shipper joins in such application and only if the prospective shipper advises the applicant in writing that at any hearing upon such application the shipper shall have the burden of showing an adequate gas supply, markets, and other relevant facts necessary to establish, consistent with applicable law, the economic feasibility of the facilities and investment required to provide necessary added capacity and to justify the issuance of authority for the construction of such facilities, and that the shipper agrees to offer natural gas for transportation through the applicant's pipeline, upon completion of the construction of the increased capacity within a reasonable time, in such amounts and for such period of time as will be sufficient to pay the construction and operation costs allocable to his shipments plus a reasonable return on the investment allocable to such shipments. Applicant further agrees to proceed diligently to provide the increased capacity for common carrier transportation, the construction of which is authorized by any final order of any regulatory agency having jurisdiction over such transportation, provided that the applicant will not be required to construct such additional facilities until it is able to obtain necessary outside funds, if any are needed, on terms submitted to and sanctioned by the regulatory agency in connection with the application to obtain such authority, but nothing herein contained shall be construed as a waiver of any right which the applicant may have under applicable law to appeal from such final order.

Upon completion of construction under such authorization, applicant will take all steps necessary, including the filing of rate schedules or tariffs where required, to commence service pursuant to the terms and conditions of the authorization and at the rates and subject to the conditions allowed or determined by the agency. Nothing in the preceding sentence shall be construed to

prevent any right of appeal which the applicant may have under applicable law from any determination of rates or conditions by the regulatory agency, but no such appeal taken by the applicant after the completion of construction, shall delay the commencement of transportation service by the applicant as provided in that sentence.

(b) Any rate schedule or tariff filed under paragraph (a) shall include the provisions set forth in paragraph (a) of this stipulation and no change shall be made in paragraph (a) without first obtaining the approval of the Secretary of the Interior. A copy of such rate schedule or tariff and of any amendment to, or revision of, a rate schedule or tariff shall be furnished to the Secretary of the Interior when the original is filed with the regulatory agency.

(c) None of the specific provisions of this stipulation shall be construed to limit in any way the obligation of the applicant to operate its pipeline as a common carrier in accordance with the provisions of the Mineral Leasing Act as now or hereafter amended and pertinent regulations heretofore or hereafter adopted under that Act or any other obligations imposed on the applicant by such Act or regulations, and any violation of such obligation shall be ground for the cancellation of the right-of-way, as provided in the Mineral Leasing Act.

Every applicant for a natural gas pipeline right-of-way whose application is pending before the Department on the date of the promulgation of this section, without final action thereon having been taken by the Department, shall be required to execute and file the stipulation prescribed in this section within 30 days after such date.

(Secs. 28, 32, 49 Stat. 678, 41 Stat. 450; 30 U. S. C. 185, 189)

NOTE: The record keeping or reporting requirements of this reglation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 27, 1951.

[F. R. Doc. 51-8855; Filed, Aug. 1, 1951; 8:46 a. m.]

Appendix—Public Land Orders

[Public Land Order 735]

ALASKA

WITHDRAWAL OF PUBLIC LANDS FOR THE PROTECTION AND PRESERVATION OF SCENIC AND RECREATIONAL AREAS

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for the protection and preservation of scenic and recreational areas:

SEWARD MERIDIAN

T. 18 N., R. 1 E.,
Sec. 34, lot 2.
T. 18 N., R. 2 E.,
Sec. 2, NE¼SE¼NW¼ south of Glenn Highway.
T. 17 N., R. 3 W.,
Sec. 20, E½NW¼SE¼ (part of lot 6);
Sec. 28, W½SW¼NE¼SW¼ (part of lot 3);
Sec. 31, S½SW¼NW¼NW¼ (part of lot 1).
T. 13 N., R. 4 W.,
Sec. 3, NW¼NW¼NW¼SE¼ (part of lot 2), SW¼NW¼, NE¼SE¼NW¼, W½SE¼NW¼, N½SE¼SE¼NW¼, and NW¼NW¼SW¼;
Sec. 4, E½NW¼SW¼SE¼ (part of lot 1) and SE¼SE¼SE¼ (part of lot 4);
Sec. 9, lot 1.
T. 17 N., R. 4 W. (unaccepted survey),
Sec. 25, S½SE¼NE¼ and SE¼SE¼SW¼NE¼ (that portion above mean high water);
Sec. 26, S½NE¼SE¼SW¼ and N½SE¼SE¼SW¼ (that portion above high water);
Sec. 27, SW¼NE¼NW¼SW¼ and SE¼NW¼NW¼SW¼ (that portion above mean high water of Mud Lake and Flat Lake), NE¼SE¼SW¼NE¼, N½SE¼SE¼SW¼NE¼, N½SW¼SE¼NE¼, and N½S½SW¼SE¼NE¼ (that portion above mean high water of Big Lake and Mud Lake);
Sec. 34, E½NE¼NE¼NE¼ (that portion above mean high water of Big Lake and an unnamed lake on the south).
T. 19 N., R. 4 W.,
Sec. 21, E½SW¼SW¼SE¼ (part of lot 1);
Sec. 28, N½SW¼NE¼NW¼ and N½S½SW¼NE¼NW¼ (part of lot 2);
Sec. 29, NE¼NW¼NW¼ and E½NW¼NW¼NW¼ (part of lot 4); NW¼NW¼SE¼NW¼ and W½NE¼NW¼SE¼NW¼ (part of lot 7); NE¼SW¼NE¼ (part of lot 8);
Sec. 34, N½NE¼NE¼NE¼ (part of lot 1).
T. 20 N., R. 4 W.,
Sec. 7, N½NE¼SE¼SW¼ (part of lot 5).
T. 6 S., R 13 W.,
Sec. 27, lot 1.

LIBERTY FALLS AREA

Beginning at Corner Post No. 1, latitude 61°38'50" N., longitude 144°39' W., set on the NW edge of the Edgerton Highway right-of-way; thence by metes and bounds:
S. 56° W., 10 chs. to Corner No. 2;
S. 34° E., 10 chs. to Corner No. 3;
N. 56° E., 10 chs. to Corner No. 4;
N. 34° W., 3.38 chs. to center line of the Edgerton Highway; from which point Mile Post 10 bears northeasterly 5.11 chains;
N. 34° W., 6.62 chs. to point of beginning.

COPPER RIVER MERIDIAN

T. 28 S., R. 56 E.,
Sec. 30, lot 7.

The areas described aggregate 195.06 acres.

This order shall take precedence over but shall not otherwise affect the withdrawal for classification made by Executive Order No. 6957 of February 4, 1935, so far as it affects the above-described lands. The withdrawal made by this order shall be subject to Power Site Classification No. 412 approved November 9, 1950, so far as such order affects the land in T. 18 N., R. 1 E.

R. D. SEARLES,
Acting Secretary of the Interior.

JULY 26, 1951.

[F. R. Doc. 51-8860; Filed, Aug. 1, 1951; 8:47 a. m.]

[Public Land Order 736]

MONTANA

RESERVED PUBLIC LANDS FOR USE BY THE FOREST SERVICE, DEPARTMENT OF AGRICULTURE, AS ADMINISTRATIVE SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Montana is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for the use of the Forest Service, Department of Agriculture, in connection with the administration of the Deerlodge National Forest:

PRINCIPAL MERIDIAN

T. 6 N., R. 4 W.,
Sec. 29, lots 2, 4, 5, and NE¼NW¼.

The area described contains 102.73 acres.

This order shall take precedence over, but shall not otherwise affect, the order of the Secretary of the Interior of November 3, 1936, establishing Montana Grazing District No. 5, so far as it affects the above-described land.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

R. D. SEARLES,
Acting Secretary of the Interior.

JULY 27, 1951.

[F. R. Doc. 51-8857; Filed, Aug. 1, 1951; 8:46 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. SA-237]

ACCIDENT OCCURRING NEAR MONROVIA, LIBERIA, AFRICA

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N-88846, which occurred near Monrovia, Liberia, Africa, on June 22, 1951.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Wednesday, August 8, 1951, at 9:00 a. m., e. d. t., in the Lexington Hotel, Forty-eighth Street and Lexington Avenue, New York, New York.

Dated at Washington, D. C., July 26, 1951.

[SEAL] ALLEN P. BOURDON,
Presiding Officer.

[F. R. Doc. 51-8854; Filed, Aug. 1, 1951; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF ATLANTIC (PASSENGER) CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED WITH BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 7840-19, between the member lines of the Atlantic (Passenger) Conference, modifies the provision of the basic agreement of said Conference (No. 7840) providing that agents, responsible clerks of General Agents and their wives and dependent children may be granted a 75 percent reduction in fare, by adding a clause providing that in connection with the annual convention of the American Society of Travel Agents to be held in Paris, France, from October 22 to 27, 1951, the 75 percent reduction in fare may be granted, eastbound and westbound, to (a) the accompanying husband of a qualified female agent or of a qualified female responsible clerk, provided such agent or clerk is registered for attendance at said convention, and (b) to a salaried employee of the American Society of Travel Agents traveling to attend said convention and to an accompanying husband or wife of such an employee. Under such clause departure from Europe on the westbound voyage must take place on or before December 31, 1951, after which date said clause becomes void.

Agreement No. 17-26, between the member lines of the Far East Conference and the carriers comprising the O. S. K.-Shinnihon New York Line, provides for the admission of said Line to membership in the Far East Conference as a single party with one vote pursuant to the provisions of joint service agreement 7823.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: July 27, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-8888; Filed, Aug. 1, 1951; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7938, 9944]

WESTERN BROADCASTING ASSOCIATES AND WEST SIDE RADIO

ORDER CONTINUING HEARING

In re applications of Western Broadcasting Associates, Modesto, California, Docket No. 7938, File No. BP-5336; Maxon B. Sayre and George Stevens, Jr., d/b as West Side Radio, Tracy, California, Docket No. 9944, File No. BP-7802; for contruction permits.

The Commission having under consideration (1) a petition filed by West Side Radio on July 20, 1951, requesting a continuance to September 5, 1951 of the further hearing herein now scheduled for July 24, 1951; (2) a petition filed by Western Broadcasting Associates on July 20, 1951, requesting an indefinite continuance or, in the alternative, a continuance for 90 days; and (3) oral argument held on the two petitions and participated in by Commission Counsel, Counsel for West Side Radio, and special counsel appearing for Western Broadcasting Associates; and

It appearing that all of the parties, including Commission Counsel, are agreeable to a continuance until at least September 5, 1951 and that the sole question is whether the continuance should be beyond September 5, 1951, and, if so, to what date; and

It further appearing that the indefinite or 90-day continuance requested by Western Broadcasting Associates is based upon statements of counsel, upon information and belief, that Station KCBS is in the process of moving its transmitter site and increasing its power to 50 kw, that the 25 mv/m contour of KCBS, as operated with 50 kw, will overlap the 25 mv/m contour of the station proposed by West Side Radio at Tracy, California, operating 30 kilocycles removed from KCBS, and that in the reasonably near future KCBS will file its proof of performance and commence program tests upon which measurements can be made by petitioner to establish its 25 mv/m contour; and

It further appearing, as other counsel at the oral argument pointed out, that these statements are by counsel for Western Broadcasting Associates, upon information and belief, and unsupported by any engineering statement or affidavit as to the conductivities involved, the probabilities of overlap, the status of the move or construction of KCBS, or the proof of performance or measurements thereon and therefore cannot be relied upon as support for an indefinite continuance or a continuance of 90 days; and

It further appearing that special counsel for Western Broadcasting Associates has stated, at the oral argument, that Mr. Orla St. Clair, counsel for Western Broadcasting Associates, expects to represent his client at the hearing in Washington in this proceeding and that he has cases scheduled for trial or hearing on the West Coast throughout the month of September 1951 and up to and including October 3, 1951;

It is hereby ordered, This 23d day of July 1951 that the hearing herein presently scheduled for July 24, 1951, is continued to October 9, 1951 in Washington, D. C. at 10:00 a. m. and that the petitions by the applicants herein are granted in part and denied insofar as they request dates other than October 9, 1951.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8894; Filed, Aug. 1, 1951; 8:54 a. m.]

[Docket No. 9514]

CROSLEY BROADCASTING CORP. (WINS)

ORDER CONTINUING HEARING

In re application of Crosley Broadcasting Corporation (WINS), New York, New York, Docket No. 9514, File No. BMP-4758, for extension of completion date.

The Commission having under consideration a petition filed July 13, 1951, by the Crosley Broadcasting Corporation (WINS), New York, New York, requesting that the hearing herein which is presently scheduled for July 30, 1951, be continued for a period of ninety days in order that the Commission may consider supplemental data showing satisfactory suppression of re-radiation from WMGM, which petitioner states it will file together with a petition for reconsideration and grant if the Commission deems it necessary; and

It appearing that petitioner states all parties to the proceeding including the Commission Counsel have orally consented to a grant of this petition and good cause has been shown for such action;

It is therefore ordered this 20th day of July 1951, that the petition for a continuance of the above-captioned hearing be and it is hereby granted and the hearing is hereby continued to October 30, 1951, at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8891; Filed, Aug. 1, 1951; 8:53 a. m.]

[Docket No. 9672]

SHAWANO COUNTY LEADER PUBLISHING CO. (WTCH)

ORDER CONTINUING HEARING

In re application of The Shawano County Leader Publishing Company (WTCH), Shawano, Wisconsin, Docket No. 9672, File No. BP-7488; for construction permit.

The Commission having under consideration a petition filed July 16, 1951, by The Shawano County Leader Publishing Company (WTCH), requesting indefinite continuance of the hearing in the above-entitled proceeding presently scheduled for July 25, 1951, pending action by the Commission on the applicant's petition, filed July 3, 1951, for reconsideration and grant without hearing of its application for construction permit, as amended; and

It appearing, that since favorable action upon the petition for grant without hearing would remove the necessity for a hearing, a continuance of the hearing in order to permit consideration of such petition by the Commission would serve the public interest; and

It further appearing, that counsel for the May Broadcasting Company, licensee of Station KMA in Shenandoah, Iowa, the only other party to the proceeding, and Commission counsel have informally consented to a waiver of § 1.745 of the Commission's rules and regulations to permit the immediate consideration and grant of the instant petition;

It is ordered, This 19th day of July 1951, that the hearing in the above-entitled proceeding, now scheduled for July 25, 1951, be, and it is hereby continued to a date to be hereafter fixed.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8892; Filed, Aug. 1, 1951; 8:53 a. m.]

[Docket No. 9884]

CIRCLE BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Circle Broadcasting Corporation, Hollywood, Florida, Docket No. 9884, File No. BP-7750; for construction permit.

The Commission having under consideration a petition, filed by the applicant on July 17, 1951, requesting a postponement for 60 days of the hearing now scheduled for July 25, 1951; and

It appearing, from the petition and the Commission's records that on July 3, 1951 Station WFEC at Miami, Florida filed with the Commission an application (File No. BP-8174), proposing operation at Miami on 1240 kc with 250 w power and requesting a consolidated hearing with the Circle Broadcasting Corporation application because of alleged prohibitive objectionable interference between the two proposed operations in that the 2 mv/m and 25 mv/m contours of the proposed 20 kc separated operations would overlap; and

It further appearing, that the applicant herein desires additional time within which to search for a different frequency, to amend its application, and thus to avoid the requirement of a hearing upon its proposal; and

It further appearing, that an indefinite continuance of the scheduled hearing in this proceeding as hereinafter ordered will serve the applicant's convenience, will permit of Commission consideration of the above WFEC application in relation to the instant proposal, and will thus conduce to the orderly dispatch of the Commission's business; now therefore,

It is ordered, This 20th day of July 1951, that the petition for continuance is granted, and the hearing now scheduled for July 25, 1951, is continued to a date to be fixed by subsequent order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8893; Filed, Aug. 1, 1951; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. No. 61737]

ALASKA

RESTORATION ORDER 1303 UNDER FEDERAL POWER ACT

JULY 27, 1951.

Pursuant to the determination of the Federal Power Commission (DA-57, Alaska) and in accordance with Departmental Order No. 2583, section 2.22 (a) of August 16, 1950, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-identified public land, so far as it is withdrawn or reserved for power purposes by Power Project No. 119, as modified April 24, 1934, and Power Site Classification No. 409 of June 29, 1950, is hereby restored for entry under section 10 of the act of May 14, 1898, as amended by the act of May 26, 1934, 48 Stat. 809 (48 U. S. C. 461), subject to the provisions of section 24 of the Federal Power Act of June 10, 1920, 41 Stat. 1075, as amended by the act of August 26, 1935, 49 Stat. 846 (16 U. S. C. 818):

CHUGACH NATIONAL FOREST

U. S. Survey No. 2526, lot 8, 4.60 acres; latitude 60°29'49" N., longitude 149°49'30" W. (Homesite No. 101, Cooper Landing Group).

WILLIAM ZIMMERMAN, Jr.,
Acting Director.

[F. R. Doc. 51-8858; Filed, Aug. 1, 1951; 8:47 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO THE WITHDRAWAL OF PUBLIC LANDS FOR PROTECTION AND PRESERVATION OF SCENIC AND RECREATIONAL AREAS [1]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

JULY 26, 1951.

[F. R. Doc. 51-8859; Filed, Aug. 1, 1951; 8:47 a. m.]

Office of the Secretary

ALASKA COMMERCIAL FISHERIES

NOTICE OF INTENTION TO ADOPT AMENDMENTS TO THE EXISTING REGULATIONS

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237; 5 U. S. C. 1003), and the authority contained in the act of June 6, 1924 (43 Stat. 465, 48 U. S. C. 221, et seq.), as amended and supplemented, notice is hereby given that the Secretary intends to take the following action:

Adopt amended regulations permitting and governing the time, means, and methods for the taking of commercial fish in the waters of Alaska, and related matters.

The foregoing regulations are to be effective beginning February 1, 1952, and to continue in effect thereafter until further notice.

Interested persons are hereby given an opportunity to participate in preparing the regulations for issuance as set forth by submitting their views, data, or argu-

[1] See F. R. Doc. 51-8860, *supra.*

ments in writing to the Director of the Fish and Wildlife Service, Department of the Interior, Washington 25, D. C., or by presenting their views at a series of open discussions scheduled to be held at the following designated places on the dates specified:

Naknek, Alaska	Aug. 1.
Dillingham, Alaska	Aug. 2.
Kodiak, Alaska	Sept. 17.
Anchorage, Alaska	Sept. 20.
Cordova, Alaska	Sept. 24.
Yakutat, Alaska	Sept. 26.
Ketchikan, Alaska	Oct. 13.
Craig, Alaska	Oct. 15.
Wrangell, Alaska	Oct. 17.
Petersburg, Alaska	Oct. 18.
Sitka, Alaska	Oct. 20.
Seattle, Wash	Oct. 31 and Nov. 1.
Juneau, Alaska	Nov. 5.

(43 Stat. 464, as amended; 48 U. S. C. 221)

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

JULY 27, 1951.

[F. R. Doc. 51-8856; Filed, Aug. 1, 1951; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1567, G-1663, G-1685]

MISSISSIPPI POWER AND LIGHT CO. AND TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF FINDINGS AND ORDERS

JULY 27, 1951.

Notice is hereby given that, on July 26, 1951, the Federal Power Commission issued its findings and orders entered July 25, 1951, issuing certicates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8861; Filed, Aug. 1, 1951; 8:47 a. m.]

[Docket Nos. G-1745, G-1748]

BLACKSTONE VALLEY GAS AND ELECTRIC CO. AND FALL RIVER GAS WORKS CO.

NOTICE OF ORDER DISMISSING APPLICATIONS

JULY 27, 1951.

Notice is hereby given that, on July 26, 1951, the Federal Power Commission issued its order entered July 25, 1951, dismissing applications in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8862; Filed, Aug. 1, 1951; 8:47 a. m.]

[Docket No. E-6365]

PUBLIC SERVICE CO. OF INDIANA, INC. AND MADISON LIGHT AND POWER CO.

NOTICE OF ORDER AUTHORIZING AND APPROVING ACQUISITION OF SECURITIES, DISPOSITION AND MERGER OF FACILITIES AND DENYING REQUESTS FOR DISMISSAL OF APPLICATION

JULY 27, 1951.

Notice is hereby given that, on July 26, 1951, the Federal Power Commission issued its order entered July 25, 1951, in the above-entitled matter, authorizing and approving acquisition of securities, disposition and merger of facilities and denying requests for dismissal of application.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8863; Filed, Aug. 1, 1951; 8:47 a. m.]

[Project No. 1835]

PLATTE VALLEY PUBLIC POWER AND IRRIGATION DISTRICT

NOTICE OF ORDER APPROVING EXHIBIT L

JULY 27, 1951.

Notice is hereby given that, on July 27, 1951, the Federal Power Commission issued its order entered July 25, 1951, approving Exhibit L, "South Platte Diversion Dam Details of Warm Water De-Icing System", as part of license in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8864; Filed, Aug. 1, 1951; 8:48 a. m.]

[Docket No. ID-1150]

J. REED HARTMAN

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

JULY 27, 1951.

Notice is hereby given that, on July 26, 1951, the Federal Power Commission issued its order entered July 25, 1951, in the above-designated matter, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8865; Filed, Aug. 1, 1951; 8:48 a. m.]

[Project No. 2087]

BLUE RIDGE ELECTRIC MEMBERSHIP CORP.

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

JULY 27, 1951.

Public notice is hereby given that Blue Ridge Electric Membership Corporation, Lenoir, North Carolina, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for a preliminary permit for the proposed Glendale Springs hydroelectric development comprising an earth and rock fill dam across South Fork of New River approximately 2,000 feet upstream from North Carolina State Highway No. 16 bridge, with spillway crest elevation about 2,870 feet (U. S. G. S. datum) creating a reservoir of 200,000 acre feet of usable storage capacity with a 40 foot drawdown; a tunnel about 13,000 feet long to divert water across the divide to the Middle Fork of Reddies River; and a powerhouse on the Middle Fork of Reddies River having an installed capacity of about 88,500 horsepower.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and address of the party or parties so protesting or requesting should be submitted on or before August 16, 1951 to the Federal Power Commission at Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8866; Filed, Aug. 1, 1951; 8:48 a. m.]

[Docket No. G-1574]

UNITED GAS PIPE LINE CO.

NOTICE OF ORDER AMENDING CERTIFICATE OF PUBLIC CONVENIENCE AND NECCESSITY

JULY 26, 1951.

Notice is hereby given that, on July 26, 1951, the Federal Power Commission issued its order entered July 25, 1951, in the above-entitled matter, amending certificate of public convenience and necessity issued by order of February 28, 1951, published in the FEDERAL REGISTER March 7, 1951 (16 F. R. 2132).

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8867; Filed, Aug. 1, 1951; 8:49 a. m.]

[Docket Nos. ID-1151, ID-1093]

WALTER J. OTT AND LEO F. CHAMBERS

NOTICE OF ORDERS AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

JULY 26, 1951.

Notice is hereby given that, on July 26, 1951, the Federal Power Commission issued its orders entered July 25, 1951, in the above-designated matters, authorizing applicants to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8868; Filed, Aug. 1, 1951; 8:49 a. m.]

[Docket No. G-1740]

MISSISSIPPI POWER & LIGHT CO.

NOTICE OF APPLICATION

JULY 26, 1951.

Take notice that Mississippi Power & Light Company (Applicant), a Florida corporation with its principal place of business at Jackson, Mississippi, filed on July 11, 1951, an application for a determination of its status under the Natural Gas Act, as amended, or in the alternative for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the lease and operation of certain natural-gas distribu-

tion facilities hereinafter described and as more fully described in the application.

Applicant proposes to lease and operate:

(A) Approximately 25 miles of 6-inch gas transmission pipeline extending southward from a metering and regulating station on the 8-inch line of Texas Gas Transmission Corporation near Indianola, Mississippi, to the towns of Inverness, Isola, and Belzoni, all in Mississippi; and related distribution facilities along said line and in said towns, all owned by the Delta Natural Gas District.

(B) Approximately 14,000 feet of 2-inch natural gas transmission pipeline extending in a northeasterly direction from a point of connection on the said proposed 6-inch transmission pipeline to the community of Baird, Mississippi, and related distribution facilities along said line and in said community, all owned by the Delta Natural Gas District.

Applicant will receive its gas supply for the above operations from Texas Gas Transmission Corporation under contract dated August 14, 1950, a copy of which is on file with the Commission. Applicant has been informed by Delta Natural Gas District that the over-all cost of the proposed facilities is estimated at $675,000 and that construction of the proposed facilities will be completed about September 1, 1951.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 15th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8869; Filed, Aug. 1, 1951; 8:49 a. m.]

[Docket No. G-1746]

MISSISSIPPI POWER & LIGHT CO.

NOTICE OF APPLICATION

JULY 26, 1951.

Take notice that Mississippi Power & Light Company (Applicant), a Florida Corporation, of Jackson, Mississippi, filed on July 16, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the leasing and operation of the following described transmission pipeline facilities.

Applicant proposes to lease and operate approximately 19 miles of 4-inch pipeline extending southerly from a metering station on Texas Gas Transmission Company's transmission line near Leland, Mississippi, to the community of Hollandale, Mississippi, to serve the communities of Arcola and Hollandale.

Applicant proposes to lease and operate approximately 20 miles of 4-inch pipeline extending northerly from a metering station on Southern Natural Gas Company's transmission line to Anguilla, Mississippi, to serve the communities of Cary, Rolling Fork, and Anguilla.

These transmission lines are to be constructed by Deer Creek Natural Gas District, a political subdivision of the State of Mississippi, and Applicant proposes to lease and operate these facilities in accordance with a lease agreement.

In the alternative, Applicant requests a determination of the Federal Power Commission that the leasing and operation of such facilities is not subject to the jurisdiction of the Commission.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 15th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8870; Filed, Aug. 1, 1951; 8:49 a. m.]

[Docket No. G-1739]

ST. CHARLES GAS CORP.

NOTICE OF APPLICATION

JULY 26, 1951.

Take notice that St. Charles Gas Corp. (Applicant), a Missouri corporation with offices at 212 North Main Street, St. Charles, Missouri, filed on July 11, 1951, an application for:

(1) An order pursuant to section 7 (a) of the Natural Gas Act, as amended, directing Mississippi River Fuel Corporation to establish a physical connection of its natural gas pipeline facilities in Madison County, Illinois, with a connecting pipeline which Applicant proposes to extend to the City of St. Charles, Missouri, and to sell natural gas to Applicant; and

(2) A certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing (a) the acquisition, through purchase, from Shell Pipe Line Corporation of approximately 71,000 feet (13.4 miles) of an existing oil pipeline of various (8, 10 and 16-inch) diameters, the use of which was discontinued in 1949 and which is now under contract to Applicant, (b) the construction of approximately 47,000 feet (8.9 miles) of 8⅝-inch (or in part 10-inch) diameter and approximately 3,000 feet (0.568 mile) of 6⅝-inch diameter pipeline, and (c) the operation of such pipeline facilities by Applicant, from a point of connection with the pipeline system of Mississippi River Fuel Corporation, in Madison County, Illinois, to the City of St. Charles, St. Charles County, Missouri; or, in the alternative, an order dismissing the application for such a certificate for want of jurisdiction.

According to the application, Applicant proposes to discontinue the distribution of propane-air gas (925 B. t. u.) and in substitution thereof to distribute natural gas and supply the entire natural gas requirements of the City of St. Charles, Missouri. Applicant estimates its initial demand for natural gas will be 500 Mcf per day, and in the fifth year, 2,360 Mcf per day. Applicant states that its present propane-air facilities are taxed to capacity; that in order to insure continuity of service, as well as adequately to meet the requirements of present and prospective customers, a supply of natural gas as applied for is required; that the total cost of expanding and operating Applicant's propane-air facilities to the extent sufficient to satisfy the requirements of its customers would be of such magnitude in comparison with anticipated earnings as to render such an expansion unfeasible.

The estimated capital cost of the project proposed by Applicant is $350,000, exclusive of the estimated capital cost of approximately $130,000 during the next five years for proposed additions to and extensions of Applicant's gas distribution system in and around the City of St. Charles, Missouri. Applicant proposes to finance the proposed project and additions to its distribution system by means of the issuance and sale of additional debt and equity securities.

Petitions or protests to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with its rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 15th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8871; Filed, Aug. 1, 1951; 8:49 a. m.]

[Project No. 199]

SOUTH CAROLINA PUBLIC SERVICE AUTHORITY

ORDER GRANTING MOTION FOR ORAL ARGUMENT

JULY 25, 1951.

On June 11, 1951, South Carolina Public Service Authority, municipal licensee for Project No. 199, filed exceptions to a decision by the Presiding Examiner dated May 22, 1951, denying application for total exemption from annual charges for the years 1942 through 1946 and granting partial exemption.

The licensee requested oral argument before the Commission with respect to the following issues:

(1) The issue that the Santee-Cooper Project, License No. 199, is primarily designed to provide or improve navigation.

(2) The issue that the sales to the Pittsburgh Company were made at a loss, and thereby the licensee is entitled to a pro rata reduction in annual charges.

The Commission finds: It is appropriate and consistent with the public interest to grant the motion for oral argument on these two issues.

The Commission orders: Oral argument on exceptions in the above-entitled matter respecting the above issues, pursuant to § 1.31 of the Commission's rules of practice and procedure, be had before the Commission on November 14, 1951,

at 10:00 o'clock a. m., e. s. t., in the Hearing Room of the Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: July 27, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-8872; Filed, Aug. 1, 1951; 8:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DELEGATIONS OF AUTHORITY TO REGIONAL REPRESENTATIVES AND REGIONAL ENGINEERS WITH RESPECT TO DISASTER RELIEF PROGRAM

The following powers and authority are delegated to each Regional Representative of the Office of the Administrator, and to each Regional Engineer of the Office of the Administrator field offices, for use in connection with carrying out the functions and authority delegated to the Housing and Home Finance Administrator (herinafter called "Administrator") by the President of the United States (hereinafter called "President") in Executive Order 10221, entitled "Providing for the Administration of Disaster Relief," of March 2, 1951, 16 F. R. 2051 (March 6, 1951), relating to the furnishing of Federal assistance to States and local governments in major disasters, as authorized by the provisions of Public Law 875, 81st Congress, approved September 30, 1950, 64 Stat. 1109 (hereinafter referred to as the "act"):

a. After receipt of notice from the Administrator or Commissioner, Community Facilities (hereinafter called "Commissioner"), that the President has determined that a specific "Major disaster" has occurred within the meaning of the act and that funds have been allocated by the President to the Housing and Home Finance Agency for use in providing Federal assistance under the act in connection with the disaster, and after being informed by either such officer of the special limitations, if any, established by the President within which the relief assistance is to be carried on,

1. To enter into and execute, on behalf of the Administrator, agreements, including changes, between the United States of America, acting by and through the Administrator, and the governor of any State directly affected by the disaster, or his authorized representative, covering the types of disaster assistance to be furnished by the Federal Government under the authority of subsection 3 (d) of the act and in accordance with the Presidential determinations, and the obligations of the State and of the local governments within the State in the furnishing of disaster relief;

2. To enter into and execute agreements similar in purpose, including changes, with local governments within the State, where such agreements are contemplated in an agreement with the governor; and

3. In those cases where the State and local government agencies involved are so overburdened with relief work that direct contracting by the Federal Government with non-Governmental persons or firms for such work is advisable, to make, award, enter into and execute, in accordance with applicable laws, contracts, including changes, with private parties (persons, firms, corporations or other entities or organizations) for the furnishing of any of the types of disaster relief authorized by subsection 3 (d) of the act;

b. To authorize payments under any of the types of agreements or contracts, including changes, described in paragraph a.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283-85 (1948), as amended, 12 U. S. C., 1946 ed. Sup. IV 1701c; 63 Stat. 413, 440 (1949), as amended, 12 U. S. C., 1946 ed. Sup. IV 1701d-1; Pub. Law 875, 81st Cong., approved Sept. 30, 1950, 64 Stat. 1109; E. O. 10221 of Mar. 2, 1951, 16 F. R. 2051 (1951))

Effective as of the 2d day of August 1951.

RAYMOND M. FOLEY, *Housing and Home Finance Administrator.*

[F. R. Doc. 51-8895; Filed, Aug. 1, 1951; 8:54 a. m.]

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Defense Mobilization

[Defense Mobilization Order 5, Amdt. 1]

MANPOWER POLICY COMMITTEE

ADDITION OF DEFENSE TRANSPORT ADMINISTRATOR TO MEMBERSHIP

1. Paragraph 1 of Defense Mobilization Order No. 5, issued by this Office under date of February 8, 1951, creating a Manpower Policy Committee, is hereby amended by adding the following language at the end thereof: "For those problems involving transportation, the Chairman shall add, for the purpose of discussion, the Administrator of the Defense Transport Administration."

2. This amendment shall take effect on August 2, 1951.

OFFICE OF DEFENSE MOBILIZATION, C. E. WILSON, *Director.*

[F. R. Doc. 51-8981; Filed, Aug. 1, 1951; 10:40 a. m.]

[Defense Manpower Policy Statement 1]

IMPLEMENTATION OF NATIONAL MANPOWER MOBILIZATION POLICY WITH RESPECT TO PROCUREMENT AND PRODUCTION SCHEDULING

Introduction. The National Manpower Mobilization Policy, promulgated by the President on January 17, 1951, includes the following statement of policy regarding the distribution of requirements for civilian manpower:

> Production will be scheduled, materials allocated and procurement distributed with careful consideration of available manpower. Whenever feasible from an economic and security standpoint, production facilities, contracts, and significant subcontracts will be located at the sources of labor supply in preference to moving the labor supply.

In carrying out this policy, it must be recognized that the success of the national defense program depends upon efficient use of all of our economic resources. In decisions affecting the scale, timing, and location of production and plant expansion activities, a wide variety of factors must be carefully weighed. In addition to manpower, these factors include considerations of security, access to materials, maximum use of existing plant facilities including small business, access to power and transportation, and others.

The over-riding consideration is the need to obtain required goods and services on schedule. The purpose of this policy statement is to provide for due consideration of manpower resources, industrial and agricultural, in defense program planning to achieve this basic aim.

Objectives of the policy. The manpower mobilization policy cited above is designed to achieve the following objectives:

1. To help assure timely delivery of required goods and services by locating the work where the needed workers are available;

2. To help assure utilization of the Nation's total manpower potential by making full use of each area's manpower resources;

3. To conserve manpower by:

a. Minimizing the need for migration;

b. Reducing labor turnover and absenteeism caused by inadequate housing and community facilities; and

c. Reducing the diversion of manpower and other resources required for construction of additional housing and community facilities.

Implementation of the policy. The National Manpower Mobilization Policy, issued by the President, calls for adherence to its provisions "by all departments and agencies with respect to programs under their control, subject to such amendments and supplements as may from time to time be issued by the Director of the Office of Defense Mobilization."

By virtue of the authority vested in me by Executive Order 10193, and in order to supplement the policy statement quoted above it is hereby ordered:

1. All departments and agencies engaged in the purchase of goods and services shall:

a. Issue instructions calling attention to the need for consideration of locally available labor supplies in planning delivery schedules and in procurement actions.

b. Arrange with the Department of Labor's Defense Manpower Administration for the distribution to procurement

and production scheduling officials of regularly published area labor market information necessary for carrying out this order. In addition;

(1) Procurement officials will obtain from the Department of Labor and affiliated State Employment Service Offices additional detailed manpower information on any labor market area in which the procurement officials find it necessary to ascertain that there is an adequate labor supply;

(2) With respect to designated labor shortage areas, as described in section 2 of this statement, procurement officials will in all cases obtain detailed information on labor market conditions before placing contracts involving significant additional manpower, so as to anticipate the manpower difficulties that may be encountered and to permit procurement officials to make a full evaluation of the nature of the labor shortage as related to other procurement factors applicable to the particular case.

c. Encourage prime contractors to locate sub-contracts with due consideration for area labor supplies and assist any prime contractor in an area of labor shortage to sub-contract work outside the area.

(1) Encourage prime contractors to advise their sub-contractors that the local public employment office serving the area in which work on a Government order is to be performed should be informed of anticipated labor requirements for fulfillment of the order.

d. In carrying out procedures for review and evaluation of compliance with this section, obtain such assistance as may be needed from the Department of Labor's Defense Manpower Administration.

2. No area will be designated a labor shortage area for purposes of this order until there is, or is expected to be, a substantial participation of its labor force in defense or defense supporting activities. For the purposes of this policy statement, the Department of Labor's Defense Manpower Administration shall obtain the agreement of the Department of Defense and the Defense Production Administration in establishing the specific criteria under which areas will be classified as labor shortage areas.

3. Departments and agencies responsible for the operation of Government facilities and installations shall:

a. Take area labor supplies into consideration in decisions regarding the location, re-location, expansion or contraction of such facilities and installations where significant operating manpower implications are involved; and for this purpose, arrange to obtain and use pertinent area labor market information from the Department of Labor's Defense Manpower Administration.

b. Provide local public employment offices with information regarding civilian labor requirements at Government facilities and installations.

4. Agencies responsible for promoting industrial and economic expansion for national defense shall:

a. Insure adequate consideration of manpower factors in decisions on applications for necessity certificates authorized under Section 124A of the Internal Revenue Code and for business expansion loans authorized under the Defense Production Act of 1951.

b. Consult with the Department of Labor's Defense Manpower Administration before recommending the granting of applications requiring a substantial number of additional workers in areas designated by the Department of Labor's Defense Manpower Administration as labor shortage areas or areas in which there is a currently balanced labor supply.

c. Obtain the assistance of the Department of Labor's Defense Manpower Administration as required, to assure an adequate labor supply for certified new facilities and to determine the kinds of manpower information which should be required from applicants for necessity certificates or business expansion loans.

5. Departments and agencies responsible for exercising priorities and allocations functions shall:

a. Give due consideration to the effects on employment, unemployment and labor supply of contemplated program actions.

b. In the consideration of orders and regulations which affect civilian production levels, afford the Department of Labor's Defense Manpower Administration an opportunity to provide evidence as to their impact on individual labor market areas.

c. Obtain pertinent manpower information from the Department of Labor's Defense Manpower Administration as necessary for consideration in decisions on conservation order appeals which are based on the importance to defense production of maintaining the appellant's work force or on community hardship resulting from unemployment.

6. The Defense Production Administration, in performing the central program functions incident to the determination of the production program required to meet defense needs, shall:

a. Take manpower requirements and resources into account before authorizing production programs requested by claimant agencies and before programming the expansion of production capacity and supply.

(1) For this purpose, obtain the advice of the Department of Labor's Defense Manpower Administration in the evaluation of program plans as they relate to manpower resources.

7. The Department of Labor's Defense Manpower Administration in supplying the basic data and assistance needed by agencies engaged in central programming, purchasing of goods and services, operating Government facilities and installations, promoting resources expansion for national security and exercising material priorities and allocations shall:

a. Provide information as to current area labor market conditions and as to the prospective labor market conditions that would exist if it should become necessary to mobilize more fully.

b. Provide production and procurement agencies with needed data and analysis with respect to national manpower requirements and resources as well as estimated manpower requirements for major industrial segments of the economy.

c. Provide, pursuant to the provisions of Executive Order 10161, such other feasible assistance which the agencies may require for compliance with this policy statement.

d. Make arrangements to consult and advise with the agencies performing functions described above to insure that manpower factors are taken into full consideration in their program actions.

8. Every effort shall be made to assure that unemployment due to materials shortages and conversion to defense production is held to a minimum. To that end:

a. The Department of Labor's Defense Manpower Administration shall estimate future employment and unemployment levels long enough in advance to allow corrective actions to be taken.

b. Production and procurement agencies will take special notice of conditions of high levels of current or expected unemployment in given areas as reported by the Department of Labor's Defense Manpower Administration in this connection, and, consistent with other procurement considerations, shall make every effort to assign material allocations and procurement contracts to such areas.

9. All departments and agencies affected by this order shall exchange information necessary to carry out the policies set forth in this order.

10. This statement shall take effect on August 2, 1951.

OFFICE OF DEFENSE MOBILIZATION,
C. E. WILSON,
Director.

[F. R. Doc. 51-8982; Filed, Aug. 1, 1951; 10:41 a. m.]

[Defense Manpower Policy Statement 2]

MANPOWER PROGRAM FOR THE MACHINE TOOL INDUSTRY

Objective of the policy. Metalworking tool production must be increased. This requires adequate manpower with the right skills at the right places at the right time. The purpose of this policy statement is to achieve that objective.

Implementation of the policy. By virtue of the authority vested in me by Executive Order 10193 and to carry out the policy set forth above, it is hereby ordered:

1. The Department of Labor's Defense Manpower Administration shall consult with the representatives of labor and management in the machine tool industry relating to the manpower problems of that industry and shall in consultation with the appropriate regional and area labor-management committees:

a. Determine what additional measures can be taken to meet the industry's manpower requirements by further job breakdown, up-grading of trained men, job standardization, on-the-job training and programs to reduce absenteeism and turn-over.

b. Conduct intensive recruitment programs, both intra-area and inter-area, to meet the manpower requirements of the industry.

c. Determine training requirements of the industry in the skills needed by the industry in each area and certify the need for such training to appropriate Government agencies.

d. Take action to identify and solve community problems affecting manpower supply for the industry. Attention will be given to such matters as housing, transportation and voluntary transfer of workers from activities not related to defense, defense supporting or the national health, safety, and interest.

2. Regional Defense Mobilization Committees shall bring the facilities of all appropriate Government agencies to bear on the solution of manpower problems of the machine tool industry.

3. The Department of Labor's Defense Manpower Administration, the Selective Service System and the Department of Defense shall develop policies applicable to the induction and deferment of apprentices which can be applied to the machine tool industry.

4. The Selective Service System shall alert its local draft boards to the urgent manpower requirements of the machine tool industry in order that induction of skilled machine operators for whom replacements are not available may be minimized.

5. The Federal Security Agency shall develop, and, through appropriate channels, conduct training to meet the requirements certified by the Department of Labor's Defense Manpower Administration to meet the manpower requirements of the machine tool industry.

6. The Wage Stabilization Board shall, within the limits of its authority, give immediate consideration of the question whether wage adjustments are necessary to meet the manpower requirements of the machine tool industry.

7. The Department of Defense shall within existing policy give special consideration to the skilled manpower needs of the machine tool industry in calling up for active duty members of the civilian reserve components.

8. This statement shall take effect on August 2, 1951.

OFFICE OF DEFENSE MOBILIZATION,
C. E. WILSON,
Director.

[F. R. Doc. 51-8983; Filed, Aug. 1. 1951; 10:41 a. m.]

SECURITIES AND EXCHANGE COMMISSION

CINCINNATI STOCK EXCHANGE

RECORD DISPOSAL PLAN

The Securities and Exchange Commission today announced that it had declared effective a plan filed on June 20, 1951, by the Cincinnati Stock Exchange pursuant to § 240.17a-6 (Rule X-17A-6) under the Securities Exchange Act of 1934, for the disposal of the following material which has been on file with that Exchange for more than five years under the stated sections of the act or the rules and regulations thereunder:

(1) Forms 1-J, 2-J, 15-AN, and AN-4 filed pursuant to section 12.

(2) Reports filed pursuant to section 13, except reports on Form 8-K reporting other than quarterly sales.

(3) Documents and reports filed pursuant to sections 14 and 16.

The Cincinnati Stock Exchange proposes to commence the disposition of the specified material in October 1951. The plan also contemplates that thereafter, in October of each year, regular disposition will be made of similar material which has been on file more than five years. Notice of the Commission's proposal to declare this plan effective was published for comment in Securities Exchange Act Release No. 4623.

The purpose of the plan is to alleviate the record storage problem of the Exchange and to facilitate the availability of material filed with the Exchange within five years. Information contained in the material to be disposed of by the Exchange is on file with the Commission where it will continue to be available.

The text of the Commission's action follows:

The Securities and Exchange Commission, acting pursuant to the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a) and 24 (b) thereof and § 240.17a-6 thereunder, having due regard for the public interest and for the protection of investors, and deeming it necessary in the public interest, for the protection of investors and for the exercise of the functions vested in it, does hereby declare effective the plan filed on June 20, 1951, by the Cincinnati Stock Exchange pursuant to § 240.17a-6, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of the said plan by sending at least 10 days' written notice to the Cincinnati Stock Exchange.

The Commission finds that § 240.17a-6 and this action taken thereunder have the effect of granting exemption and relieving restriction, and that this action may be and is hereby declared to be effective July 24, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

JULY 24, 1951.

[F. R. Doc. 51-8878; Filed, Aug. 1, 1951; 8:51 a. m.]

[File No. 71-15]

PEOPLES NATURAL GAS CO.

NOTICE OF FILING OF PROPOSALS FOR DISPOSITION OF ADJUSTMENTS RELATING TO GAS PLANT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of July A. D. 1951.

Notice is hereby given that Peoples Natural Gas Company ("Peoples"), a gas utility subsidiary of Northern Natural Gas Company ("Northern"), a registered holding company, has filed studies, and amendments thereto, relative to the original cost and reclassification of its gas plant accounts as of December 31, 1948, including proposals for the disposition of adjustments relating to gas plant pursuant to Rule U-27 of the general rules and regulations promulgated under the Public Utility Holding Company Act of 1935.

Notice is further given that any interested person may, not later than August 20, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and issues, if any, of fact or law raised by said proposals intended to be controverted, or may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 20, 1951, the Commission may take such action as may be deemed appropriate with respect to the matters herein concerned.

All interested persons are referred to said studies which are on file in the offices of the Commission for a statement of the adjustments therein proposed, which are summarized as follows:

Peoples filed its original cost and reclassification studies of its gas plant on October 2, 1950 in accordance with Plant Instruction 2-D of the Uniform System of Accounts recommended by the National Association of Railroad and Utilities Commissioners for gas companies (which system of accounts has been made applicable by Rule U-27). Such studies were made as of December 31, 1948, and reclassified $10,483.89 to Account 100.5, Gas Plant Acquisition Adjustments and a credit of $2,896.80 to Account 107, Gas Plant Adjustments.

The staff of the Commission made a field examination and filed its report in connection therewith, copies of which report were submitted to the company. Peoples amended its studies so as to give effect to the recommendations contained in the staff's report and now proposes to classify an amount of $29,790.45 in Account 100.5, Gas Plant Acquisition Adjustments and an amount of $26,510.88 in Account 107, Gas Plant Adjustments.

Peoples now proposes to eliminate the amount of $29,790.45 as reclassified to Account 100.5 by charging $23,790.45 to Account 271, Earned Surplus, and the balance of $6,000.00 to Account 250, Reserve for Depreciation.

The amount of $26,510.88 as reclassified to Account 107, is proposed to be eliminated by charging $11,251.32 to Account 146, Other Deferred Debits; $11,000.00 to Account 250, Reserve for Depreciation; and the balance of $4,259.56 to Account 271, Earned Surplus.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-8879; Filed, Aug. 1, 1951; 8:51 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17075, Amdt.]

FREDERICK KLAEBER ET AL.

In re: Interests in and rights under real estate contracts, mortgages and claims owned by Frederick Klaeber, also known as Frederic Klaeber, and others. F-28-13724-B-1.

Vesting Order No. 17075, dated January 17, 1951, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frederick Klaeber, also known as Frederic Klaeber, whose last known address is 15 Chamberlain Street, Berlin-Zehlendorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Charlotte Klaeber, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. Real property situated in the County of Ramsey, State of Minnesota, and known and designated as Lot 6, Block 4, College Place, Taylor's Division and all interests and all rights of the person named in subparagraph 1 hereof and the persons referred to in subparagraph 2 hereof, arising out of that certain real estate contract covering the said real property, and more particularly described as a contract for deed between Security Land and Investment Company and Willard F. Sammon and Mary V. Sammon, his wife, dated August 29, 1950, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. All those certain debts or other obligations owing to the person named in subparagraph 1 hereof, and to the persons referred to in subparagraph 2 hereof, and secured by mortgages covering real properties situated in Hennepin and Dakota Counties, Minnesota, and more particularly described in Exhibit A, set forth below and by reference made a part hereof, and which said mortgages are now being serviced, or were heretofore serviced, by and are known to David C. Bell Investment Company, 501 Second Avenue South, Minneapolis 2, Minnesota, including but not limited to all security rights in and to any and all collateral (including said mortgages) for any and all such obligations and the right to possession of all mortgages, notes, bonds or other instruments evidencing such obligations, and

c. All those certain debts or other obligations owing to the person named in subparagraph 1 hereof and to the persons referred to in subparagraph 2 hereof by David C. Bell Investment Company, 501 Second Avenue South, Minneapolis, Minnesota, arising out of collections made by said company for the account of said persons and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 3-b and 3-c hereof.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

(1) A mortgage executed on June 15, 1945, by Emil J. Beckstrom and Latona B. Beckstrom, his wife, to David C. Bell Investment Company and recorded on June 22, 1945, in the office of the Register of Deeds of Hennepin County, Minnesota, in Book 2226 of Mortgages, Page 71 etc., as Document No. 2292599,

(2) A mortgage executed on December 14, 1945, by Leo C. Kirkbride and Angeline Kirkbride, also known as Angelline G. Kirkbride, his wife, to David C. Bell Investment Company and recorded on January 4, 1946, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 311, Page 96335, as Document No. 214521.

(3) A mortgage executed on November 15, 1946, by Harry J. Lee and Margaret F. Lee, his wife, to David C. Bell Investment Company and recorded on November 21, 1946, in the office of the Register of Deeds of Hennepin County, Minnesota, in Book 2321 of Mortgages, Page 6, as Document No. 2410484,

(4) A mortgage executed on November 25, 1946, by Bertil G. Peterson and Evelynne I. Peterson, his wife, to David C. Bell Investment Company and recorded on November 27, 1946, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 274, Page 85178, as Document No. 232303,

(5) A mortgage executed on March 11, 1947, by Elmer L. Erickson and Katherine L. Erickson, his wife, to David C. Bell Investment Company and recorded on March 14, 1947, in the office of the Register of Deeds of Hennepin County, Minnesota, in Book 2321 of Mortgages, Page 219, as Document No. 2428960,

(6) A mortgage executed on July 18, 1947, by Raymond D. Black and Barbara B. Black, his wife, to David C. Bell Investment Company and recorded on July 24, 1947, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 387, Page 118979, as Document No. 245623,

(7) A mortgage executed on November 7, 1947, by Alvin P. Anfenson and Helen Anfenson, his wife, to David C. Bell Investment Company and recorded on November 19, 1947, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 404, Page 124291, as Document No. 253648,

(8) A mortgage executed on July 1, 1948, by Edward E. Uhlein, a widower, and Frances L. Uhlein, unmarried, to David C. Bell Investment Company and recorded on July 6, 1948, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 353, Page 108836, as Document No. 266850,

(9) A mortgage executed on November 8, 1948, by Maurice I. McCaffrey and Elizabeth Downing McCaffrey, his wife, to David C. Bell Investment Company and recorded on November 16, 1948, in the office of the Register of Deeds of Hennepin County, Minnesota, in Book 2386 of Mortgages, Page 69 etc., as Document No. 2535018,

(10) A mortgage executed on April 6, 1949, by Emory C. Ensign and Julia von Kuster Ensign, his wife, to David C. Bell Investment Company and recorded on April 11, 1949, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 210, Page 65963, as Document No. 282228,

(11) A mortgage executed on August 19, 1949, by Delos A. Dreher and Helen T. Dreher, his wife, to David C. Bell Investment Company and recorded on September 19, 1949, in the office of the Registrar of Hennepin County, Minnesota, in Vol. 476, Page 145747, as Document No. 292585,

(12) A mortgage executed on May 17, 1950, by Norman John Thompson and Dorothy Priscilla Thompson, his wife, to David C. Bell Investment Company and recorded on June 6, 1950, in the office of the Register of Deeds of Hennepin County, Minnesota, in Book 2491 of Mortgages, Page 239 etc., as Document No. 2629666,

(13) A mortgage executed on August 3, 1950, by Christen K. Erikstrup and Anna C. Erikstrup, his wife, to David C. Bell Investment Company (unrecorded), secured by real property known and designated as the Southeast quarter of the Southeast quarter of Section 28, the Northeast quarter of the Northeast quarter and, the Southeast quarter of the Northeast quarter of Section 33, all in Township 27, Range 23, Dakota County, State of Minnesota,

(14) A mortgage executed on December 1, 1950, by John H. Bryan and Elise Liane Bryan, his wife, to David C. Bell Investment Company and recorded on December 11, 1950, in the office of the Registrar of Titles of Hennepin County, Minnesota, in Vol. 476, Page 145641, as Document No. 329953.

[F. R. Doc. 51-8842; Filed, July 31, 1951; 8:55 a. m.]

[Vesting Order 18248]

HUGO STINNES, JR., ET AL.

In re: Securities owned by and debts owing to Hugo Stinnes, Jr., and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hugo Stinnes, Jr., Ernst Stinnes, Otto Stinnes, and Hilde Fiedler, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Clare Wagenknecht Stinnes, Sr., who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1951, has been a resident of Germany, is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. Those certain debentures described in Exhibit A, set forth below and by reference made a part hereof, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account entitled "#80705-blocked, Swiss Bank Corporation, Zurich, Switzerland", said account formerly being entitled "Banque Commerciale de Basle, Zurich, Switzerland", together with any and all rights thereunder and thereto,

b. Those certain notes described in Exhibit B, set forth below and by reference made a part hereof, presently in the custody of The Central Hanover Bank and Trust Company, 70 Broadway, New York, New York, in a blocked account for Swiss Bank Corporation, Zurich, Re 1940 Plan of Extension, together with any and all rights thereunder and thereto, including any and all rights in, to and under "1940 Plan of Extension."

c. Those certain debentures described in Exhibit C, set forth below and by reference made a part hereof, presently in the custody of The American Express Company, Inc., New York Agency, 65 Broadway, New York, New York, in an account entitled "Fundus, Ltd., Fiduciary Company, Zurich, Switzerland," formerly known as "Fundus S. A., Lauzanne, Switzerland," together with any and all rights thereunder and thereto,

d. Those certain debts or other obligations, matured or unmatured, evidenced by 7 percent Gold Notes of Hugo Stinnes Corporation, 420 Lexington Avenue, New York, New York, a corporation organized under the laws of the State of Maryland, said Notes due July 1, 1940, and described in Exhibit D, set forth below and by reference made a part hereof, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under said Notes.

e. One thousand (1,000) shares of $5.00 (Five) par value common stock of Hugo Stinnes Corporation, 420 Lexington Avenue, New York, New York, a corporation organized under the laws of the State of Maryland, evidenced by certificates numbered NY5147, NY 5148/50, NY 5157/8 and NY 5189/92. for 100 shares each, registered in the name of N. V. Transport-en Agentuur-Maatschappij, together with all declared and unpaid dividends thereon,

f. One hundred (100) shares of $5.00 (Five) par value common stock of Hugo Stinnes Corporation, 420 Lexington Avenue, New York, New York, a corporation organized under the laws of the State of Maryland, evidenced by a certificate numbered NY5386 for 100 shares, registered in the name of N. V. Edmund Wagenknecht Handel-Maatschappij, together with all declared and unpaid dividends thereon,

g. Fifteen (15) shares of $5.00 (Five) par value common stock of Hugo Stinnes Corporation, 420 Lexington Avenue, New York, New York, a corporation organized under the laws of the State of Maryland, evidenced by a certificate numbered NY 09766 for 15 shares, registered in the name of Lee & Co., and presently in the custody of The Chase National Bank of the City of New York, in an account entitled "Account No. 84500-Blocked", of Swiss Bank Corporation, Zurich, together with all declared and unpaid dividends thereon,

h. That certain debt or other obligation of The American Express Company, Inc., New York Agency, 65 Broadway, New York, N. Y., arising out of funds held in a blocked account for Fundus, Ltd., Fiduciary Company, Zurich, Switzerland, formerly known as Fundus S. A., Lauzanne, Switzerland, and representing income and accumulations on the debentures described in subparagraph 3 (c) hereof, together with any and all rights to demand, enforce and collect, the same,

i. That certain debt or other obligation of The American Express Company, Inc., New York Agency, 65 Broadway, New York, N. Y., arising out of funds held in a "General Ruling #6 account for Fundus, Ltd., Fiduciary Company, Zurich, Switzerland, formerly known as Fundus S. A., Lauzanne, Switzerland representing income and accumulations on the debentures described in subparagraph 3 (c) hereof, together with any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to or which is evidence of ownership or control by, Hugo Stinnes, Jr., Ernst Stinnes, Otto Stinnes, Hilde Fiedler and Cläre Wagenknecht Stinnes Sr., the aforesaid nationals of a designed enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1, and 2, hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A—BONDS

Description of issue. Hugo Stinnes Industries, Inc., 7 Percent S/F/G Debentures, due October 1, 1946, issued in bearer form.

Face value. $1,000 each.

Bond numbers. .12, .23, .24, .154, .351, .369, .402, .403, .468, .469, .472, .535, .536, .537, .538, .539, .540, .541, .542, .543, .544, .545, .567, .581, .582, .610, .631, .635, .650, .727, .739, .764, .765, .769, .843, .851, .852, .853, .854, .1079, .1080, .1081, .1082, .1105, .1176, .1177, .1178, .1179, .1180, .1183, .1184, .1186, .1187, .1247, .1253, .1326, .1327, .1337, .1338, .1399, .1431, .1442, .1547, .1548, .1693, .1694, .1700, .1727, .1759, .1760, .1878, .1891, .2032, .2094, .2132, .2174, .2175, .2176, .2177, .2178, .2179, .2268, .2269, .2273, .2303, .2390, .2422, .2423, .2486, .2487, .2520, .2575, .2576, .2582, .2583, .2629, .2656, .2657, .2700, .2723, .2724, .2770, .2856, .2953, .2960, .2961, .2962, .2963, .2982, .2983, .3068, .3069, .3097, .3104, .3179, .3235, .3236, .3323, .3373, .3374, .3375, .3376, .3377, .3444, .3445, .3446, .3495, .3498, .3499, .3612, .3634, .3635, .3644, .3645, .3646, .3647, .3658, .3659, .3667, .3668, .3699, .3753, .3767, .3768, .3772, .3773, .3806, .3858, .3946, .3980, .3991, .4017, .4069, .4140, .4144, .4147, .4148, .4150, .4239, .4244, .4251, .4301, .4330, .4387, .4374, .4503, .4558, .4559, .4599, .4627, .4643, .4644, .4645, .4659, .4676, .4677, .4678, .4679, .4680, .4692, .4701, .4702, .4703, .4704, .4705, .4706, .4707, .4708, .4710, .4711, .4716, .4717, .4746, .4824, .4835, .4836, .4837, .4919, .4946, .5128, .5129, .5211, .5212, .5216, .5272, .5273, .5350, .5351, .5352, .5362, .5363, .5377, .5404, .5419, .5430, .5497, .5494, .5495, .5496, .5525, .5572, .5573, .5574, .5579, .5580, .5581, .5619, .5715, .5722, .5738, .5740, .5759, .5963, .5964, .5965, .6005, .6006, .6007, .6008, .6090, .6111, .6230, .6231, .6259, .6265, .6273, .6274, .6275, .6276, .6342, .6346, .6373, .6374, .6375, .6419, .6587 .6656, .6691, .6692, .6705, .6745, .6778, .6847, .6880, .6925, .7018, .7040, .7154, .7176, .7210, .7278, .7282, .7288, .7352, .7353, .7354, .7355, .7356, .7402, .7403, .7432, .7524, .7525, .7526, .7527, .7528, .7566, .7717, .7819, .7820, .7821, .7822, .7823, .7897, .7908, .7909, .7910, .8045, .8049, .8054, .8058, .8078, .8187, .8188, .8231, .8242, .8243, .8244, .8276, .8435, .8460, .8462, .8463, .8468, .8587, .8627, .8628, .8646, .8740, .8782, .8783, .8805, .8917, .8918, .8940, .8992, .9142, .9143, .9144, .9145, .9146, .9265, .9329, .9330, .9413, .9415, .9581, .9613, .9639, .9659, .9660, .9661, .9662, .9687, .9688, .9842, .9973, .9998, .10015, .10022, .10023, .10059, .10168, .10216, .10225, .10300, .10301, .10303, .10305, .10321, .10340, .10362, .10481, .10482, .10483, .10484, .10535, .10632, .10778, .10779, .10882, .10823, .10830, .10831, .10832, .10834, .10866, .10867, .10868, .10869, .10870, .10929, .10934, .10955, .10956, .10981, .10985, .10992, .11007, .11232, .11233, .11309, .11310, .11311, .3197, .9414, .11220, .9269, .2990, .4367.

EXHIBIT B—NOTES

Description of issue. Hugo Stinnes Corporation, 7 Percent Gold Notes, due July 1, 1940, issued in bearer form.

Face value. $1,000 each.

Number of note. (M) 3520, 3438/29, 3331, 3133, 2945, 2800, 2263/59, 2253, 2202/2201, 1942, 1909/1907, 1896, 1709/1708, 1547, 1498, 1411, 1198, 1184, 1065, 716, 693/692, 612, 595/593, 556, 415/414, 397, 224, 155, 4.

EXHIBIT C—BONDS

Description of issue. Hugo Stinnes Industries, Inc., 7 Percent S/F/G Debentures, due October 1, 1946, issued in bearer form.

Face value. $1,000 each.

Bond number. (M) 4086/7, 1899, 324, 376/80, 317, 5611, 6358, 10931, 8934, 9507, 3342/6, 8536, 8720, 8641, 7671/2, 6317, 5998, 5989, 5219, 5007, 4076, 3682, 3551, 2678, 2407, 2321/3, 2319, 2289, and 2281/2.

Face value. $500.

Bond number. (D) 670, 651, 458, 438/9, and 4.

EXHIBIT D—NOTES

Description of issue. Hugo Stinnes Corporation, 7 Per Cent Gold Notes, due July 1, 1940, issued in bearer form.

Face value. $1,000 each.

Number of note. (M) 4262, 4448, 4449, 4524, 4635, 4655, 4751, 4799, 4827, 4828, 4917, 4936, 5157, 5172, 5411, 5413, 5643, 5952, 6251, 6365, 6749, 7207, 7208, 7209, 7210, 7211, 7329, 7374, 7429, 7430, 7431, 7432, 7433, 7434, 7493, 7847, 7910, 7911, 7912, 7947, 7948, 8162, 8163, 8164, 8178, 8179, 8599, 8661, 8762, 8782, 8961, 8965, 8966, 8991, 8992, 8993, 9276, 9336, 9337, 9338, 9339, 9340, 9342, 9343, 9352, 9579; 9580, 9581, 9589, 9590, 9591, 9592, 9593, 9628, 9698, 9800, 9802, 9809, 10045, 10156, 10190, 10192, 10235, 10420, 10514, 10590, 10591, 10592, 10593, 10618, 10647, 10938, 11025.

Face value. $500 each.

Number of note. (D) 8, 64, 65, 89, 136, 146, 159, 226, 242, 302, 346, 349, 382, 450, 467, 479, 517, 533, 554, 555, 588, 673, 680, 703, 746, 750, 786, 847, 852, 878, 911, 917, 918, 920, 921, 922, 923, 924, 934, 1002, 1003, 1022, 1025, 1028, 1038, 1044.

[F. R. Doc. 51-8899; Filed, Aug. 1, 1951; 8:54 a. m.]

[Vesting Order 18249]

H. STURZENEGGER & CIE AND/OR I. G. FARBENINDUSTRIE

In re: Securities and cash owned by H. Sturzenegger & Cie., and/or I. G. Farbenindustrie. F-28-2876.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That I. G. Farbenindustrie A. G., the last known address of which is Frankfurt, Germany, is a corporation organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That H. Sturzenegger & Cie. is a limited partnership organized under the laws of Switzerland, whose principal place of business is located at Basle, Switzerland, and is or, since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit or on behalf of the aforesaid I. G. Farbenindustrie A. G., and is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. All blocked securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) presently held in custody in accounts in the name of H. Sturzenegger & Cie. by the banks and other financial institutions whose names and addresses are set forth in Exhibit A, set forth below and by reference made a part hereof, together with any and all rights thereunder and thereto and any and all declared and unpaid dividends on shares of stock, and

b. All those certain debts or other obligations of the banks and other financial institutions whose names and addresses are set forth in Exhibit A, referred to in subparagraph 3-a hereof, arising out of blocked balances in deposit or custody cash accounts maintained with said banks and financial institutions in the name of H. Sturzenegger & Cie., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by H. Sturzenegger & Cie. and/or I. G. Farbenindustrie A. G., the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That H. Sturzenegger & Cie. is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of Bank or Other Financial Institution and Address

Brown Bros. Harriman & Co., New York, N. Y.
The Chase National Bank of the City of New York, New York, N. Y.
Bank of the Manhattan Co., New York, N. Y.
The National City Bank of New York, New York, N. Y.
Swiss Bank Corp., New York Agency, New York, N. Y.
Fahnestock & Co., New York, N. Y.
Bankers Trust Co., New York, N. Y.
Credit Suisse, New York Agency, New York, N. Y.
Irving Trust Co., New York, N. Y.
Dominick & Dominick, New York, N. Y.
Central Hanover Bank & Trust Co., New York, N. Y.

[F. R. Doc. 51-8900; Filed, Aug. 1, 1951; 8:54 a. m.]

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TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 958—IRISH POTATOES GROWN IN COLORADO

APPROVAL OF BUDGET OF EXPENSES AND FIXING RATE OF ASSESSMENT

Notice of proposed rule making regarding rules and regulations relative to a proposed budget and rate of assessment, to be made effective under Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958) regulating the handling of Irish potatoes grown in the State of Colorado, was published in the FEDERAL REGISTER (16 F. R. 6637). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the administrative committee for Area No. 3 (established pursuant to said marketing agreement and order), the following rules and regulations are hereby approved.

§ 958.207 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the administrative committee for Area No. 3, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to perform its functions pursuant to the provisions of the aforesaid marketing agreement and order, during the fiscal year ending May 31, 1952, will amount to $5,250.00.

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be three-eighths of one cent ($0.00375) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal year.

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 31st day of July 1951, to become effective 30 days after publication hereof in the FEDERAL REGISTER.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-8953; Filed, Aug. 2, 1951; 8:52 a. m.]

PART 973—MILK IN THE MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

ORDER TERMINATING CERTAIN PROVISIONS OF THE ORDER, AS AMENDED, REGULATING HANDLING OF MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and of the order, as amended (7 CFR Part 973), regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

(a) The provisions of the order which classify as Class I milk "aerated cream, ready whipped cream and mixes for topping and uses similar to those of whipped cream," no longer tend to effectuate the declared policy of the act.

(b) Notice of proposed rule making, public procedure thereon, and 30 days prior notice of the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that (1) this termination order relieves handlers from certain restrictions with respect to the handling of "aerated cream, ready whipped cream, and mixes for toppings and uses similar to those of whipped cream"; (2) it is necessary to issue immediately and make effective not later than August 1, 1951, the termination order to reflect current marketing conditions and to facilitate, promote and maintain the orderly marketing of milk produced for the Minneapolis-St. Paul, Minnesota, marketing area; (3) aerated cream, ready whipped cream and mixes for toppings and uses similar to those of whipped cream are not required to be made from producer milk or from milk meeting the health requirements of milk to be disposed of as

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FEDERAL REGISTER

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fluid milk within the marketing area; (4) this termination order does not require of persons affected substantial or extensive preparation prior to the effective date; and (5) the time intervening between the date of this termination order and its effective date affords persons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the provisions of § 973.41 (a) of the order, as amended (7 CFR Part 973), regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area, only insofar as they classify as Class I milk, "aerated cream, ready whipped cream, and mixes for toppings and uses similar to whipped cream," be and hereby are terminated effective at 12:01 a. m., c. s. t., August 1, 1951.

Done at Washington, D. C., this 31st day of July 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-8952; Filed, Aug. 2, 1951; 8:51 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 164—PERMIT TO REENTER THE UNITED STATES

EXECUTION OF APPLICATION IN SINGLE COPY

JULY 23, 1951.

The first sentence of § 164.2, *Application; form; fee*, of Chapter I, Title 8 of the Code of Federal Regulations, is amended by deleting the words "in duplicate" and the commas which immediately precede and follow those words.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

BENJAMIN G. HABBERTON,
Acting Commissioner, Immigration and Naturalization.

Approved: July 29, 1951.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 51-8917; Filed, Aug. 2, 1951; 8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter IV—Federal National Mortgage Association

PART 400—MORTGAGE PURCHASES, SERVICING AND SALES

DEFENSE AND HOUSING; PERIOD OF ELIGIBILITY

Part 400 is amended by adding a new § 400.151 to read as follows:

§ 400.151 *Defense area housing.* Any mortgage that has been insured pursuant to section 207 or any "Individual Mortgage" that has been insured pursuant to section 611 of the NH Act is also eligible for purchase by FNMA if such mortgage relates to housing programmed by the Housing and Home Finance Agency in a critical defense housing area prior to September 1, 1951, and if it otherwise meets the requirements contained in this part.

Section 400.173 is amended by establishing new eligibility dates to read as follows:

§ 400.173 *Period of eligibility.* Any mortgage purchased by FNMA pursuant to a purchase contract must have been initially guaranteed or insured subsequent to February 28, 1951, and such guaranty or insurance must have become fully effective not less than two (2) months nor more than twelve (12) months prior to the date of delivery of the mortgage to FNMA for purchase, except that (a) a VA-guaranteed section 505 (a) mortgage is not subject to the two months' waiting period or the cut-off date of February 28, 1951, and (b) an FHA-insured section 803 mortgage is not eligible for purchase where the construction or erection of the improvements on the site covered by the mortgage commenced prior to March 21, 1950.

(Sec. 301, 62 Stat. 1252, as amended: 12 U. S. C. 1716)

J. S. BAUGHMAN,
President, Federal National Mortgage Association

[F. R. Doc. 51-8909; Filed, Aug. 2, 1951; 8:46 a. m.]

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Housing Rent Reg., Amdt. 391]

[Controlled Housing Rent Reg. for Atlantic County Defense-Rental Area, Amdt. 35]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 385]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MISCELLANEOUS AMENDMENTS

Amendment 391 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12), Amendment 35 to the Controlled Housing Rent Regulation for the Atlantic County Defense-Rental Area (§§ 825.61 to 825.72) and Amendment 385 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other

Establishments (§§ 825.81 to 825.92). Said rent regulations are hereby amended in the following respects:

1. In §§ 825.1, 825.61 and 825.81 the definition of the word "Expediter" is deleted and a definition of the word "Director" is substituted to read as follows:

"Director" means Director of Rent Stabilization, or the Rent Director or such other person or persons as the Director of Rent Stabilization may appoint or designate to carry out any of the duties delegated to him pursuant to the act.

2. Wherever the word "Expediter" or words "Housing Expediter" appear in any of said rent regulations the word "Director" shall be substituted and wherever the words "Office of the Housing Expediter" appear, the words "Office of Rent Stabilization" shall be substituted.

3. In §§ 825.1 and 825.81 the definition of "maximum rent date" is amended to read as follows:

"Maximum rent date" means the maximum rent date applicable in any particular defense-rental area as established under the authority of the Emergency Price Control Act of 1942, as amended, as set forth in Schedule A.

4. Sections 825.1 (b) (2) (i) and 825.61 (b) (2) (i) are amended to read as follows:

(i) *Accommodations in hotels.* Those housing accommodations in any hotel which on June 30, 1947, were occupied by persons to whom were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy services (not necessarily all the types of services named need be provided in all cases, as long as enough are provided to constitute customary hotel services usually supplied in establishments commonly known as hotels in the community where they are located). For purposes of this subdivision, the term "hotel" means any establishment which is commonly known as a hotel in the community in which it is located and which provides customary hotel services.

5. Section 825.81 (b) (2) (i) is amended to read as follows:

(i) *Rooms in hotels.* Those rooms in any hotel which on June 30, 1947, were occupied by persons to whom were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy services (not necessarily all the types of services named need be provided in all cases as long as enough are provided to constitute customary hotel services usually supplied in establishments commonly known as hotels in the community where they are located). For purposes of this paragraph (b) (2) (i), the term "hotel" means any establishment which is commonly known as a hotel in the community in which it is located and which provides customary hotel services.

6. Section 825.82 (b) is amended by deleting therefrom the unnumbered paragraph thereof which reads as follows: "The provisions of this paragraph (b) shall not apply to rooms in hotels in cities of 2,500,000 population or more according to the 1940 decennial census."

7. The first paragraph of § 825.4 (c) is amended by deleting therefrom the following words which are in parentheses in said paragraph "(other than accommodations in hotels to which paragraph (f) of this section applies)."

8. The first paragraph of § 825.84 (c) is amended by deleting therefrom the following words which are in parenthesis in said paragraph "(other than rooms in hotels to which paragraph (h) of this section applies)."

9. Sections 825.4 (f), 825.64 (f) and 825.84 (h) are revoked.

10. The first unnumbered paragraph of §§ 825.5 (a), 825.65 (a) and 825.85 (a) are amended to read as follows:

(a) *Grounds for increase of maximum rent.* Any landlord of housing accommodations registered in accordance with the requirements of this regulation may file a petition or application for adjustment to increase the maximum rent otherwise allowable only on the grounds that:

11. Sections 825.5 (a) and 825.65 (a) are amended by adding at the end thereof the following:

(20) *Adjustment for increases in costs and prices.* (i) The housing accommodations had a maximum rent in effect on July 31, 1951 and June 30, 1947 and the present maximum rent does not equal 120 percent of the following: (*a*) The maximum rent in effect on June 30, 1947; (*b*) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (c) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living space, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(ii) The housing accommodations had a maximum rent in effect on July 31, 1951 but none on June 30, 1947 and the present maximum rent does not equal 120 percent of the following: (*a*) The maximum rent for comparable housing accommodations on June 30, 1947; (*b*) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (c) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living space, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(iii) *Amount of adjustment.* The adjustment under this paragraph (a) (20) shall be in an amount sufficient to cause the maximum rent to equal 120 percent of the amount specified in subdivision (i) or (ii) of this subparagraph whichever is applicable: *Provided, however,* That the Director shall give appropriate consideration to orders issued under paragraph (c) (1) or (c) (6) of this section decreasing maximum rents which were in effect on June 30, 1947: *And provided further,* That no adjustment under this paragraph (a) (20) shall be effected unless the application filed by the landlord for the adjustment is sworn to.

(iv) Where an adjustment under this paragraph (a) (20) is based on a maximum rent in effect on June 30, 1947 and on increases or decreases, if any, in the maximum rent actually allowed under this regulation, such adjustment shall be effective automatically upon the filing of the sworn application. In all other cases under this paragraph (a) (20), such adjustment shall not be effective until an order is entered by the Director.

12. Section 825.85 (a) is amended by adding at the end thereof the following:

(14) *Adjustment for increases in costs and prices.* (i) The room had a maximum rent in effect on July 31, 1951 and June 30, 1947 and the present maximum rent does not equal 120 percent of the following: (*a*) The maximum rent in effect on June 30, 1947; (*b*) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (c) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living spaces, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(ii) The room had a maximum rent in effect on July 31, 1951, but none on June 30, 1947, and the present maximum rent does not equal 120 percent of the following: (*a*) The maximum rent for comparable rooms on June 30, 1947; (*b*) plus any increases in the maximum rent allowed or allowable under this regulation for major capital improvements or for increases in living space, services, furniture, furnishings, or equipment; and (c) minus any decreases in the maximum rent which are or may be required under this regulation because of decreases in living space, services, furniture, furnishings, or equipment or because of substantial deterioration or failure to perform ordinary repair, replacement or maintenance.

(iii) *Amount of adjustment.* The adjustment under this paragraph (a) (14) shall be in an amount sufficient to cause the maximum rent to equal 120 percent of the amount specified in subdivision (i) or (ii) of this subparagraph whichever is applicable: *Provided, however,* That the Director shall give appropriate consideration to orders issued under paragraph (c) (1) or (c) (4) of this section decreasing maximum rents which were in effect on June 30, 1947: *And provided further,* That no adjustment under this paragraph (a) (14) shall be effected unless the application filed by the landlord for the adjustment is sworn to.

(iv) Where an adjustment under this paragraph (a) (14) is based on a maximum rent in effect on June 30, 1947, and on increases or decreases, if any, in the maximum rent actually allowed under this regulation, such adjustment shall be effective automatically upon the filing of the sworn application. In all other cases under this paragraph (a) (14), such adjustment shall not be effective until an order is entered by the Director.

13. Sections 825.5 (h), 825.65 (h) and 825.85 (f) are revoked.

14. Section 825.87 (b) is amended by deleting therefrom the last unnumbered paragraph thereof which reads as follows: "The provisions of this paragraph (b) shall not apply to rooms in hotels in cities of 2,500,000 population or more according to the 1940 decennial census."

15. Sections 825.6 and 825.66 are amended to read as follows:

Removal of tenant—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired, or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary hereto, unless the housing accommodations are registered as required by this regulation and except on one or more of the grounds specified in this paragraph (a) or unless a certificate has been issued as provided in paragraph (b) of this section.

(1) *Violating substantial obligation of tenancy.* The tenant is violating a substantial obligation of his tenancy, other than an obligation to pay rent or an obligation to surrender possession of the housing accommodations, and has continued or failed to cure such violation after a written notice by the landlord that the violation cease.

(2) *Nuisance or illegal or immoral use.* Under the local law, the tenant (i) is committing or permitting a nuisance in the housing accommodations and such nuisance continues after written notice to the tenant that the same shall cease or (ii) is using or permitting a use of such housing accommodations for an immoral or illegal purpose.

(3) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement.

(4) *Accommodations entirely sublet.* The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination are occupants of the housing accommodations are subtenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodations is used by the tenant as his dwelling.

(5) *Landlord is a state or political subdivision thereof.* The housing accommodations have been acquired by a state or political subdivision thereof and such state or political subdivision seeks to recover possession for the immediate purpose of making a public improvement.

(b) *Eviction certificate; evictions not inconsistent with regulation.* No tenant shall be removed or evicted on grounds other than those stated in paragraph (a) of this section or other than for nonpayment of rent unless on petition of the landlord the Director certifies that an eviction of the character proposed is not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. Where the housing accommodations are registered as required by this regulation, the Director shall so certify for the following purposes:

(1) *Occupancy by landlord or by landlord's parent or child.* Where the landlord seeks in good faith to recover immediate possession of housing accommodations for personal use and occupancy as a dwelling or for the use and occupancy as a dwelling for the landlord's parent or child: *Provided,* That the petition states the facts or reasons moving the landlord to seek possession for such use or occupancy: *And provided, however,* That:

(i) Where the landlord acquired his rights in the housing accommodations on or after April 1, 1949, or on or after the effective date of control under this regulation, whichever date is later, and at the time the petition is filed the landlord has title or an enforceable right to purchase and the right of immediate possession to the housing accommodations, a certificate for the purpose stated in the above paragraph (b) (1) shall be issued for the eviction of a person who was a tenant of the housing accommodations at the time such landlord acquired his rights therein, only where the Director finds that the payment, or payments, of principal made by such landlord aggregate ten percent or more of the purchase price of the housing accommodations. Any payment of principal made from funds borrowed for the purpose of making such payments shall be excluded in determining whether ten percent of the purchase price has been paid. Where property other than the housing accommodations which are the subject of the purchase is mortgaged or pledged to the seller to secure any unpaid balance of the purchase price, the payment required shall be deemed satisfied if the value of such security, plus any payment of principal made from funds not borrowed for the purpose of making such principal payments, equal ten percent or more of the purchase price. Payment, or payments, of principal may be made conditionally or in escrow to the end that they shall be returned to the landlord-purchaser in the event the Director denies a petition for a certificate: *And provided further, however,* That the principal payment requirement of this paragraph shall not apply where the landlord is a veteran of World War II, who obtained a loan for use in purchasing such housing accommodations which was granted in whole or in part by the Administrator of Veterans' Affairs;

(ii) Where the housing accommodations are located in a structure or premises which contain more than four housing accommodations and the housing accommodations or premises are owned by two or more persons not constituting a cooperative corporation or association (husband and wife or parent and child as owners being considered one owner for this purpose) no certificate shall be issued under this paragraph (b) (1) for occupancy of more than one housing accommodation, and then only if none of co-owners are already in occupancy of any housing accomodation in such structure or premises;

(iii) In the case of housing accommodations in a structure or premises owned by a cooperative corporation or association, no certificate shall be issued, for eviction of a person who was a tenant of the housing accommodations at the time of purchase, to a purchaser of stock or other evidence of interest in the cooperative, who is entitled by reason of such ownership of stock or other interest to possession of such housing accommodations by virtue of a proprietary lease, or otherwise, unless such cooperative corporation or association was organized prior to August 1, 1951, or prior to the effective date of this regulation, where the effective date of this regulation is later than August 1, 1951, and unless the stock or other evidence of interests in the cooperative has been purchased by persons who are tenants in occupancy of at least 65 percent of the housing accommodations in the structure or premises and are entitled to proprietary leases of housing accommodations in the structure or premises.

For the purposes of paragraph (b) (1) of this section, the word "parent" includes a father and father-in-law, mother and mother-in-law; and the word "child" includes a son and son-in-law, daughter and daughter-in-law, stepchild and adopted child.

(2) *Alterations or remodeling.* Where a landlord seeks in good faith to recover possession for the immediate purpose of substantially altering or remodeling the housing accommodations and such alterations or remodeling (i) is for the purpose of creating additional housing accommodations of the type recognized as self-contained family dwelling units in the neighborhood in which they are located or (ii) is to substantially improve such accommodations for continued use as housing accommodations or is reasonably necessary to protect and conserve the housing accommodations: *Provided,* That the landlord has obtained

such approval for the proposed alterations or remodeling as may be required by Federal, State, and local law: *And provided further,* That such alterations or remodeling cannot practicably be done with the tenant in occupancy.

(3) *Withdrawal from rental market.* Where the landlord establishes that he seeks in good faith to recover possession of the housing accommodations for the immediate purpose of permanently withdrawing them from both the housing and non-housing rental markets without any intent to sell the housing accommodations.

(4) *Landlord is tax-exempt organization.* Where the landlord establishes that it is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, and that it seeks in good faith to recover possession of the housing accommodations for the immediate and personal use and occupancy as housing accommodations by members of its staff.

(5) *Eviction not inconsistent with act or regulation.* Where the Director in any case finds and certifies that a removal or eviction of the character proposed is not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof.

(c) *Eviction certificates; waiting period; valid use of certificate.* Certificates issued under paragraph (b) of this section, at the expiration of three months from the date of the filing of the petition, shall authorize an action to be brought for removal or eviction of the tenant instituted in accordance with requirements of local law: *Provided, however,* That:

(1) In cases under paragraph (b) (3) of this section the waiting period shall be six months;

(2) In any case where the Director finds that by reason of exceptional circumstances extreme hardship would result he may waive all or part of the waiting period;

(3) No provision of this section shall be construed to prohibit a landlord who has obtained a certificate under paragraph (b) of this section from serving, prior to the expiration of the waiting period specified in said certificate, such notice or notices as may be required by the local law, provided that such notice or notices do not demand surrender of possession until after expiration of said waiting period;

(4) In the event that the landlord's intention or circumstances so change that the premises, possession of which is sought, will not be used for the purpose specified in the certificate, the certificate shall not be effective to authorize eviction or removal of the tenant through court action or otherwise.

(d) *Notice required.* (1) No tenant shall be removed or evicted from housing accommodations by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in paragraph (a) of this section, including an action based upon non-payment of rent, unless and until the landlord shall have given written notice to the Area Rent Office and to the tenant as provided in this paragraph (d) (1).

Every such notice to a tenant to vacate or surrender possession of housing accommodations shall state that the housing accommodations are registered as required by this regulation, and shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the basis relied upon for removal or eviction of a tenant is non-payment of rent the notice shall also include a statement of the maximum rent, the amount of the rent due and the rental period or periods for which such rent is due. A written copy of every notice required by this paragraph (d) (1) shall be filed with the Area Rent Office within 24 hours after such notice is given to the tenant.

Unless a longer period is required by the local law, every such notice shall give to the tenant a period not less than the following periods prior to the date specified therein for the surrender of possession and to the commencement of any action for removal or eviction: In cases arising under paragraph (a) (1) or (a) (2) of this section, a period not less than 10 days; under paragraph (a) (3) of this section, a period not less than one month; under paragraph (a) (4) or (a) (5) of this section, a period not less than 2 months; and in cases where the basis relied upon in such notice for removal or eviction is non-payment of rent, a period not less than three days.

If judgment for possession is sought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to in this section shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

(2) At the time of commencing any action to remove or evict a tenant, on any ground permitted in paragraph (a) of this section, including an action based upon non-payment of rent, the landlord shall give written notice thereof to the Area Rent Office, stating the title of the case, the number of the case where that is possible, the name and address of the tenant, and the ground or basis relied upon under this section on which removal or eviction is sought.

(e) *Exceptions.* The provisions of this section do not apply to:

(1) *Subtenants.* A subtenant or other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Public housing.* Notwithstanding any other provisions of this section the United States or any State or local public agency may maintain an action or proceeding to recover possession of any housing accommodations operated by it where such action or proceeding is authorized by the statute or regulation under which such accommodations are administered.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective August 1, 1951.

Issued this 1st day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-8993; Filed, Aug. 1, 1951; 12:12 p. m.]

[Controlled Housing Rent Reg., Amdt. 392]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 386]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MISCELLANEOUS AMENDMENTS

Amendment 392 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 386 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Paragraph 4 (b) of Item 76 of Schedule B of the Controlled Housing Rent Regulation is amended to read as follows:

(b) All maximum rents established hereunder shall be subject to adjustment in accordance with the applicable provisions of § 825.5, including § 825.5 (a) (20), except wherever the date June 30, 1947 appears in said § 825.5 (a) (20), the date April 30, 1947 shall be substituted.

2. Paragraph 4 (b) of Item 76 of Schedule B of the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments is amended to read as follows:

(b) All maximum rents established hereunder shall be subject to adjustment in accordance with the applicable provisions of § 825.85, including § 825.85 (a) (14), except that wherever the date June 30, 1947 appears in said § 825.5 (a) (14), the date April 30, 1947 shall be substituted.

3. Item 80 of Schedule B of the Controlled Housing Rent Regulation and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments is amended as follows:

At the end of subparagraph (a) of said Item 80, the period is deleted and the following is added: "; (iv) in §§ 825.5 (a) (20) and 825.85 (a) (14), wherever the date June 30, 1947 appears, the date April 30, 1947 shall be substituted."

4. Item 81 of Schedule B of the Controlled Housing Rent Regulation and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments is amended as follows:

At the end of subparagraph (a) in said Item 81 the period is deleted and the

following is added: "; (iv) in §§ 825.5 (a) (20) and 825.85 (a) (14), wherever the date June 30, 1947 appears the date May 31, 1947 shall be substituted."

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall be effective August 1, 1951.

Issued this 1st day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-8996; Filed, Aug. 2, 1951; 12:02 p. m.]

[Rent Procedural Reg. 2]

PART 840—PROCEDURE

MISCELLANEOUS AMENDMENTS

Amendment 7 to the Rent Procedural Regulation 2. Rent Procedural Regulation 2 (§§ 840.101 to 840.153) is hereby amended in the following respects:

1. The first paragraph is amended to read as follows:

Pursuant to the authority of the Housing and Rent Act of 1947, as amended (Public Laws 129, 422 and 464, 80th Congress; Public Laws 31, 574 and 880, 81st Congress and Public Laws, 8, 69 and 96, 82d Congress) in order to provide for orderly procedures the following rules are prescribed for adjustments, administrative review and interpretations under the maximum rent regulations:

2. Wherever the word "Expediter" or words "Housing Expediter" appear in Rent Procedural Regulation 2 the words "Director of Rent Stabilization" shall be substituted and wherever the words "Office of the Housing Expediter" appear, the words "Office of Rent Stabilization" shall be substituted.

(3) Section 840.145 is amended by adding a new paragraph (l) reading as follows:

(l) "Petition" when referring to a landlord's request for an adjustment of maximum rent shall include applications as well as petitions.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective August 1, 1951.

Issued this 1st day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-8991; Filed, Aug. 1, 1951; 12:11 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter B—Executive Orders, Proclamations, and Public Land Orders Applicable to the Navy

PART 702—TABULATION OF EXECUTIVE ORDERS, PROCLAMATIONS, AND PUBLIC LAND ORDERS APPLICABLE TO THE NAVY

ESTABLISHMENT OF NAVY HOSPITAL AREA, COCO SOLO, CANAL ZONE

CROSS REFERENCE: For addition to the tabulation in § 702.4, *see* Canal Zone Order 23, Title 35, Chapter I, appendix, *infra*.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 6, Amendment 10]

CPR 6—FATS AND OILS

EXPORTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738) this Amendment 10 to Ceiling Price Regulation 6 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment has two purposes. First, as a matter of clarification, it provides that for those "fats and oils" and "fats and oils products in the finished form" to which CPR 6 applies, ceiling prices for export sales are covered by Ceiling Price Regulation 61, issued July 30, 1951. Second, it provides that control over export sales of tallows and greases will no longer be covered by section 14 of CPR 6, but will be covered by CPR 61.

Specific ceiling prices, applicable to export sales, were put into effect on tallows and greases by Amendment 2 to CPR 6, because it became apparent that export sales of these products were inadequately controlled under the General Ceiling Price Regulation. Accordingly, section 14 was included in CPR 6 to provide that ceiling prices for export sales of tallows and greases must be determined by adding to the domestic ceiling prices those costs associated with export transactions not to exceed ¼¢ per pound.

Since then, there has been issued CPR 61, which provides ceiling prices for export sales in general, subject to certain exceptions. CPR 61 by its very terms is applicable to the commodities controlled by this Regulation and renders Section 14 of CPR 6 superfluous. This amendment, therefore, brings export sales of tallows and greases in line with the other commodities covered by CPR 61, and makes it clear that export sales of the commodities other than tallows and greases, defined by CPR 6, are covered by CPR 61. At the same time, this amendment defines, for all purposes, the meaning of the term "fats and oils products in finished form" which had not been defined or explained heretofore.

AMENDATORY PROVISIONS

Ceiling Price Regulation 6 is amended in the following respects:

1. A new paragraph (d) is added to section 10, to read as follows:

(d) The term "fats and oils products in the finished form" as used in this regulation means those products the whole or a substantial part of which are manufactures from fats or oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, deodorizing, splitting, or dividing into component parts. Examples of such fats and oils products in the finished form are: shortening, margarine, salad dressing, and mayonnaise.

2. Section 14 is amended by deleting the present section 14 and substituting therefor a new section 14 to read as follows:

SEC. 14. *Ceiling prices for exports of fats and oils and fats and oils products in the finished form.* Ceiling Price Regulation 6 applies to sales for export of the "fats and oils" and "fats and oils products in the finished form" which are covered by this regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective on August 6, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8947; Filed, July 31, 1951; 4:22 p. m.]

[Ceiling Price Regulation 18, Revision 1, Supplementary Regulation 1, Amendment 1]

CPR 18 REV. 1—MANUFACTURERS' PRICES FOR WOOL YARNS AND FABRICS

SR 1—PRODUCT LINE METHOD OF COMPUTING CEILING PRICES FOR MANUFACTURERS OF WOVEN WOOLEN INDUSTRIAL FELTS

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 1 to Supplementary Regulation 1, Ceiling Price Regulation 18, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13, as amended, lifted the partial suspension of Ceiling Price Regulation 18, Revision 1. To allow additional time, and to conform this supplementary regulation to Ceiling Price Regulation 18, Revision 1, as amended by Amendments 1 and 2, the date upon which manufacturers of woven woolen industrial felts, who elect to use the product line method of computation, must use this supplementary regulation, is amended to August 13, 1951.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceiling Price Regulation 18, Revision 1, as amended, is hereby amended in the following respects:

Wherever the date "July 16, 1951" appears in section 1, that date is changed so as to read "August 13, 1951."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date: This amendment is effective on July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8945; Filed, July 31, 1951; 4:20 p. m.]

[Ceiling Price Regulation 22, Amendment 20]

CPR 22—Manufacturers' General Ceiling Price Regulation

EXTENSION OF EFFECTIVE DATE AND RELATED CHANGES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 20 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13, as amended, makes necessary the issuance of this amendment clarifying the status of Ceiling Price Regulation 22. General Overriding Regulation 13 was issued to carry out the anti-rollback provisions, contained in the extension of the Defense Production Act until July 31, 1951, and the legislative intent which indicated that the status quo should be preserved pending further Congressional consideration.

The effect of General Overriding Regulation 13 was to suspend the provisions of Ceiling Price Regulation 22 except as to those who had complied with the requirements of the regulation and actually put it into effect on or before June 30, 1951. The revocation of General Overriding Regulation 13 lifts this suspension and Ceiling Price Regulation 22 therefore becomes applicable to all manufacturers who are subject to its provisions.

Prior to the issuance of General Overriding Regulation 13, the mandatory effective date of Ceiling Price Regulation 22 was July 2, 1951, although a manufacturer had the option of selecting any earlier date between May 28 and July 2, 1951, for making the regulation effective as to him. This amendment continues the optional feature but extends the mandatory effective date to August 13, 1951. Even though the effective date of General Overriding Regulation 13 was July 1, 1951, so that in fact all Forms 8 under Ceiling Price Regulation 22 would otherwise have been due on the following day, nonetheless the Director of Price Stabilization has determined that in view of the uncertainty which may have resulted in the interim period it is reasonable to allow manufacturers who have not already complied with the filing requirements this additional time for completing and filing their Forms 8. It should be emphasized, however, that no further extension is contemplated and that none would have been granted had General Overriding Regulation 13 not been issued.

Under General Overriding Regulation 13, generally speaking, if the required Public Form No. 8 had not been received by OPS on or before June 14, 1951, a seller could not have put any increased prices into effect, since the 15-day waiting period provided by Ceiling Price Regulation 22 had not run by June 30, 1951. This amendment provides expressly that after a Public Form No. 8 was filed the 15-day waiting period shall be considered to have been running regardless of the date on which the form was filed. Thus, if Forms 8 had been received by OPS between June 15 and July 15, inclusive, the increased ceiling prices under CPR 22 may be put into effect on or after July 31, providing no order had been issued directing the seller to continue using GCPR ceiling prices.

Similar changes are made with respect to the running of waiting periods prescribed in sections 21, 32, 33, 43, 44 and 45.

A change reflecting the extension of the mandatory effective date to August 13, 1951, has also been made in the instructions for completing OPS Public Form No. 8 contained in Appendix D.

In addition, section 45 (c) of Ceiling Price Regulation 22 is amended to permit applications for temporary adjustments to carry out existing contracts to be filed on or before September 4, 1951. Previously the date was August 1, 1951.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22, as amended, is further amended in the following respects:

1. The last paragraph of the regulation is amended to read as follows:

Effective date. The effective date of this regulation is August 13, 1951, or such earlier date between May 28, 1951, and August 13, 1951, as you may select. Any such earlier effective date selected on or after July 31, 1951, may not, however, be a date earlier than July 31, 1951. If you select an effective date earlier than August 13, 1951, the regulation becomes effective as to you upon that date for all of your commodities covered by the regulation.

2. Section 37 is amended by adding the following new paragraph designated (g):

(g) Extension of the effective date of this regulation pursuant to Amendment 20 of this regulation. In case of such a redetermination you must file an amended Public Form No. 8 by August 13, 1951.

3. Section 43 (d) is amended by adding the following sentence: "The 30-day waiting period shall include each day subsequent to the date of receipt of the application by the Director of Price Stabilization regardless of the date on which the application was received by him."

4. Section 44 (c) is amended by adding the following sentence: "The 30-day waiting period shall include each day subsequent to the date of receipt of the application by the Director of Price Stabilization regardless of the date on which the application was received by him."

5. The first sentence of section 45 (c) is amended by substituting "September 4, 1951" for "August 1, 1951" so as to read as follows: "Applications for adjustment under this section must be filed on or before September 4, 1951, with the Director of Price Stabilization, Washington 25, D. C."

6. Section 45 (d) is amended by adding the following sentence: "The 30-day waiting period shall include each day subsequent to the date of receipt of the application by the Director of Price Stabilization regardless of the date on which the application was received by him."

7. Section 48 (b) is amended by adding the following sentence: "The waiting periods prescribed in sections 21, 32, and 33 shall include each day subsequent to the date of mailing of the application to the Director of Price Stabilization, regardless of the date on which the application was mailed."

8. Section 48 (c) (2) is amended by adding the following sentence: "The 15-day waiting period shall include each day subsequent to the date of receipt of the report by the Director of Price Stabilization regardless of the date on which the report was received by him."

9. The subparagraph following the words "Who Must File" in Appendix D is amended by substituting "August 13, 1951" for "July 2, 1951" so as to read as follows: "Every manufacturer subject to CPR 22 must file this report by August 13, 1951, or such earlier effective date between May 28, 1951, and August 13, 1951, as he may select, as required by sections 46 and 48 of the regulation."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective on July 31, 1951.

Michael V. DiSalle,
Director of Price Stabilization.

July 30, 1951.

[F. R. Doc. 51-8955; Filed, July 31, 1951; 5:02 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 9, Amendment 1]

CPR 22—Manufacturers' General Ceiling Price Regulation

SR 9—Returnable Container Cost Adjustments

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 9 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13 as amended lifted the partial suspension of Ceiling Price Regulation 22 and its supplementary regulations. To allow additional time for the calculation of returnable container cost adjustments, the limitation of August 1, 1951, now in this supplementary regulation is extended to September 4, 1951.

AMENDATORY PROVISIONS

The date August 1, 1951 in the last sentence of section 2 (d) of Supplementary Regulation 9 to CPR 22 is changed to September 4, 1951, so that the sentence now reads: "You may not, however, use this section to add a returnable container cost adjustment to your ceiling prices after September 4, 1951."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This Amendment 1 to Supplementary Regulation 9 to CPR 22 is effective July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 31, 1951.

[F. R. Doc. 51-8944; Filed, July 31, 1951; 4:20 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 11, Amendment 1]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 11—ALTERNATIVE PRICING METHODS FOR COATED FABRICS

EXTENSION OF FILING DATE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 11 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The revocation of General Overriding Regulation 13 as amended lifted the partial suspension of Ceiling Price Regulation 22 and its supplementary regulations. This amendment to Supplementary Regulation 11 is being issued to allow manufacturers of coated fabrics who have already filed a Form 8 to resubmit a Form 8 pursuant to this supplementary regulation on or before September 4, 1951.

AMENDATORY PROVISIONS

The date July 31, 1951 in the second sentence of section 1 (a) is changed to September 4, 1951, so that the sentence now reads as follows: "Manufacturers subject to this Supplementary Regulation who have filed a Form 8 on a subject commodity may, nevertheless, resubmit another Form 8 computed pursuant to this Supplementary Regulation, provided such refiling is made on or before September 4, 1951."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This Amendment 1 to Supplementary Regulation 11 to CPR 22 is effective July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 31, 1951.

[F. R. Doc. 51-8943; Filed, July 31, 1951; 4:20 p. m.]

[Ceiling Price Regulation 31, Amendment 6]

CPR 31—IMPORTS

EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 5 extended the compulsory effective date of CPR 31 indefinitely because of the provisions of Public Law 69, 82d Cong., extending the Defense Production Act for the month of July. In view of the Defense Production Act Amendments of 1951, approved by both Houses of Congress, the effective date of September 1, 1951, is provided for CPR 31 with the option that a seller may make the regulation effective on such earlier date as he files the list required by sections 5 or 6 of the regulation.

In order to clarify the intention of section 7 (c), it is also specifically stated that ceiling prices for sales not covered by any previous provisions of the regulation shall be ceiling prices approved by OPS which are in line with ceiling prices otherwise set by the regulation.

AMENDATORY PROVISIONS

Ceiling Price Regulation 31 is amended as follows:

1. The following is substituted for the first sentence in section 7 (c): "The ceiling price for sales of an import commodity for which you are unable to compute a ceiling price under the provisions of paragraphs (a) or (b) of this section or under any other provisions of this regulation shall be a price authorized by the Office of Price Stabilization which is in line with the ceiling prices otherwise set by this regulation. You may apply in writing, in duplicate, to the Office of Price Stabilization, Exports-Imports Branch, Washington 25, D. C. for establishment of a ceiling price for such imported commodity. * * *"

2. The effective date clause is amended to read as follows: "The effective date of this regulation shall be September 1, 1951 or such earlier date on which you file the list required by sections 5 or 6 of the this regulation."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. The effective date of this Amendment 6 to CPR 31 is July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 31, 1951.

[F. R. Doc. 51-8942; Filed, July 31, 1951; 4:19 p. m.]

[Ceiling Price Regulation 46, Amdt. 1]

CPR 46—COPPER SCRAP AND COPPER ALLOY SCRAP

REDUCTIONS IN CEILING PRICES FOR CERTAIN GRADES OF COPPER ALLOY SCRAP AND OTHER CHANGES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 46 (16 F. R. 5932) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 46 rolls back the ceiling prices established for all grades of copper alloy scrap containing tin and makes certain minor changes in the regulation.

The ceiling prices originally established by Ceiling Price Regulation 46 for the various grades of copper alloy scrap were determined on the basis of the value of their metallic content measured in terms of the prevailing prices for primary metals. In applying this principle in the computation of the ceiling prices originally established for the grades of copper alloy scrap containing tin, the value used for that metal was $1.50 per pound. The price of tin, however, has fallen substantially since these computations were made and consequently the ceiling prices for the grades of scrap in question are out of line with the level of ceiling prices applicable to other grades of scrap covered by the regulation.

The action taken in this amendment corrects this discrepancy by rolling back the ceiling prices for grades of copper alloy scrap containing tin to a level reflecting a value of $1.15 per pound for that metal. This value is slightly above the current price of tin, but under prevailing conditions the price for that metal in world markets changes almost daily and $1.15 per pound has been used in order to establish the ceiling prices for grades of copper alloy scrap at a level which it is hoped can be maintained for a reasonable length of time.

Two other changes are made in the regulation. Heretofore, section 10 (b) of the regulation provided that whether a delivery or series of deliveries of refinery brass scrap qualified for a quantity premium was to be determined on the basis of the pounds of dry copper content of the material. The attention of the Office Price Stabilization has been called to the fact that this provision departed from customary industry practice and it therefore has been amended to permit use of the actual weight of the material delivered in making the determination in question. As a result of this change, the determination of quantity premiums in connection with the sale of refinery brass scrap will be on the same basis as that applicable in the case of other grades of scrap covered by the regulation. Finally, the grade designation "Mixed brass borings" has been changed to "Mixed brass borings and solids" to correct an error made in the regulation as originally issued.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950.

In formulating this amendment, the Director consulted with representatives of the industry affected to the extent practicable under existing circumstances, and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 46 is amended in the following respects:

1. Table A, in the column headed "Grade", the grade name "Mixed brass borings" is amended to read "Mixed brass borings and solids".

2. In Table A, the following amendments are made in items appearing in the column headed "Price":

a. The price for the grade "Bellmetal" is amended to read "31.75".

b. The price for the grade "High grade bronze gears" is amended to read "26.75".

c. The statement of the price for the grade "Tinny phosphor bronze solids and borings" is amended to read as follows:

20.25 cents per pound of copper content plus 94 cents per pound of tin content.

In the case of shipments of less than 5,000 pounds a flat price of 21.25 cents per pound of scrap may be charged if the buyer determines by inspection that the material meets the specification.

d. The statement of the price for the grade "High grade low lead bronze solids and borings" is amended to read as follows:

For material with a lead content of 1 percent or less: 20.25 cents per pound of copper content. 94 cents per pound of tin content.

For material with a lead content of 1.01 percent to 2 percent: 19.75 cents per pound of copper content. 84 cents per pound of tin content.

For material with a lead content of 2.01 percent to 3 percent: 19.25 cents per pound of copper content. 76 cents per pound of tin content.

In the case of shipments of less than 5,000 pounds, a flat price of 20.25 cents per pound of scrap may be charged if the buyer determines by inspection that the material meets the specification.

e. The statement of the price for the grade "High lead bronze solids and borings" is amended to read as follows:

19.25 cents per pound of copper content plus 73 cents per pound of tin content.

In the case of shipments of less than 5,000 pounds, a flat price of 19 cents per pound of scrap may be charged if the buyer determines by inspection that material meets the specification.

f. The price for the grade "Soft red brass solids (No. 1)" is amended to read "18.50."

g. The statement of the price for the grade "Soft red brass borings (No. 1 composition borings)" is amended to read as follows:

19.25 cents per pound of copper content plus 63 cents per pound of tin content.

h. The statement of the price for the grade "Mixed brass borings and solids" is amended to read as follows:

19.25 cents per pound of copper content plus 60 cents per pound of tin content.

i. The price for the grade "Bronze paper mill wire cloth" is amended to read "20.75."

j. The price for the grade "Unlined standard red car boxes" is amended to read "18.25."

k. The price for the grade "Lined standard red car boxes" is amended to read "17.25."

l. The price for the grade "Cocks, faucets, and fittings" is amended to read "16."

m. The price for the grade "Red brass breakage (irony composition)" is amended to read "15.25."

n. The price for the grade "Automobile radiators" is amended to read "14.75."

o. The price for the grade "Heavy yellow brass solids" is amended to read "13.50."

p. The price for the grade "Yellow brass borings" is amended to read "12.50."

3. The first paragraph in section 10 (b) is amended to read as follows:

(b) *Determination of weight.* Whether a delivery or series of deliveries qualifies for a quantity premium shall be determined on the basis of the weight of the scrap determined at the buyer's receiving point and the following shall be deducted from the total weight of the material delivered:

(Sec. 704, Pub. Law 774, 81 Cong., as amended)

Effective date. This amendment shall become effective August 6, 1951. However, until August 13, 1951, any person may deliver copper alloy scrap at a price in excess of the applicable ceiling price established by this amendment in order to carry out any contract entered into before July 31, 1951, if the material so delivered was purchase at a price in excess of the ceiling price established by this amendment and if before July 13, 1951, it was received by, or was in transit to, the person making delivery.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8938; Filed, July 31, 1951; 2:47 p. m.]

[Ceiling Price Regulation 47, Amendment 1]

CPR 47—BRASS MILL SCRAP

REDUCTION IN CEILING PRICES FOR CERTAIN GRADES OF BRASS MILL SCRAP

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 47 (16 F. R. 5940) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 47 rolls back the ceiling prices established for all grades of brass mill scrap containing tin.

The ceiling prices originally established by Ceiling Price Regulation 47 for the various grades of brass mill scrap containing tin were determined on the basis of the value of their metallic content measured in terms of the prevailing prices for primary metals. In applying this principle in the computation of the ceiling prices originally established for the grades of brass mill scrap containing tin, the value used for that metal was $1.50 per pound. The price of tin, however, has fallen substantially since these computations were made and consequently the ceiling prices for the grades of scrap in question are out of line with the level of ceiling prices applicable to other grades of scrap covered by the regulation.

The action taken in this amendment corrects this discrepancy by rolling back the ceiling prices for grades of brass mill scrap containing tin to a level reflecting a value of $1.15 per pound for that metal. This value is slightly above the current price of tin, but under prevailing conditions the price for that metal in world markets changes almost daily and $1.15 per pound has been used in order to establish the ceiling prices for grades of brass mill scrap at a level which it is hoped can be maintained for a reasonable length of time.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950.

In formulating this amendment, the Director consulted with representatives of the industry affected to the extent practicable under existing circumstances, and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 47 is amended in the following respects:

1. In Table A, the following amendments are made in the prices for the grades listed below:

Kind or grade of scrap (trade or alloy name)	Clean heavy scrap	Rod and rod ends	Turnings
Naval brass	18.50	18.25	17.75
Manganese bronze	18.50	18.25	17.75
Phosphor bronze:			
5 percent	25.25	25.00	24.00
8 percent	27.25	27.00	26.00
10 percent	28.50	28.25	27.25
Under 4 percent	24.00	23.75	22.75

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective August 6, 1951. However, until August 13, 1951, any person may deliver brass mill scrap at a price in excess of the applicable ceiling price established by this amendment in order to carry out any contract entered into before July 31, 1951, if the material so delivered was purchased at a price in excess of the ceiling price established by this amendment and if before July 31, 1951, it was received by, or was in transit to, the person making delivery.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8939; Filed, July 31, 1951; 2:47 p. m.]

[Ceiling Price Regulation 60]

CPR 60—CASTINGS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., as amended), E. O. 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 60 is issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for producers of die castings, gray iron castings, high alloy steel castings, malleable iron castings, manganese steel

castings, railroad specialty castings, nonferrous castings, and carbon and low alloy steel castings.

The products covered by this regulation are used as component parts in tanks, guns, and other military equipment; in automobiles, trucks, airplanes, railroad equipment, and ships; in agricultural and industrial machinery of all sorts; in buildings, bridges, and other structures; and in many articles used by individual consumers. Castings are made from many different metals and alloys by a number of different processes; they may be relatively simple or highly intricate in design; and their weight may be measured in terms of ounces or tons. Although some large producers of automotive and railroad equipment and industrial machinery own plants in which they produce castings for their own use, there are about eight thousand firms engaged principally or solely in the business of producing castings for sale. These range in size from small organizations employing only a few persons to large companies with many millions of dollars in assets and several thousands of employees.

Because of the many different kinds of commodities in which the products covered by this regulation are used and the fact that their cost is generally an important element in the total cost of producing such commodities, their prices have a direct impact upon the cost of the defense program and seriously affect the cost of living, and it is imperative that such prices be kept from rising to unreasonable levels. It is equally important, however, that price regulation does not hinder the production of castings essential to the defense program or the civilian economy.

Before the issuance of this regulation, ceiling prices for castings were established by the General Ceiling Price Regulation and during the base period of that regulation (December 19, 1950, to January 25, 1951, inclusive) many items were being delivered at prices charged in connection with sales made as early as June 1950 and at various times during the last six months of that year. For the most part, these prices reflected little, if any, of the substantial increases in the cost of metals and labor which occurred between the outbreak of hostilities in Korea and January 26, 1951, when the GCPR was issued, and in many cases the castings involved are now being produced at a loss. A few producers have been so seriously affected by this "squeeze" that they have been able to file applications for individual adjustments under General Overriding Regulation 10 and to prove a loss position in their operations. On the other hand, regulations issued by the Office of Price Stabilization since January 25, 1951, have rolled back the ceiling prices for iron and steel scrap, nickel scrap, copper and copper alloy scrap, lead scrap and secondary lead, and aluminum scrap and secondary aluminum ingot to levels somewhat below those prevailing on that date. The various segments of the foundry industry use one or more of these materials in sizable quantities, and consequently there has been a reduction in this important cost element since the issuance of the GCPR.

As a result of these two factors, there developed a serious unbalance in the price structure of many casting producers. The prices for castings sold in mid-1950, but delivered during the GCPR base period are generally too low in relation to present costs while the ceiling prices for castings sold during that base period are in many cases too high. This situation, if allowed to continue, would have resulted in economically wasteful "pattern shifting", would have distorted the established production pattern of the industry, and would have jeopardized the output of vitally needed castings.

It is believed that this regulation will correct the price unbalance which has existed heretofore and will permit the various segments of the industry to obtain an over-all return sufficient, on the basis of present costs, to encourage the high rate of production required by our defense program. Ceiling prices are established herein on the basis of prices at which castings were sold on January 25, 1951, with appropriate adjustments to reflect changes in metals costs occurring between that date and the issuance of this regulation. As previously noted, such costs are generally lower today than they were in January although some producers of ferrous castings in the New England region now have higher costs as a result of an individual adjustment granted their principal supplier of pig iron. The new ceiling prices for castings are thus established on a uniform basis and in some measure will pass on to the consumer savings resulting from the rollbacks in ceiling prices for scrap and secondary metals previously noted.

In accordance with industry practice, two basic pricing techniques are embodied in the regulation. Since some producers ordinarily issue price lists, the regulation provides for the use of such lists in effect on January 25, 1951, as a basis for ceiling price determination. In order to minimize the administrative burden involved in special pricing, ceiling prices for castings which are merely modifications of castings included in a producer's base date price list are to be determined by adjusting the price for the unmodified casting to take account of the net increase or decrease in labor and metals costs resulting from the change in design or specifications. Most castings producers, however, ordinarily use a formula in pricing their products and they are required by the regulation to use the formula which they had in effect on January 25, 1951, as the basis for determining their ceiling prices. In the case of a casting which is the same as a casting produced during the three months' period ended July 31, 1951, production experience in that period is to be used in calculating a ceiling price. In the case of all other castings, the regulation permits the use of estimates in determining a ceiling price for the first order received after its effective date and requires a recomputation on the basis of actual production experience in filling that order. The price thus recomputed is the ceiling price for all subsequent sales of the same item.

The regulation exempts from price control producers whose total net sales of castings in 1950 did not exceed $100,000 and it provides for exemption, upon application, for any producer whose total net sales fall below that figure in any calendar year subsequent to 1950. The total output of castings of the firms thus affected is extremely small in relation to the total production of castings and the benefits derived from imposing ceiling price restrictions on their sales would be slight in relation to the administrative burden involved. Since the regulation provides that any producer so exempted will be automatically subject to the ceiling price limitations established herein if his total net sales of castings in any calendar quarter rise above $30,000, there will be some check upon the charging of exorbitant prices by such producers.

The regulation will result in changes in many of the prices which producers have been permitted to charge under the GCPR, and in some cases a large number of recalculations will have to be made. In order to avoid any hardship in this connection, it is provided that the regulation will not become effective until September 1, 1951, unless a seller elects to put it into effect at an earlier date. If any seller so elects, the regulation becomes effective as to all his deliveries of castings on and after the date selected.

In the judgment of the Director of Price Stabilization, the provisions of this ceiling price regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this regulation, the Director consulted with industry representatives, including trade association representatives, and has given full consideration to their recommendations.

The provisions of this ceiling price regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

REGULATORY PROVISIONS

Sec.

1. Sales and sellers covered by this regulation.
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12. Penalties.
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AUTHORITY: Sections 1 to 13 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Sales and sellers covered by this regulation.* (a) This regulation applies to you if you produce and sell to another person die castings, gray iron castings, high alloy steel castings, malleable iron castings, manganese steel castings, nonferrous castings, railroad specialty castings, or carbon or low alloy steel castings and if you are located in the 48 states of the United States, its Territories or Possessions, or the District of Columbia.

(b) If your net sales of castings in the calendar year 1950 exceeded $100,000 you must determine ceiling prices under the provisions of this regulation for all of your sales of castings. This regulation also establishes the ceiling prices you may charge for equipment which you furnish in connection with castings sold by you.

(c) If your net sales of castings in the calendar year 1950 did not exceed $100,000 your sales of castings are exempt from price control under the conditions and for the period specified in section 2 (a) of this regulation.

(d) If your net sales of castings in any calendar year subsequent to 1950 do not exceed $100,000, you may file a request to have your sales of castings exempted from price control in accordance with the provisions of section 2 (b) of this regulation.

(e) This regulation also applies to any person who in the regular course of trade or business buys from you castings covered by this regulation.

SEC. 2. *Exemptions* — (a) *Based on total net sales.* (1) If your total net sales of castings during the calendar year 1950 did not exceed $100,000, you need not determine ceiling prices for your sales of castings under the provisions of this or any other regulation heretofore or hereafter issued by OPS. "Total net sales" means the total amount charged by you for castings less returns and allowances. You must, however, file the following reports with the Office of Price Stabilization, Washington 25, D. C.:

(i) On or before September 1, 1951, a statement showing your total net sales of castings during the calendar year 1950;

(ii) Within 15 days after the end of each calendar quarter beginning with the third quarter of 1951, a statement showing your total net sales of castings during the quarter involved.

(2) If you do not file the reports required by subparagraph (1) of this paragraph, OPS may by letter order terminate the exemption granted therein and on and after the date specified in any such order you will be required to comply with all of the provisions of this regulation. You may, however, at any time thereafter file an application for exemption in accordance with paragraph (c) of this section.

(3) The exemption granted in subparagraph (1) of this paragraph will automatically terminate if your total net sales of castings during any calendar quarter ending after September 1, 1951, exceed $30,000 and on and after the 15th day of the month following the end of such quarter you must comply with all of the provisions of this regulation. You may, however, at any time thereafter file an application for exemption in accordance with paragraph (c) of this section.

(b) *Applications for exemption.* If your total net sales of castings during any calendar year beginning after December 31, 1950, do not exceed $100,000, you may file an application for exemption from price control with respect to your sales of castings. Any such application must be filed with the Office of Price Stabilization, Washington 25, D. C., within 30 days after the end of the calendar year involved and must contain the following information: Your name and address; the location of your foundry; a description of the kind of castings produced by you; and your total net sales of castings during the calendar year involved.

The OPS will grant an exemption pursuant to this paragraph by letter order and may require the applicant to file the reports described in paragraph (a) (1) of this section and may provide that any exemption so granted will terminate, or be terminated, in accordance with paragraph (a) (2) and (3) of this section.

SEC. 3. *Ceiling prices for castings determined by using base date price lists.* This section sets forth provisions for determining your ceiling prices for price list castings and modified price list castings. A "price list casting" is one which is the same as a casting which was included on a price list issued by you before January 25, 1951, and which you had in effect on that date. A "modified price list casting" is one which has the same basic design and specifications as a price list casting and which is intended to serve substantially the same purpose, but which nevertheless differs in some respects from such price list casting.

(a) *Price list castings.* (1) Your ceiling price for a price list casting is the applicable price set forth on your price list in effect on January 25, 1951, adjusted in accordance with subparagraph (2) of this paragraph. You must also comply with paragraph (c) of this section.

(2) The applicable price shown on your price list must be adjusted to reflect changes in the cost of metal to you between January 25, 1951, and July 30, 1951. These changes must be made in accordance with the practice customarily followed by you in changing your prices to reflect changes in metal costs and must be calculated as follows:

(i) Determine the metal cost factor used in calculating the price set forth on your base date price list on the basis of the price paid by you as shown on the invoice covering the last delivery to you prior to the date of the issuance of your base date price list, from your usual source of supply. You must include any transportation cost, on a per unit basis, paid by you in connection with such delivery.

(ii) Subtract the amount determined in subdivision (i) of this subparagraph from the price set forth on your base date price list.

(iii) Determine a new metal cost factor on the basis of the price paid by you as shown on the invoice covering the last delivery to you prior to July 30, 1951, from your usual source of supply. This price may not exceed the ceiling price established in the applicable OPS regulation. You may include any transportation cost, on a per unit basis, paid by you in connection with such delivery.

(iv) Add the amount determined in accordance with subdivision (iii) of this subparagraph to the result of the calculation in subdivision (ii) of this subparagraph.

(b) *Modified price list castings.* (1) Your ceiling price for a modified price list casting is the price, determined in accordance with paragraph (a) of this section, for the unmodified price list casting, adjusted to reflect any increase or decrease in cost resulting from the change in design or specification. You must calculate such change in cost in accordance with subparagraph (2) of this paragraph. You must also comply with paragraph (c) of this section.

(2) To calculate the change in cost resulting from the modification in design or specification you must:

(i) Determine the increase or decrease in direct labor costs resulting from such modification on the basis of the labor rates in effect in your foundry on January 25, 1951.

(ii) Determine the increase or decrease in metal costs resulting from such modification on the basis of the price paid by you as shown on the last delivery to you prior to July 30, 1951. This price may not exceed the ceiling price established in the applicable OPS regulation. You may include any transportation cost, on a per unit basis, paid by you in connection with such delivery.

(iii) Add or subtract the net increase or decrease in costs to or from the price as determined in accordance with paragraph (a) of this section, for the unmodified price list casting.

(c) *Extras, discounts, and terms.* The ceiling price determined in accordance with paragraph (a) or (b) of this section must be adjusted to reflect any applicable extra charges, quantity discounts, or class of purchaser differentials which you had in effect on January 25, 1951, and must carry all delivery terms, cash discounts guarantees and servicing terms, and other applicable conditions of sale which you had in effect on that date.

SEC. 4. *Ceiling prices for castings determined by using a base date formula.* If you cannot determine a ceiling price for a casting under section 3 of this regulation, your ceiling price is the price determined in accordance with the formula used by you on January 25, 1951, for calculating a price for the same or a similar casting made by the same production method in the same foundry.

Such ceiling price must be determined in accordance with the following provisions:

(a) *Factors to be used in applying your formula.* In determining a ceiling price by using a formula, you must apply such formula in exactly the same manner as you would have on the base date. You must not include any costs which you did not customarily include in pricing castings and you must calculate the various factors entering into your ceiling price in accordance with the following provisions of this paragraph:

(1) *Metal costs.* (i) You must calculate the metal cost factor exactly as you would have on January 25, 1951, but you must use the price for metal paid by you as shown on the invoice covering the last delivery to you prior to July 30, 1951, from your regular source of supply. If you customarily included transportation costs as part of your metal cost, you may include the transportation cost, on a per unit basis, actually paid by you in connection with such delivery. You may not include, however, any price in excess of the ceiling price established by the applicable OPS regulation and you may not use the price paid to any source other than a regular supplier.

(ii) If you are a producer of nonferrous castings and you do your own alloying, you must determine your metal cost factor by using the ceiling price for the alloy ingot involved established as of July 30, 1951, by the applicable OPS regulation. In determining such ceiling price you may assume that you purchased the alloy at one time in the quantity necessary to produce the number of castings ordered by your customer.

(2) *Labor costs.* You must calculate the labor cost factor in exactly the same manner as you would have on January 25, 1951, by using the straight time and overtime rates for each class of labor in effect in your foundry on that date. If you customarily used machine hour, per piece, or average rates in pricing castings you must use the same methods. You may not change your method of classifying labor as direct or indirect. If your base date formula contains a labor cost factor including both straight time and overtime labor, you must use that factor in computing your ceiling price and you may not include any increase in labor costs resulting from an increase in the amount of overtime above that included in your base date formula. If your base date formula included separate factors for straight time and overtime labor, you may not include any increases in labor costs resulting from an increase in the amount of overtime in excess of an amount computed by using the ratio of overtime hours to straight time hours reflected in your payroll for the four full pay periods immediately preceding the base date.

(3) *Other costs.* You must calculate other cost factors in exactly the same manner as you did on January 25, 1951. You may not, however, include any increases in such costs occurring after that date.

(4) *Additional operations and subcontracted services.* (i) If it was your practice, as of the base date, to perform in your plant on castings produced by you additional operations such as machining, galvanizing and plating, you may include in your ceiling price a factor for any such service you now perform. You must compute such factor in exactly the same manner as you would have on January 25, 1951, by using the material and labor rates in effect for you on that date. If you now subcontract any such operations, you may not include in your ceiling price any amount in excess of that calculated in accordance with the preceding sentence.

(ii) If you subcontract any services (including but not limited to, machining, galvanizing, or plating), and it was your practice as of January 25, 1951, to subcontract and include the cost of such services in pricing castings, you may include a factor for such costs in determining your ceiling price. Such factor must be determined in exactly the same manner employed by you on the base date. You may use the price paid by you for any subcontracted service provided it does not exceed the ceiling price established by the applicable OPS regulation. If it was your practice, as of the base date, to include in your price transportation costs incurred in procuring subcontracted services you may now include any such costs actually paid by you. If it was your practice, as of the base date, to include a markup with respect to subcontracted services, you may now include such a markup at the rate in effect on such date.

(5) *Overhead or burden and profit.* You must calculate the factors for overhead or burden and profit in exactly the same manner as you would have on January 25, 1951, by using the same rates that you would have on that date.

(b) *How to determine your ceiling prices for castings which are the same as castings produced during the three months ended July 31, 1951.* In determining your ceiling price for a casting which is the same as a casting you produced during the period May 1–July 31, 1951, inclusive, you must apply your formula on the basis of your actual production experience with respect to the casting during that period. If, however, it was your practice as of January 25, 1951, to employ standard factors or rates for certain cost elements, you may use the same factors or rates in determining your ceiling price.

(c) *How to determine your ceiling price for all other castings*—(1) *Use of estimates on first order.* In determining a ceiling price for a casting which is not the same as a casting you produced during the period May 1–July 31, 1951, inclusive, you may, in connection with the first order received after the effective date of this regulation, apply your formula (in accordance with the provisions of paragraph (a) of this section) on the basis of estimates of the time and material which will be required. Such estimates must be made in accordance with your practice as of the base date and must be based upon your general production experience.

(2) *Recomputation.* After completion of the first order, you must recompute your ceiling price by applying your formula on the basis of your actual experience in producing such order and the price resulting from such recomputation is your ceiling price for all subsequent sales of the same casting. If it was your practice as of January 25, 1951, to employ standard factors or rates for certain cost elements, you may use the same factors or rates in making this recomputation.

(d) *Extras, discounts, and terms.* The ceiling price determined in accordance with the foregoing provisions of this Section must be adjusted to reflect any applicable extra charges, quantity discounts, or class of purchaser differentials which you had in effect on January 25, 1951, and must carry all delivery terms, cash discounts, guarantees and servicing terms, and other applicable conditions of sale which you had in effect on that date.

SEC. 5. *Ceiling prices for equipment furnished in connection with the sale of castings.* This section sets forth the conditions under which you may charge a buyer for equipment (including but not limited to patterns, dies, molds, tools, or fixtures) furnished by you in connection with your sales of castings and provisions for determining your ceiling price for such equipment.

(a) *Conditions under which you may charge for equipment.* You may charge a buyer for equipment furnished by you in connection with your sale of castings only if:

(1) It was your practice as of January 25, 1951, to charge a buyer for such equipment;

(2) You have not included any factor for such equipment in determining your ceiling price for castings under Section 3 or 4;

(3) You make such charge in exactly the same manner as you would have on January 25, 1951 (i. e. as a flat sum or on a prorated basis) and you separately state the amount of such charge in billing the buyer; and

(4) You follow your practice as of January 25, 1951, with respect to retention or transfer of ownership of such equipment.

(b) *Ceiling price.* Your ceiling price for equipment furnished by you in connection with your sales of castings is the price determined in accordance with the formula you had in effect on January 25, 1951, for pricing the same kind of equipment. You must apply such formula in exactly the same manner as you would have on January 25, 1951, and you must use the applicable factors for materials and labor costs and the rates for overhead or burden and profit which you had in effect on that date. In calculating your ceiling price for equipment you may not include any elements which you would not have included on January 25, 1951, or any increases in costs occurring after that date.

SEC. 6. *Ceiling prices for new sellers.* (a) If you are a producer of castings (other than a transferee described in section 7) who was not in business on January 25, 1951, or if for any other reason you cannot determine a ceiling price under the provisions of section 3 or 4 of this regulation, you must apply to the Office of Price Stabilization, Wash-

ington 25, D. C., for the establishment of a ceiling price or pricing formula.

(1) Any application pursuant to this section must contain the following information: Your name and address; the location of your foundry; a description of the casting or kind of castings you propose to produce; a proposed ceiling price or pricing formula; and a detailed statement of the factors used by you in calculating such price or formula.

(2) Any ceiling price or pricing formula established by OPS pursuant to the provisions of this section will be in line with the ceiling prices otherwise established in this regulation.

(3) If you have filed an application pursuant to this section, you may sell the castings covered by such application at the prices proposed by you, but you must give your customer a copy of your application and agree to refund the amount, if any, by which such prices exceed the ceiling prices established by OPS.

(b) If you are required to file an application pursuant to paragraph (a) of this section and do not do so, OPS may issue an order establishing a ceiling price or pricing formula for you. Any ceiling price provided for by such order will be in line with the ceiling prices otherwise established in this regulation and will apply to all deliveries for which a ceiling price was not otherwise established by this regulation, including deliveries completed prior to the date of the order. The issuance of such an order will not relieve you of your obligation to comply with the requirements of this regulation or of the various penalties for your failure to do so.

SEC. 7. *Transfers of business.* If the business or assets of a producer of castings are sold after the issuance date of this regulation and the transferee carries on the production of castings in the foundry included in such transfer, the ceiling price of the transferee for castings produced in such foundry shall be the same as those to which his transferor would have been subject if no such transfer had taken place and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to, the transferee all records of the transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 8. *Definitions.* When used in this regulation, the term:

(a) "Applicable OPS regulation" means the regulation issued by OPS establishing ceiling prices for the commodity referred to.

(b) "Base date" means January 25, 1951.

(c) "Casting" includes any product produced from molten metal or alloy which is formed in a mold or die and on which no further operations are performed, except cleaning, snagging, rough grinding, inspecting, testing, rough drilling, or machining only for the purpose of inspecting or cleaning. It also includes any such product upon which further operations are performed, but only if the product is designed solely to meet the buyer's specifications.

(d) "Factor" means the dollars and cents amount of any element used in determining a price.

(e) "Formula" means a method of determining prices on the basis of costs.

(f) "OPS" means the Office of Price Stabilization.

(g) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or other government or any of its political subdivisions, or any agency of the foregoing.

(h) "Price list" means any document setting forth dollars and cents prices for castings issued by the producer thereof and distributed to his customers.

(i) "You" means any person who is a producer of castings subject to this regulation.

SEC. 9. *Record-keeping requirements.* (a) You must prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter all records necessary to determine whether you have computed your ceiling prices correctly, including but not limited to:

(1) A copy of your price lists, if any, which you had in effect on January 25, 1951;

(2) Records showing your formulas, if any, in effect on January 25, 1951, and the formulas, if any, used in computing your ceiling prices under this regulation. Such records should include the factors used in applying such formulas and all appropriate work sheets and documents substantiating such factors; and

(3) Records showing the extra charges, quantity discounts, class of purchaser differentials, delivery terms, cash terms, guarantees and service terms, and other terms and conditions of sale which you had in effect on January 25, 1951.

(b) Every person making a sale or purchase of castings must keep for inspection by the Office of Price Stabilization, for a period of two years, complete and accurate records of each such sale or purchase showing: The date thereof; the name and address of the seller and buyer; the quantity of each casting sold or purchased; the location of the foundry in which the castings were produced; the price charged or paid; the extras, if any, charged and paid; the price, if any, charged or paid for equipment; the terms of sale; and the disposition of transportation charges.

SEC. 10. *Excise, sales, or similar taxes.* Any person may collect, in addition to the ceiling prices established by this regulation, any excise, sales, or similar tax imposed upon him by reason of his sales of castings covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling prices the amount of the tax collected.

SEC. 11. *Prohibitions*—(a) *Against transactions above ceiling prices.* Regardless of any contract or other obligations, on and after the effective date of this regulation you must not sell or deliver castings at prices above the ceiling prices established in this regulation, and you must not offer, solicit, attempt or agree to sell or deliver castings at prices above such ceiling prices.

No person may buy or receive castings in the regular course of trade or business at prices above the ceiling prices established in this regulation and no person may offer, solicit, attempt, or agree to buy or receive castings at prices above such ceiling prices.

Lower prices than those set forth in this regulation may be charged, demanded, paid, or offered.

(b) *Against tie-in transactions.* You must not sell castings on condition (1) that the buyer purchase from any person any commodity or service, or (2) that the buyer sell to any person any commodity or service. No person who buys castings in the regular course of trade or business shall participate in any such tie-in transaction. Nothing in this paragraph, however, shall be construed to prohibit any person from delivering a casting pursuant to a toll or conversion agreement which requires the recipient to deliver scrap to the producer of the casting.

(c) *Against dividing orders.* You must not take any action which would require a buyer to divide an order for castings so that you might charge a price in excess of the ceiling price established in this regulation. No person who buys castings in the regular course of trade or business shall participate in any such action.

(d) *Against evasion.* You must not evade or circumvent the provisions of this regulation by direct or indirect methods in conjunction with the sale, purchase, delivery, or transfer of castings, alone or in conjunction with any other commodity or service, or by way of any commission, service, transportation, or other charge, or discount, premium, or other trade understanding, or otherwise. No person who buys castings in the regular course of trade or business shall participate in any such evasion.

SEC. 12. *Penalties.* Persons violating any of the provisions of this regulation shall be subject to the criminal penalties, civil enforcement actions, and suits for damages provided for in the Defense Production Act of 1950.

SEC. 13. *Petitions for amendment.* Any person seeking an amendment of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

Effective date. The effective date of this regulation is September 1, 1951, or such earlier date between August 1, 1951 and September 1, 1951, as you may select. If you select such an earlier date, this regulation becomes effective as to you on that date for all of your deliveries of castings covered by this regulation.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8940; Filed, July 31, 1951; 2:48 p. m.]

[Ceiling Price Regulation 61]

CPR 61—EXPORTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation, which was issued on January 26, 1951, included only very general provisions dealing with the prices of commodities exported from the United States. Regulations subsequently issued, such as the General Manufacturers' Regulation, Ceiling Price Regulation 22, also applied to export prices in broad terms. Both the General Ceiling Price Regulation and the General Manufacturers' Regulation were issued as interim regulations, with the intention that detailed regulations would be prepared subsequently dealing in more detail with the specific problems of individual industries and trades.

The provisions, with respect to export prices contained in both these general regulations, permitted in effect the maintenance of customary differentials between prices on export and domestic sales. The problems involved, however, are too complex to be resolved by this simple formulation and it is necessary, therefore, to issue a regulation which will be more precise and which will cover more adequately the wide variety of different transactions involved.

It is necessary that export prices be controlled for a number of important reasons. Under present conditions, prices for many commodities in world markets are substantially above the prices prevailing in the United States. Consequently, unless export price ceilings are established at levels commensurate with those fixed for domestic transactions, there would be serious danger of an excessive diversion of goods from the home market to export. Such a diversion would aggravate inflationary pressures in the United States and impair the effectiveness of the general stabilization program.

In the second place, if sellers were permitted to export at prices out of line with domestic ceilings, there would be danger of encouraging a scramble for the more profitable foreign markets. Sellers who were able to find such markets would have an obvious and unfair advantage over those whose sales were confined to the United States.

Finally, our relations with friendly foreign nations would be injured if American concerns were permitted to charge exorbitant prices on export sales while domestic prices were held to ceiling levels. The United States has a vital interest in the maintenance of stable economic conditions in the nations cooperating in the mutual defense program; control over the prices of American exports will greatly further this interest.

Accordingly, this regulation establishes ceilings on export sales at levels which are in line with domestic ceilings.

The regulation distinguishes between two kinds of sales: Export sales, which are those made directly to foreign purchasers, and sales for export which are sales to domestic purchasers of commodities destined for subsequent export. While the formulae established for these two kinds of transactions differ in detail, in general they permit the addition to domestic ceiling prices of the markups normally obtained on sales of the same kind before Korea, and of the added costs incident to export transactions, such as special packaging, transportation, insurance and consular fees.

The base period used for the determination of normal markups is the eighteen months between January 1, 1949 and June 30, 1950, inclusive. This extended period is needed because of the nature of the export business. If a shorter period were used, it would be impossible for many sellers to find transactions involving the same commodities and classes of purchaser as those involved in current transactions. It would force them to resort to less precise and more unsatisfactory means of obtaining their permitted markups.

It is anticipated that the Office of Price Stabilization will, in the future, issue supplementary regulations establishing specific permitted markups for individual commodities or groups of commodities for the export trade. Such regulations will, of course, be based upon data compiled from surveys which will permit determination of actual markups during the base period.

Prior to the issuance of this regulation, the Director of Price Stabilization consulted with an Industry Advisory Committee established in accordance with the Defense Production Act of 1950, Public Law 774, 81st Congress.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

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AUTHORITY: Sections 1 to 16 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

ARTICLE I—SCOPE OF REGULATION

SECTION 1. *What this regulation does.* This regulation provides a formula whereby persons engaged in the exportation of commodities from the continental United States to any place other than a territory or possession of the United States, or from a territory or possession of the United States to any place other than the continental United States or a territory or possession of the United States shall compute their ceiling prices for the sale of such commodities.

SEC. 2. *Applicability and prohibitions—*(a) *Applicability.* This regulation is applicable to both the exportation of commodities from the continental United States to any place other than a territory or possession of the United States, and the exportation of commodities from a territory or possession of the United States to any place other than the continental United States or a territory or possession of the United States.

This regulation applies to all export sales and sales for export except those sales specifically exempt from price control under any regulation issued by the Director of Price Stabilization. However, the provisions of the following enumerated regulations and of all future regulations will continue in effect insofar as they expressly may apply to export sales or sales for export:

Section 14 of the General Ceiling Price Regulation; Supplementary Regulation 8 to the General Ceiling Price Regulation, dealing with coal exporters; Supplementary Regulation 9 to the General Ceiling Price Regulation, dealing with export commitments entered into before February 2, 1951; Supplementary Regulation 34 to the General Ceiling Price Regulation, dealing with beef sausage; Ceiling Price Regulation 5 on iron and steel scrap; Ceiling Price Regulation 8 on upland cotton; Ceiling Price Regulation 19 on tungsten concentrates; Ceiling Price Regulation 24 on wholesale beef; Ceiling Price Regulation 28 on new cotton, linen and underwear cuttings; Ceiling Price Regulation 29 on scrap materials containing nickel; Ceiling Price Regulation 33 on tungsten products; Ceiling Price Regulation 36 on used steel drums; Ceiling Price Regulation 43 on zinc scrap; Ceiling Price Regulation 46 on copper and copper alloy scrap; Ceiling Price Regulation 47 on brass mill scrap, and Ceiling Price Regulation 49 on woodpulp,

(b) *Prohibitions.* On and after the effective date of this regulation, (1) you shall not export or sell for export any commodities covered by this regulation at prices higher than the ceiling prices fixed by this regulation; (2) you shall not buy or receive for export in the course of trade or business any commodity covered by this regulation at prices higher than the ceiling prices fixed by this regulation; and (3) you shall not agree, offer, solicit or attempt to do anything prohibited in this regulation.

ARTICLE II—PRICING METHOD

SEC. 3. *Formula for export sales*—(a) *Merchant exporters.* If you are a merchant exporter, your ceiling price for the export sale of any commodity covered by this regulation to any class of foreign buyer shall be the domestic ceiling price of your supplier at point of delivery, plus a percentage markup used in the base period, January 1, 1949, to June 30, 1950, inclusive, calculated in accordance with section 5 of this regulation, and plus costs of exportation actually incurred by you in connection with such sale. If you made no base period sales of the commodity you are pricing to foreign buyers of the class for which you are pricing, your base period percentage markup shall be calculated in accordance with section 5 of this regulation but shall be based on other base period sales as provided for in section 6 of this regulation.

(b) *Producer exporters.* (1) If you are a producer exporter, your ceiling price for the export sale of any commodity covered by this regulation to any class of foreign buyer, shall be your domestic ceiling price at point of delivery to your largest class of domestic purchaser plus a percentage markup used in the base period January 1, 1949, to June 30, 1950, inclusive, calculated in accordance with section 5 of this regulation, and plus costs of exportation actually incurred by you in connection with such sale. If you made no base period sales of the commodity or product line you are pricing to foreign buyers of the class for which you are pricing, your markup shall be calculated in accordance with section 5 of this regulation but shall be based on other base period sales as provided for in section 6 of this regulation.

(2) If the commodity you are pricing is sold by you exclusively in the export trade and you therefore have no domestic ceiling price for it, you shall apply in writing to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., for the establishment of a ceiling price for such commodity or product line: *Provided, however,* That you may use as the price for such a commodity any price heretofore determined or determinable for it under any regulation of this office other than the General Ceiling Price Regulation.

SEC. 4. *Formula for sales for export*—(a) *Merchant exporters.* If you are a merchant exporter, your ceiling price for the sale for export of any commodity covered by this regulation shall be as follows:

(1) For the sale for export of any commodity to any class of buyer, except as provided for by section 7, Restrictions on multiple handling, of this regulation, other than a foreign government purchasing mission or an American firm purchasing in the United States for use in its foreign field operations, your ceiling price shall be the domestic ceiling price of your supplier at point of delivery, plus costs of exportation actually incurred by you in connection with such sale.

(2) For the sale for export of any commodity to a foreign government purchasing mission or to an American firm purchasing in the United States for use in its foreign field operations, your ceiling price shall be the domestic ceiling price of your supplier at point of delivery plus a base period percentage markup calculated under section 5 of this regulation, and plus costs of exportation actually incurred by you in connection with such sale.

(b) *Producer exporters.* If you are a producer exporter, your ceiling price for the sale for export of any commodity covered by this regulation shall be as follows:

(1) For the sale to any class of buyer, except as provided for by section 7, Restrictions on multiple handling, of this regulation, other than a foreign government purchasing mission or an American firm purchasing for use in its foreign field operations, your ceiling price shall be your domestic ceiling price at point of delivery applicable to a sale of the commodity for domestic consumption to a buyer of the same class as the buyer for which you are pricing, plus such costs of exportation actually incurred by you in connection with such sale.

(2) For the sale to a foreign government purchasing mission or to an American firm purchasing for use in its foreign field operations, your ceiling price shall be your domestic ceiling price at point of delivery applicable to a sale of the commodity for domestic consumption to a buyer of the same class as the buyer for which you are pricing, plus a base period percentage markup calculated under section 5 of this regulation, and plus costs of exportation actually incurred by you in connection with such sale.

(3) If you are a producer exporter and the commodity you are pricing is sold by you exclusively in the export trade and you therefore have no domestic ceiling price for it, you shall apply to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., for a ceiling price as provided for in section 3 (b) (2) of this regulation: *Provided, however,* That you may use as the price for such a commodity any price heretofore determined or determinable for it under any regulation of this office other than the General Ceiling Price Regulation.

SEC. 5. *Calculation of base period percentage export markup.* (a) If you are a merchant exporter or a producer exporter and are entitled to a base period percentage markup under the provisions of section 3 or 4 of this regulation for the sale of a commodity covered by this regulation, such markup shall be calculated as set forth below. The markup derived for any product line shall be applied to each commodity falling within such product line (as defined in section 15 (b) (14)).

(1) You shall choose from the base period a representative calendar quarter for your export business. You shall refer to your business in this quarter for calculating markups for any commodity or product line sold by you under this regulation. However, if you had no sales of the commodity or product line being priced during the representative quarter, you shall take your sales for that commodity or product line in a quarter nearest in time to the representative quarter.

(2) You determine from your records for a representative calendar quarter of the base period all of your sales of the type upon which your base period markup is to be calculated, i. e., either sales of the commodity or product line you are pricing to the class of buyer for which you are pricing, or sales of a kind you are permitted to use under the provisions of section 6 of this regulation.

(3) You then determine the total dollar sales value of all such sales for each commodity or product line.

(4) You then select, from such sales, any sale or sales which accounted for at least 25 percent of your total dollar sales value of all such sales, and calculate the weighted average percentage markup reflected in such sales over your base period cost of acquisition if you are a merchant exporter, or over your base period domestic selling price if you are a producer exporter, as illustrated in the example below. The result is your percentage markup for sales of the commodity or product line you are pricing to the class of buyer involved. (If you selected a single sale, which accounts for 25 percent or more of your total dollar sales value of such sales, you may use the percentage markup yielded by that single sale.)

(i) *Example:* Suppose the base period sales upon which you are calculating your markup under the provisions of this section were as follows:

Sale	Cost of acquisition or domestic selling price	Costs of exportation [1]	Markup	Export sales price	Percentage markup over cost of acquisition or domestic selling price	Percentage of total sales
No. 1	$200	$26.00	$24.00	$250	12	5
No. 2	325	39.25	35.75	400	11	8
No. 3	950	55.00	95.00	1,100	10	22
No. 4	1,090	61.90	98.10	1,250	9	25
No. 5	1,750	92.50	157.50	2,000	9	40
				5,000		

[1] Not to be included in determining the markup.

(ii) You may select sales #1 and #3 in order to determine the markup. You may not select either sale #1 or sale #3 alone, since neither sale alone accounts for twenty-five percent of the total dollar sales value of base period sales. Taking a weighted average of the percentage markups yielded by the two sales (sale #1 yielding 12% or $24.00 and sale #3 yielding 10% or $95.00), you obtain a base period percentage markup of 10.34% ($24.00+$95.00÷$1,150.00).

(b) If you are a producer exporter and it was your customary practice during the base period to charge no export markup over your domestic prices on export sales of a particular commodity or product line to a particular class of foreign buyer, you cannot, under this regulation, now include any export markup over your domestic ceiling price when selling or offering the commodity or product line to that class of foreign buyer.

(c) If you are a producer exporter and it was your practice during the base period on sales by you of a commodity or product line for export to a merchant exporter to charge an export markup over your then current domestic price, you may continue to charge a markup not in excess of such markup over your domestic ceiling price on sales for export, provided you secure approval as required by section 7, of this regulation.

(d) In every case where you, whether merchant exporter or producer exporter, calculate for the first time the percentage markup you are going to use or do use in the export sale or sale for export of a commodity or product line covered by this regulation, you shall furnish the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C. with the following information in duplicate:

(1) The commodity or product line;

(2) The class of buyer;

(3) Your representative calendar quarter;

(4) The percentage markup you are permitted to use under this regulation.

This information shall be reported within fifteen days after your first sale of the commodity or product line under this regulation, and may be provided on a form available at Office of Price Stabilization offices.

Once you have furnished such information for the sale of a particular commodity or product line to a particular class of buyer, you need not again advise the Office of Price Stabilization with respect to your pricing of that type of sale.

SEC. 6. *Formula where no sales of the type being priced were made during the base period.* (a) If you, either merchant exporter or producer exporter, did not sell during the base period the commodity or product line you are pricing to the class of buyer for which you are pricing, and if you are entitled under the provisions of section 3 or 4 of this regulation to a markup on such sale, such markup shall be calculated in accordance with section 5 of this regulation but shall be based on base period sales of the type set forth below in the following order of preference:

(1) Base period sales of the commodity or product line you are pricing to buyers of the class most closely related to the class for which you are pricing.

(2) Base period sales of a "comparison commodity" or comparison product line to buyers of the class for which you are pricing.

(3) Base period sales of a comparison commodity or comparison product line to buyers of the class most closely related to the class for which you are pricing.

If you calculate your base period percentage markup by reference to one of the types of base period sales set forth above, you shall, before making sales of the commodity or product line you are pricing, advise the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., by registered letter, and in duplicate, of the markup you propose to use, showing in detail how it was computed and naming the comparison commodity or comparison product line and/or class of buyer with respect to which your markup was calculated. The information may be provided on a form available at Office of Price Stabilization offices. Unless this proposed markup is rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

(b) If you are unable to compute a markup for the commodity or product line you are pricing, under paragraph (a) of this section, or under any provisions of this regulation, you may apply in writing to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., for the establishment of a markup which is in line with the markup currently prevailing in the trade. Your application shall contain (1) an explanation of why you are unable to compute a markup under this regulation; (2) a complete description of the commodity or product line; (3) the type of sale being priced (i. e., export sale or sale for export) including the class of buyer involved; (4) the nature of your business; (5) the markup, if any, currently prevailing in the trade for the commodity or product line and how you determined this markup to be the one prevailing; and (6) your proposed markup for the commodity or product line, together with an explanation of the method by which it was computed. The information may be provided on a form available at Office of Price Stabilization offices. Unless this proposed markup is rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

ARTICLE III—GENERAL PROVISIONS

SEC. 7. *Restrictions on multiple handling.* If you are a producer exporter or a merchant exporter and sell for export a commodity covered by this regulation to a merchant exporter, you are allowed a markup on such sale or sales, provided you file an application with the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., establishing that it was your practice during the base period to sell to merchant exporters at a markup over your domestic selling price and stating the markup taken during the base period. If your application is approved, you may take on such sale or sales, and on similar future sales, a markup not in excess of the exact markup taken by you during the base period. You shall not take any markup on any such sale until your application therefor has been approved by the Office of Price Stabilization.

SEC. 8. *Transfer of business or stock in trade.* If the business, assets, or stock in trade of any business are sold or otherwise transferred after June 30, 1950, and the transferee carries on the business in whole or in part, or continues to deal in the same type of commodities, the markups of the transferee shall be the same as those to which the transferor would have been entitled if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 9. *Duties and taxes.* If you are a producer exporter or a merchant exporter and are computing a ceiling price under section 3 or 4 of this regulation for export sales or sales for export of any commodity covered by this regulation, you shall, in the case of the producer exporter, subtract from your applicable domestic ceiling price f. o. b. your plant, and in the case of the merchant exporter subtract from the domestic ceiling price of your supplier the following:

(a) The amount of any drawback or refund of import duties or excise taxes less the cost incurred in obtaining such amount;

(b) The amount of any excise tax not paid upon a commodity to be exported or sold for export but included in your applicable domestic ceiling price, if you are a producer exporter, or in the domestic ceiling price of your supplier if you are a merchant exporter.

SEC. 10. *Records.* (a) You shall preserve and keep available for examination by the Office of Price Stabilization for so long as the Defense Production Act is in effect and for two years thereafter those records showing how you determined the export markup you charged during the base period, and those records in your possession showing customary price differentials, and the conditions of sale, which you had in effect during the base period.

(b) You shall prepare and keep available for examination by the Office of Price Stabilization for a period of two years records showing for each sale or contract the commodity, the date, the names of the parties thereto, and the prices charged, together with any other records you customarily keep. If you are a merchant exporter, you must also maintain records showing the cost of the commodity or product line to you and the costs of exportation.

SEC. 11. *Exemptions.* (a) This regulation does not apply to sales of commodities for which export ceiling prices will hereafter be specifically established

under other regulations or supplements, or to sales of commodities which are specifically exempted from price controls by the Office of Price Stabilization.

(b) Nothing in this regulation shall operate to prevent the performance of a written contract for the export sale of a commodity entered into prior to July 30, 1951, and executed in compliance with the provisions of any validly existing regulation or order of the Office of Price Stabilization, provided that delivery is made on or before December 31, 1951.

(c) This regulation does not apply to export sales of any commodity by the United States Government or any agency thereof.

(d) This regulation does not apply to export sales of commodities which have been transported into the United States for transshipment abroad and which do not enter into the domestic commerce of the United States and which are either:

(1) Entered at Customs in transit on a "Transportation and Exportation (TE) entry" or on an "Exportation (Exp.) entry", or

(2) Stored in transit in a Customs bonded warehouse or stored in a foreign trade zone.

(e) This regulation does not apply to export sales of a commodity which has been processed or manufactured in bond under Customs supervision exclusively from imported materials, which is not withdrawn from bond for domestic consumption in the United States, and which is subsequently exported.

(f) This regulation does not apply to export sales of a commodity manufactured or produced from imported textiles or imported metals: *Provided,* (1) That the constituent imported components thereof make up not less than 90 percent by weight or unit of the exported commodity, and (2) that the Customs Drawback Regulations (Part 22, Customs Regulations of 1943) are complied with in all respects.

SEC. 12. *Evasion.* Any practice which results in obtaining indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commission, services, cross sales, transportation arrangements, premiums, discounts, special privileges, tie-in agreements or combination sales, and trade understandings.

SEC. 13. *Enforcement.* If you violate any provision of this Ceiling Price Regulation you are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950.

SEC. 14. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised, (16 F. R. 4974).

SEC. 15. *Definitions.* The terms used in this Ceiling Price Regulation shall be construed in the following manner:

(a) *Sellers and buyers*—(1) *"Producer exporter".* This term means a person who manufactures or produces the commodities he exports or sells for export.

(2) *"Merchant exporter".* This term means a person who is not a producer exporter but who exports or sells for export commodities purchased by him for his own account.

(3) *"Foreign government purchasing mission".* This term means an authorized representative of a foreign government who buys commodities and takes title thereto in the name of the foreign government.

(4) *"American firm purchasing in the United States for use in foreign field operations".* This phrase means only those American firms which buy commodities in the United States from producer exporters or merchant exporters, take title to same, transport such commodities to a foreign country and therein use such commodities without resale beyond their own organization.

(5) *"Supplier".* This term means the person from whom a merchant exporter procures a commodity which he exports or sells for export. This term does not include a merchant exporter, except as provided by section 7 of this regulation.

(6) *"Exporter".* This term means any person selling a commodity, either directly or through an agent, for delivery or shipment to any place outside the United States, its territories and possessions.

(7) *"Class of buyer".* This term means that group of persons to which you sell commodities covered by this regulation and which you distinguish from other groups of buyers with respect to quantity purchased or trade function. In the case of an export sale, the only permissible groupings according to function in the trade shall be: foreign governments or their agents, industrial end users, distributors, wholesalers, retailers, and individual consumers. In the case of a sale for export, the only permissible groupings according to function in the trade shall be: merchant exporters, foreign government purchasing missions, and American firms purchasing for use in foreign field operations.

(b) *Pricing*—(1) *"Domestic ceiling price of your supplier at point of delivery".* This phrase means the highest price at the point of delivery which a merchant exporter may, under applicable ceiling price regulations governing domestic sales, pay his supplier for a commodity which the merchant exporter subsequently exports or sells for export.

(2) *"Base period percentage markup."* This term means a percentage markup calculated in accordance with section 5 of this regulation based on sales during the base period, and representing, in the case of a producer exporter, the differential between base period domestic and export selling prices exclusive of costs of exportation for a commodity or product line, and in the case of a merchant exporter, the base period margin between his costs of acquiring a commodity or product line for exportation purposes and his export selling price therefor exclusive of costs of exportation.

(3) *"Commodity."* This term means materials, articles, products, supplies, and their components.

(4) *"Product line."* This term means and shall include all goods of the same general character and use which are normally classed together in your business for purposes of accounting or sales, and to which the same markup was applied in determining selling prices during the base period. You may, for example, have your product line under this regulation include a line of goods such as one of the following: Cups selling at $0.10–$0.50, all cups, all cups and saucers, all chinaware. The product line should be adequately described to indicate to the ordinary purchaser that a particular product line as reported to the Office of Price Stabilization includes a definite commodity being sold by you.

(5) *"Comparison commodity."* This term means a commodity exported or sold for export by you during the base period, which has general characteristics and use similar to those of the commodity you are pricing. Of the commodities having these same general characteristics and use, choose the commodity having a current unit direct cost closest to that of the commodity you are pricing.

(6) *"Base period domestic selling price."* This term means the domestic selling price during the base period of the commodity for which you, a producer exporter, are colculating your markup under section 5 of this regulation.

(7) *"Base period cost of acquisition."* This term means the actual cost to you, a merchant exporter, during the base period, of the commodity for which you are calculating your markup under section 5 of this regulation.

(8) *"Costs of exportation".* This term includes costs other than sales commissions actually incurred in or in connection with the export sale or sale for export of a commodity, over and above those incurred and included in the applicable domestic ceiling price if the commodity were sold for domestic consumption, including but not limited to the following: (i) Export packaging, (ii) local drayage, including waiting time at the dock, loading and unloading, tollage, switching, dumping and trimming, lighterage and wharfage, (iii) inland freight in the continental United States and in the country of delivery (at the export rate where applicable), (iv) ocean freight, (v) insurance, (vi) consular fees, blanks and certification, (vii) demurrage, (viii) costs incurred for storage at the port of exit while awaiting shipment, provided, the goods remain packed in the same form as they are to be exported, and have been stored in a warehouse or other storage facilities not owned or controlled by the exporter, (ix) fees paid to a freight forwarder not owned or controlled by the exporter, (x) bank collection charges, (xi) servicing, installing, inspection fees or special engineering costs either before or after exportation, and (xii) foreign taxes.

(9) *"Buyers of the class most closely related to the class for which you are pricing."* This phrase means the class of buyer to which you sold, during the base period, the commodity or product line you are pricing or a comparison com-

modity, and which is most similar to the class of buyer for which you are pricing, considering trade function, the terms of purchase and the quantity of the order.

(10) *"Your domestic ceiling price at point of delivery."* This phrase means the highest price at which you, a producer exporter, may, under applicable ceiling price regulations governing domestic sales of the commodity you are pricing for export, sell such commodity for domestic consumption at the point of delivery.

(c) *General*—(1) *"Base period."* This term means the period from January 1, 1949, to June 30, 1950, inclusive.

(2) *"Ceiling price."* This term means the highest price at which an export sale or sale for export of a commodity covered by this regulation may be made.

(3) *"General Ceiling Price Regulation."* This term means the General Ceiling Price Regulation issued on January 26, 1951, by the Office of Price Stabilization, as amended and supplemented.

(4) *"You or person"*. This term includes any individual, corporation, partnership, cooperative association, or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States or any government or their political subdivisions or agencies.

(5) *"Records"*. This term includes but is not limited to books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(6) *"Exportation"*. This term means the delivery or shipment of a commodity, either directly or through an agent, from the United States or a territory or possession of the United States to any place outside the continental United States or a territory or possession of the United States.

(7) *"Export sale"*. This term means the sale of a commodity to a person located outside the continental United States or a territory or possession of the United States, and which is shipped to the purchaser outside the continental United States or a territory or possession of the United States, regardless of where the invoicing is done.

(8) *"Sale for export"*. This term means a sale to a buyer located in the continental United States or a territory or possession of the United States of a commodity destined for export and subsequent shipment, without resale, to any place outside the continental United States or a territory or possession of the United States.

SEC. 16. *Reports.* Copies of forms that may be used in filing under this regulation may be obtained from any Regional or District Office of the Office of Price Stabilization.

Effective date. This regulation shall become effective on August 6, 1951, or any earlier date at which you file information in accordance with section 5 (d).

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8949; Filed, July 31, 1951; 4:22 p. m.]

[Ceiling Price Regulation 62]

CPR 62—TIRES AND TUBES, SALES BY MANUFACTURERS TO PRIVATE BRAND OWNERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 62 is hereby issued.

STATEMENT OF CONSIDERATIONS

Private brand owners are distributors of tires or tubes which are manufactured for them by others. The private brand tires and tubes, however, are handled and sold exclusively by the distributor who owns the brand and who in most respects is in the same position as a manufacturer handling his own brand. In almost every instance he owns the molds, assumes all responsibility for warranty, and, in many cases, even furnishes the basic raw materials. From a marketing standpoint, each private brand owner is in effect the primary seller of his brand assuming responsibility for advertising and selling expenses. In short, the brand owner is considered by all as the risk bearer. Accordingly, sales by manufacturers to private brand owners have generally been on a cost plus basis, with only a small margin over costs.

Private brand tire and tube sales have been governed by the provisions of the General Ceiling Price Regulation, which froze manufacturers' prices at the December 19, 1950–January 25, 1951, level. Maintenance of that specific price level for the future would result in one of two possibilities:

If costs increased, manufacturers would have their margins cut or eliminated entirely. Consequently, such manufacturers would tend to spurn private brand business, preferring to concentrate on sales of their own brands where the margin over costs permits greater absorption of cost increases. This diversion of manufacturing would be undesirable since private brand tires and tubes are, in many cases, marketed as low price items.

On the other hand, if costs decreased, manufacturers could maintain current prices, obtaining greater recoveries without passing on such savings to the brand owner who is the risk bearer, thus preventing price decreases to the consuming public on the private brand tire or tube sales.

Accordingly, in order to avoid any threat to the supply for private brand owners, and in order to conform with normal trade practice, a cost-plus pricing provision is provided for such sales. Under this provision, the ceiling price is determined for a quarter or longer by adding to the costs of the manufacturer the percentage markup which he had on sales to a particular buyer during a 90-day accounting period between January 1, 1950, and June 30, 1950. In addition, a special pricing method for manufacturers' sales of tubes to brand owners is permitted at specified minimum discounts from list price, as a more simplified means of establishing ceiling prices. However, no such ceiling price under any method may exceed the ceiling price of the seller to his lowest price class of buyer of his own (manufacturer's) brand unless the seller receives written approval of the Office of Price Stabilization. Reports must be filed with the Office of Price Stabilization and the reported prices are subject to adjustment by the Office of Price Stabilization. The ceiling prices that will result in the immediate future for manufacturers' sales of private brand tires and tubes are not expected to differ substantially from those presently in effect. In general, costs during the second quarter of 1951, upon which most of the forthcoming prices are based, are not significantly changed from those in December 1950, which formed the basis of many January 1951 General Ceiling Price Regulation prices. In the opinion of the Director of Price Stabilization, the retention of normal and established pricing methods in this industry will help assure a continued supply of tires and tubes for brand owners, who, in many cases, market such tires and tubes at generally lower prices.

In the judgment of the Director of Price Stabilization, this regulation is generally fair and equitable and will effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In formulating this regulation the Director has consulted with representatives of industry and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Ceiling prices for manufacturers' sales to private brand owners.
3. Limitations and requirements.
4. Reports and approval of prices.
5. Records.
6. Special pricing method for tubes.
7. Adjustable pricing.
8. Taxes.
9. Petitions for amendment.
10. Prohibitions.
11. Charges lower than ceiling prices.
12. Evasion.
13. Penalties.

AUTHORITY: Sections 1 to 13 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation establishes manufacturers' ceiling prices for sales of new rubber tires and tubes to the brand owner of the tires and tubes, even though the purchasing brand owner may also be a tire and tube manufacturer. "New rubber tires and tubes" include all new tires and tubes for automobiles, trucks,

buses, trailers, off-the-road equipment, farm implements, tractors, industrial equipment, bicycles, airplanes and motorcycles. This regulation supersedes any other regulation issued by the Office of Price Stabilization as to transactions covered by this regulation. This regulation applies in the forty-eight States of the United States, and in the District of Columbia. This regulation does not apply to sales of the manufacturer's own brand of tire or tube.

SEC. 2. *Ceiling prices for manufacturers' sales to private brand owners.* If you manufacture new rubber tires or tubes and sell them to the brand owner thereof, your ceiling price for such sales is determined under any one of the three methods set forth in paragraph (a), (b) or (c) of this section, subject to the limitations and requirements set forth in section 3 of this regulation and subject further to the special pricing method for tubes set forth in section 6, below. However, after selecting method set forth in paragraph (a), (b) or (c) of this section for determining your ceiling price for sales to a particular purchasing brand owner, you may not use any other method for determining ceiling prices to that buyer without written permission to do so from the Office of Price Stabilization upon application setting forth your justification for such change.

(a) *Fixed price per tire or tube.* Your ceiling price under this paragraph shall be determined upon your first sale or delivery of each size and type of tire or tube to the particular purchasing brand owner by applying to the cost (determined pursuant to section 3 (b) of this regulation) of the particular size and type of tire or tube, the percentage markup (determined pursuant to section 3 (c)) applicable to that buyer. The price so established shall be your ceiling price for all deliveries of that size and type of tire or tube to that buyer for a period, agreed upon by the seller and buyer, of not less than 3 months or more than 6 months. You must report such prices to the Office of Price Stabilization, Washington 25, D. C., as required by section 4 of this regulation. At least 30 days before the end of each subsequent period, you must file another report containing the information required by section 4 (a) (3) (vi) of this regulation and must determine your ceiling prices for each subsequent period on the basis of the unit costs filed in such reports.

(b) *Aggregate prices for all sales during an accounting period.* Your aggregate ceiling price for all sales during an accounting period agreed upon by the buyer and seller (not less than 3 months or more than 1 year) of all types and sizes of tires or tubes to a purchasing brand owner during that period, shall be determined by applying to the aggregate costs (determined according to section 3 (b) of this regulation) the percentage markup (determined according to section 3 (c)) applicable to that buyer. You must file a report with the Office of Price Stabilization in Washington, D. C., in accordance with section 4 and thereafter if you and the buyer agree to change the accounting period you must notify the Office of Price Stabilization of such change within 10 days after the parties agree to the change.

(c) *Freeze of certain cost-plus contracts.* If between January 1, 1950 and June 30, 1950, you had in effect with a particular purchasing brand owner a written cost-plus contract, you may file a copy of such contract with the Office of Price Stabilization for approval. Such contract, if approved by the Office of Price Stabilization, shall determine your ceiling prices for sales to that buyer. The Office of Price Stabilization will approve such a contract if it is consistent with the requirements of this regulation with regard to costs, markups and accounting period.

SEC. 3. *Limitations and requirements*—(a) *Limitations.* Ceiling prices determined under any of the methods of section 2 may not exceed your ceiling price to your lowest price class of buyer on sales of your own brands of tires or tubes, unless you receive written permission from the Office of Price Stabilization, Washington, D. C., to apply section 2 without this limitation. Such permission will be granted only if you show that such action is consistent with the normal relationship between your prices on sales of your own brands to your lowest price class of purchaser and your prices to the particular purchasing brand owner for whom the price is being determined under section 2. If you have elected to determine your ceiling price pursuant to section 2 (a) of this regulation no individual size, grade or type of tire or tube may be sold for a price which exceeds the limitations imposed by this paragraph. If you have elected to determine your ceiling prices under section 2 (b) or (c) of this regulation, the aggregate amount collected during the accounting period may not exceed the aggregate price which could be charged for the same quantity of replacement tires or tubes of the same grade or quality when sold to your lowest price class of buyer of your own brands. If the buyer receives from the seller a writtent statement that the price charged does not exceed the ceiling price permitted by this paragraph, the buyer shall be deemed to have complied with this paragraph.

(b) *Requirements of cost computations.* The cost of any particular size or type of tire or tube or the aggregate costs of all types and sizes delivered to a particular purchasing brand owner shall be the sum total of direct labor cost, direct material cost including waste, factory overhead, warehouse and shipping expense, administrative expense, and other expenses. The method of computing costs shall be the same method actually used during the 90 day period selected under paragraph (c) of this section. If you elect to determine your ceiling price under paragraph (a) of section 2, the cost shall be the actual cost of producing and selling the tire or tube to the particular buyer for the last complete quarter prior to the filing of the report required by section 4, except that cost increases or decreases in your cost of rubber, rayon and cotton and direct labor expected during the following accounting period may be reflected as part of the total cost if set forth separately and in detail. At the end of the following accounting period, you must recalculate your costs to determine the correctness of the anticipated increase or decrease. Such recalculation shall be filed with the Office of Price Stabilization, Washington, D. C., in the same manner as the report required above. Upon approval by the Office of Price Stabilization, the buyer and seller may adjust any under-collection and must adjust any over-collection. If you made no sales to the particular purchasing brand owner during the last complete quarter prior to the filing of the report required by section 4, you shall use estimated current costs of producing and selling the tires or tubes to the particular buyer, rather than actual costs. However, within 60 days after the first 3 months of actual production of the tires or tubes for the particular buyer, you must file the report required by section 4 using actual costs for the 3 months period. If you elect to determine your ceiling price under paragraph (b) of section 2, the cost shall be the aggregate actual costs of producing and selling all tires and tubes sold to the particular purchasing brand owner during the accounting period for which a ceiling aggregate price is being determined. In such cases, no anticipated cost increases or estimated costs may be included.

(c) *Requirements of markup computations.* The percentage markup to be applied under paragraph (a) or (b) of section 2, shall be the markup on all sales of tires and tubes to the particualr purchasing brand owner during any 90 day accounting period between January 1, 1950 and June 30, 1950. The markup shall be determined by subtracting from the total aggregate net sales of tires and tubes to the particular buyer during the period selected, the total actual aggregate costs as described in paragraph (b) of this section, and expressing the remainder as the percentage of the total aggregate costs. Aggregate net sales shall be the sum of all billings made during the period selected for all the tires and tubes of that brand sold to the particular brand owner less returns and allowances. If you made no sales to the particular buyer between January 1, 1950, and June 30, 1950, you will use a percentage markup consistent with percentage markups determined under this regulation. The Office of Price Stabilization may approve, modify or disapprove, and may at any time after approval, correct markup computations to make them consistent with the level of markup computations under this regulation.

SEC. 4. *Reports and approvals of prices*—(a) *Fixed price.* (1) If you use paragraph (a) of section 2 to determine your ceiling price for tires or tubes, you must file with the Office of Price Stabilization, Washington 25, D. C., the report required in subparagraph (3) of this paragraph within 30 days after the effective date of this regulation or within 10 days after the particular buyer first agrees to buy tires or tubes for which a ceiling price must be determined under this regulation, whichever is later. In addition, you must file another report

containing the information required by subparagraph (3) (vi) of this paragraph at least 30 days before the end of the first period agreed upon by you and the buyer, and at least 30 days before the end of each subsequent period.

(2) You may not accept payment for any such tires or tubes in subparagraph (1) of this paragraph (unless specifically authorized to do so by the Office of Price Stabilization, Washington 25, D. C.) until the reported ceiling prices are approved by the Office of Price Stabilization. The reported ceiling prices, however, shall be deemed to be approved unless within 20 days after the mailing of the report or within 20 days after the mailing of any additional information which the Office of Price Stabilization may request, the Office of Price Stabilization disapproves the proposed ceiling price or requests additional information. The Office of Price Stabilization may approve or disapprove, and may at any time after approval, correct ceiling prices reported under this section so as to make them consistent with the level of ceiling prices established under this regulation.

(3) The report to be filed shall contain the following information:

(i) Name and address of brand owner, and brand or brands of tires or tubes being priced.

(ii) Total aggregate net sales of tires and tubes to the particular brand owner during the 90 day accounting period selected between January 1, 1950 and June 30, 1950, referred to in section 3 (c) of this regulation.

(iii) Total actual aggregate cost applicable to sales reported in subdivision (ii) of this subparagraph, showing as separate subtotals:

(*a*) Total factory costs;

(*b*) Total warehousing and shipping expense;

(*c*) Total administrative expense;

(*d*) Total other expense, if any.

(iv) A description of the method used in determining items (*a*), (*b*), (c), and (*d*) of subdivision (iii) of this subparagraph.

(v) The percentage markup on cost resulting from sales during period selected in subdivision (ii) of this subparagraph. If you made no sales to the particular buyer between January 1, 1950 and June 30, 1950, you will report the markup requested and state why it is consistent with other markups determined under this regulation.

(vi) Unit costs (showing same subtotals required in subdivision (iii) of this subparagraph) for each size and type of tire or tube for which a ceiling price is being determined. The costs reported shall be actual costs of producing and selling the tire or tube to the particular buyer for the last complete quarter prior to the filing of the report, computed by the same method of computing costs as the method actually used during the 90 day period reported under subdivision (ii) of this subparagraph. Any increases or decreases in your cost of rubber, rayon or cotton and in direct labor, expected during the following accounting period must be shown separately and in detail. If no sales were made to the particular buyer during that quarter, estimated current production and sales expenses shall be reported for each size and type of tire or tube. If estimated costs must be used, or if expected cost changes are used, the information required by this subdivision (vi) shall be refiled with the Office of Price Stabilization not later than 60 days after the first three months of production and sales to the particular buyer. At the time of refiling, actual costs for the three months period shall be reported for each size and type of tire or tube and new prices must be reported based on such actual costs.

(b) *Aggregate prices.* (1) If you use paragraph (b) of section 2 to determine your ceiling price for tires or tubes you must submit the report required in paragraph (a) (3) of this section except that you need not include the information required by subdivision (vi), of paragraph (a) (3) of this section. Such report shall be filed with the Office of Price Stabilization, Washington 25, D. C., within 30 days after the effective date of this regulation or within 10 days after a particular buyer first agrees to buy tires and tubes for which a ceiling price must be determined under this regulation, whichever is later. Such report must also be filed with the Office of Price Stabilization, Washington, D. C., within 90 days after each accounting period used under section 2 (b) of this regulation. The reported ceiling prices shall be deemed approved unless within 20 days after the mailing of the report, or within 20 days after the mailing of any additional information which the Office of Price Stabilization may request, the Office of Price Stabilization disapproves the proposed ceiling price or requests additional information. The Office of Price Stabilization may approve, modify or disapprove, and may at any time after approval, correct ceiling prices reported under this section so as to make them consistent with the level of ceiling prices established under this regulation. On or before the end of the accounting period, payment on account may be received and payment on account may be made, pursuant to your billings. Such payments, however, must be adjusted for any over-collection and may be adjusted for any under-collection as a result of a different ceiling price approved by the Office of Price Stabilization.

SEC. 5. *Records*—(a) *Buyers' and sellers' records.* Every person making a sale or purchase of a tire or tube subject to this regulation shall keep for inspection by the Office of Price Stabilization, for two years after the particular sale or purchase, accurate records of each such sale or purchase, showing the date, the name and address of the buyer and seller, the price paid or received, and the quantity of each brand, type, and size of new rubber tires or tubes sold or purchased.

(b) *Sellers' records.* In addition, if you are the manufacturer of such tires or tubes, and determined your ceiling prices under paragraph (a), (b) or (c) of section 2, you shall keep for inspection by the Office of Price Stabilization, so long as the Defense Production Act of 1950 remains in effect and for two years thereafter, accurate records for each particular buyer whose ceiling prices are determined under this regulation. The records shall include total aggregate costs showing sub-totals for factory costs, warehousing and shipping expense, administrative expenses, and other expense, computed by the same method of computing costs as the method actually used during the 90 day period reported under section 4.

SEC. 6. *Special pricing method for tubes.* Notwithstanding any other provision of this regulation, if you manufacture new rubber tubes sold to the brand owner thereof; you may elect to determine your ceiling price for such tubes by deducting a minimum discount of 60 percent from the brand owner's suggested retail list price of each tube of a given size and type. If you establish your ceiling prices under this section for any tube sold to a particular brand owner, you must use it as well for all other tubes sold to that buyer.

SEC. 7. *Adjustable pricing.* Nothing in this regulation shall be construed to prohibit your making a contract or offer to sell a commodity at (a) the ceiling price in effect at the time of delivery or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, unless specifically authorized by the Office of Price Stabilization, deliver or agree to deliver a commodity at a price to be adjusted upward in accordance with any increase in a ceiling price after delivery.

SEC. 8. *Taxes.* The Federal excise tax on new tires and tubes, if stated separately by you, may be added to the ceiling prices of any new tires and tubes. Any other tax upon, or incident to, the sale, delivery, or processing or use of a tire or tube, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows: If the statute or ordinance imposing such tax does not prohibit you from stating and collecting the tax separately from the purchase price and you do state it separately, you may collect, in addition to the ceiling price, the amount of the tax actually paid by you.

SEC. 9. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1.

SEC. 10. *Prohibitions.* (a) On and after the effective date of this regulation, regardless of any contract or other obligation, (1) you shall not sell or deliver or offer, attempt or agree to sell or deliver any commodity subject to this regulation at a price exceeding your ceiling price as determined under this regulation, and (2) no brand owner shall buy or receive or offer, attempt or agree to buy or receive from you any commodity subject to this regulation at a price exceeding your ceiling price as determined under this regulation.

(b) On and after the effective date of this regulation you shall not accept payment or offer, attempt or agree to accept payment for any commodity subject to

this regulation unless you have complied with the report requirements of section 4.

SEC. 11. *Charges lower than ceiling prices.* Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 12. *Evasion.* Any practice which results in obtaining indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to, devices making use of commission arrangements, premiums, discounts, special privileges, tie-in agreements and trade understandings.

SEC. 13. *Penalties.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950.

Effective date. The effective date of this regulation is August 1, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8937; Filed, July 31, 1951; 2:47 p. m.]

[Ceiling Price Regulation 63]

CPR 63—LUBRICATING OILS, GREASES, WAXES AND CERTAIN OTHER PETROLEUM PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 63 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation is the fourth to be issued by the Office of Price Stabilization covering petroleum products. It applies to wholesale sales of stock lubricating oils, industrial lubricating oils, waxes, petrolatums, and all other petroleum products which are not covered by other price regulations except asphalt and asphalt products which will be covered by a separate regulation. The marketing of these products represents a sufficiently particularized and segregated aspect of the petroleum industry to make desirable, from the standpoint of efficient administration, the issuance of a separate regulation. This view is concurred in by representative members of the petroleum industry.

The regulation is of the formula-freeze type, but it is the intent of the Director of Price Stabilization to spell out specific dollar and cents prices for stock lubricating oils, waxes and petrolatums in principal marketing centers as quickly as studies now under way are completed. The ceiling prices established by this regulation are substantially the same as those provided by the General Ceiling Price Regulation. In common with the other specific regulations issued to date covering the products of the petroleum industry, the base period of December 19, 1950, to January 25, 1951, inclusive is adopted. The reasons for the selection of this base period are set forth in the Statement of Considerations issued with Ceiling Price Regulation 17. Also, as distinguished from the General Ceiling Price Regulation, this regulation defines the highest price charged during the period December 19, 1950, to January 25, 1951 inclusive, in such a way as to exclude from use in the calculation of ceiling prices sales made in the afore-mentioned base period pursuant to pre-existing contracts which were not adjustable to reflect market conditions at or about dates of deliveries thereunder. This provision embodies the principle of establishing ceiling prices on the basis of current market conditions prevailing in the base period.

A segment of the petroleum industry affected by this regulation purchases large quantities of non-petroleum products including agricultural commodities such as tallow, lard, castor oil and linseed oil. These commodities are used in compounded petroleum products for a wide variety of automotive and industrial applications. Due to substantial increases in the costs of these products and of shipping containers representing a significant element of cost to the industry, substantial reductions of margins have resulted since June 1, 1950. Representations have been made to the Office of Price Stabilization that failure to provide for adjustments in ceiling prices because of such increased costs might result in an interruption in the supply of many industrial lubricants vital to the defense effort. Moreover, since June, sellers have not priced uniformly on the basis of their increased costs. Many companies, particularly those working on short inventories, advanced their selling prices in conformity with their new costs. Other companies did not, but as a result of such higher costs many of these were contemplating changes in their selling prices during November and December to be made effective early in 1951. There is normally a time lag of between 60 and 90 days between pronounced changes in costs and their reflection in selling prices by this segment of the industry. On December 18, 1950, the Economic Stabilization Agency made a request of 31 principal refiners to hold in abeyance voluntarily any contemplated price increases pending the completion of price analyses of the industry. This request for voluntary cooperation was extensively publicized by industry trade journals and compliance appears to have been general. Consequently, with the issuance of the General Ceiling Price Regulation, a number of traditional price relationships which were distorted during this period were frozen into ceilings. To correct this situation, the regulation permits sellers to apply for an adjustment of their ceiling prices when, due to temporary conditions, such ceiling prices are either inconsistent with their customary pricing practices or their customary price relationship to other sellers of their class.

The regulation also makes provision to allow a refiner, blender or compounder whose total costs of components of a product on March 15, 1951, exceed by more than 5 percent such costs on June 1, 1950, because of a change in the costs of the purchased components entering directly into the product and/or the non-returnable container used for shipping such product, to modify his ceiling price for the product to reflect the dollar and cents increased costs of purchased components and/or non-returnable containers. However, this adjustment is subject to the proviso that in computing the amount that may be added to ceiling prices there shall be deducted from the increased costs the amount by which the seller's ceiling price on March 15, 1951, exceeds his selling price on June 1, 1950. The effect of this provision is to restore and maintain dollar and cents margins in existence during the period immediately prior to the outbreak of hostilities in Korea for a large number of compounded petroleum products. It also substantially reduces an existing distortion in the price relationship between compounded and uncompounded products of the industry. In adopting the stipulation that the increase or decline in costs shall be more than 5 percent before a change in ceiling prices may be made or required, the Director of Price Stabilization gave consideration to the desirability of preventing every change in cost, no matter how infinitesimal, from being reflected in ceiling prices and to the customary practice of the petroleum industry of maintaining stable consumer prices within tolerable limits of cost variations. However, it is recognized that in some cases the 5 percent requirement may result in a distortion in the customary price relationships maintained by a seller on a given line of petroleum products. Accordingly, any seller who believes that meeting this requirement is a cause of such distortion may request that consideration be given to the special circumstances involved.

The above formula differs from that used in Ceiling Price Regulation 22 in several respects. Under Ceiling Price Regulation 22 sellers establishing their ceiling prices adjust their pre-Korean prices by adding to such prices an adjustment factor to reflect advances in labor and material costs. This is designed to preserve pre-Korean margins and to eliminate inflationary price increases not justified by cost increases in the post-Korean period. The adjustment procedure incorporated in this regulation allows a seller the choice of adopting either his base period ceiling price for a particular compounded product or of adjusting his June 1, 1950, selling price for the increased costs of purchased components and/or containers since that date. In computing increased costs, no allowance may be made for labor costs or increases in manufacturing costs of products directly produced from a seller's own refinery. Thus, the formula is narrower than the one in Ceiling Price Regulation 22. In adopting this limited adjustment factor, the Director was guided by the extreme difficulty of ascertaining a generally ac-

ceptable basis for allocating costs of products produced in a multiple products refinery. It is customary industry practice to impute a value to its products, such imputation being predicated on market values rather than cost. Because of this arbitrary costing method, it was deemed impracticable to reflect in total cost the changes in these imputed values since the pre-Korean period. It was deemed undesirable for this reason, among others, to require a recalculation of all ceiling prices as provided by Ceiling Price Regulation 22. Such a recalculation would necessitate the adoption of arbitrary cost imputations to determine total cost changes. Also, to require reductions where price changes exceed the increases in the costs of purchased components or containers alone would be impractical because such price changes may have reflected total cost changes not accounted for in the formula.

The regulation also authorizes the addition to ceiling prices of transportation rate increases occurring between January 26, 1951, and May 15, 1951, inclusive, which have been authorized by Federal or State regulatory bodies or the Office of Price Stabilization. This provision has been adopted because transportation charges represent a significant element of cost in the case of many products governed by this regulation due to the long distances over which they are transported, often in small volume. Moreover, such products are frequently sold on narrow margins which are insufficient to allow marketers to absorb transportation rate increases.

One of the more serious problems confronting the petroleum industry is the growing scarcity of steel containers which are indispensable to the distribution of petroleum products. Customarily the petroleum industry sells a substantial portion of its products on a non-returnable drum basis. It has now become imperative that drums be returned to primary sellers, necessitating that such sellers shift from a non-returnable to a returnable drum basis. Since drums had a value during the base period to purchasers who are now required to return them, it is equitable that an allowance be made to such purchasers for the loss of value involved. Such value was variable depending upon the disposition individual purchasers made of these drums, and it is not possible to ascertain such values with any degree of accuracy. In the judgment of the Director of Price Stabilization, it is desirable that these values be specific and uniform and in conformity with the ceiling prices established for raw used drums purchased by container reconditioners. The specific allowances set forth in this regulation conform, therefore, to the ceiling prices as established for raw used drums under Ceiling Price Regulation 36, Used Steel Drums, effective May 16, 1951.

At the present time there exists a variance among suppliers in their ceiling deposit charges for returnable drums. Provision is made in the regulation to allow a uniform deposit charge of $10 for 55-gallon steel drums and lesser appropriately related amounts for smaller size drums. This is designed to make possible a uniform deposit system for the petroleum industry and to provide a maximum deposit charge for sellers who since the base period have converted from a non-returnable drum basis to a returnable drum basis. The deposit charges are higher, in some instances, than actually charged by suppliers during the base period, but under prevailing circumstances such higher deposits appear warranted. Moreover, although these deposit charges are also higher than replacement cost, they are not so high that they may be considered susceptible to evasive use.

A characteristic feature of the segment of the industry covered by this regulation is the large number of new products it constantly introduces to improve industrial processes and to meet novel and exacting engineering requirements. In establishing new product pricing methods and procedures, convenient and, where possible, practically automatic pricing mechanisms are provided for reaching sound results. The regulation contains three methods for establishing ceiling prices for new products.

(1) *Minor differences method.* For any new product that differs from a product for which a ceiling price has been established under the regulation only by reason of minor differences in composition which do not prevent its offering substantially equivalent serviceability, the ceiling price for such product shall be the same as the ceiling price for the product from which it differs only because of such minor changes. Specifically, if the minor changes do not reduce or increase the cost of the product for which a ceiling price has been established by more than 5 percent and if the new product will render substantially equivalent serviceability, the ceiling price remains unchanged. Sellers pricing under this provision are not required to file with the Office of Price Stabilization since it is the intent of the Office of Price Stabilization to reduce the reporting burden both on industry and government whenever possible. The requirement of "substantially equivalent serviceability" is intended to preclude the risk of product deterioration which may not be reflected in ceiling prices. At the same time, the provision makes possible changes of an inconsequential nature, either to meet more perfectly an engineering requirement or because identical components are not available, without disturbance of ceiling prices. By further requiring that the difference in cost shall be confined to 5 percent, a greater degree of price stability is assured. However, provision is made for sellers who believe that a hardship results from this requirement to use the "Comparable Products Margin Method" of pricing.

(2) *Comparable Products Margin Method.* This method permits a seller who cannot price under other provisions of the regulation to determine his ceiling price on the basis of the average of the percentage mark-ups on two of the seller's comparable products on which he has established ceiling prices. The seller chooses his two most comparable products, one next lower in cost and one next higher in cost; calculates the percentage markup included in the ceiling price of each product; takes an average of these two percentage mark-ups, and uses this figure in determining his mark-up in the new ceiling price.

Comparability of products is determined on the basis of similarity of end use and proximity of costs. Two products are of similar end use if sold for the same general purpose such as motor oils, gear lubricants, quenching oils. However, consideration is to be given to products of similar specifications and composition. Having similar end use, products may be considered comparable if their costs do not vary by more than 20 percent.

For resellers, current delivered costs of the products are to be used as costs in making comparisons. For blenders and compounders, the costs to be used are current delivered costs of components. For refiners on the other hand, while using current delivered costs for the components they purchase, some other value factor must be used for components they produce. It is recognized that it is not possible to determine the actual cost of a product produced in a multiple product refinery. Therefore, in evaluating such a component, the refiner must use the refinery value, inventory value, works billing price, or some other appropriate value which has been imputed to the component during the base period as evidenced by accounting records maintained for this purpose. This value factor must have been customarily used for evaluating the components of the new product as well as for the comparable products. Although the use of this method will not always result in 100 percent accuracy in determining margins, particularly when the proportion of purchased to produced components varies greatly for the products being compared, it nevertheless provides as satisfactory a method as possible for the purpose of determining new ceiling prices under this provision, and will result in ceiling prices which are in line with other prices established by the regulation. A form is provided for reporting to the Office of Price Stabilization ceiling prices established by this "comparable products margin method." Upon filing the price determined by use of this method, the price so established is the seller's ceiling price until changed or disapproved by the Office of Price Stabilization.

(3) *Final Pricing Method.* When the "comparable products margin method" cannot be used, the seller is permitted to establish a ceiling price in line with the level of ceiling prices otherwise established by this regulation. In substantiation thereof, the seller is required to submit certain specified information.

In establishing the foregoing pricing methods and procedures, the Director of Price Stabilization has given careful consideration to their adaptation to the customary practices of the industry so as to provide as flexible an instrument as possible within the general context of price controls.

Prior to the formulation of this regulation the Director of Price Stabilization advised with a large number of persons representing a substantial part of the industry and the regulation has been re-

viewed by the Petroleum Industry Advisory Committee for Lubricating Oils, Industrial Oils, Waxes and Petrolatums established by the Director of the Office of Price Stabilization.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

As far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

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3. Transactions and persons covered.
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AUTHORITY: Sections 1 to 21 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SCOPE OF THE REGULATION

SECTION 1. *Products covered and excluded.* (a) This regulation covers the following products:

Lubricating stock oils.
Engine crankcase oils.
Aviation engine oils.
Marine lubricating oils.
Railroad lubricating oils.
Industrial lubricating oils.
Lubricating greases.
Core oils.
Mineral seal oil.
Petroleum coke.
Petroleum resins.
White oils.
Household lubricating oils.
Upper cylinder lubricants and other specialty lubricants.
Cutting oils.
Process oils.
Microcrystalline and paraffin waxes.
Petrolatums.
Insecticidal base oils.
Naphthenic acids.
Mercaptans from petroleum.
Sulfonic acids from petroleum.
Crude sulfonates from petroleum.
Cresylates from petroleum.
Cresylic acids from petroleum.
Special liquid hydrocarbon polymers.
Acid sludges from petroleum.
Processed oils and compounds where the non-aqueous content is 50 percent or more of one of the foregoing.
All other petroleum products not included in other specific price regulations relating to petroleum products.

(b) The following products are specifically excluded from this regulation:

Chemicals derived from natural gas or petroleum hydrocarbons by catalytic or chemical conversion.
Resinous, viscous and elastic hydrocarbon polymers.
Hydrogen sulfide.
Products containing a major portion of petroleum derivatives primarily produced by non-petroleum industries.
Asphalt and asphalt products.

Ceiling prices for these products are to be determined by the following regulations whichever is by its terms applicable: The General Ceiling Price Regulation, Ceiling Price Regulation No. 17, Ceiling Price Regulation No. 22, or any other specific price regulation which may hereafter be issued covering these products.

SEC. 2. *Experimental sale.* The first sale to one or more companies for experimental purposes of any product covered by this regulation is exempt from all ceiling price regulations and orders.

SEC. 3. *Transactions and persons covered.* This regulation covers all types of sales and deliveries of products covered by this regulation either by refiners, blenders, resellers, or any other person except the following:

(a) *Retail sales.* Retail sales at retail establishments, including transactions through stationary retail facilities which are in conjunction with bulk plants, terminals, refineries, or wholesale establishments.

(b) *Exchanges.* Exchanges of petroleum products between refiners and other petroleum sellers, provided such exchanges conform to customary practices of the industry during the base period. Such exchanges are also exempt from all ceiling price regulations. The Office of Price Stabilization will not grant any increases in the ceiling prices of petroleum products covered by this regulation where the requested revision in price is due to the price at which such products have been exchanged.

(c) *Subsidiaries.* Sales between corporations when one is a wholly-owned subsidiary of the other, or when both are wholly-owned subsidiaries of a third corporation, and sales between such other affiliated or controlled corporations as are especially excepted by order in writing by the Director of Price Stabilization or his duly authorized representative, provided prices at which such sales are made do not affect the level of existing ceiling prices. Such sales are also exempt from all ceiling price regulations.

SEC. 4. *Geographical coverage.* The provisions of this regulation are applicable to the United States, its territories and possessions and the District of Columbia.

SEC. 5. *Imports.* Ceiling prices in this regulation shall apply even though the product involved originated outside of the area covered by the regulation and was imported into such area.

SEC. 6. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after January 26, 1951, and the transferee carries on the business or continues to deal in the same type of products in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 7. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 8. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1.

SEC. 9. *Applications for adjustment.* (a) The Director of Price Stabilization may adjust by order any ceiling price established under this regulation for a seller when it appears:

(1) *Price inequities.* (i) That due to temporary conditions a seller has a ceiling price which is not in line with his customary pricing practice or with his customary price relationship with other sellers in the same marketing area.

(b) The seller applying under paragraph (a) (1) of this section shall show to the satisfaction of the Director:

(1) The basis upon which it is concluded that the ceiling prices are below normal, with a statement of how long the inequity has been in existence.

(2) The ceiling prices proposed.

(3) Information supporting why the proposed ceiling prices would be normal.

(4) A statement that the proposed ceiling prices will be in line with the level of ceiling prices otherwise established by the regulation.

(5) Applications for adjustment for price inequities shall be filed with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

SEC. 10. *Price revisions incident to orders establishing specific prices.* The Director of Price Stabilization may by supplementary regulation or by special order of general applicability establish specific ceiling prices or otherwise modify the provisions of this regulation with respect to certain products, transactions or geographical area.

SEC. 11. *Shifts which must be reported.* Where a seller has established a ceiling price on a delivered-at-destination basis at a given point for a particular petroleum product to a purchaser and thereafter sells such purchaser on an f. o. b. shipping point price basis, he shall report such shift to the Director of Price Stabilization within thirty days after the date such sale is made if the effect of selling on an f. o. b. shipping point price basis is to increase the laid-down cost to the purchaser above the seller's delivered-at-destination ceiling price to such purchaser. However, a seller may not shift to an f. o. b. shipping point price basis unless he has an f. o. b. shipping point ceiling price properly determined under the appropriate provisions of this regulation. The Director of Price Stabilization may by special order modify the terms and provisions applicable to such sales when in his judgment, the reported shift constitutes an evasion of the purposes of this regulation.

SEC. 12. *Records*—(a) *Record-keeping requirements.* (1) With respect to any commodity covered by this regulation the provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect insofar as they apply to the preparation and preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951, and the effective date of this regulation.[1]

(2) (i) You shall prepare and preserve for the life of the Defense Production Act of 1950 and for two years thereafter all records necessary to determine whether you have computed your ceiling prices correctly, including (but not limited to) records showing base period prices and product costs, and records showing costs, prices, and sales for the other applicable periods and dates referred to in the regulation.

(ii) The records to be preserved under this paragraph must include appropriate work sheets. The work sheets may be in any convenient form so long as they include all data and calculations required to determine your ceiling prices.

(3) You shall preserve for a period of two years all records showing the prices at which sales of commodities subject to the regulation have been made.

SEC. 13. *Compliance with this regulation required*—(a) *Prohibitions against selling or delivery of petroleum products at prices above the ceiling.* On and after the effective date of this regulation regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any petroleum product covered by this regulation at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do anything prohibited in this section. Prices lower than the ceiling prices may be charged, demanded, paid or offered.

(b) *Customary price differentials.* The ceiling prices determined under this regulation shall reflect customary price differentials, including discounts, allowances and premiums in effect during the base period to all classes of purchasers.

(c) *Evasion.* The ceiling prices established by this regulation shall not be evaded either by direct or indirect methods in connection with the purchase, sale, delivery or transfer of petroleum products alone or in conjunction with any other materials, or by way of any commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tie-in-agreement or other trade understanding or by a change in the quality of the product, or otherwise, except when such change in quality results from order of any agency of the United States Government.

(d) *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

SEC. 14. *Definitions*—(a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor and representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Retail establishment" means the store, shop, garage, service station (land or marine), or other place of business at which the major portion of the sales of petroleum products is sold in customary small quantities to consumers.

(c) "Contract" means an agreement, the existence of which is established by written evidence.

(d) *"Comparable competitive product."* For a product of a particular seller to be regarded as comparable to the product of another seller, it must customarily have been so regarded in trade practice and it must be a product that has customarily been sold in competition with the product of such other seller.

(e) *"Offering price."* The price at which a product was offered means the price shown in the seller's price list, or if a particular price was not included therein, or if he had no price list, the price at which he offered products in any other written manner. Such prices shall be subject to the seller's customary allowances, discounts, and price differentials.

(f) *"End use."* Two products shall be considered as having similar end use if sold for the same general purpose; for example, products in each of the following categories may be considered as having similar end use; motor oils; pressure gun greases; gear lubricants; wheel bearing greases; hydraulic oils; rest preventives; cutting oils; turbine oils; quenching oils; textile oils; and ink oils. However, in making product comparisons under applicable provisions of this regulation, due consideration shall be given to products of similar specifications and composition. For example, if a new Pennsylvania motor oil is being priced, comparison shall be made with other Pennsylvania motor oils in the seller's line; if he has none, comparison shall then be made with those motor oils most nearly approximating the new product in specifications, e. g., Mid-Continent Solvent Refined.

(g) *"Purchaser of the same class."* This term refers to the practice adopted by the seller in setting different prices for a product for sales to purchasers performing different functions (for example, refiners; jobbers; distributors; commercial, industrial or private consumers) or for purchasers performing the same functions but located in different areas or buying in different quantities or grades or under different conditions of sale. Price is prima facie evidence but not conclusive evidence to be considered in determining if a purchaser belongs to a particular class; however, a lower price to a particular purchaser

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[1] The portions of the General Ceiling Price Regulation here referred to are as follows:

SEC. 16. (a) *Base period records.* You must preserve and keep available, for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or service which you delivered or offered to deliver during the base period. * * *

(2) In addition, on or before March 22, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period. * * *

(3) On or before March 22, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalog. * * *

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period. * * *

(b) *Current records.* If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. * * *

"Base period" as used in section 16 of the General Ceiling Price Regulation means December 19, 1950, to January 25, 1951, inclusive.

which was to meet competition and was otherwise inconsistent with the seller's practice in setting the same price to purchasers in the same functional class shall neither result in placing the particular purchaser in a lower price class nor be considered in determining a seller's ceiling price.

(h) *"Sale."* The term "sale" for purposes of using the "ceiling price based on sales" method of section 16 shall include:

(1) Sales in the base period pursuant to oral or written contracts, including spot sales, made during such period.

(2) Written contracts made during the base period whether or not any deliveries were made thereunder, and written contracts made during the period June 1, 1950, to December 18, 1950, inclusive, under which no deliveries were made in the base period but which provided for performance to begin during or after the base period.

(3) Deliveries made during the base period under a contract made between June 1, 1950, and December 18, 1950, inclusive, if such contract was adjustable to reflect market conditions during the base period.

Provided, however, That in all cases deliveries made in the base period under contracts entered into prior to June 1, 1950, shall not be considered as a "sale," unless the buyer and seller agree to continue such contracts in which case the ceiling price may be established on the basis of such contracts.

(i) *"Base period".* This term means the period from December 19, 1950, to January 25, 1951, inclusive.

(j) *"Delivery point".* This term means the different customary price areas of the seller, such price areas being reflected by the seller on a stated price or differential basis. Each such price area shall be interpreted as a delivery point and the ceiling price of each seller in each such price area shall reflect his customary differentials or differences in prices.

CEILING PRICES

SEC. 15. *Specific ceiling prices for certain stock oils in bulk lots.* [Reserved].

SEC. 16. *Formula prices*—(a) *Ceiling price based on sales.* Where no applicable specific price has been established under section 15, the ceiling price of a seller for each product covered by this regulation at each shipping or delivery point shall be the highest price charged at that point by him during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of such petroleum product to a purchaser of the same class.

(b) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under paragraph (a) of this section, the ceiling price for such seller at each shipping or delivery point for each petroleum product covered by this regulation shall be the highest offering price at the shipping or delivery point during the period December 19, 1950 to January 25, 1951, inclusive, for sale of such petroleum product to a purchaser of the same class.

(c) Ceiling prices determined under paragraphs (a) and (b) of this section shall reflect the seller's customary allowances, discounts, and price differentials.

SEC. 17. *Seller unable to determine ceiling price*—(a) *Minor differences method.* Where a ceiling price for a particular product cannot be determined under the preceding methods of this regulation and where the product differs from another product for which a ceiling price has been determined under this regulation, only by reason of minor differences in composition which do not prevent its offering substantially equivalent serviceability, the ceiling price of the particular product shall be the same as that of the product for which a ceiling price has been established except that:

(1) *Refiners, blenders, and compounders.* A refiner, blender, or compounder may not use this provision if the current delivered cost of the components of the particular product varies from the current delivered cost of the components of the product for which such sellers have an established ceiling price by more than 5 percent of the current delivered cost of the original product.

In computing cost, a refiner shall use with respect to the components obtained from his own refinery operations the value which he placed on those components during the base period as evidenced by accounting records maintained for this purpose.

However, any seller subject to this provision who believes that an undue hardship is imposed upon him by pricing hereunder, may file a ceiling price under section 17 (b) stating the reasons why he should not be required to price under the minor differences method. When such a filing is made, the Director of Price Stabilization may review all prices established by the seller under the minor differences method and revise them if, in his judgment, the over-all application of this section in the particular seller's case results in ceiling prices not in line with ceiling prices established for other sellers subject to this minor differences method.

(2) *Resellers.* A reseller may not use this provision if the current delivered cost of the particular product varies from the current delivered cost of the product for which he has an established ceiling price by more than 5 per cent of the cost of the original product.

(b) *Comparable products margin method: Where the seller has comparable products sold during base period.* Where a ceiling price for a particular product cannot be determined under the preceding pricing methods, a seller shall establish his ceiling price on the basis of the average of the mark-ups on two comparable products.

(1) *Resellers.* A reseller shall select two products of similar end use on which he has established ceiling prices. The two products selected shall be closest in composition, specifications and current delivered costs to the product being priced. Of the two comparable products, one shall be next lower in cost to the new product and the other shall be next higher in cost. In no case shall any product be selected which varies by more than 20 per cent from the current delivered cost of the product being priced. The seller shall establish his ceiling price by (i) dividing the ceiling price for each such product by its current delivered cost; (ii) adding the resulting figures and dividing by two; (iii) multiplying the current delivered cost of the product priced by the figure obtained in subdivision (ii) of this subparagraph; (iv) copying the form, in subparagraph (3) of this paragraph, filling it in and forwarding by registered mail, return receipt requested, to the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C.

(2) *Refiners, blenders and compounders.* A refiner, blender or compounder shall determine his ceiling price by the procedure for resellers in subparagraph (1) of this paragraph, using his current delivered costs for the components he buys. With respect to the components he manufactures, the refiner shall use in the place of current delivered costs of the components the value which he placed on such components during the base period, as evidenced by accounting records maintained for this purpose.

(3) *Filing provision.* The ceiling prices determined according to subparagraphs (1) and (2) of this paragraph shall be filed by registered mail, return receipt requested, within 15 days of the making of the sale, with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C., in the form indicated below. Upon filing, the price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a different price is established by the Office of Price Stabilization. If he wishes, the seller may request a ceiling price before making a sale. A price established under this section may be changed at any time by order of the Office of Price Stabilization.

If a seller shall fail to report a ceiling price, the Office of Price Stabilization may establish his ceiling price for a particular product at the particular point, effective retroactively to the date of the making of the first sale of the product.

OFFICE OF PRICE STABILIZATION

REPORT OF CEILING PRICE

Section 17 (b)—Ceiling Price Regulation No. 63

Company name_____
Address_____
Product being priced_____
Unit of sale_____ Class of purchaser_____
1. Name_____
2. End use_____
3. Current delivered cost [1]_____
4. Ceiling price (line 3 multiplied by average ratio below)

Comparable products having the same end use on which seller has established ceiling prices:
Unit of sale_____ Class of purchaser_____

	Column 1	Column 2	Column 3	Column 4
	Name	Ceiling price	Current delivered cost [1]	Ratio: Column 2 divided by column 3
Product No. 1				
Product No. 2				
Total column 4				
Average ratio (total column 4 divided by 2)				

[1] Current delivered cost to be used by resellers. Refiners for components from own operations use value placed on the product during the base period as evidenced by accounting records maintained for this purpose.

(c) *Final pricing method: New products where the seller has not sold comparable products during base period.* If under other provisions of this regulation, a seller is unable to determine his ceiling price at a given shipping or delivery point for any product covered by this regulation, the seller may nevertheless make a sale of such product at that point. If he wishes, he may request a ceiling price before making a sale. Within 15 days after making such a sale, the seller shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., a written request for approval of a ceiling price including a statement setting forth:

(1) Why he cannot establish a ceiling price under the methods set forth above.

(2) The name, established ceiling price, end use, pertinent specifications, composition and current delivered cost of the seller's product which is most comparable to the new product.

(3) The proposed ceiling price, class of purchaser to whom applicable, the method used to determine it and the reason why the seller believes the proposed price is in line with the level of ceiling prices otherwise established by this regulation.

(4) Names and established ceiling prices of two "comparable competitive products" giving the information which the seller is able to obtain regarding the pertinent specifications and end use of such products. If the seller or any other seller has an established ceiling price or prices at other points for the same commodity for which a tentative price is herein established, such prices for the three nearest points.

(5) Any other information which the seller can give to substantiate the ceiling price he is filing. The price filed shall be the seller's ceiling price unless it is disapproved in writing or a different price is established. A price established under this section may be changed at any time by order of the Office of Price Stabilization. If a seller shall fail to report a ceiling price, the Office of Price Stabilization may upon written notice to the seller establish his ceiling price for the particular product at the particular point, effective retroactively to the date of the making of the first sale of the product.

INCREASES PERMITTED OR REDUCTIONS REQUIRED

SEC. 18. *Transportation.* (a) There may be added to the applicable ceiling prices determined under other sections of this regulation an amount not in excess of the following:

(1) The exact amount of increase in transportation costs to the seller or his reseller customer resulting from transportation rate increases including excise taxes applicable to such rate increases between January 26, 1951, and May 15, 1951, inclusive, permitted by Federal or State regulatory bodies or by the Office of Price Stabilization.

(2) Where transportation is in facilities owned or controlled by the seller the same increases as provided in subparagraph (1) of this paragraph where the movement involved is in lieu of transportation by such regulated carrier.

SEC. 19. *Taxes.* Any seller may collect, in addition to the ceiling prices established by this regulation, any new excise, sales, or similar tax imposed upon him after January 25, 1951, by reason of his sales of any of the products covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 20. *Changes in the costs of purchased products, components and containers*—(a) *Refiners, blenders and compounders.* When a refiner's, blender's or compounder's total cost of components of a product on March 15, 1951 exceeds by more than 5 percent, his total cost of components on June 1, 1950 because of a change in the costs of the purchased components entering directly into the product and/or the non-returnable container used for shipping such product, he may modify his ceiling price for the product to reflect the dollar and cents increased costs of purchased components and/or non-returnable container.

However, in computing the amount that may be added to his current ceiling price for each class of purchaser, he shall deduct from his increased costs the amount by which his current ceiling price exceeds his June 1, 1950, ceiling price to that class. In computing costs of purchased components and/or non-returnable containers on June 1, 1950, and March 15, 1951, refiners, blenders and compounders shall use the delivered costs of these products less any discounts or allowances obtained (not including customary cash discounts) as of the dates nearest, but prior to and including June 1, 1950, and March 15, 1951. These costs for both prescribed dates shall be based on normal buying practices. For example, any cost based upon smaller quantity purchases or use of a more distant source of supply than customary would constitute departures from normal buying practices. Refiners, in computing total cost of components on June 1, 1950, shall use as delivered cost for the components obtained from their own refinery operations the value placed on such components on June 1, 1950, as evidenced by accounting records maintained for this purpose. Any seller having used this provision to increase his ceiling price for a product shall reduce this new ceiling price by the dollar and cents decreased costs of purchased components and/or non-returnable container when his total costs of components of the product and/or non-returnable containers subsequent to March 15, 1951, have decreased by more than 5 percent. In computing total costs, refiners, blenders and compounders shall use the applicable procedures set forth above.

(b) *Refiners, blenders and compounders performing the function of resellers and other resellers.* When the delivered cost of a product and the non-returnable container used in shipping such product to a reseller (including refiners, blenders and compounders who resell the product in the same form as purchased) on March 15, 1951, exceeds by more than 5 percent his cost on June 1, 1950, he may modify his ceiling price for the product to reflect his dollar and cents increased costs.

However, in computing the amount that may be added to his current ceiling price for each class of purchaser, he shall deduct from his increased cost the amount by which his current ceiling price exceeds his June 1, 1950, selling price to that class. Any seller having used this provision to increase his ceiling price for a product shall reduce this new ceiling price by the dollar and cents decreased cost of the product when its cost subsequent to March 15, 1951, has decreased by more than 5 percent.

(c) *Distortions.* Any seller modifying his ceiling prices pursuant to paragraphs (a) or (b) of this section, who finds that a distortion results in the customary price relationships among products of a particular series due to the 5 percent limitation requirement may request that ceiling prices be adjusted on all products in the series in order to maintain their customary price relationships. When such a request is made, the applicant shall submit to the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., (1) the same information as required under paragraph (e) of this section; (2) a statement of the reasons why a distortion in customary price relationships is created by the seller's use of section 20; (3) the ceiling prices requested; and (4) why the establishment of such ceiling prices will result in the maintenance of the seller's customary price relationships for the products involved. The ceiling prices requested because of distorted price relationships cannot be used until adjusted by order of the Director of Price Stabilization.

(d) *Resellers.* Where a refiner's, blender's or compounder's ceiling price for a petroleum product has been increased or decreased by the use of this section, the reseller's ceiling price for such product shall be modified by the amount of the dollar and cents difference in cost to him.

(e) *Filing provision.* Any seller using paragraph (a) or (b) of this section shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., the following information:

(1) Selling price for the particular product on June 1, 1950.

(2) Ceiling price for the particular product as established under other provisions of this regulation.

(3) Ceiling price as determined by this provision.

(4) The identification and net delivered cost of the purchased product, components and/or non-returnable container on March 15, 1951, or the date nearest but prior thereto on which a purchase was made; the net delivered costs of the purchased product, components and/or non-returnable container on June 1, 1950, or the date nearest but prior thereto on which a purchase was made; and the costs at the time a recalculation is made to reflect decreased costs. Upon filing, the price shall be the seller's ceiling price for the particular product unless it is disapproved in

writing or a different price is established by the Office of Price Stabilization. A price established under this section may be changed at any time by order of the Office of Price Stabilization.

SEC. 21. *Containers*—(a) *Deposits.* Any seller subject to the provisions of this regulation may place deposit charges not to exceed the following amounts on the enumerated shipping containers, not including I. C. C. 5 or 5 B drums. Such deposit charges shall be subject to the seller's customary practice with respect to condition of drum and time allowed for return:

55-gallon or 400-pound, 16–20-gage steel drum	$10.00
30-gallon or 200-pound, 16–20-gage steel drum	6.00
15-gallon or 100-pound, 19–24-gage steel drum	4.00

(b) *Reduction in ceiling price when shifting from a non-returnable to a returnable drum basis.* Any seller who during the base period sold on a non-returnable drum basis and subsequent to the base period shifts to a returnable drum basis shall make the following allowances for return of drums to his purchasers except in the States of California, Washington and Oregon.

55-gallon or 400-pound, 16–20-gage steel drum	$1.75
30-gallon or 200-pound, 16–20-gage steel drum	1.50
15-gallon or 100-pound, 19–24-gage steel drum	1.00

In the States of California, Washington and Oregon, there shall be added an additional $0.25 to each of the allowances set forth above.

Effective date. This Ceiling Price Regulation shall become effective on August 6, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51–8948; Filed, July 31, 1951; 4:22 p. m.]

[General Ceiling Price Regulation, Supp. Reg. 48]

GCPR, SR 48—REMELT ZINC

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Supplementary Regulation 48 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation establishes dollars-and-cents ceiling prices for remelt zinc.

Remelt zinc is made from zinc scrap by a simple melting process. Zinc scrap prices were rolled back to a level below primary zinc by Ceiling Price Regulation 43, effective June 1, 1951.

The ceiling prices established by this supplementary regulation are designed to roll back the ceiling prices for remelt zinc to a level in line with the ceiling prices for zinc scrap under Ceiling Price Regulation 43, so that the savings achieved by that regulation may be passed on to the ultimate consumer.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Ceiling delivered prices for remelt zinc.
3. Miscellaneous.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 704, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation establishes ceiling prices for remelt zinc on a different basis from that now prevailing under the General Ceiling Price Regulation, in order to bring such prices into line with ceiling prices for zinc scrap under Ceiling Price Regulation 43.

SEC. 2. *Ceiling delivered prices for remelt zinc.* If you are a seller of remelt zinc, your ceiling delivered price for any quantity is 17¼ cents per pound for material with a minimum zinc content of 97½% or 12¼ cents per pound for material with a zinc content of less than 97½%, plus whichever of the following transportation charges is applicable:

(a) When delivery is made to the buyer's receiving point by way of a public (common or contract) carrier, an amount not in excess of the actual charge (including transportation taxes) made by such carrier;

(b) When delivery is made to the buyer's receiving point by a vehicle owned or controlled by the seller, an amount not in excess of the lowest published and applicable common carrier charge (not including transportation taxes) for transporting the quantity of remelt zinc being priced from the point of shipment to the buyer's receiving point.

SEC. 3. *Miscellaneous.* All provisions of the General Ceiling Price Regulation which are not inconsistent with the provisions of this supplementary regulation, including, but not limited to, the enforcement and penalty provisions thereof, and the requirement of keeping on file for inspection a statement of ceiling prices, are incorporated herein by reference.

Effective date. This regulation becomes effective August 6, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51–8946; Filed, July 31, 1951; 4:21 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[Amendment 2 to CMP Regulation 1]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this amendment, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the amendment affects many different industries.

This amendment affects CMP Regulation No. 1 as follows:

Paragraph (i) of section 20 is amended to read as follows:

(i) If a controlled materials producer is not required to or is unable to accept an authorized controlled material order for delivery in the month requested because of the provisions of this section, but has open space available in either of the two following months, he must accept and schedule the order for delivery as early as possible during the two following months and must promptly notify the customer of the proposed delivery date and tell him that the order has been accepted, subject to written confirmation within 7 days. If the customer does not have written confirmation of the new delivery date in the producer's hands within 7 days after the date on which the notice of tentative acceptance was sent, the producer must cancel the order. If the new delivery date falls within a later quarter than that shown on the original authorized controlled material order, the confirmation has no effect unless it is accompanied by the customer's certification that he has an allotment valid for the new quarter, in which case the customer must charge the order against that allotment. The confirmation and certification may be by letter or telegram.

(Sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interprets or applies sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

This amendment shall take effect on August 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9000; Filed, Aug. 1, 1951; 4:46 p. m.]

[NPA Order M–62, Amdt. 2 of August 1, 1951]

M–62—HORSEHIDES, HORSEHIDE PARTS, GOATSKINS, CABRETTAS, SHEEPSKINS, SHEARLINGS, AND KANGAROO SKINS

This amendment is found necessary and appropriate to promote the national defense, and is issued pursuant to the authority granted by section 101 of the

Defense Production Act of 1950 as amended. In the formulation of this amendment consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M-62 (as amended June 29, 1951) by amending paragraph (a) of section 5.

NPA Order M-62 (as amended June 29, 1951) is hereby further amended as follows:

In the first sentence of paragraph (a) of section 5, the date "July 31, 1951" is changed to "September 30, 1951" and the percentage "300" is changed to "600."

This amendment shall take effect on August 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9013; Filed, Aug. 1, 1951; 5:02 p. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3]

CR 3—Relaxation of Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas

The following amended regulation (HHFA Regulation CR 3, originally issued at 16 F. R. 3835, May 2, 1951) is issued pursuant to sections 601 through 605 and section 704 of Pub. Law 774, 81st Cong. (64 Stat. 813, 814, 815, 816), as amended, sections 501, 502, and 902 of Executive Order 10161, September 9, 1950 (15 F. R. 6106), and the approval and authorization by the Board of Governors of the Federal Reserve System of HHFA CR 1:

GENERAL

Sec.
1. Statement of purpose.
2. What this regulation does.
3. Geographical areas affected.
4. Type of housing eligible.
5. Programming by HHFA.
6. Beginning of construction; time limit.
7. Definitions.

HOUSING TO BE HELD FOR RENT

8. Who may apply for exception from credit restrictions.
9. Where and how builders should apply.
10. Approval of applications.
11. Rules and conditions applicable.
12. Eligibility for tenancy.

SALES HOUSING AND OTHER HOUSING TO BE BUILT FOR OWNER-OCCUPANCY

13. Who may apply for exception from credit restrictions.
14. Where and how applications should be made.
15. Approval of applications.
16. Rules and conditions applicable.
17. Eligibility for purchase.

SPECIAL CREDIT EXCEPTIONS FOR PURCHASERS OF OTHER HOUSING

18. Approval of special credit exceptions.
19. Conditions and requirements.

AUTHORITY: Sections 1 to 19 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title VI, Pub. Law 774, 81st Cong., as amended, secs. 501, 502, 902; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

GENERAL

SECTION 1. *Statement of purpose.* In order to reduce serious inflationary pressures and to limit the volume of new residential construction to a level which can be maintained with the materials and labor available in the light of national defense requirements, restrictions on residential real estate credit (applicable where construction was started after noon of August 3, 1950) have been imposed, with the concurrence of the Housing and Home Finance Administrator, by Regulation X (Chapter XV of this title) issued by the Board of Governors of the Federal Reserve System (hereinafter called the "Board"). Related credit restrictions (applicable to both new and old residential property) are contained in regulations of the Federal Housing Commissioner and the Administrator of Veterans' Affairs. Actions restricting residential credit were taken under the authority of Title VI of the Defense Production Act of 1950 and amendments thereto, approved September 8, 1950, and of Executive Order 10161, issued September 9, 1950. In order to assist, to the maximum possible extent under existing legislation, the provision of housing needed for in-migrant defense workers or military personnel and their families where the failure to provide such housing would impede national defense activities, residential credit restrictions are relaxed or modified in critical defense housing areas designated by the Housing and Home Finance Administrator. Residential credit controls in such areas continue to be administered by the Board with respect to real estate construction credit which is subject to said Regulation X and by the Federal Housing Administration and the Veterans' Administration, respectively, with respect to residential real estate credit assisted under the programs of those two agencies. Accordingly, the schedules showing relaxed or modified credit terms made available in critical defense housing areas are announced by those agencies for their respective spheres of administrative responsibility.

It is the purpose of this Regulation CR 3, issued by the Housing and Home Finance Administrator, to prescribe uniform conditions and procedures under which such relaxed credit terms are made available in the designated critical defense housing areas in order to assure that the housing financed under the relaxed credit terms announced by the Board, the Federal Housing Administration and the Veterans' Administration will meet the needs of the in-migrant defense workers or military personnel and their families and in order to avoid contributing unduly to inflationary pressures, particularly insofar as they may affect the price or rental of new or existing houses or of building materials.

This regulation does not supersede or in any way modify HHFA Regulation CR 2, which concerns relaxed credit terms for areas affected by the Savannah River, Paducah (Kentucky), and Idaho Reactor Testing Station installations of the Atomic Energy Commission.

SEC. 2. *What this regulation does.* This regulation defines and lists critical defense housing areas and prescribes, among other things, who may apply for exceptions from residential credit restrictions in such areas; the type of housing eligible; where and how to apply; the basis on which applications will be approved; the rules which applicants and their successors in interest must abide by with respect to holding and offering certain housing for rent or sale to persons engaged in national defense activities and with respect to rents or sales prices which may be charged; and the manner in which eligibility will be determined for the occupancy or purchase of housing for which credit restrictions have been relaxed.

SEC. 3. *Geographical areas affected.* The special exceptions from residential credit restrictions which are authorized under this regulation will be applicable only to credit with respect to residential property located in "critical defense housing areas" as that term is defined in section 7 of this regulation. A critical defense housing area will be designated as such by the Housing and Home Finance Administrator only where such area has previously been designated as a "critical defense area" by the Defense Production Administrator. Among the criteria applied by the Defense Production Administrator in designating critical defense areas is the requirement that there be a serious shortage of housing for defense workers or military personnel required to be brought into such areas to carry out essential national defense activities.

SEC. 4. *Type of housing eligible.* The special exceptions from residential credit restrictions which are authorized under this regulation for critical defense housing areas will be applicable only to credit with respect to family dwellings which are suitable and intended for year round occupancy. Only single-family dwellings may be financed pursuant to the exceptions for sales housing and other housing to be built for owner-occupancy referred to in sections 13 through 17 of this regulation. Housing to be held for rent and to be financed pursuant to the exceptions governing rental housing set out in sections 8 through 12 of this regulation may be of any type which meets the requirements of the first sentence of this section. Thus, it may consist of a single-family home or single-family homes (whether detached, semi-detached, or row houses), two- to four-family structures, or other multi-family structures.

SEC. 5. *Programming by HHFA.* Relaxations of residential real estate credit restrictions will be programmed for each critical defense housing area by the Housing and Home Finance Agency on the basis of housing market field surveys, and exceptions from credit restrictions will be approved in accordance with schedules of housing needed from time to time to serve in-migrant defense workers or military personnel employed or stationed at defense plants or installations

in the area. Detailed program schedules will be announced for each critical defense housing area. Such schedules will relate to the general location of the housing within such critical defense housing area, the number and types of rental, sales or other units required, the size (by number of bedrooms) of such units, the levels of rentals or sales prices which must be achieved if the housing is to meet the needs of the persons for whom it is intended and similar factors. Exceptions from credit restrictions will be approved pursuant to the detailed procedures, standards, and conditions set out below.

SEC. 6. *Beginning of construction; time limit.* When an application for an exception from credit restrictions is approved under sections 8 through 12 or sections 13 through 17 of this regulation, construction of the housing described in the application should be begun not later than sixty calendar days after the date of the approval, and should be continued with reasonable diligence thereafter. This approval automatically expires unless construction is begun either (a) within such sixty-day period or (b) within any extension of that period which shall have been approved by the local office of the Federal Housing Administration, and is continued with reasonable diligence. Applicants are required to furnish, with respect to units for which an application is approved under this regulation, such information concerning the beginning, progress, or completion of construction as may be requested by the Government.

SEC. 7. *Definitions.* As used in this regulation, the following words, terms, and phrases shall have the meaning set out in this section:

(a) *Beginning of construction.* For the purposes of this regulation, construction shall be deemed to be begun when any essential materials which are to be an integral part of the structure have been incorporated into the site in a permanent form (for example, when footings or other foundations have been poured or placed).

(b) *Completion of construction.* For the purposes of this regulation a dwelling unit shall be deemed to be completed when, in conformity with general practice in the community, it is ready for occupancy.

(c) *Family dwelling.* A "family dwelling" means a house or apartment designed for residential occupancy by two or more persons and which contains kitchen facilities or space designed for kitchen facilities. It does not include hotels, motels, rooming houses, club houses, fraternity or sorority houses, dormitories, or any other structure designed or used either for transient accommodations or for occupancy by single persons or by non-family groups.

(d) *Critical defense housing area.* A "critical defense housing area" (for purposes of this regulation) means an area designated as such by the Housing and Home Finance Administrator in the Appendix to this regulation. Unless a different standard is specified in the Appendix with respect to a particular area listed, each area named in the Appendix shall be deemed to include surrounding areas within a maximum practicable commuting distance of a defense plant or installation listed in a "defense activity list" for the area. (This definition does not determine where housing may be located within a critical defense housing area for which exceptions from credit restrictions are issued. The general location of such housing is determined by program schedules announced in accordance with section 5.)

(e) *Defense activity list.* The "defense activity list" means the list of defense plants or installations for each critical defense housing area on file in the FHA office for the district in which the area is located.

(f) *Eligible defense worker.* An "eligible defense worker" means a civilian or a member of the armed forces employed or stationed at a defense plant or installation listed on the defense activity list for the particular critical defense housing area who is an in-migrant as defined herein and who requires and is without adequate family housing. However, a member of the armed forces otherwise eligible is an eligible defense worker notwithstanding the date when he brought or moved his family from beyond maximum practicable commuting distance.

(g) *In-migrant.* An "in-migrant" is a person (1) whose residence is beyond maximum practicable commuting distance from his place of work or military station or (2) who has since December 19, 1950, (or such other date as may be announced for the critical defense housing area) brought or moved his family from beyond the maximum practicable commuting distance from his place of work.

(h) *Maximum practicable commuting distance.* "Maximum practicable commuting distance" means a distance within which it is possible to commute daily to the place of employment by established common carrier or by private transportation at a cost per person of not more than $1.00 per round trip and with normal traveling time of not more than three hours per round trip, unless another cost or time shall have been announced for the critical defense housing area.

(i) *Sales price.* "Sales price" means the total consideration paid (including any charge made a condition to the sale) by the buyer for the dwelling accommodations with accompanying land and improvements. The only items which are excluded are those incidental charges, such as closing costs and brokerage fees or commissions or charges, which buyers of such dwelling accommodations customarily assume in the community where such accommodations are located, and which actually have been incurred for services rendered at the buyer's or seller's request in connection with the sale.

(j) *Public offer.* To "publicly offer" dwellings for rental or sale means that the owner will (1) for the period of offer required by this regulation take such affirmative steps as are customary in the community for making a public offering of family dwellings which will give reasonable notice to eligible defense workers, including members of the armed forces, that such dwellings are available for rental or sale, and (2) during construction and until the dwelling units are initially occupied or sold (or, where 4 or more units are involved, until at least 75 percent of the units are initially occupied or sold), maintain in a conspicuous location at the site a sign not less than 2½ feet by 4 feet specifying in words legible at 100 feet or more distance, the rents or range of rents, or the sales price or range or sales prices, as the case may be, and containing the following language:

DEFENSE HOUSING

Excepted from Credit Restrictions

Serial No. ------

HOUSING TO BE HELD FOR RENT

SEC. 8. *Who may apply for exception from credit restrictions.* With respect to housing programmed by the Housing and Home Finance Administrator for rental occupancy, application for a special defense exception from residential credit restrictions may be made only by a person (including a corporation, partnership, trust, or other legal entity) who is the owner of, or otherwise has effective control over, the land on which there is proposed to be erected a new family dwelling or dwellings which will be held for rental to eligible occupants as defined below. Effective control over the land, for the purposes of this section, includes control through ownership, a firm contract to purchase, an option to purchase which may be exercised at the will of the applicant, or a long-term lease for a term of not less than 50 years.

SEC. 9. *Where and how builders should apply.* Application for an exception from credit restrictions with respect to housing to be held for rental should be made to the appropriate local office of the Federal Housing Administration on HHFA Form No. H–1052. (Local offices of the Federal Housing Administration, which is a constituent agency of the Housing and Home Finance Agency, will receive and process such applications on behalf of the Housing and Home Finance Administrator without regard to whether or not the housing in question will be financed with the aid of FHA mortgage insurance.) An original and three signed copies of the application form must be submitted for each application. Each application must contain a statement that the applicant has a commitment or other assurance from a lending institution or other lender that such lender will, if the application is approved, provide the financing for the residential property, including the proposed improvements, described in the application. If the application is approved, two copies of the application form will be returned to the applicant endorsed to indicate that an exception from the credit restrictions has been approved. One of these copies must be submitted to the lending institution or other lender making the loan. Such lender need not be the lending institution or proposed lender referred to in the application. The applicant will also be notified if the application is rejected.

SEC. 10. *Approval of application.* Applications made under sections 8 through 12 may be approved in accordance with this regulation and program schedules and procedures adopted from time to time by the Housing and Home Finance Administrator. Unless otherwise specifically approved in writing by the local office of the FHA, exceptions from credit restrictions in accordance with an approved application under this regulation shall apply only to credit extended to the applicant named in such approved application.

SEC. 11. *Rules and conditions applicable.* (a) In the event that an application for an exception from credit restrictions is approved pursuant to sections 8 through 12, the applicant is hereby required to notify the appropriate local office of the Federal Housing Administration in writing when the construction of the dwelling units described in the application is begun and when such dwelling units are completed and, for a period of five years after the completion of the housing, to:

(1) Publicly offer any such dwelling unit for rent, for a period of at least thirty calendar days after the dwelling unit described in the application has been completed and for a period of at least thirty calendar days after such unit subsequently becomes vacant, to eligible defense workers unless the unit is sooner rented to such a worker;

(2) Require, upon the renting of any such dwelling unit to an eligible defense worker, that such worker fill out in duplicate and submit to the applicant an occupancy eligibility certificate on HHFA Form No. H–1054 (which shall be further executed by the applicant, as indicated therein, who shall forward one copy to the local office of FHA and retain one copy);

(3) Fill out in duplicate a landlord's certificate on HHFA Form No. H–1056 in case such dwelling unit has been publicly offered in good faith for rent to eligible defense workers, as required by subparagraph (1) of this paragraph, but subsequently rented to a person other than an eligible defense worker (one copy of such certificate shall be forwarded to the local office of FHA and one copy shall be retained by the applicant or any subsequent owner making such certificate);

(4) Charge not more than the rent or rents specified in the application or not more than such higher rents as the Housing and Home Finance Administrator or his designee shall have approved on the basis of hardship to the applicant or subsequent owner;

(5) Hold the dwelling unit or units for rent unless (i) the property is being sold to a purchaser for investment purposes rather than for his own occupancy, or (ii) a period of at least sixty calendar days has elapsed after the dwelling unit or units described in the application have been completed or after the unit has subsequently become vacant, and the public offer of such unit for rent at the approved rental during said sixty days has not produced a tenant;

(6) Comply with any agreements or conditions made a part of the application, HHFA Form No. H–1052, as approved; and

(7) Require that the purchaser, if the property is sold pursuant to subdivision (i) of subparagraph (5) of this paragraph, agree in writing to abide by all the provisions and conditions set forth in this regulation, including this paragraph, which shall be applicable to all successive sales pursuant to said subdivision (i) of subparagraph (5) of this paragraph made within the five year period referred to above, by the first and all successive purchasers for investment purposes.

(b) No purchaser of property for investment purposes (pursuant to paragraph (a) (5) (i) of this section) shall occupy a dwelling unit in such property unless it contains two or more family dwelling units and such purchaser is himself eligible for occupancy of a dwelling pursuant to section 12 of this regulation or unless such occupancy is pursuant to paragraph (c) of this section.

(c) Notwithstanding any provision of this section, if a parcel of real property contains five or more family dwelling units required to be held for rent under sections 8 through 12 of this regulation, the owner of said parcel, or a person actually employed as a resident manager or janitor of said dwelling units, may occupy one of such units. Two such units may be occupied by such owners, resident managers, or janitors if the property required to be held for rent pursuant to said sections contains not less than 20 family dwelling units, and an additional unit may be so occupied for every additional 30 family dwelling units above 20.

(d) Sales in the course of judicial or statutory proceedings in connection with foreclosures are not subject to the provisions of this section.

(e) Written notifications required by this section to be given to the Federal Housing Administration shall be deemed to be given as of the date they are received by the FHA or, if mailed, as of the date they are postmarked.

SEC. 12. *Eligibility for tenancy.* Except as otherwise provided in section 11, above, for five years after the completion of a dwelling unit which is required to be held for rent under sections 8 through 12 of this regulation, no person other than an "eligible defense worker", as defined in paragraph (f) of section 7 of this regulation, or his family shall be eligible for tenancy or occupancy of such dwelling unit.

SALES HOUSING AND OTHER HOUSING TO BE BUILT FOR OWNER-OCCUPANCY

SEC. 13. *Who may apply for exception from credit restrictions.* With respect to housing in a critical defense housing area which may be programmed by the Housing and Home Finance Administrator for sale to, or construction by, prospective owner-occupants, application for a special defense exception from residential credit restrictions may be made only by (a) an "eligible defense worker" (as defined in paragraph (f) of section 7 of this regulation) who is the owner of, or otherwise has effective control over, the land on which he proposes to erect a new family dwelling for his own occupancy or (b) a person (including a corporation, partnership, trust, or other legal entity) who is the owner of, or otherwise has effective control over, the land on which he proposes to erect a new family dwelling or dwellings for sale to eligible defense workers. Effective control over the land, for the purposes of this section, includes control through ownership, a firm contract to purchase, an option to purchase which may be exercised at the will of the applicant, or a long-term lease for a term of not less than 50 years.

SEC. 14. *Where and how applications should be made.* Application for an exception from credit restrictions by a builder with respect to a dwelling or dwellings to be erected for sale to eligible defense workers should be made to the appropriate local office of the Federal Housing Administration on HHFA Form No. H–1053. Application for an exception from credit restrictions by an "eligible defense worker" with respect to a single-family dwelling to be erected and occupied by the applicant should be made to the appropriate local office of the Federal Housing Administration on HHFA Form No. H–1053A. Procedures for the submission, processing and subsequent disposition of such applications will be the same as those set forth in section 9 of this regulation for applications for exceptions from credit restrictions with respect to housing to be held for rental.

SEC. 15. *Approval of applications.* Applications made under sections 13 through 17 may be approved in accordance with this regulation and program schedules and procedures adopted from time to time by the Housing and Home Finance Administrator. Unless otherwise specifically approved in writing by the local office of the FHA, exceptions from credit restrictions in accordance with an approved application under this regulation shall apply only to credit extended to the applicant named in such approved application.

SEC. 16. *Rules and conditions applicable.* (a) In any case where an application for an exception from credit restrictions is approved pursuant to sections 13 through 17, with respect to the erection of a dwelling or dwellings for sale, the applicant is hereby required to notify the appropriate local office of the Federal Housing Administration in writing when the construction of the dwellings described in the application is begun and when such dwellings are completed and, for a period of five years after the completion of the dwelling or dwellings, to:

(1) Publicly offer each such dwelling for sale for a period of at least sixty calendar days after the dwelling described in the application has been completed, to eligible defense workers unless the dwelling is sooner purchased by such a worker;

(2) Require, upon the sale of any such dwelling to an eligible defense worker, that such worker fill out in duplicate and submit to the applicant an occupancy eligibility certificate on HHFA

Form No. H-1054 (which shall be further executed by the applicant, as indicated therein, who shall forward one copy to the local office of FHA and retain one copy);

(3) Fill out in duplicate a seller's certificate on HHFA Form No. H-1057 in case any such dwelling has been publicly offered in good faith for sale to eligible defense workers, as required by subparagraph (1) of this paragraph, but subsequently sold on excepted credit terms to a person other than an eligible defense worker (one copy of such certificate shall be forwarded to the local office of FHA and one copy retained by the applicant or any subsequent owner making such a certificate).

(4) Charge not more than the sales price or prices specified in the application for such dwelling or dwellings or such higher price or prices as the Housing and Home Finance Administrator or his designee shall have approved on the basis of hardship to the applicant or subsequent owner.

(5) Comply with any agreements or conditions made a part of the application, HHFA Form No. H-1053, as approved; and

(6) Require that each purchaser agree in writing in the event of subsequent sale by him to abide by all the provisions and conditions set forth in this regulation, including this subparagraph (6), which shall be applicable to all successive sales of said dwelling or dwellings within the five year period referred to above: *Provided*, That for the purposes of this subparagraph (6) references elsewhere in this regulation to "an applicant" shall be deemed to include subsequent owners and reference to a sixty day period of public offer after completion of the dwelling shall be deemed to include any subsequent sixty day period of public offer.

(b) In any case where an application for an exception from credit restrictions is approved pursuant to sections 13 through 17 with respect to a single-family dwelling to be erected and occupied by an "eligible defense worker", the applicant is hereby required to notify the appropriate local office of the Federal Housing Administration in writing when the construction of the dwelling is begun and also when it is completed and, for a period of five years after the completion of the dwelling, to comply with any agreements or conditions made a part of the application, HHFA Form No. H-1053A, as approved. If the "eligible defense worker" or his family does not reside in the dwelling for a period of at least three months after the date of its completion, and he proposes to sell such dwelling within a period of five years after the completion of the dwelling, he is hereby further required to give advance notification in writing to such local office of the FHA that he proposes to sell such dwelling and thereafter to comply with subparagraphs (1), (2), (3), and (6) of paragraph (a) of this section.

(c) Sales in the course of judicial or statutory proceedings in connection with foreclosures are not subject to the provisions of this section.

(d) Written notifications required by this section to be given to the FHA shall be deemed to be given as of the date they are received by the Federal Housing Administration or, if mailed, as of the date they are postmarked.

SEC. 17. *Eligibility for purchase.* Except as otherwise provided in section 16, above, for five years after the completion of a dwelling for which an exception from credit restrictions has been issued under the provisions of sections 13 through 17 of this regulation no person except an "eligible defense worker" as defined in paragraph (f) of section 7 of this regulation shall be eligible for purchase of such dwellings.

SPECIAL CREDIT EXCEPTIONS FOR PURCHASERS OF OTHER HOUSING

SEC. 18. *Approval of special credit exceptions.* In addition to the exceptions from credit restrictions approved on the application of builders in accordance with the preceding sections of this regulation, the Housing and Home Finance Agency may, under unusual circumstances in some areas, program or approve exceptions from credit restrictions for the purchase, by eligible defense workers, of housing which shall have been built in a critical defense housing area without such approved applications by builders. This will be limited to cases where the Housing and Home Finance Agency determines that the housing needs of such defense workers cannot otherwise be met and that such exceptions will not result in undue inflationary pressures upon the prices of existing housing in the area or in other housing programmed for the area under this regulation being made available to persons other than defense workers.

SEC. 19. *Conditions and requirements.* Any relaxation of credit restrictions under the special circumstances referred to in section 18 shall be approved in accordance with such procedures and subject to such conditions and requirements as shall be determined by the Housing and Home Finance Agency to be consistent with the provisions of this regulation and announced for the critical defense housing area, and compliance with conditions and requirements imposed pursuant to this section is hereby required.

The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation is effective as of the 3d day of August, 1951.

[SEAL] B. T. FITZPATRICK,
Acting Housing and Home Finance Administrator.

APPENDIX 1—CRITICAL DEFENSE HOUSING AREAS [1]

AUGUST 3, 1951.

Critical defense housing area and State:	Date designated
1. San Diego, Calif	May 2, 1951
2. Corona, Calif	May 8, 1951
3. Colorado Springs, Colo	May 8, 1951
4. Star Lake, N. Y	May 23, 1951
5. Fort Leonard Wood area, Mo	May 23, 1951
6. Camp Cooke area, Calif	June 8, 1951
7. Bremerton, Wash	June 8, 1951
8. San Marcos, Tex	June 8, 1951
9. Valdosta, Ga	June 20, 1951
10. Tullahoma, Tenn	June 20, 1951
11. Camp Pendleton area, Calif	June 20, 1951
12. Solano County, Calif	June 29, 1951
13. Quad Cities area,[2] Iowa-Ill	June 29, 1951
14. Hanford AEC Operations area, Wash	July 3, 1951
15. Barstow, Calif	July 3, 1951
16. Camp Roberts area, Calif	July 3, 1951
17. Brazoria County, Tex	July 3, 1951
18. Tooele, Utah	July 3, 1951
19. Dana, Ind	July 13, 1951
20. El Centro-Imperial area, Calif	July 13, 1951
21. Borger, Tex	July 13, 1951
22. Huntsville, Ala	July 13, 1951
23. Mineral Wells, Tex	July 17, 1951
24. Las Cruces, N. Mex	July 17, 1951
25. Alamagordo, N. Mex	July 17, 1951
26. Wichita, Kans	July 25, 1951
27. Columbus, Ind	July 25, 1951
28. Lone Star, Tex	Aug. 3, 1951
29. Camp Lejeune-Jacksonville area, N. C	Aug. 3, 1951
30. Killeen-Fort Hood area, Tex	Aug. 3, 1951
31. Dover, Del	Aug. 3, 1951
32. Patuxent, Md	Aug. 3, 1951

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[2] Area of Davenport, Iowa; and Moline, East Moline, and Rock Island, Illinois.

[F. R. Doc. 51-8985; Filed, Aug. 2, 1951; 8:52 a. m.]

TITLE 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 21—PUBLIC LANDS; MILITARY AND NAVAL RESERVATIONS

NAVY HOSPITAL AREA, COCO SOLO, CANAL ZONE

CROSS REFERENCE: For addition to the tabulation in § 21.4, *see* Canal Zone Order 23, appendix to this chapter, *infra*.

Appendix—Canal Zone Orders

[Canal Zone Order 23]

NAVY HOSPITAL AREA, COCO SOLO, CANAL ZONE

ESTABLISHMENT OF NAVAL RESERVATION

MAY 18, 1951.

By virtue of the authority vested in the President of the United States by section 5 of title 2 of the Canal Zone Code, and delegated to me by Executive Order No. 9746 of July 1, 1946, and after consultation with the Secretary of the Navy, it is ordered as follows:

SECTION 1. *Setting apart of reservation; boundaries.* The following-described area of land in the Canal Zone is hereby reserved and set apart as, and assigned to the uses and purposes of, a naval reservation, which shall be known as Navy Hospital Area, Coco Solo, and which shall be under the control and jurisdiction of the Secretary of the Navy, subject to the provisions of section 2 of this order:

Beginning at monument N. H. 1, which is a 2 inch galvanized iron pipe, located on the northerly boundary of the Colon Corridor, the geographic position of which monument, referred to the Canal Zone triangulation system, is in latitude 9°21' N., plus 720.3 feet, and in longitude 79°51' W., plus 3813.9 feet from Greenwich.

Thence from said initial point, by metes and bounds:

S. 63°00'50" W., 265.9 feet, along the northerly boundary of the Colon Corridor, through monument N. H. 2, which is a 2 inch galvanized iron pipe, to monument N. H. 3, which is a 2 inch galvanized iron pipe located on the P. C. of the northerly boundary of the Colon Corridor, the distances being 183.3 feet and 82.6 feet, successively, from beginning of course;

On a curve to the left, with radius of 5815.58 feet along the northerly boundary of the Colon Corridor through monuments N. H. 4, which is a 2 inch galvanized iron pipe, N. H. 5 and N. H. 6, which are scribed brass plugs in each side of concrete entrance road, to monument N. H. 7, which is a 2 inch galvanized iron pipe located at the P. T. of the northerly boundary of the Colon Corridor, the bearings and chord distances being S. 62°13'00" W., 174.9 feet, S. 59°50'10" W., 301.3 feet, S. 58°03'50" W., 19.6 feet, S. 56°04'50" W., 215.1 feet, successively, from beginning of curve;

S. 56°00'50" W., 561.2 feet, along the northerly boundary of the Colon Corridor, through monuments N. H. 8 and N. H. 9, which are 2-inch galvanized iron pipes, to monument N. H. 9-1, which is a 2-inch galvanized iron pipe located on the top of right bank of the Rio Coco Solo, the distances being 114.4 feet, 340.8 feet, and 106.0 feet, successively, from beginning of course;

In a general northerly direction along the right bank of the Rio Coco Solo to monument N. H. 10 which is a 2-inch galvanized iron pipe;

N. 55°45'15" E., 983.1 feet, through monuments N. H. 11 and N. H. 12, which are 2-inch galvanized iron pipes, to monument N. H. 13, which is a 2-inch galvanized iron pipe, the distances being 283.1 feet, 200.0 feet, and 500.0 feet, successively, from beginning of course;

S. 56°03'30" E., 1047.0 feet, through monuments N. H. 14 and N. H. 15, which are 2-inch galvanized iron pipes, to monument N. H. 16, which is a 2-inch galvanized iron pipe, the distance being 389.4 feet, 448.1 feet, and 209.5 feet, successively, from beginning of course;

S. 16°58'20" E., 477.5 feet, to monument N. H. 1, the point of beginning.

The direction of the lines refer to the true meridian. All geographic positions are referred to the Panama-Colon Datum of the Canal Zone triangulation system.

The survey was made by the Surveys Branch, Engineering Division, The Panama Canal, in July 1950.

The above described tract contains an area of 41 acres, more or less, and is as shown on Panama Canal Drawing L-6116-11 entitled "Boundary of U. S. Naval Hospital, Coco Solo, C. Z.", scale 1" to 200', dated July 20, 1950, on file in the Governor's Office, Balboa Heights, C. Z., and in the Office of the Commandant, 15th Naval District.

SEC. 2. *Conditions and limitations.* The reservation established by section 1 of this order shall be subject to the following conditions and limitations:

(a) The area comprising this reservation shall continue to be subject to the civil jurisdiction of the Canal Zone Government in conformity with the provisions of the Canal Zone Code as amended and supplemented.

(b) Personnel and equipment of The Panama Canal shall be permitted free access to the reservation to carry out necessary Panama Canal operations in connection with drainage, sanitation, surveys, etc., in the area or vicinity.

SEC. 3. This order supersedes Executive Order No. 8981 of December 17, 1941, which reserved and set apart as a naval reservation the Navy Hospital Area, Coco Solo, Canal Zone, the boundaries of which are newly defined and established by this order.

FRANK PACE, JR.,
Secretary of the Army.

[F. R. Doc. 51-8916; Filed, Aug. 2, 1951; 8:48 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 1—GENERAL PROVISIONS

INVENTIONS BY EMPLOYEES

A new centerhead and §§ 1.650 through 1.667 are added to read as follows:

INVENTIONS BY EMPLOYEES OF THE VETERANS' ADMINISTRATION

Sec.
1.650 Purpose.
1.651 Definitions.
1.652 Rights of employees.
1.653 Disposition of domestic rights in Government-owned domestic applications.
1.654 Procedure when commercial rights are not claimed by the inventor.
1.655 Responsibility for handling applications for patents.
1.656 Determination as to entitlement of inventor to commercial patent rights.
1.657 Certifications required from official superiors of inventor.
1.658 Determination as to respective rights of the Government and the inventors to the patent rights.
1.659 Procedure in cases where the inventor is entitled to retain the entire right and title to the invention.
1.660 Procedure in cases where the domestic patent rights are subject to assignment to the Government but the department or agency determines not to file a United States patent application.
1.661 Granting of patent without payment of fee.
1.662 Determination as to whether the invention is liable to be used in the public interest.
1.663 Foreign patent rights on inventions by employees.
1.664 Restrictions on filing applications for foreign patents.
1.665 Provisions for expeditious action on patents of peculiar importance to the public service.
1.666 Information as to inventions and patent applications to be kept confidential.
1.6667 Provisions of regulation made a condition of employment.

AUTHORITY: §§ 1.650 to 1.667 issued under sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016; 38 U. S. C. 11a, 426.

§ 1.650 *Purpose.* The purpose of the regulations concerning inventions by employees of the Veterans' Administration is to define the respective rights of the United States Government and of Veterans' Administration employees who make inventions and to prescribe the procedure to be followed in determining and protecting those rights in accordance with the provisions of Executive Order No. 10096, dated January 23, 1950; Administrative Order No. 5, issued by the Chairman of the Government Patents Board, dated April 26, 1951; Executive Order No. 9865, dated June 14, 1947; and Administrative Order No. 4, dated March 12, 1951.

§ 1.651 *Definitions.* The following terms as used in the regulations concerning inventions by employees of the Veterans' Administration are defined as follows:

(a) The term "invention" includes any art, machine, manufacture, design, or composition of matter, or any new and useful improvement thereof, or any variety of plant, except as hereinafter provided, which is or may be patentable under the patent laws of the United States.

(b) The term "employee" or "Government employee" means any officer or employee, civilian or military, of the Veterans' Administration. Part-time employees and part-time consultants are included, except when special circumstances in a specific case require the departure herefrom to meet the needs of the Veterans' Administration, such circumstances to be reported to and approved by the Chairman of the Government Patents Board.

(c) The term "Administrator" means the Administrator of Veterans Affairs.

(d) The term "Chairman" means the Chairman of the Government Patents Board.

(e) The term "non-fee act" refers to the act of March 3, 1883, as amended by the act of April 30, 1928 (35 U. S. C. 45).

§ 1.652 *Rights of employees.* The domestic and foreign patent rights in inventions made by employees of the Veterans' Administration will be determined in accordance with the provisions of Executive Order No. 10096, dated January 23, 1950, Administrative Order No. 5, issued by the Chairman of the Government Patents Board, dated April 26, 1951; Executive Order No. 9865, dated June 14, 1947; and Administrative Order No. 4 dated March 12, 1951, respectively, the pertinent provisions of which are as follows:

EXECUTIVE ORDER 10096

1. * * *

(a) The Government shall obtain the entire right, title, and interest in and to all inventions made by any Government employee (1) during working hours, or (2) with a contribution by the Government of facilities, equipment, materials, funds, or information, or of time or services of other Government employees on official duty, or (3) which bear a direct relation to or are made in consequence of the official duties of the inventor.

(b) In any case where the contribution of the Government, as measured by any one or more of the criteria set forth in paragraph (a) last above, to the invention is insufficient equitably to justify a requirement of assignment to the Government of the entire right, title and interest to such invention, or in any case where the Government has insufficient interest in an invention to ob-

tain entire right, title and interest therein (although the Government could obtain same under paragraph (a), above), the Government agency concerned, subject to the approval of the Chairman of the Government Patents Board (provided for in paragraph 3 of this order and hereinafter referred to as the Chairman), shall leave title to such invention in the employee, subject, however, to the reservation to the Government of a non-exclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all governmental purposes, such reservation, in the terms thereof, to appear, where practicable, in any patent, domestic or foreign, which may issue on such invention.

(c) In applying the provisions of paragraphs (a) and (b), above, to the facts and circumstances relating to the making of any particular invention, it shall be presumed that an invention made by an employee who is employed or assigned (i) to invent or improve or perfect any art, machine, manufacture, or composition of matter, (ii) to conduct or perform research, development work, or both, (iii) to supervise, direct, coordinate, or review Government financed or conducted research, development work, or both, or (iv) to act in a liaison capacity among governmental or nongovernmental agencies or individuals engaged in such work, or made by an employee included within any other category of employees specified by regulations issued pursuant to section 4 (b) hereof, falls within the provisions of paragraph (a), above, and it shall be presumed that any invention made by any other employee falls within the provisions of paragraph (b), above. Either presumption may be rebutted by the facts or circumstances attendant upon the conditions under which any particular invention is made and, notwithstanding the foregoing, shall not preclude a determination that the invention falls within the provisions of paragraph (d) next below.

(d) In any case wherein the Government neither (1) pursuant to the provisions of paragraph (a) above, obtains entire right, title and interest in and to an invention nor (2) pursuant to the provisions of paragraph (b) above, reserves a nonexclusive, irrevocable, royalty-free license in the invention with power to grant licenses for all governmental purposes, the Government shall leave the entire right, title and interest in and to the invention in the Government employee, subject to law. * * *

EXECUTIVE ORDER 9865

1. All Government departments and agencies shall, whenever practicable, acquire the right to file foreign patent applications on inventions resulting from research conducted or financed by the Government. * * *

§ 1.653 *Disposition of domestic rights in Government-owned domestic applications.* The domestic patent rights in any invention made by an employee of the Veterans' Administration which is subject to ownership by the Government, under the provisions of paragraph (1) (a) of Executive Order No. 10096, quoted in § 1.652, on which a United States patent application is filed, shall be dedicated to the public or, in the event that it is desirable to retain control of the invention in the United States, shall be assigned to the United States.

§ 1.654 *Procedure when commercial rights are not claimed by the inventor—*(a) *Information to be submitted by inventor.* If a United States patent application is to be filed on an invention made by an employee of the Veterans' Administration and the domestic patent rights in the invention are to be dedicated to the public or assigned to the United States without contest, the inventor will submit to his immediate superior a statement to that effect, together with information including a disclosure of the invention sufficient to permit of the preparation of a patent application, including an abstract of the invention, a brief statement of the most pertinent prior art known to the inventor and setting forth as clearly as possible the respects in which the invention differs from the prior art. There should be stated also the full name, residence, and post office address of the inventor; whether the inventor was a full-time or part-time employee, part-time consultant, etc., at the time the invention was made; whether there was any agreement or understanding between him and the Government to the effect that the invention could be manufactured and used by or for the Government for governmental purposes without the payment of royalties; and information as to whether the invention has been disclosed in a printed publication and, if so, the citation to the publication.

(b) *Submission by inventor's superior.* The inventor's immediate superior shall promptly submit the information, through channels, to the solicitor together with recommendations as to the action to be taken, the reasons why it is believed that patent protection should be obtained, whether the domestic patent rights should be dedicated to the public or assigned to the United States, whether the invention is used or is liable to be used in the public interest, and any such additional information as may be necessary.

§ 1.655 *Responsibility for handling applications for patents.* Applications for patents will be prepared in the office of the Solicitor, which office will handle all correspondence and pass upon all applications for patents, subject to review by the Chairman of the Government Patents Board. In the event of a disclosure of the invention in a printed publication after the matter has been submitted to the solicitor but before the application has been filed in the Patent Office, the office of the solicitor should be advised of the disclosure and of the citation to the publication in which the disclosure was made and, if available, a copy of the publication in which the disclosure was made should be furnished.

§ 1.655 *Determination as to entitlement of inventor to commercial patent rights.* In any case of an invention made by an employee of the Veterans' Administration on which patent protection with commercial rights therein is sought by the inventor, there shall be submitted to the solicitor by the inventor through channels, after obtaining the requisite clearance from his official superiors, the same information as required in the case of inventions to which the commercial rights are not claimed by the inventor (as set forth in § 1.654), plus the following additional information:

(a) A detailed statement of the circumstances under which the invention was made (conceived and constructed or carried out and tested) including information as to the extent it was made during working hours and the extent to which use was made of Government facilities, equipment, materials, funds, or information, or time or services of other Government employees on official duty, and such information as to his own contribution to these items as may be pertinent.

(b) A statement of his duties and their relationship, if any, to the invention, including information sufficient to permit a determination as to whether his duties were such as to raise the presumption that the invention was made under conditions which fall within the provisions of paragraph 1 (c) of Executive Order No. 10096, quoted in § 1.652.

(c) A statement explaining why he believes that he is entitled to the commercial rights in the invention.

(d) A statement as to whether he desires that the patent be obtained under the provisions of the non-fee act and, if so, why he believes that the invention is used or is liable to be used in the public interest.

(e) Such other information as the solicitor may determine to be necessary.

§ 1.657 *Certifications required from official superiors of inventor.* The manager of the station at which the inventor is employed, or the assistant administrator in central office under whose jurisdiction the inventor is employed, will promptly submit to the solicitor the information given by the inventor concerning the invention, together with a statement as to whether the allegations made by the inventor as to the circumstances under which the invention was made, and the description of his duties and the statement as to the relationship between the inventor's duties and the invention are correct, and any additional information as to the circumstances under which the invention was conceived and developed that will be helpful in determining whether the inventor is entitled to retain the commercial rights in the invention, together with a recommendation as to the action which it is believed should be taken.

§ 1.658 *Determination as to the respective rights of the Government and the inventors to the patent rights.* The Solicitor shall determine, subject to review by the Chairman of the Government Patents Board, and subject to appeal to the Chairman in accordance with the provisions of section 7, Administrative Order No. 5, issued by the Chairman of the Government Patents Board, dated April 26, 1951, whether, under the provisions of Executive Order No. 10096 and the regulations concerning inventions by employees of the Veterans' Administration, the inventor is entitled to retain the commercial rights to the invention, and notify the inventor through channels, after review by the Chairman of the Government Patents Board, of the determination. The original administrative determination shall be reconsidered by the solicitor upon receipt of a request for reconsideration made by

either the Administrator or the inventor within 30 days after receipt of the notice of the determination.

§ 1.659 *Procedure in cases where the inventor is entitled to retain the entire right and title to the invention.* When it has been determined that an employee-inventor is entitled to retain the entire right and title to an invention, he may file an application for a patent with the Patent Office direct, if he so elects, or he may request that the patent be obtained without the payment of a fee under the provisions of 35 U. S. C. 45, by agreeing that the invention may be manufactured and used by or for the Government for governmental purposes without the payment of a royalty.

§ 1.660 *Procedure in cases where the domestic patent rights are subject to assignment to the Government but the department or agency determines not to file a United States patent application.* If the domestic patent rights in an invention, other than a plant, are assignable to the Government, and it has been determined that a patent application should not be filed, information concerning the invention will be submitted to the solicitor through channels. The submission should include the same information as is required in cases where the inventor does not claim the commercial rights and a United States patent application is to be filed. (See § 1.654.)

§ 1.661 *Granting of patent without payment of fee.* In any case where it has been determined that the inventor is entitled to the commercial patent rights, there shall be submitted to the solicitor by the inventor through channels, after obtaining clearance from his official superior, the following:

(a) A statement by the inventor as to whether he desires that the patent be granted without the payment of a fee under the following provisions of the act of March 3, 1883, as amended by the act of April 30, 1928 (35 U. S. C. 45):

The Commissioner of Patents is authorized to grant, subject to existing law, to any officer, enlisted man, or employee of the Government, except officers and employees of the Patent Office, a patent for any invention of the classes mentioned in section 31 of this title, without the payment of any fee when the head of the department or independent bureau certifies such invention is used or liable to be used in the public interest: *Provided*, That the applicant in his application shall state that the invention described therein, if patented, may be manufactured and used by or for the Government for governmental purposes without the payment to him of any royalty thereon, which stipulation shall be included in the patent.

(b) A statement by the inventor as to why he believes the invention is liable to be used in the public interest.

(c) Such additional information as the solicitor may determine to be necessary.

§ 1.662 *Determination as to whether the invention is liable to be used in the public interest.* The entitlement of an inventor to have a patent granted without the payment of a fee under the provisions of 35 U. S. C. 45, is dependent upon a certification by the head of the department or independent bureau to the effect that the invention is used or liable to be used in the public interest. The solicitor will assemble the evidence bearing upon this question and will prepare for the signature of the Administrator or Deputy Administrator a finding as to whether the invention is used or liable to be used in the public interest, and, in cases where the requisite finding is made, upon receipt of notice of approval by the Chairman of the Government Patents Board, will take the action necessary to have the patentability of the invention determined and the patent granted.

§ 1.663 *Foreign patent rights on inventions by employees.* In all cases where the United States has an option to acquire the foreign patent rights in the invention, the office of technical services, Department of Commerce, shall be advised and shall be furnished by the solicitor the information specified below through the use of Foreign Patent Protection Reporting Form TS12, concerning each such invention:

(a) The recommendation of the reporting agency as to whether the invention should receive patent protection abroad by the United States and, if so, in what foreign jurisdictions such patent protection should be sought, together with the reasons for the recommendation to file or not to file for foreign patent protection, or to cause disclosure of the invention in accordance with section 8 of Administrative Order No. 4, issued by the Chairman of the United States Government Patents Board, and an indication of the immediate or future industrial, commercial, or other value of the invention, including its value to public health.

(b) The other information specified in Form TS12.

§ 1.664 *Restrictions on filing applications for foreign patents.* No employee of the Veterans' Administration shall file or cause to be filed any application for a foreign patent on any invention (except on behalf of and at the direction of the Government) or take any action to preclude the filing of an application on behalf of the Government, without having obtained permission to do so from the Department of Commerce, except as authorized by the following provisions of section 9 of Administrative Order No. 4:

When the foreign patent rights in an invention are not assigned to the Government but the Government may, at its option or on request, acquire such rights and the Secretary of Commerce, as represented by the Office of Technical Services, Department of Commerce, fails to cause an application to be filed in any particular foreign country on behalf of the Government, or determines not to seek a foreign patent in such country, within six months of the filing of an application for United States patent on the invention, such failure to cause an application to be filed, or determination not to seek a foreign patent, shall constitute a decision by the Government not to acquire the patent rights in such foreign country, subject to the provisions of paragraph 6 of Executive Order 9865. After the decision by the Government the inventor may apply for patent in such country, subject to the reservation to the Government of a non-exclusive, irrevocable, royalty-free license in the invention for all governmental purposes.

§ 1.665 *Provisions for expeditious action on patents of peculiar importance to the public service.* (a) The rules of practice of the United States Patent Office provide for expediting consideration of applications for patents that are of peculiar importance to the public service, upon the request of department heads. In such instances as the circumstances justify the making of a request for expedited consideration, the request for such action will be prepared for the Administrator's signature by the solicitor.

(b) The solicitor is hereby authorized to act for the Administrator of Veterans Affairs and take all action necessary in connection with employee inventions and patents, for the Administrator, including patent applications and certifications and correspondence in connection therewith, except such as may be required by law to be taken by the Administrator or the Deputy Administrator personally.

(c) Submissions involving inventions that may be patentable should be made as promptly as possible in order to avoid delay which might jeopardize title to the invention or otherwise impair the rights of the inventor or the Government. In order to obtain the advantages which result from an early filing date, final determination as to the entitlement of the inventor to retain commercial rights may be deferred until after the application for patent has been filed, if necessary.

§ 1.666 *Information as to inventions and patent applications to be kept confidential.* All information pertaining to inventions and pending patent applications is strictly confidential and employees having access to such information are forbidden to disclose or reveal the same otherwise than as required by the performance of their official duties.

§ 1.667 *Provisions of Regulation made a condition of employment.* The provisions of the regulations concerning inventions by employees of the Veterans' Administration shall be a condition of employment of all employees of the Veterans' Administration.

This regulation effective August 3, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-8827; Filed, Aug. 2, 1951; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular No. 1796]

PART 196—PHOSPHATE LEASES AND USE PERMITS

LIMITATION ON OVERRIDING ROYALTIES

Part 196 is amended by adding thereto a new section as follows:

§ 196.20 *Limitation on overriding royalties.* An overriding royalty interest shall not be created by assignment or otherwise exceeding one per cent of the

gross value of the output at point of shipment to market or an overriding royalty interest which when added to any other overriding royalty interest exceeds that percentage, excepting that where an interest in the leasehold, or operating agreement is assigned, the assignor may retain an overriding royalty interest in excess of the above limitation if he shows to the satisfaction of the Director, Bureau of Land Management, that he has made substantial investments for improvements on the land covered by the assignment.

(Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 28, 1951.

[F. R. Doc. 51-8906; Filed, Aug. 2, 1951; 8:46 a. m.]

Appendix—Public Land Orders

[Public Land Order 737]

ALASKA

WITHDRAWING PUBLIC LAND FOR CLASSIFICATION

By virtue of the authority contained in the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497 (43 U. S. C. 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby writhdrawn from settlement, location, sale, and entry, for classification:

Beginning at a point from which the southeast corner Sec. 32, T. 17 S., R. 7 W., F. M. bears approximately S. 66°23′ W., 2,460 feet, and the northeast corner Sec. 32, T. 17 S., R. 7 W., F. M. bears approximately N. 27°37′ W., 4,870 feet, thence by metes and bounds:

N. 19°50′ E., 1,820 feet.
S. 89°39′30″ E., 2,020 feet to west right-of-way line of Paxon-McKinley Park Road.
S. 0°20′30″ W., 2,370 feet along the right-of-way line.
Southwesterly, 350 feet along the right-of-way line on a curve to the P. O. T. of the north limit of right-of-way of the Cantwell Road.
N. 70°10′ W., 2,510 feet along the north right-of-way line of the Cantwell spur of the Paxon-McKinley Park Road to point of beginning.

The tract described contains approximately 120 acres.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 28, 1951.

[F. R. Doc. 51-8905; Filed, Aug. 2, 1951; 8:45 a. m.]

[Public Land Order 738]

ALASKA

RESERVING LANDS FOR THE USE OF THE DEPARTMENT OF THE AIR FORCE FOR MILITARY PURPOSES: PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 7309 WITHDRAWING PUBLIC LANDS IN AID OF LEGISLATION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force for military purposes:

FAIRBANKS MERIDIAN

T. 1 S., R. 1 W.,
Sec. 14, SW¼ and S½SE¼.

The areas described aggregate 240 acres.

Executive Order No. 7309 of February 28, 1936, temporarily withdrawing lands in aid of legislation, is hereby revoked so far as its affects the above-described lands.

It is intended that the lands described above shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 28, 1951.

[F. R. Doc. 51-8903; Filed, Aug. 2, 1951; 8:45 a. m.]

[Public Land Order 739]

ARIZONA

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY IN CONNECTION WITH THE ACTIVITIES OF THE ARIZONA NATIONAL GUARD

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Army in connection with the activities of the Arizona National Guard:

GILA AND SALT RIVER MERIDIAN

T. 8 S., R. 21 W., unsurveyed,
Secs. 27 and 34.

The areas described aggregate 1,280 acres.

This order shall take precedence over but not otherwise affect the order of March 14, 1929, of the Secretary of the Interior withdrawing lands for reclamation purposes, so far as such order affects the above-described lands.

It is intended that the lands described shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 28, 1951.

[F. R. Doc. 51-8907; Filed, Aug. 2, 1951; 8:46 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 26th day of July A. D. 1951.

The matter of modifying the "Uniform System of Accounts for Steam Railroads, Issue of 1943," being under consideration pursuant to section 20 of the Interstate Commerce Act, as amended (24 Stat. 386, 54 Stat. 917, 49 U. S. C. 20 (3)); and,

It appearing, that a notice dated June 18, 1951 was served on all steam railroads subject to the act, to the effect that the modifications which are set forth below and made a part hereof had been approved, such notice also being published in the FEDERAL REGISTER on June 28, 1951 (16 F. R. 5256) pursuant to the provisions of section 4 of the Administrative Procedure Act; and,

It further appearing, that although the notice provided that objections to such modifications could be filed on or before July 20, 1951, no representations of any kind were received during the prescribed period; *It is ordered*, That:

(1) *Effective date.* The attached modifications shall become effective September 1, 1951.

(2) *Notice.* A copy of this order including the attached modifications shall be served on every steam railroad subject to the act and on every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

1. In § 10.503 *Hire of freight cars; credit balance*, without altering the title of or notes to the account, cancel the text and substitute the following for it:

§ 10.503 *Hire of freight cars; credit balance.* This account shall include, except as provided in the texts of accounts 509, "Income from lease of road and equipment," and 542, "Rent for leased roads and equipment," the net credit balance of (a) amounts receivable accrued for the use of the accounting company's freight cars leased or interchanged, and (b) amounts payable accrued for the use of the freight cars of others, leased or interchanged. (See § 10.05–2 *Leased road and equipment; depreciation.*)

2. In § 10.504 *Rent from locomotives*, without altering the title of or note to the account, cancel the text and substitute the following for it:

§ 10.504 *Rent from locomotives.* This account shall include, except as provided in the text of account 509, "Income from lease of road and equipment,"

amounts receivable accrued as rent for the use of the accounting company's locomotives leased or interchanged. (See Note C to account 717, "Interest and dividends receivable.")

3. In § 10.505 *Rent from passenger-train cars,* without altering the title of or note to the account, cancel the text and substitute the following for it:

§ 10.505 *Rent from passenger-train cars.* This account shall include, except as provided in the text of account 509, "Income from lease of road and equipment," amounts receivable accrued as rent for the use of the accounting company's passenger-train cars leased or interchanged. (See Note C, to account 717, "Interest and dividends receivable.")

4. In § 10.506 *Rent from floating equipment,* without altering the title of or note to the account, cancel the text and substitute the following for it:

§ 10.506 *Rent from floating equipment.* This account shall include, except as provided in the text of account 509, "Income from lease of road and equipment," amounts receivable accrued as rent for the use of the accounting company's floating equipment leased or chartered. (See Note C to account 717, "Interest and dividends receivable.")

5. In § 10.507 *Rent from work equipment,* without altering the title of or note to the account, cancel the text and substitute the following for it:

§ 10.507 *Rent from work equipment.* This account shall include, except as provided in the text of account 509, "Income from lease of road and equipment," amounts receivable accrued as rent for the use of the accounting company's work equipment leased or interchanged. (See Note C to account 717, "Interest and dividends receivable.")

6. In § 10.509 *Income from lease of road and equipment,* cancel the first paragraph of the text of the account and substitute the following for it:

§ 10.509 *Income from lease of road and equipment.* This account shall include the entire amount receivable accrued for the exclusive use of road, tracks, or bridges (including equipment or other railway property covered by the contract) the rented property being owned or controlled by the accounting company, whether payable to the accounting company in cash or disbursed by the lessee on behalf of the accounting company as interest on funded debt, guaranteed dividends on stock, or otherwise. (See Note C to account 717, "Interest and dividends receivable.")

7. In § 10.536 *Hire of freight cars; debit balance,* without altering the title of or notes to the account, cancel the text and substitute the following for it:

§ 10.536 *Hire of freight cars; debit balance.* This account shall include, except as provided for in the classification for investment in road and equipment and in the texts of accounts 509, "Income from lease of road and equipment," and 542, "Rent for leased roads and equipment," the net debit balance of (a) amounts receivable accrued for the use of the accounting company's freight cars leased or interchanged, and (b) amounts payable accrued for the use of the freight cars of others, leased or interchanged. (See § 10.05–2 *Leased road and equipment; depreciation.*)

8. In § 10.537 *Rent for locomotives,* without altering the title of or notes to the account, cancel the text and substitute the following for it:

§ 10.537 *Rent for locomotives.* This account shall include amounts payable accrued for the use of the locomotives of others, leased or interchanged, except as provided for in the classification for investment in road and equipment and in the text of account 542, "Rent for leased roads and equipment." (See § 10.05–2 *Leased road and equipment; depreciation.*)

9. In § 10.538 *Rent for passenger-train cars,* without altering the title or notes to the account, cancel the text and substitute the following for it:

§ 10.538 *Rent for passenger-train cars.* This account shall include amounts payable accrued for the use of the passenger-train cars of others, leased or interchanged, and also for use of sleeping cars operated under contract arrangement, except as provided for in the classification for investment in road and equipment and in the text of account 542, "Rent for leased roads and equipment." (See § 10.05–2 *Leased road and equipment; depreciation.*)

10. In § 10.539 *Rent for floating equipment,* without altering the title of or notes to the account, cancel the text and substitute the following for it:

§ 10.539 *Rent for floating equipment.* This account shall include amounts payable accrued for the use of the floating equipment of others, leased or chartered, except as provided for in the classification for investment in road and equipment and in the text of account 542, "Rent for leased roads and equipment." (See § 10.05–2 *Leased road and equipment; depreciation.*)

11. In § 10.540 *Rent for work equipment,* without altering the title of or notes to the account, cancel the text and substitute the following for it:

§ 10.540 *Rent for work equipment.* This account shall include amounts payable accrued for the use of the work equipment of others, leased or interchanged, except as provided for in the classification for investment in road and equipment and in the text of account 542, "Rent for leased roads and equipment." (See § 10.05–2 *Leased road and equipment; depreciation.*)

12. In § 10.542 *Rent for leased roads and equipment,* cancel the first sentence of the text of the account and substitute the following for it:

§ 10.542 *Rent for leased roads and equipment.* This account shall include amounts payable accrued as rent for roads, tracks, or bridges (including equipment or other railway property covered by the contract) the property being owned by other companies and held under lease or other agreement by the terms of which exclusive use and control for operating purposes are secured.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

[F. R. Doc. 51–8922; Filed, Aug. 2, 1951; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 946]

HANDLING OF MILK IN LOUISVILLE, KY., MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), public hearings were conducted at Louisville, Kentucky on December 18–21, 1950 and on March 9 and 14, 1951, pursuant to notices duly published in the FEDERAL REGISTER (15 F. R. 8827 and 16 F. R. 2041, respectively).

Upon the basis of the evidence introduced at the hearings and the record thereof, the Acting Assistant Administrator, Production and Marketing Administration, on July 2, 1951, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceeding. The notice of filing such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on July 7, 1951 (16 F. R. 6625).

Within the period reserved for exceptions producer and handler representatives filed exceptions to certain of the findings, conclusions and actions recommended by the Acting Assistant Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. In some instances comment has been made below. To the extent that the findings, conclusions,

and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

The material issues, findings (including general findings), conclusions, and rulings of the recommended decision (16 F. R. 6625) are hereby approved and adopted as the issues, findings, conclusions and rulings of this decision as if set forth in full herein, subject to the following modifications:

1. Delete in the third paragraph beginning in column 2, 16 F. R. 6629, the first two sentences and substitute therefor the following: "As proposed herein the Class II price for the months of August through March would be the higher of the average price paid by the seven local manufacturing plants or the price arrived at by the butter-skim formula which would be used in determining the basic formula price. The butter-skim formula used herein is described in the discussion of issue No. 10, and would result in an increase to producers for milk sold in the lower class of approximately 15 to 17 cents per hundredweight during the months of August through March."

2. Delete the first paragraph beginning in column 1, 16 F. R. 6630, and substitute therefor the following: "In addition to the contentions advanced in support of the higher Class II price during the months of August through March, producers contended that an additional 30 cents per hundredweight should be added to the price of Class II milk for the months of September through December to bring the Louisville Class II price in line with the price of Class III milk in the Cincinnati market. In the Cincinnati market producers are paid 30 cents per hundredweight additional during the months of October through February for milk which is used in the manufacture of ice cream. In that market it is required by the local health authorities that ice cream be made from approved sources when such supplies are available. The situation in Louisville is not similar since milk and milk products used in the manufacture of ice cream are not required to be made from milk from approved sources."

3. Add at the end of the seventh paragraph beginning in column 3, F. R. 6630, the following: "Exception was taken for failure to provide for compensatory payments to the Louisville producer-settlement fund on that milk subject to another Federal order which is sold as Class I in the Louisville market. It was contended that this position is inconsistent with the principle of requiring compensatory payments on other source milk classified as Class I. In the case of compensatory payments the milk involved is not priced under any order and is, in effect, unregulated milk; whereas there is assurance that a handler under another order selling milk in Louisville is paying the Class I price provided for in that other order."

Determination of representative period. The month of May 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Louisville, Kentucky, marketing area, in the manner set forth in the attached order, as amended, is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Marketing agreement and order, as amended. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing agreement regulating the handling of milk in the Louisville, Kentucky, marketing area," and "Order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, which will be published with this decision.

This decision filed at Washington, D. C., this 31st day of July 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

Order[1] as Amended, Regulating the Handling of Milk in the Louisville, Kentucky, Marketing Area

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AUTHORITY: §§ 946.0 to 946.101 issued under 48 Stat. 31, as amended, 7 U. S. C. 601 et seq.; 5 U. S. C. 133y–16.

§ 946.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), public hearings were held December 18–21, 1950 and March 9 and 14, 1951 at Louisville, Kentucky, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area. Upon the basis of the evidence introduced at such hearings and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of milk in the Louisville, Kentucky, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, and the aforesaid order, as amended, is hereby further amended to read as follows:

DEFINITIONS

§ 946.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 946.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any other officer or employee of the United States authorized to exercise the powers or to perform the duties pursuant to the act of the said Secretary of Agriculture.

§ 946.3 *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture or other Federal agency authorized to perform the price reporting functions specified in this subpart.

§ 946.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 946.5 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members.

§ 946.6 *Louisville, Kentucky, marketing area.* "Louisville, Kentucky, marketing area," hereinafter called the "marketing area," means the territory within Jefferson County, Kentucky, including but not being limited to the City of Louisville, the Fort Knox Military Reservation; the territory within Floyd County, Indiana, including but not being limited to all municipal corporations in said county; and the territory within the townships of Jeffersonville, Utica, Silver Creek, Union, and Charleston, in Clark County, Indiana.

§ 946.7 *City plant.* "City plant" means the building and facilities, except those of a producer-handler, which are used during the month in the processing and packaging of producer milk and from which not less than 10 percent of such milk is distributed in the container in which packaged from delivery routes or plant stores as Class I milk in the marketing area: *Provided,* That such building and facilities shall include any portion thereof which is used during the month in the processing of producer milk for any use.

§ 946.8 *Country plant.* "Country plant" means the building and facilities, except those of a city plant, which are used during the month in the receipt of milk from dairy farmers who hold dairy farm inspection permits issued by the appropriate health authority having jurisdiction in the marketing area and which are approved by such health authority to furnish milk to a city plant for use as Class I milk: *Provided,* That such building and facilities shall include any portion thereof which is used during the month in the processing of producer milk for any use.

§ 946.9 *Pool plant.* "Pool plant" means:

(a) A city plant;

(b) A country plant during the period of October through March for each month in which not less than 10 percent of its receipts from dairy farmers who hold dairy farm inspection permits issued by the appropriate health authority having jurisdiction in the marketing area is delivered to a city plant in the form of milk, skim milk, or cream; or

(c) A country plant during the months of April through September from which more than 50 percent of its combined receipts from dairy farmers, who held dairy farm inspection permits issued by the appropriate health authority having jurisdiction in the marketing area, during the preceding period of October through February were delivered to one or more city plants in the form of milk, skim milk or cream, unless the operator of such plant notifies the market administrator in writing on or before March 15th of withdrawal of the plant from the pool for the months of April through September next following.

§ 946.10 *Nonpool plant.* "Nonpool plant" means any milk manufacturing, processing or bottling plant other than a pool plant.

§ 946.11 *Handler.* "Handler" means:

(a) Any person in his capacity as the operator of one or more pool plants;

(b) A producer-handler;

(c) Any cooperative association with respect to milk of producers which it causes to be diverted to a nonpool plant for the account of such cooperative association; or

(d) Any person, other than a producer-handler, in his capacity as operator of a nonpool plant used during the month for the processing and packaging of milk any portion of which is disposed of in the marketing area as Class I milk from delivery routes or plant stores.

§ 946.12 *Producer.* "Producer" means any person who produces, under a dairy farm inspection permit issued to such person by the appropriate health authority having jurisdiction in the marketing area (as used in this subpart, "dairy farm inspection permit" shall include approval of milk by the authority to administer regulations governing the quality of milk acceptable to agencies of the United States Government for fluid consumption in its institutions or bases located in the marketing area, which is received at a plant from which any portion of such milk is disposed of to such institutions or bases in the container in which packaged as Class I milk), milk which is:

(a) Delivered from his farm to a pool plant;

(b) Diverted by a handler to a pool plant or a nonpool plant: *Provided,* That any such milk so diverted shall be deemed to have been received at the pool plant from which it was diverted: *And provided further,* That this definition shall not include during any of the months of October through February, any person whose milk was diverted to a nonpool plant for more than one-half of the days of such month; or

(c) Diverted by a cooperative association to a nonpool plant for the account of the cooperative association: *Provided,* That any such milk so diverted shall be deemed to have been received by the cooperative association.

§ 946.13 *Producer milk.* "Producer milk" means all skim milk and butterfat in milk produced by a producer.

§ 946.14 *Other source milk.* "Other source milk" means all skim milk and butterfat received in any form from a producer-handler and from a source other than producers or pool plants, except the receipt of any non-fluid milk product which is disposed of in non-fluid form.

§ 946.15 *Producer-handler.* "Producer-handler" means any person who processes and packages milk from his own farm production, distributing any portion of such milk within the marketing area as Class I milk and who receives no milk from producers.

§ 946.16 *Chicago butter price.* "Chicago butter price" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter at Chicago as reported by the Department of Agriculture during the month.

MARKET ADMINISTRATOR

§ 946.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 946.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 946.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including but not limited to the following:

(a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 946.87 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 946.86) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination and furnish such information and reports as may be requested by the Secretary;

(g) Verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends, or by such investigation as the market administrator deems necessary;

(h) Prepare and disseminate to the public such statistics and such information as he deems advisable and as do not reveal confidential information;

(i) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 5 days after the date upon which he is required to perform such acts, has not made reports pursuant to §§ 946.30 through 946.32, or payments pursuant to §§ 946.80 through 946.85;

(j) On or before the 15th day after the end of each month, report to each cooperative association the percentage in each class of the producer milk caused to be delivered by the cooperative association or by its members to each handler during the month. For the purpose of this report the milk so received shall be allocated in each class for each handler in the same ratio as milk received from all producers by such handler during the month;

(k) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, and notify each handler in writing the prices and butterfat differentials determined for each month as follows:

(1) On or before the 10th day after the end of each month, the minimum prices for each class of milk computed pursuant to § 946.51, and the butterfat differentials for each class computed pursuant to § 946.52; and

(2) On or before the 10th day after the end of each month, the uniform price computed pursuant to § 946.71, and the butterfat differential computed pursuant to § 946.81;

(l) On or before the 11th day after the end of each month, the market administrator shall mail to each handler, at his last known address, a statement showing:

(1) The net obligation computed for such handler pursuant to § 946.70; and

(2) The amounts to be paid by such handler pursuant to §§ 946.61, 946.83, 946.86 and 946.87.

REPORTS, RECORDS, AND FACILITIES

§ 946.30 *Reports of receipts and utilization.* On or before the 5th day after the end of each month each handler, except a producer-handler, shall report to the market administrator in the detail and on the forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in milk received from producers (including such handler's own farm production);

(b) The quantities of skim milk and butterfat contained in receipts from pool plants of other handlers (except the receipt of any nonfluid milk product which is disposed of in nonfluid form);

(c) The quantities of skim milk and butterfat contained in receipts of other source milk;

(d) The utilization of all skim milk and butterfat required to be reported pursuant to this section;

(e) The disposition of Class I milk other than on routes and through plant stores operated wholly or partially within the marketing area; and

(f) Such other information with respect to receipts and utilization as the market administrator may prescribe.

§ 946.31 *Payroll reports.* On or before the 20th day after the end of each month, each handler shall submit to the market administrator his producer payroll for deliveries during the month which shall show (a) the total pounds of milk received from each producer and the average butterfat content of such milk, (b) the prices paid and the amount of payment to each producer, and (c) the nature and amount of any credits, deductions, or charges involved in such payments.

§ 946.32 *Other reports.* (a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) Each handler shall report to the market administrator, as soon as possible after first receiving milk from any producer, the name and address of such producer, the date upon which such milk was first received, and the plant at which such milk was received: *Provided,* That milk diverted to a pool plant as described in § 946.12 (b) need not be reported pursuant to this paragraph.

(c) On or before the 10th day after the request of the market administrator, each handler shall submit a schedule of rates which are charged and paid for the transportation of milk from the farm of each producer to each handler's plant. Changes in such schedule of rates and the effective dates thereof shall be reported to the market administrator within 10 days.

§ 946.33 *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts, records, and reports of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipts and utilization of producer milk and other source milk;

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream, and milk products handled;

(c) Payments to producers; and

(d) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream, and other milk products on hand at the beginning and end of each month.

§ 946.34 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 946.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat which is received within the month by a handler and which is required to be reported pursuant to §§ 946.30 and 946.61 shall be classified by the market administrator pursuant to the provisions of §§ 946.41 through 946.46.

§ 946.41 *Classes of utilization.* Subject to the conditions set forth in §§ 946.42 through 946.44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk and butterfat (1) disposed of in fluid form as milk, skim milk, cream (including sour cream), buttermilk, milk drinks (plain or flavored), except skim milk and butterfat disposed of in fluid form for livestock feed, (2) disposed of in fluid form as any milk product which is required by the appropriate health authority in the marketing area to be made from milk, skim milk, or cream, from sources approved by such authority, and (3) not accounted for as Class II milk.

(b) Class II milk shall be all skim milk and butterfat the utilization of which is established: (1) As used to produce any product other than those specified in paragraph (a) of this section, (2) as disposed of for livestock feed, (3) as disposed of in any form in bulk and used for non-fluid purposes by soda fountains, restaurants, bakeries, candy and soup manufacturers, and retail food establishments which, under the applicable health regulations, are permitted to receive milk, skim milk, and cream of other than Grade A quality for nonfluid uses, and (4) in plant shrinkage of skim milk and butterfat in milk received from producers and in other source milk computed pursuant to § 946.42.

§ 946.42 *Unaccounted for skim milk and butterfat and plant shrinkage.* Skim milk and butterfat received at a handler's pool plant(s) in excess of such handler's established utilization of skim milk and butterfat pursuant to subparagraphs (1) and (2) of paragraph (a) and subparagraphs (1), (2), and (3) of paragraph (b) of § 946.41 at such plant(s) shall be known as unaccounted for skim milk and butterfat and classified as follows: *Provided,* That if producer milk is diverted by such handler to a pool plant of another handler without having been received for purposes of weighing and testing in the diverting handler's plant, the respective quantities of skim milk and butterfat contained in such receipts of milk shall be included in the receipts of skim milk and butterfat, respectively, of the second handler in computing his plant shrinkage or unaccounted for skim milk and butterfat and shall be excluded from the receipts of skim milk and butterfat, respectively, in such computation for the diverting handler: *And provided further,* That if producer milk is so diverted to a nonpool plant the respective quantities of skim milk and butterfat contained therein shall be excluded from the receipts of the diverting handler in computing his plant shrinkage or unaccounted for skim milk and butterfat.

(a) Prorate the quantities of unaccounted for skim milk and butterfat between such handler's receipts of skim milk and butterfat, respectively, in the milk received from producers and other source milk.

(b) The following portions of the quantities computed pursuant to paragraph (a) of this section shall be known as shrinkage and classified as Class II milk: *Provided,* That if the quantities of skim milk and butterfat utilized and disposed of in milk and all milk products are not established by such handler all unaccounted for skim milk and butterfat prorated to receipts of milk from producers pursuant to paragraph (a) of this section shall be classified as Class I milk:

(1) That portion of skim milk and butterfat, respectively, prorated to receipts of other source milk;

(2) That portion which is prorated to skim milk in receipts of milk from producers but which, during the months of August through March, is not in excess of 2 percent of the total quantity of skim milk in such receipts and, during the months of April through July, is not in excess of 5 percent of the total quantity of skim milk in such receipts; and

(3) That portion which is prorated to butterfat in receipts of milk from producers but which is not in excess of 2 percent of the total quantity of butterfat in such receipts.

(c) That portion of skim milk and butterfat which is prorated to receipts of milk from producers, pursuant to paragraph (a) of this section, which is in excess of the amount of skim milk and butterfat, respectively, classified as Class II milk, pursuant to paragraph (b) of this section, shall be classified as Class I milk.

§ 946.43 *Responsibility for classification of milk.* (a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect, or if used or reused by such handler or by another handler except a producer-handler in another class.

§ 946.44 *Transfers.* Skim milk or butterfat disposed of by a handler from a pool plant either by transfer or diversion shall be classified as follows:

(a) As Class I milk if transferred or diverted in the form of fluid milk, skim milk, or cream (excluding frozen cream) to a pool plant of another handler, unless utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the month within which such transaction occurred: *Provided,* That if upon inspection of the records of the transferee-handler it is found that an equivalent amount of skim milk or butterfat, respectively, was not actually used in such indicated use the remaining quantity shall be classified as Class I milk: *And provided further,* That if either or both handlers have received other source milk, the skim milk or butterfat so transferred or diverted shall be classified at both plants so as to allocate the highest-priced possible class utilization to producer milk.

(b) As Class I milk if transferred or diverted to a producer-handler in the form of fluid milk, skim milk, or cream (excluding frozen cream).

(c) As Class I milk if transferred or diverted in the form of milk or skim milk to a nonpool plant located 100 miles or more from the City Hall at Louisville, Kentucky, by the shortest hard surface highway distance as determined by the market administrator.

(d) As Class I milk if transferred or diverted in the form of milk or skim milk to a nonpool plant located less than 100 miles from the City Hall at Louisville, Kentucky, by the shortest hard surface highway distance as determined by the market administrator, and as Class I milk if transferred in the form of fluid cream to such a plant, wherever located, unless the following conditions are met:

(1) The handler claims classification in Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the handler and the operator of the nonpool plant on or before the 5th day after the end of the month within which such transaction occurred;

(2) The market administrator is permitted to audit the books and records showing the utilization of all skim milk and butterfat received at such nonpool plant; and

(3) An amount of skim milk or butterfat, respectively, not less than that so transferred or diverted was used in the indicated use: *Provided,* That if upon inspection of the records of the nonpool plant it is found that an equivalent amount of skim milk or butterfat, respectively, was not actually used in such indicated use the remainder shall be classified as Class I milk.

§ 946.45 *Computation of the skim milk and butterfat in each class.* For each month, the market administrator shall correct for mathematical and for other obvious errors the report of receipts and utilization submitted by each handler and shall compute the pounds of skim milk and butterfat in each class for such handler.

§ 946.46 *Allocation of skim milk and butterfat classified.* After making the computations pursuant to § 946.45, the market administrator shall determine for each handler the classification of milk received from producers as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract the plant shrinkage of skim milk in milk received from producers, determined pursuant to § 946.42 (b) (2), from the total pounds of skim milk in Class II;

(2) Subtract the pounds of skim milk in receipts of other source milk which are not subject to the Class I pricing provisions of another order or marketing agreement issued pursuant to the act from the remaining pounds of skim milk in Class II: *Provided,* That if the pounds of skim milk to be subtracted is greater than the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk in Class I;

(3) Subtract the pounds of skim milk in receipts of other source milk which are subject to the Class I pricing provisions of another order or marketing agreement issued pursuant to the act from the remaining pounds of skim milk in Class II: *Provided,* That if the pounds

of skim milk to be subtracted is greater than the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk in Class I;

(4) Subtract the pounds of skim milk in milk, skim milk, and cream received from pool plants of other handlers from the pounds of skim milk in the class to which it was assigned: *Provided,* That, if the pounds of skim milk to be subtracted is greater than the pounds of skim milk in such class, the balance shall be subtracted from the pounds of skim milk remaining in the next higher-priced class;

(5) Add the plant shrinkage of skim milk in milk received from producers subtracted in subparagraph (1) of this paragraph, to the remaining pounds of skim milk in Class II; and

(6) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk in milk received from producers, subtract such excess from the remaining pounds of skim milk in series beginning with Class II. Any amount of excess so subtracted shall be called "overage."

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of milk remaining in each class computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 946.50 *Basic formula price.* The basic formula price to be used in determining the price per hundredweight of Class I milk shall be the highest of the prices computed pursuant to paragraphs (a), (b), and (c) of this section and subparagraph (1) of § 946.51 (b).

(a) The price per hundredweight computed by adding together the plus values pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Add 20 percent to the Chicago butter price for the month and multiply by 3.8.

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agriculture, deduct 5.5 cents, and multiply by 8.2.

(b) The price per hundredweight computed by adding together the values determined pursuant to subparagraphs (1) and (2) of this paragraph, dividing by 7, adding 30 percent thereof, and then multiplying by 3.8.

(1) Multiply by 6 the Chicago butter price for the month.

(2) Multiply by 2.4 the simple average, as published by the Department of Agriculture, of the prices determined per pound of "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, for the trading days that fall within the month.

(c) To the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

add an amount computed by multiplying the Chicago butter price for the month by 0.12 and then by 3.

§ 946.51 *Class prices.* Subject to the provisions of § 946.52, the minimum prices per hundredweight to be paid by each handler for milk received at his pool plant(s) from producers during the month shall be as follows:

(a) *Class I milk.* The price of Class I milk shall be the basic formula price plus $1.25 per hundredweight.

(b) *Class II milk.* The price of Class II milk for the months of August through March shall be the price per hundredweight computed pursuant to § 946.50 (a), or that pursuant to subparagraph (1) of this paragraph, whichever is higher; and for the months of April through July the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph.

(1) From the average of the basic or field prices per hundredweight reported by, and ascertained by the market administrator to have been paid by the following concerns at the plants or places listed below, for ungraded milk of 4.0 percent butterfat content, without deductions for hauling or other charges to be paid by the farmer shipper, received from dairy farmers during the month:

Concern and Location

Kraft Foods Co., Lawrenceburg, Ky.
Armour Creameries, Elizabethtown, Ky.
Armour Creameries, Springfield, Ky.
Kraft Foods Co., Salem, Ind.
Ewing-Von Allmen Co., Corydon, Ind.
Ewing-Von Allmen Co., Madison, Ind.
Producers' Dairy Marketing Association, Orleans, Ind.

subtract the amount computed by multiplying the Chicago butter price for the month by 0.12, and then by 2.

(2) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) Add 15 percent to the Chicago butter price for the month and multiply by 3.8.

(ii) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk solids, roller process, for human consumption, f. o. b. manufacturing plants in Chicago area as published for the period from the 25th day of the preceding month through the 25th day of the current month by the Department of Agriculture, deduct 5.5 cents and multiply by 8.2, and then deduct 8 cents.

§ 946.52 *Butterfat differential to handlers.* If the weighted average butterfat content of milk received from producers allocated to Class I milk or Class II milk, respectively, pursuant to § 946.46, for a handler is more or less than 3.8 percent, there shall be added to or subtracted from, as the case may be, the price for such class, for each one-tenth of 1 percent that such weighted average butterfat test is above or below 3.8 percent, a butterfat differential (computed to the nearest tenth of a cent), calculated for each class as follows:

(a) *Class I milk.* Multiply by 1.25 the Chicago butter price for the month and divide the result by 10.

(b) *Class II price.* For the months of August through March, multiply by 1.2 the Chicago butter price for the month and divide the result by 10, and for the months of April through July, multiply by 1.15 the Chicago butter price for the month and divide by 10.

APPLICATION OF PROVISIONS

§ 946.60 *Producer-handlers.* Sections 946.40 through 946.46, 946.50 through 946.52, 946.61, 946.70, 946.71, and 946.80 through 946.88 shall not apply to a producer-handler.

§ 946.61 *Handlers operating nonpool plants.* Sections 946.30 through 946.32, 946.50 through 946.52, 946.70, 946.71, 946.80 through 946.84, 946.86 and 946.87 shall not apply to a handler in his capacity as the operator of a nonpool plant described in § 946.11 (d), except that such handler shall:

(a) On or before the 5th day after the end of the month, make reports to the market administrator in such manner as he may request with respect to such handler's total receipts and utilization of skim milk and butterfat;

(b) On or before the 13th day after the end of each month, pay to the market administrator for deposit in the producer-settlement fund an amount of money computed by multiplying the quantity of Class I milk disposed of in the manner described in § 946.11 (d) by the difference between the price of Class II milk and the price of Class I milk adjusted by the butterfat differential to handlers; and

(c) On or before the 15th day after the end of the month, pay to the market administrator, as such handler's pro rata share of the expense of administration of this order, 2.5 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all Class I milk and all milk, skim milk, and cream used to produce Class II products disposed of during the month in the marketing area in the manner described in § 946.11 (d).

§ 946.62 *Handlers subject to other orders.* In the case of any handler who

the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another order or a marketing agreement issued pursuant to the act, the provisions of this subpart shall not apply except the handler shall, with respect to his total receipts of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

DETERMINATION OF UNIFORM PRICE

§ 946.70 *Net obligation of each handler.* The net obligation of each handler for milk received during each month from producers shall be a sum of money computed by the market administrator as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 946.46 by the applicable class price;

(b) Add together the resulting amounts;

(c) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 946.46 by the applicable class prices; and

(d) Add the amount computed by multiplying the pounds of other source milk which are allocated to Class I and which are not subject to the Class I pricing provisions of another order or marketing agreement issued pursuant to the act by the difference between the Class II and the Class I prices adjusted by the butterfat differential to handlers.

§ 946.71 *Computation of uniform price.* For each month the market administrator shall compute the uniform price per hundredweight of milk of 3.8 percent butterfat content received from producers as follows:

(a) Combine into one total the net obligations computed for all handlers who made the reports prescribed in § 946.30 for the month and who are not in default of payments pursuant to § 946.83 for the preceding month;

(b) Subtract, if the average butterfat content of the producer milk included in these computations is greater than 3.8 percent, or add, if such average butterfat content is less than 3.8 percent an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 3.8 percent by the butterfat differential computed pursuant to § 946.81 and multiplying the resulting figure by the total hundredweight of such milk;

(c) Subtract for each of the months of April, May, June, and July an amount computed by multiplying the total hundredweight of producer milk included in these computations by 12 percent of the simple average of the basic formula prices, computed to the nearest cent, for the 12 months of the preceding calendar year;

(d) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations to handlers pursuant to § 946.84 (a), and less the aggregate of the amounts held pursuant to paragraph (c) of this section for payment pursuant to § 946.84 (b);

(e) Divide the resulting total by the total hundredweight of producer milk included in these computations; and

(f) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (e) of this section. The resulting figure shall be the uniform price for milk of 3.8 percent butterfat content received from producers at a handler's pool plant.

PAYMENTS

§ 946.80 *Time and method of payment.* On or before the 15th day after the end of each month, each handler shall pay to each producer from whom he received milk during the month an amount of money representing not less than the total value of such producer's milk at the uniform price per hundredweight, subject to the producer butterfat differential, and less deductions authorized by such producer, and less deductions for marketing services: *Provided,* That, if by such date such handler has not received full payment for such month pursuant to § 946.84, he may reduce uniformly per hundredweight for all producers his payments pursuant to this section by an amount not in excess of the per hundredweight reduction in payment from the market administrator; however, the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this section next following that on which such balance of payment is received from the market administrator.

§ 946 81 *Producer butterfat differential.* In making payment to producers pursuant to § 946.80, each handler shall add to the uniform price not less than, or subtract from the uniform price not more than, as the case may be, for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 3.8 percent, the amount set forth in the following schedule for the price range in which falls the Chicago butter price for the month during which such milk was received.

Butter price range (cents):	*Butterfat differential (cents)*
17.499 or less	2
17.50–22.499	2½
22.50–27.499	3
27.50–32.499	3½
32.50–37.499	4
37.50–42.499	4½
42.50–47.499	5
47.50–52.499	5½
52.50–57.499	6
57.50–62.499	6½
62.50–67.499	7
67.50–72.499	7½
72.50–77.499	8
77.50–82.499	8½
82.50–87.499	9
87.50–92.499	9½
92.50 and over	10

§ 946.82 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 946.61, 946.83, and 946.85 and out of which he shall make all payments pursuant to §§ 946.84 and 946.85: *Provided,* That payments due any handler shall be offset by payments due from such handler.

§ 946.83 *Payments to the producer-settlement fund.* On or before the 13th day after the end of each month, each handler shall pay to the market administrator any amount by which the net obligation of such handler for the month is greater than an amount computed by multiplying the hundredweight of milk received by him from producers during the month by the uniform price adjusted for the producer butterfat differential.

§ 946.84 *Payments out of the producer-settlement fund.* (a) On or before the 14th day after the end of each month, the market administrator shall pay to each handler for payment to producers any amount by which the net obligation of such handler for the month is less than an amount computed by multiplying the hundredweight of milk received by him from producers during the month by the uniform price adjusted for the producer butterfat differential: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(b) On or before the 14th day after the end of each of the months of September, October, November, and December, the market administrator shall pay out of the producer-settlement fund to each producer from whom milk was received by all handlers during the month an amount computed as follows: Divide one-fourth of the aggregate amount held pursuant to § 946.71 (c) by the hundredweight of milk received from producers by all handlers during the month and multiply the resulting amount (computed to the nearest cent per hundredweight) by the milk received from such producers during the month: *Provided,* That payment under this paragraph to any producer who has given authority to a cooperative association to receive payment for his milk shall be distributed to such cooperative association if the cooperative association requests receipt of such payments.

§ 946.85 *Adjustment of accounts.* Whenever verification by the market administrator of payments by any handler discloses errors made in payments to the producer-settlement fund, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever such verification discloses that payment is due from the market administrator to any handler, pursuant to § 946.84, the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses pay-

ment of less than is required by § 946.80, the handler shall pay any amount so due not later than the time of making payment to producers next following such disclosure.

§ 946.86 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 946.80, shall deduct 5 cents per hundredweight, or such amount not in excess thereof as the Secretary may prescribe, with respect to all milk received by such handler from producers (other than such handler's own farm production) during the month and shall pay such deductions to the market administrator on or before the 15th day after the end of such month. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received from such producers and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of producers for whom the Secretary determines a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made directly to such producers pursuant to § 946.80 as are authorized by such producers, and, on or before the 15th day after the end of each month, pay such deductions to the cooperative association rendering such services.

§ 946.87 *Expense of administration.* As his pro rata share of the expense of administration hereof, each handler shall pay to the market administrator, on or before the 15th day after the end of the month, 2.5 cents per hundredweight, or such amount to be not in excess thereof as the Secretary may prescribe, with respect to all receipts by such handler during the month of (a) milk from producers (including such handler's own farm production), and (b) other source milk classified as Class I milk pursuant to § 946.46. Each cooperative association which is a handler shall pay such pro rata share of expense on only that milk of producers caused to be diverted by such cooperative association to a nonpool plant and milk received from producers at a pool plant of such cooperative association.

§ 946.88 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producer(s) or cooperative association, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 946.90 *Effective time.* The provisions of this subpart, or any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

§ 946.91 *Suspension and termination.* Any or all provisions of this subpart, or any amendment to this subpart, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 946.92 *Continuing power and duty.* (a) If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(b) The market administrator, or such other person as the Secretary may designate, shall (1) continue in such capacity until discharged, (2) from time to time account for all receipts and disbursements and, if so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (3) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant to this subpart.

§ 946.93 *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions of this subpart, except §§ 946.34, 946.88, 946.91 through 946.93, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this subpart, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 946.100 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 946.101 *Separability of provisions.* If any provision of this subpart, or its application to any person, or circumstances, is held invalid, the application of such provision and of the remaining provisions of this subpart to other persons or circumstances shall not be affected thereby.

Order of the Secretary Directing That a Referendum Be Conducted Among the Producers; Determination That the Month of May 1951 Is a Representative Period; and Designation of an Agent To Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c

(19)), it is hereby directed that a referendum be conducted among the producers (as defined in the proposed order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area) who, during the month of May 1951, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

The month of May 1951 is hereby determined to be a representative period for the conduct of such referendum.

L. S. Iverson is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177).

[F. R. Doc. 51-8954; Filed, Aug. 2, 1951; 8:52 a. m.]

[7 CFR Part 951]

TOKAY GRAPES GROWN IN CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951-52 SEASON

Consideration is being given to the following proposals which were submitted by the Industry Committee, established under the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951), regulating the handling of Tokay grapes grown in the State of California, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $38,820.00 are likely to be incurred by said committee during the season beginning April 1, 1951, and ending March 31, 1952, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships grapes shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid season, the rate of assessment at $0.03 per hundred pounds of Tokay grapes shipped by such handler during said season.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued this 30th day of July 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8918; Filed, Aug. 2, 1951; 8:49 a. m.]

[7 CFR Part 968]

[Docket No. AO 173-A 5]

HANDLING OF MILK IN WICHITA, KANS., MARKETING AREA

PROPOSED AMENDMENTS TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a hearing to be held in the Aviation Room, Allis Hotel, Wichita, Kansas, beginning at 10:00 a. m., c. s. t., August 9, 1951, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area. These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments proposed by the Wichita Milk Producers Association:

1. Amend the order to provide for classifying concentrated milk in Class I on a milk equivalent basis.

2. Delete § 968.50 (a) and substitute the following:

(a) *Class I milk.* The price per hundredweight shall be the price determined pursuant to § 968.51 plus $1.65.

3. Delete § 968.50 (b) and substitute the following:

(b) *Class II milk.* The price per hundredweight shall be the price determined pursuant to § 968.51 plus $1.50.

4. Delete § 968.50 (c) and substitute the following:

(c) *Class III milk.* The price per hundredweight shall be average of the prices paid during each delivery period for ungraded milk containing 3.8% butterfat at the following plants now operated by the listed companies plus 10 cents: At Wichita, Kansas, by the DeCoursey Cream Company; at Blackwell, Oklahoma, by Wilson and Company; at Coffeyville, Kansas, by the Page Milk Company.

5. Provide that a handler, subject to another order with a lower Class I and Class II price, be required to pay into the producer settlement fund, with respect to any Class I or Class II milk sold in the area, an amount equal to the difference between the class prices in the order which he operates and the class prices in the Wichita order.

6. Delete § 968.5 and substitute the following:

§ 968.5 *Approved dairy farmer.* "Approved dairy farmer" means any person who holds a currently valid permit issued by any health authority having jurisdiction in the marketing area for the production of milk to be disposed of as Grade A milk.

7. In § 968.7 delete the words "the health authorities of the City of Wichita, Kansas," and substitute therefor the words "any health authority having jurisdiction in the marketing area."

Amendments proposed by DeCoursey Cream Company:

8. Amend § 968.40 (a) to read as follows:

(a) Except as provided in paragraph (c) of this section, milk, skim milk or cream moved in fluid form from an approved plant to an unapproved plant located more than 100 miles from the approved plant, shall be Class I if moved in the form of milk or skim milk, and Class II if moved in the form of cream. Except such milk, skim milk or cream which is moved from an approved plant to an unapproved plant more than 100 miles from the approved plant shall be considered as Class III if tagged or labeled "For Manufacturing Only".

9. As an alternative to proposal number 8, amend § 968.40 (a) to read as follows:

(a) Except as provided in paragraph (c) of this section, milk, skim milk, or cream moved in fluid form from an approved plant to an unapproved plant located more than 100 miles from the approved plant, shall be Class I if moved in the form of milk or skim milk, and Class II if moved in the form of cream. Except such milk, skim milk, or cream which is moved from an approved plant to an unapproved plant more than 100 miles from the approved plant shall be considered as Class II if transferred in the form of cream under Grade "A" certification and as Class III if so transferred without Grade "A" certification.

10. Amend § 968.40 (c) to read as follows:

(c) Milk, skim milk, or cream which is moved to an unapproved plant from an approved plant which regularly receives type C milk, and which is sold as "type C milk for manufacturing only" and is so tagged or labeled, may be classified as Class III milk up to the extent of the receipt of type C milk, cream or skim milk at the approved plant.

Amendment proposed by Beatrice Foods Company:

11. Amend § 968.41 (b) and (c) to provide that aerated cream be Class III milk instead of Class II milk.

Proposed by the Dairy Branch, Production and Marketing Administration:

12. Make such other changes as may be required to make the entire order conform with any amendment thereto which may result from this hearing.

Copies of this notice of hearing may be procured from the market administrator, 3808 Broadway, Kansas City 2, Missouri, and 310 Derby Building, 352 N. Broadway, Wichita 2, Kansas, or from the Hearing Clerk, United States Department of Agriculture, Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Dated: July 31, 1951, at Washington, D. C.

[SEAL] ROY W. LENNARTSON, *Assistant Administrator.*

[F. R. Doc. 51-8951; Filed, Aug. 2, 1951; 8:51 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF THE PACIFIC STRAITS CONFERENCE ET AL.

NOTICE OF DISAPPROVAL OF AGREEMENTS BY THE BOARD

Notice is hereby given that the Board by order dated July 26, 1951, disapproved the following described agreements pursuant to Section 15 of the Shipping Act, 1916, as amended:

Agreements 5680–6, between the member lines of the Pacific/Straits Conference; 6060–8, between the member lines of the Pacific/Indonesian Conference; 4294–14, between the member lines of the Pacific Coast/Caribbean Sea Ports Conference; 4630–12 between the member lines of the Pacific/West Coast of South America Conference; 6170–7, between the member lines of the Capca Freight Conference; 6400–6, between the member lines of the Pacific Coast/River Plate Brazil Conference; and 7170–5, between member lines of the Pacific Coast/Panama Canal Freight Conference, providing for the inclusion in the basic agreements of said conferences of a provision reading as follows:

Brokerage. Brokerage may be paid by member lines in accordance with the tariff, rules, and regulations of the Conference, from time to time effective. Nothing herein contained, nor in the tariff, rules, and regulations, shall prohibit the payment of such brokerage.

The Board found that said agreements and the proposed tariff rules adopted by the conferences to become effective upon approval of said modification agreements are violative of the United States Maritime Commission's decision of November 17, 1949, in Docket No. 657, and for the reasons set forth in that decision are detrimental to the commerce of the United States; and disapproved said agreements without prejudice to the right of the conferences to resubmit modifications of their basic agreements to provide for the establishment of rules and regulations covering the payment of brokerage which will be in conformity with the decision in Docket 657, any such rules and regulations to be included in the modification agreements or submitted in conjunction with such modification agreements as a tariff rule to become effective following approval of said modification agreements.

Interested parties may obtain copies of these agreements at the Regulation Office, Federal Maritime Board, Washington, D. C.

Dated: July 31, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 51-8910; Filed, Aug. 2, 1951; 8:47 a. m.]

National Production Authority

[NPA Delegation 7, Revocation]

DIRECTORS OF REGIONAL OFFICES AND MANAGERS OF DISTRICT OFFICES OF COMMERCE DEPARTMENT

DELEGATION OF AUTHORITY TO ADMINISTER NPA ORDER M–4

NPA Delegation 7 is hereby revoked. This revocation shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY
MANLY FLEISCHMANN, *Administrator.*

[F. R. Doc. 51-9103; Filed, Aug. 2, 1951; 5:15 p. m.]

[NPA Delegation 14, as Amended]

ADMINISTRATOR OF FEDERAL SECURITY AGENCY ET AL.

DELEGATION OF AUTHORITY TO PROCESS APPLICATIONS UNDER NPA ORDER M–4A, AND TO MAKE ALLOTMENTS AND TO ASSIGN RATINGS UNDER CMP REGULATION NO. 6.

1. Pursuant to the authority under the Defense Production Act of 1950 (Pub. Law 774, 81st Cong. as extended by Pub. Law 69, 82d Cong.), Executive Orders 10161 (15 F. R. 6105) and 10200 (16 F. R. 61), and Defense Production Administration Delegation 1 (16 F. R. 738), the following functions to be performed pursuant to NPA Order M–4A and CMP Regulation No. 6 are delegated to each of the persons named in Table I of this Delegation, with power to delegate and to authorize successive delegations with respect to the categories of construction set forth in Table I opposite his name: To authorize construction schedules of prime contractors in accordance with the provisions of CMP Regulation No. 6; to make allotments of controlled materials for construction; to apply or assign to others the right to apply DO ratings and allotment numbers and symbols for procurement of materials and products other than controlled materials which are required for construction under an approved construction program as provided by CMP Regulation No. 6. Power is further delegated to process applications for adjustment or exception under the provisions of CMP Regulation No. 6, and to take final appellate action under the regulation.

2. The authority delegated by paragraph 1 of this delegation shall be exercised within such construction program determinations or other quantitative restrictions as may be established by the Defense Production Administration, and in accordance with such instructions, record-keeping and reporting requirements, and policy directives as may be issued from time to time by the National Production Authority. Such delegated authority shall also be exercised in conformity with the regulations and orders of the National Production Authority and in conformity with the provisions of CMP Regulation No. 6 and as contained in the instructions applicable to forms to be made use of in connection with CMP Regulation No. 6, or such other forms as have been or will be approved by the National Production Authority.

3. In addition, the following power is delegated to the persons named in subparagraphs (a) and (b) of this paragraph with power to delegate and to authorize successive delegations.

(a) To the Administrator of Veterans Affairs, and to the Administrator of the Federal Security Agency, power to receive, consider, pass upon, and take action in his own name, including appellate action, upon applications for adjustment or exception under the provisions of section 4 of NPA Order M–4A, to authorize commencement of construction of buildings, structures, or projects of the type specified in Table I of NPA Order M–4A, which buildings, structures, or projects are required as part of an integrated hospital program.

(b) To the Administrator of the Federal Security Agency, power to receive, consider, pass upon, and take action in his own name, including appellate action, upon applications for adjustment or exception under the provisions of section 4 of NPA Order M–4A, to authorize commencement of construction of a gymna-

sium which is to be an integral part of a school plant and is to be used primarily in instructional purposes in physical education and training, and which does not include facilities for spectator seating.

4. Any adjustment or exception under NPA Order M–4A issued by any delegate pursuant to this delegation must be correlated with the delegate's activities under the Controlled Materials Plan of the National Production Authority; and all projects approved by each delegate, and the allotment of controlled materials made therefor, will be charged against the total construction program and allotments approved for such delegate by the Defense Production Administration.

5. As used in this delegation, the terms "petroleum," "gas," "solid fuels," "electric power," "metals and minerals," "food," "domestic transportation," "storage," and "port facilities" have the same meanings as are set forth in Executive Order 10161.

6. All actions taken pursuant to this delegation shall be in the name of the delegate or other official to whom like authority has been delegated by the delegate, and shall be authenticated by the signature and title of the individual authorized to take such actions.

This amendment shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

TABLE I

Delegate	*Category of Construction*
The Administrator of the Federal Security Agency.	All school and library construction, all hospital and health facility construction other than the Veterans' Administration and military hospitals; all other health and sanitation programs (but not water supply and sewer construction programs) except such types of construction on federally owned property under the control of the Atomic Energy Commission, and such types of construction on military reservations; college housing.
The Administrator of Veterans' Affairs.	The hospital program of the Veterans' Administration.
The Administrator of the Housing and Home Finance Agency.	Housing construction, alteration, and repair, except: housing and community facilities on federally owned property under the control of the Atomic Energy Commission, housing on military reservations, military housing under Public Law 211, 81st Congress; college housing, and farmstead construction.
The Secretary of Agriculture	Farm construction, including farmstead construction; food production and processing facilities, and wholesale food distribution facilities within the limits of the memorandum of agreement between the Administrator of the Production and Marketing Administration and the Administrator of the National Production Authority (16 F. R. 3410), as from time to time amended or supplemented.
The Secretary of the Interior	Facilities for departmental programs of the Department of the Interior; facilities for the production, preparation, and processing of solid fuels; facilities for the generation, transmission, and distribution of electric power; facilities for the production and processing of the metals and minerals listed in column 1 of Appendix A of NPA Delegation No. 5; facilities for the production and processing of fishery products.
The Petroleum Administrator for Defense.	Facilities for the production, processing, refining, and distribution of petroleum and gas, and facilities for the production, processing, and distribution of the products listed in Appendix A of NPA Delegation No. 9 (but not filling stations).
The Secretary of Commerce	Bureau of Public Roads programs for highway construction and maintenance of all rural and urban highways, streets, highway equipment repair shops, bridges, tunnels, toll road facilities, and appurtenant installations, regardless of financing; air navigation facilities, civil airports; shipyards.
The Administrator of the Defense Transport Administration.	Facilities for domestic transportation, storage, and port facilities, as defined in E. O. 10161.
The Atomic Energy Commission.	All construction by, or for the account of the Atomic Energy Commission; industrial construction sponsored by the Atomic Energy Commission.
The National Advisory Committee for Aeronautics.	All construction by, or for the account of the National Advisory Committee for Aeronautics.
The Department of Defense	Construction by or for the account of the Department of Defense and all military housing under Public Law 211 81st Congress; Navy construction; Army construction; Air Force construction including but not limited to projects of an industrial nature financed by the Air Force; military command construction.
General Services Administration.	Federal buildings and facilities except as otherwise designated on this table.

[F. R. Doc. 51–9102; Filed, Aug. 2, 1951; 5:15 p. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. No. 153699]

CALIFORNIA

REVOCATION OF ORDER OPENING LANDS TO ENTRY UNDER THE FOREST HOMESTEAD ACT

JULY 30, 1951.

Pursuant to the request of the Department of Agriculture and in accordance with Departmental Order No. 2583 § 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

Subject to any valid intervening adverse claims, the order listed below opening lands in the Modoc National Forest, California, to entry under the act of June 11, 1906, as amended, 34 Stat. 233 (16 U. S. C. 506–509), is hereby revoked so far as it affects the following-described lands:

Date of order of opening	List No.	Land
Dec. 19, 1911	5–851	T. 40 N., R. 14 E., M. D. M., Sec. 26, SW¼NW¼ NW¼NE¼, W½SW¼ NW¼NE¼, W½NW¼ SW¼NE¼, NW¼SW¼ SW¼NE¼, and E½ NE¼SE¼, containing 35 acres.

WILLIAM ZIMMERMAN, Jr.,
Associate Director.

[F. R. Doc. 51–8914; Filed, Aug. 2, 1951; 8:48 a. m.]

[Misc. No. 510015]

ALASKA

RESTORATION ORDER NO. 1302 UNDER FEDERAL POWER ACT

JULY 30, 1951.

Pursuant to the determination of the Federal Power Commission (DA–46, Alaska) and in accordance with Departmental Order No. 2583, § 2.22 (a) of August 16, 1950, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-described public land, so far as it is withdrawn or reserved for power purposes by Power Site Reserve No. 485 of April 1, 1915, is hereby restored for entry under the laws applicable to unsurveyed public lands, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920, 41 Stat. 1075 (16 U. S. C. 818), as amended:

Beginning at the point where the Tenalian River enters Lake Clark in approximate latitude 60°12′ N., longitude 154°24′ W.,

Thence southerly along the shore of Lake Clark approximately 40 chains to the southerly end of Tenalian Point;

Easterly approximately 20 chains;

Northerly approximately 40 chains;

Westerly approximately 20 chains to the place of beginning.

The tract as described contains approximately 80 acres.

This order shall become effective at 10:00 a. m., on the 35th day after publication in the FEDERAL REGISTER. At that time the said land shall become subject to application, petition, location and se-

lection subject to the requirements of applicable law and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended.

WILLIAM ZIMMERMAN, Jr.,
Associate Director.

[F. R. Doc. 51–8915; Filed, Aug. 2, 1951; 8:48 a. m.]

ARIZONA

NOTICE FOR FILING OBJECTIONS TO ORDER WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE ARMY IN CONNECTION WITH THE ACTIVITIES OF THE ARIZONA NATIONAL GUARD [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 28, 1951.

[F. R. Doc. 51–8908, Filed, Aug. 2, 1951; 8:46 a. m.]

ALASKA

NOTICE FOR FILING OBJECTIONS TO ORDER RESERVING LANDS FOR THE USE OF THE DEPARTMENT OF THE AIR FORCE FOR MILITARY PURPOSES; PARTIAL REVOCATION OF EXECUTIVE ORDER NO. 7309 WITHDRAWING PUBLIC LANDS IN AID OF LEGISLATION [2]

For a period of 60 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

OSCAR L. CHAPMAN,
Secretary of the Interior.

JULY 28, 1951.

[F. R. Doc. 51–8904; Filed, Aug. 2, 1951; 8:45 a. m.]

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[1] See F. R. Doc. 51–8907, Title 43, Chapter I, Appendix, *supra.*

[2] See F. R. Doc. 51–8903, Title 43, Chapter I, Appendix, *supra.*

ECONOMIC STABILIZATION AGENCY

GO 9—ORGANIZATION FOR RENT STABILIZATION

Sec.
1. Purpose.
2. Legal basis.
3. Organization.
4. Delegation of authority.
5. Effect on other orders.

SECTION 1. *Purpose.* (a) The purpose of this order is to establish an Office of Rent Stabilization in the Economic Stabilization Agency and to define its functions.

SEC. 2. *Legal basis.* (a) The basic authority for the establishment of a program of rent stabilization is contained in the Housing and Rent Act of 1947, as amended (Pub. Law 129, 80th Cong., as amended by Pub. Laws 422 and 464, 80th Cong.; Pub. Laws 31, 574, and 880, 81st Cong.; and Pub. Laws 8, 69, and 96, 82d Cong.). This authority is implemented by the terms of Executive Order No. 10161 of September 9, 1950, and Executive Order No. 10276 of July 31, 1951.

(b) Executive Order No. 10161 of September 9, 1950 (15 F. R. 6105) authorizes the Economic Stabilization Administrator to define the internal organization of the Economic Stabilization Agency.

SEC. 3. *Organization.* (a) There herewith is established an Office of Rent Stabilization within the Economic Stabilization Agency, to be headed by a Director of Rent Stabilization, who will be responsible to the Economic Stabilization Administrator.

SEC. 4. *Delegation of authority.* (a) All powers, duties, and functions conferred on the President by Title II of the Housing and Rent Act of 1947, exclusive of section 208 (a), as amended, and delegated to the Economic Stabilization Administrator by Executive Order No. 10276, shall be exercised and performed by the Director of Rent Stabilization pursuant to Executive Order No. 10276 and except as otherwise provided by this order.

(b) The aforementioned delegation of authority reflects the Administrator's policy to delegate to constituent agencies operating authority to the fullest practicable extent consistent with his ultimate responsibility for the conduct of the Agency's activities in a reasonable and efficient manner. The delegated authority shall be exercised within the framework of such general policies as the Administrator may prescribe, subject to program and policy review by the Office of the Administrator. Included in such review will be the clearance by the Administrator of important policy issuances contemplated by the Director of Rent Stabilization, prior to issuance.

(c) Pursuant to the aforementioned delegation of authority, the Director of Rent Stabilization, is responsible for the effective development and administration of an appropriate program of rent stabilization. The Director may redelegate to subordinate officials, subject to such additional conditions or limitations as he may see fit to prescribe, the authority delegated to him by this order.

(d) The records, property and personnel of the Office of the Housing Expediter, and the unexpended balances of appropriations, allocations, and other funds of the Office of the Housing Expediter hereafter transferred or otherwise made available to the Economic Stabilization Agency pursuant to paragraph 4 of Executive Order No. 10276 shall be transferred to and administered by the Office of Rent Stabilization.

(e) The Administrator retains final authority with respect to rents for Government quarters, including housing accommodations owned or operated by any Federal agency, in areas under Federal rent control. Whenever the Director of Rent Stabilization and the Federal agency administering such rents do not agree on proposed rental schedules, the Director of Rent Stabilization and the affected Federal agency shall submit their views to the Administrator. He will make the final determination pursuant to Title II of the Housing and Rent Act of 1947, as amended, Executive Order 10276, and Bureau of the Budget Circular A–45.

(f) Responsibility for determination as to the adequacy of relaxation of credit controls for real estate construction in areas which have been certified by the Secretary of Defense and the Director of Defense Mobilization, acting jointly, to be critical defense housing areas, is retained by the Administrator.

SEC. 5. *Effect on other orders.* (a) The Office of Rent Stabilization is subject to the terms of all orders contained in the Manual of Orders of the Economic Stabilization Agency. (See General Order No. 1.)

(b) All other orders or parts of orders, the provisions of which are inconsistent or in conflict with the provisions of this order, are hereby amended or superseded accordingly.

Issued: Washington, D. C., July 31, 1951 at 8:05 p. m.

ERIC JOHNSTON,
Administrator.

[F. R. Doc. 51–9101; Filed, Aug. 2, 1951; 12:02 p. m.]

Office of Rent Stabilization

[ORS General Order 1]

ADOPTION, RATIFICATION, CONFIRMATION, AND VALIDATION OF OHE ACTIONS AND DELEGATIONS OF AUTHORITY

Adoption, ratification, confirmation, and validation of OHE actions and delegations of authority. All rules, regulations, interpretations, orders, directives, directions, certificates, delegations of authority, including the continuing authority to issue orders and to take other action thereunder, organizational documents, procedural documents, and any other actions which were issued, adopted, or taken by, or under the authority of, the Housing Expediter, or by any other authorized official of the Office of the Housing Expediter, and which were in effect on July 31, 1951, are, hereby adopted, ratified and confirmed, and shall remain in full force and effect until they expire by their terms or are revoked or amended. For the purposes hereof, wherever appropriate: references to "Housing Expediter" shall be construed to be references to "Director of Rent Stabilization"; references to "Deputy Housing Expediter" shall be construed to be references to "Deputy Director"; references to "Office of the Housing Expediter" shall be construed to be references to "Office of Rent Stabilization"; references to "Regional Housing Expediter" shall be construed to be references to "Regional Director of Rent Stabilization"; and references to "Deputy Regional Housing Expediter" shall be construed to be references to "Deputy Regional Director."

(Pub. Laws 129, 422, 464, 80th Cong.; Pub. Laws 31, 574, 880, 81st Cong.; Pub. Laws 8, 69, 96, 82d Cong.)

Issued and effective this 1st day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-8992; Filed, Aug. 1, 1951; 12:11 p. m.]

ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DESIGNATION OF EMPLOYEES TO TAKE OATHS

Pursuant to authority contained in the Housing and Rent Act of 1947, as amended (Public Law 129, 80th Congress; Public Law 31, 81st Congress; Public Law 96, 82d Congress), the following employees of the Office of Rent Stabilization are authorized and empowered to administer to or take from any person an oath, affirmation or affidavit when such instrument is required in connection with the performance of the functions or activities of the Director of Rent Stabilization and such employees are further authorized and empowered to administer oaths and affirmations in connection with such studies, investigations and hearings, and the obtaining of such information, as may be necessary or proper to assist the Director of Rent Stabilization in prescribing any regulation or order under the Housing and Rent Act of 1947, as amended, or in the administration and enforcement of the Housing and Rent Act of 1947, as amended, and regulations and orders prescribed thereunder:

NATIONAL OFFICE

General Manager.
Deputy Director.
National Board Coordinator.
General Counsel.
Assistant General Counsels.
Litigation Attorneys.
Director of Compliance.
Field Agents.
Authorizing and Certifying Officer.
National Field Representatives.
Special Investigators.

REGIONAL OFFICES

Regional Board Coordinators.
Field Agents.
Regional Directors.
Deputy Regional Directors.
All Attorneys.
Regional Field Representatives.
Regional Compliance Officers.
Regional Compliance Field Representatives.
Supervising Investigators.
Investigators.
Inspectors.

AREA RENT OFFICES

Area Rent Directors.
Persons serving as Secretary to Area Rent Directors.
All Attorneys.
Compliance Investigators.
Compliance Negotiators.
Chief, Public Service Section.
Examiner-Inspectors.
Information Receptionists.
Adjustment Analysts.
Landlord-Tenant Consultants.
Contact Representatives.
Supervising Contact Representatives.

BRANCH OFFICES

Associated Area Rent Directors.
Persons serving as Secretary to Associate Area Rent Directors.
Area Rent Representatives.
Persons serving as Secretary to Area Rent Representatives.

(Pub. Law 129, 80th Cong.; Pub. Law 31, 81st Cong.; Pub. Law 96, 82d Cong.)

Issued and effective this 1st day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-8994; Filed, Aug. 1, 1951; 12:12 p. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6372]

INDIANA & MICHIGAN ELECTRIC CO. AND PUBLIC SERVICE CO. OF INDIANA, INC.

NOTICE OF APPLICATION

JULY 30, 1951.

Take notice that on July 27, 1951, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Indiana & Michigan Electric Company ("Indiana Company"), a corporation organized under the laws of Indiana and doing business in said State with its principal business office at Fort Wayne, Indiana, and by Public Service Company of Indiana, Inc. ("Service Company"), a corporation organized under the laws of Indiana and doing business in said State with its principal business office at Plainfield, Indiana, seeking an order approving the sale by Indiana Company and the purchase by Service Company of approximately 3.03 miles of 132 kv single circuit transmission line and appurtenant right of way situated in Henry County, Indiana, for a cash consideration of $76,989.60; all as more fully appears in the application on file with the Commission.

Any persons desiring to be heard or to make any protest with reference to said application should, on or before August 20, 1951, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8913; Filed, Aug. 2, 1951; 8:48 a. m.]

[Docket No. G-1689]

ASSOCIATED NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JULY 30, 1951.

Notice is hereby given that, on July 27, 1951, the Federal Power Commission issued its findings and order entered July 26, 1951, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8912; Filed, Aug. 2, 1951; 8:47 a. m.]

GENERAL SERVICES ADMINISTRATION

ASSISTANT ADMINISTRATOR FOR DEFENSE COORDINATION

DELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN CONTRACTS, COMMITMENTS, GUARANTEES, AND OTHER CONTRACT DOCUMENTS

1. Pursuant to the authority of the Defense Production Act of 1950, as amended (Public Law 774, 81st Congress and Public Law 69, 82d Congress), and the Executive orders issued pursuant thereto, there is hereby delegated to the Assistant Administrator for Defense Coordination the authority vested in me to make or modify all contracts, commitments, guarantees and other contract documents which are in whole or in part to be made or modified under the authority of the Defense Production Act of 1950, as amended, and to perform all functions related to the foregoing.

2. Nothing herein shall be deemed to supersede or affect authority heretofore delegated to other officials of the General Services Administration.

3. This delegation is effective as of the date hereof.

Dated: July 27, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-8911; Filed, Aug. 2, 1951; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26291]

LUMBER FROM LIVE OAK AND SLADE, FLA., TO THE SOUTHWEST

APPLICATION FOR RELIEF

JULY 31, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 934.

Commodities involved: Lumber and related articles, carloads.

From: Live Oak ad Slade, Fla.

To: Points in southwestern territory.

Grounds for relief: Circuitous routes, competition with rail carriers, and market competition.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 934, Supp. 91.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8924; Filed, Aug. 2, 1951; 8:50 a. m.]

[4th Sec. Application 26292]

GRAIN FROM, TO AND BETWEEN POINTS IN THE WESTERN DISTRICT

APPLICATION FOR RELIEF

JULY 31, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to Grain and Grain Products, 205 I. C. C. 301.

Commodities involved: Grain, grain products, and related articles, carloads.

From, to, and between points in the western district.

Grounds for relief: Rail competition, market competition, circuity, grouping, and additional commodities.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8926; Filed, Aug. 2, 1951; 8:50 a. m.]

[4th Sec. Application 26293]

ELECTRODES FROM BLACK FORK, OHIO, TO NATCO, TENN.

APPLICATION FOR RELIEF

JULY 31, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Electrodes, carbon furnace or electrolytic bath, carloads.

From: Black Fork, Ohio.

To: Natco, Tenn.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8927; Filed, Aug. 2, 1951; 8:51 a. m.]

[4th Sec. Application 26294]

DRUGS AND MEDICINES FROM KALAMAZOO AND UPJOHN, MICH., TO ATLANTA AND CERTAIN OTHER POINTS IN GEORGIA

APPLICATION FOR RELIEF

JULY 31, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Drugs, medicines, chemicals, and toilet preparations, carloads.

From: Kalamazoo and Upjohn, Mich.

To: Atlanta, Ga., and certain other points in Georgia.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8928; Filed, Aug. 2, 1951; 8:51 a. m.]

[4th Sec. Application 26290]

ETHYLENE GLYCOL FROM PORT NECHES, TEX., TO CLEVELAND, OHIO

APPLICATION FOR RELIEF

JULY 31, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Ethylene glycol, in tank-car loads.

From: Port Neches, Tex.

To: Cleveland, Ohio.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supp. 187.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days

from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8929; Filed, Aug. 2, 1951; 8:51 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 50, Amdt. 1]

CHESAPEAKE AND OHIO RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 50 and good cause appearing therefor: *It is ordered,* That: King's I. C. C. Order No. 50 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., August 31, 1951, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., July 31, 1951, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., July 27, 1951.

INTERSTATE COMMERCE COMMISSION, HOMER C. KING, *Agent.*

[F. R. Doc. 51-8925; Filed, Aug. 2, 1951; 8:50 a. m.]

[No. 30869]

KANSAS INTRASTATE FREIGHT RATES AND CHARGES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 26th day of July A. D. 1951.

It appearing, that in a petition filed July 2, 1951, on behalf of The Atchison, Topeka and Santa Fe Railway Company and other common carriers by railroad operating to, from, and between points in the State of Kansas, it is averred that in Ex Parte No. 168, Increased Freight Rates, 1948, 272 I. C. C. 695, and 276 I. C. C. 9, this Commission authorized certain increases in interstate rates and charges throughout the United States, which were established January 11, 1949, and September 1, 1949, respectively, and that the State Corporation Commission of the State of Kansas, by order dated November 23, 1949, in its docket No. 37200-R, has refused to authorize or permit said petitioners to apply to the transportation of brick and articles taking brick rates; cement; chatt, gravel, road aggregates, sand, and stone, crushed; drain tile, clay, and articles grouped therewith; hay; limestone, agricultural; livestock; sewer pipe, clay, and articles grouped therewith; and sugar beets; moving intrastate by railroad in Kansas, increases in freight rates and charges corresponding to those approved for interstate application in the proceedings above cited, or to apply an increased minimum charge per shipment, in less than carloads, or in any quantity, or to apply an increased minimum line-haul rate which includes pickup and delivery services in connection with less-than-carload or any-quantity shipments, moving intrastate by railroad in Kansas, corresponding to those approved for interstate application in said proceedings;

It further appearing, that said petitioners allege that the intrastate rates and charges which they are required to maintain for the transportation of property as aforesaid, moving intrastate by railroad in Kansas as a result of such refusal by the State Corporation Commission of the State of Kansas, cause undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and undue, unreasonable, and unjust discrimination, against interstate and foreign commerce;

It further appearing, that said petitioners state that the commodities and minimum charge and minimum line-haul rate referred to above are the same as those with respect to which the State Corporation Commission of the State of Kansas refused to authorize or permit petitioners to make increases corresponding to those approved for interstate application in Ex Parte No. 162, Increased Railway Rates, Fares, and Charges, 1946, 266 I. C. C. 537, and Ex Parte No. 166, Increased Freight Rates, 1947, 269 I. C. C. 33, 270 I. C. C. 81, and 270 I. C. C. 93, and which were considered by the Commission in Docket No. 30035, Kansas Intrastate Rates, 277 I. C. C. 21, and 280 I. C. C. 609; and that petitioners request that the entire record in said Docket No. 30035, by reference, be made a part of this proceeding;

And it further appearing, that the said petition brings in issue freight rates and charges made or imposed by authority of the State of Kansas:

It is ordered, That in response to the said petition, an investigation be, and it is hereby, instituted, and that a hearing be held therein for the purpose of receiving evidence from the respondents hereinafter designated and any other persons interested, to determine whether the rates and charges of the common carriers by railroad, or any of them, operating in the State of Kansas, for the intrastate transportation of the property referred to in the first paragraph of this order, and the minimum charge per shipment and minimum line-haul rate which includes pickup and delivery services, referred to in said paragraph, made or imposed by authority of the State of Kansas, cause any undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any undue, unreasonable, or unjust discrimination against interstate or foreign commerce; and to determine what rates and charges, if any, or what maximum, or minimum, or maximum and minimum rates and charges, shall be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, that may be found to exist;

It is further ordered, That the request of petitioners that the record in Docket No. 30035, Kansas Intrastate Rates, be made a part of the record in this proceeding, be, and it is hereby, denied without prejudice to its renewal at the hearing before the hearing examiner upon the merits;

It is further ordered, That all common carriers by railroad operating within the State of Kansas subject to the jurisdiction of this Commission be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon each of the said respondents; and that the State of Kansas be notified of this proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the State Corporation Commission of the State of Kansas at Topeka, Kans.;

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.

And it is further ordered, That this proceeding be set for hearing at such times and places as the Commission may hereafter direct.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8923; Filed, Aug. 2, 1951; 8:50 a. m.]

FEDERAL REGISTER

VOLUME 16 NUMBER 151

Washington, Saturday, August 4, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2935

GIVING EFFECT TO SECTIONS 5 AND 11 OF THE TRADE AGREEMENTS EXTENSION ACT OF 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS sections 5 and 11 of the Trade Agreements Extension Act of 1951 (Public Law 50, 82d Congress) provide as follows:

SEC. 5. As soon as practicable, the President shall take such action as is necessary to suspend, withdraw or prevent the application of any reduction in any rate of duty, or binding of any existing customs or excise treatment, or other concession contained in any trade agreement entered into under authority of section 350 of the Tariff Act of 1930, as amended and extended, to imports from the Union of Soviet Socialist Republics and to imports from any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement.

SEC. 11. The President shall, as soon as practicable, take such measures as may be necessary to prevent the importation of ermine, fox, kolinsky, marten, mink, muskrat, and weasel furs and skins, dressed or undressed, which are the product of the Union of Soviet Socialist Republics or of Communist China.

WHEREAS an important element in determining when it may be practicable to apply these provisions to particular articles is the ability to do so consistently with the international obligations of the United States;

WHEREAS, in giving effect to the procedures available to free the United States from international obligations existing with respect to some of the nations and areas covered by the above provisions, it will not be practicable to apply such provisions to all such nations and areas at the same time;

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including the said sections 5 and 11 of the Trade Agreements Extension Act of 1951, do proclaim:

PART I

That the application of reduced rates of duty (including rates of import tax) established pursuant to trade agreements heretofore or hereafter entered into under the authority of section 350 of the Tariff Act of 1930, as originally enacted or as amended and extended (ch. 474, 48 Stat. 943; ch. 22, 50 Stat. 24; ch. 96, 54 Stat. 107; ch. 118, 57 Stat. 125; ch. 269, 59 Stat. 410; ch. 678, 62 Stat. 1053; ch. 585, 63 Stat. 697; Public Law 50, 82d Congress), shall be suspended with respect to imports from such nations and areas referred to in section 5 as may be specified in any notification pursuant to this part of this proclamation given by the President to the Secretary of the Treasury, and published in the FEDERAL REGISTER, which are entered, or withdrawn from warehouse, for consumption on such date as may be specified for each such nation or area in the notification, or are so entered or withdrawn thereafter until such date as may be so specified in a later notification and so published for the termination of such suspension. For the purposes of this part the term "imports from such nations and areas" shall mean articles imported directly or indirectly into the United States from nations or areas specified in an effective notification, but shall not in any case include articles the growth, produce, or manufacture of any other nation or area.

PART II

That the entry, or withdrawal from warehouse, for consumption of ermine, fox, kolinsky, marten, mink, muskrat, and weasel furs and skins, dressed or undressed, shall be prohibited as to products of such nations and areas as may be specified in any notification pursuant to this part of this proclamation given by the President to the Secretary of the Treasury, and published in the FEDERAL REGISTER, on such date as may be specified for each such nation or area in the notification, and thereafter until such date as may be so specified in a later notification and so published for the termination of such prohibition.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

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FEDERAL REGISTER

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DONE at the City of Washington this First day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-9151; Filed, Aug. 3, 1951; 12:23 p. m.]

TRADE AGREEMENT LETTER

[PURSUANT TO PROCLAMATION GIVING EFFECT TO SECTIONS 5 AND 11 OF THE TRADE AGREEMENTS EXTENSION ACT OF 1951]

AUGUST 1, 1951.

MY DEAR MR. SECRETARY:

Pursuant to Part I of my proclamation of August 1, 1951 carrying out sections 5 and 11 of the Trade Agreements Extension Act of 1951, I hereby notify you that the suspension provided for therein shall be applicable with respect to imports from the following nations and areas which are entered, or withdrawn from warehouse, for consumption after the close of business August 31, 1951:

Albania
Any part of China which may be under Communist domination or control
Estonia
The Soviet Zone of Germany and the Soviet Sector of Berlin
Associated States of Indochina:
Any part of Cambodia, Laos, or Vietnam, which may be under Communist domination or control
Any part of Korea which may be under Communist domination or control
The Kurile Islands
Latvia
Lithuania
Outer Mongolia
Rumania
Southern Sakhalin
Tanna Tuva

Pursuant to Part II of that proclamation of August 1, 1951, I hereby notify you that the entry, or withdrawal from warehouse, for consumption of ermine, fox, kolinsky, marten, mink, muskrat, and weasel furs and skins, dressed or undressed, shall be prohibited after the close of business August 31, 1951, as to products of any part of China which may be under Communist domination or control.

My letter addressed to you on May 30, 1942, with reference to duties proclaimed in connection with trade agreements entered into under the authority of the Trade Agreements Act, shall be superseded after the close of business August 31, 1951.

Very sincerely yours,

HARRY S. TRUMAN

HON. JOHN W. SNYDER,
The Secretary of the Treasury.

[F. R. Doc. 51-9150; Filed, Aug. 3, 1951; 12:23 p. m.]

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Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Peach Order 1]

PART 940—PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

REGULATION BY GRADES AND SIZES

§ 940.303 *Peach Order 1*—(a) *Findings.* (1) Pursuant to the amended marketing agreement and Order No. 40, as amended (7 CFR Part 940; 15 F. R. 5001) regulating the handling of peaches grown in the County of Mesa in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such peaches, as hereinafter set forth, in accordance with the provisions of § 940.52 of the amended marketing agreement and order, will be in the public interest, and will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than August 6, 1951. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Administrative Committee until July 13, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on July 13, 1951, after consideration of all information then available relative to the supply and demand conditions for such peaches, at which time the recom-

mendation and supporting information was submitted to the Department, and made available to growers and handlers; necessary supplemental information was not available to the Department until July 27, 1951; in order to effectuate the declared policy of the act, the regulation of peach shipments during the present fiscal year should, insofar as practicable, be applicable to all shipments of such peaches; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., M. s. t., August 6, 1951, and ending at 12:01 a. m., M. s. t., October 15, 1951, no handler shall ship any peaches which do not meet the following minimum standards of quality and maturity:

(i) Grade at least U. S. No. 2: *Provided,* That, with respect to ripe peaches, the requirements of such grade shall not include damage, other than serious damage, caused by bruises; and

(ii) Are of a size not smaller than 2 inches in diameter: *Provided,* That any lot of peaches shall be deemed to be of a size not smaller than 2 inches in diameter (*a*) if not more than 10 percent, by count, of the peaches in such lot are smaller than 2 inches in diameter and if not more than 15 percent, by count, of the peaches contained in any individual container in such lot are smaller than 2 inches in diameter; or (b) if the peaches in such lot are shipped in peach boxes and the peaches are of a size not smaller than a size that will pack, in accordance with the specifications of a standard pack, a count of 78 peaches in a peach box, except that the tolerance for variations incident to proper packing, provided in such pack specifications, shall not permit a variation of more than 4 peaches in any such box.

(2) *Definitions.* As used in this section, "peaches," "handler," and "ship" shall have the same meaning as when used in the aforesaid amended marketing agreement and order; "U. S. No. 2," "diameter," "count," and "standard pack" shall have the same meaning as when used in the United States Standards for Peaches (7 CFR 51.312); and "peach box" shall mean a box of the following inside dimensions: 4½–5" x 11½" x 16⅛".

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 1st day of August 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51–9012; Filed, Aug. 3, 1951; 8:51 a. m.]

[Peach Order 1]

PART 950—PEACHES GROWN IN UTAH

REGULATION BY GRADES AND SIZES

§ 950.301 *Peach Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 50 (7 CFR Part 950) regulating the handling of peaches grown in the State of Utah, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such peaches, as hereinafter set forth, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 6, 1951. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Administrative Committee until July 27, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on July 27, 1951, after consideration of all information then available relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information was submitted to the Department, and made available to growers and handlers; in order to effectuate the declared policy of the act, the regulation of peach shipments during the present fiscal year should, insofar as practicable, be applicable to all shipments of such peaches; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., M. s. t., August 6, 1951, and ending at 12:01 a. m., M. s. t., October 1, 1951, no handler shall ship:

(i) Any peaches which do not grade at least U. S. No. 1; and

(ii) Are of a size not smaller than 1¾ inches in diameter: *Provided,* That any lot of peaches shall be deemed to be of a size not smaller than 1¾ inches in diameter (*a*) if not more than 10 percent, by count, of the peaches in such lot are smaller than 1¾ inches in diameter and if not more than 15 percent, by count, of the peaches contained in any individual container in such lot are smaller than 1¾ inches in diameter; or (*b*) if the peaches in such lot are shipped in peach boxes (inside dimensions 4½–5" x 11½" x 16⅛") and the peaches are of a size not smaller than a size that will pack, in accordance with the specifications of a standard pack, a count of 96 peaches in a peach box, except that the tolerance for variations incident to proper packing, provided in such pack specifications, shall not permit a variation of more than 4 peaches in any such box; or (c) if the peaches in such lot are shipped in L. A. lugs (inside dimensions 4½–5¾" x 13½" x 16⅛") and the peaches are of a size not smaller than a size that will pack, in accordance with the specifications of a standard pack, a count of 112 peaches in an L. A. lug, except that the tolerance for variations incident to proper packing, provided in such pack specifications, shall not permit a variation of more than 4 peaches in any such L. A. lug.

(2) Definitions. As used herein, "peaches," "handler," and "ship" shall have the same meaning as when used in the aforesaid marketing agreement and order; "U. S. No. 1," "diameter," "count," and "standard pack" shall have the same meaning as when used in the United States Standards for Peaches (7 CFR 51.312).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 2d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51–9112; Filed, Aug. 3, 1951; 9:39 a. m.]

[Lemon Reg. 393, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on

the handling of lemons grown in the State of California or in the State of Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 953.500 (Lemon Regulation 393, 16 F. R. 7382 are hereby amended to read as follows:

(ii) District 2: 600 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 2d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9113; Filed, Aug. 3, 1951; 9:39 a. m.]

[Lemon Reg. 394]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.501 *Lemon Regulation 394*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 *et seq.*), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 1, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 5, 1951, and ending at 12:01 a. m., P. s. t., August 12, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 450 carloads;
(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 393 (16 F. R. 7382), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 2d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9110; Filed, Aug. 3, 1951; 9:39 a. m.]

[Orange Reg. 382, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR Part 966) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (i) (*b*) of § 966.528 (Orange Regulation 382, 16 F. R. 7383) are hereby amended to read as follows:

(i) *Valencia oranges.* * * *

(*b*) Prorate District No. 2: 1,300 carloads;

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 2d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8941; Filed, Aug. 3, 1951; 9:38 a. m.]

[Orange Reg. 383]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.529 *Orange Regulation 383*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insuffici-

ent, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on August 2, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., August 5, 1951, and ending at 12:01 a. m., P. s. t., August 12, 1951, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1,150 carloads;

(*c*) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: Unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: No movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used herein, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. d. s. t., Aug. 5, 1951, to 12:01 a. m., P. d. s. t., Aug. 12, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Alta Loma	.0717
A. F. G. Corona	.0405
A. F. G. Fullerton	.9975
A. F. G. Orange	.3592
A. F. G. Riverside	.1224
A. F. G. San Juan Capistrano	.5601
A. F. G. Santa Paula	.2262
Eadington Fruit Co., Inc	4.9923
Hazeltine Packing Co	.3091
Krinard Packing Co	.1755
Placentia Cooperative Orange Association	.6003
Placentia Pioneer Valencia Growers Association	.6400
Signal Fruit Association	.0942
Azusa Citrus Association	.4789
Covina Citrus Association	1.0650
Covina Orange Growers Association	.5262
Damerel-Allison Association	.6737
Glendora Citrus Association	.4060
Glendora Mutual Orange Association	.3322
Valencia Heights Orchard Association	.4877
Gold Buckle Association	.4266
La Verne Orange Association	.6222
Anaheim Valencia Orange Association	1.3161
Fullerton Mutual Orange Association	2.7036
La Habra Citrus Association	1.4472
Yorba Linda Citrus Association, The	1.1914
Escondido Orange Association	2.1981
Alta Loma Heights Citrus Association	.0564
Citrus Fruit Growers	.1343
Etiwanda Citrus Fruit Association	.0001
Old Baldy Citrus Association	.0877
Rialto Heights Orange Growers	.0529
Upland Citrus Association	.3618
Upland Heights Orange Association	.1224
Consolidated Orange Growers	1.9765
Frances Citrus Association	1.1175
Garden Grove Citrus Association	2.2275
Goldenwest Citrus Association	1.9024
Irvine Valencia Growers	3.5765
Olive Heights Citrus Association	2.1620
Santa Ana-Tustin Mutual Citrus Association	1.0149
Santiago Orange Growers Association	5.0871
Tustin Hills Citrus Association	1.9023
Villa Park Orchards Association	1.9137
Bradford Bros., Inc	.8618
Placentia Mutual Orange Association	3.9411
Placentia Orange Growers Association	3.5775
Yorba Orange Growers Association	1.2122
Call Ranch	.0528
Corona Citrus Association	.4118
Jameson Co	.1230
Orange Heights Orange Association	.5544
Crafton Orange Growers Association	.2488
East Highlands Citrus Association	.0568
Redlands Heights Groves	.1855

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Redlands Orangedale Association	0.1546
Rialto-Fontana Citrus Association	.0976
Break & Son, Allen	.0433
Bryn Mawr Fruit Growers Association	.0989
Mission Citrus Association	.1384
Redlands Cooperative Fruit Association	.2452
Redlands Orange Growers Association	.1402
Redlands Select Groves	.2102
Rialto Orange Co	.1873
Southern Citrus Association	.1116
United Citrus Growers	.2067
Zilen Citrus Co	.0354
Arlington Heights Citrus Co	.1037
Brown Estate, L. V. W	.1230
Gavilan Citrus Association	.1343
Highgrove Fruit Association	.0564
McDermont Fruit Co	.1159
Monte Vista Citrus Association	.2076
National Orange Co	.0188
Riverside Citrus Association	.0223
Riverside Heights Orange Growers Association, The	.0307
Sierra Vista Packing Association	.0164
Victoria Avenue Citrus Association	.1703
Claremont Citrus Association	.1083
College Heights Orange & Lemon Association	.2540
Indian Hill Citrus Association	.2100
Pomona Fruit Growers Exchange	.3009
Walnut Fruit Growers Association	.5071
West Ontario Citrus Association	.1736
El Cajon Valley Citrus Association	.1903
Escondido Cooperative Citrus Association	.2738
San Dimas Orange Growers Association	.3080
Sanoga Citrus Association	.6760
North Whittier Heights Citrus Association	.8526
San Fernando Heights Orange Association	.5370
Sierra Madre-Lamanda Citrus Association	.3137
Camarillo Citrus Association	1.2903
Filimore Citrus Association	2.8963
Mupu Citrus Association	1.8213
Ojai Orange Association	.4405
Piru Citrus Association	2.0055
Rancho Sespe	.7363
Santa Paula Orange Association	.9948
Tapo Citrus Association	.5692
Ventura County Citrus Association	.3933
Limoneira Co	.5518
East Whittier Citrus Association	.3409
Murphy Ranch Co	.7613
Anaheim Cooperative Orange Association	2.0634
Bryn Mawr Mutual Orange Association	.1311
Chula Vista Mutual Lemon Association	.0829
Euclid Avenue Orange Association	.4580
Foothill Citrus Union, Inc	.1164
Fullerton Cooperative Orange Association	.3929
Garden Grove Orange Cooperative, Inc	1.2892
Golden Orange Groves, Inc	.1708
Highland Mutual Groves, Inc	.0086
Index Mutual Association	.5410
La Verne Cooperative Citrus Association	1.6243
Olive Hillside Groves, Inc	.5918
Orange Cooperative Citrus Association	1.7727
Redlands Foothill Groves	.3881
Redlands Mutual Orange Association	.1458
Ventura County Orange & Lemon Association	1.1513
Whittier Mutual Orange & Lemon Association	.1457

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Babijuice Corp. of California	0.3912
Banks, L. M	.8019
Becker, Samuel Eugene	.0089
Bennett Fruit Co	.0849
Borden Fruit Co	.5256
Cappos Bros. Produce	.0069
Cherokee Citrus Co., Inc	.1028
Chess Co., Meyer W	.3910
Dozier, Paul M	.0120
Dunning Ranch	.0465
Evans Bros. Packing Co	.9781
Gold Banner Association	.1655
Granada Hills Packing Co	.0313
Granada Packing House	.8711
Hill Packing Co., Fred A	.0595
Knapp Packing Co., John C	.6149
L Bar S. Ranch	.1008
Lawson, William J	.0065
Lima & Sons, Joe	.0923
Oakley, C. B	.0000
Orange Belt Fruit Distributors	1.2641
Orange Hill Groves	.0086
Otte, Arnold	.0702
Panno Fruit Co., Carlo	.8530
Paramount Citrus Association	.7665
Patitucci, Frank L	.0086
Placentia Orchard Co	.5691
Prescott, John A	.0182
Redlands Fruit Association, Inc	.0140
Ronald, P. W	.0200
San Antonio Orchard Co	.2763
Stephens, T. F	.2359
Summit Citrus Packers	.0164
Treesweet Products Co	.2157
Wall, E. T., Grower-Shipper	.0836
Western Fruit Growers, Inc	.4469

[F. R. Doc. 51-9143; Filed, Aug. 3, 1951; 12:03 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 1]

PART 610—MINIMUM EN ROUTE INSTRUMENT ALTITUDES

The minimum en route instrument altitude alterations appearing hereinafter are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 610 is amended as follows:

1. Section 610.12 *Green Civil Airway No. 2* is amended to read in part:

From—	To—	Minimum altitude
Miles City, Mont. (LFR).	Dickinson, N. Dak. (LFR).	4,300
Alexandria, Minn. (VOR) via direct radial.	Minneapolis, Minn. (VOR) via direct radial.	2,600
Alexandria, Minn. (VOR) via 15° NE alt. rad.	Minneapolis, Minn. (VOR) via 15° NE alt. rad.	[1] 2,600

[1] 2,900′—minimum continuous VOR reception altitude.

2. Section 610.13 *Green Civil Airway No. 3*, is amended by adding:

From—	To—	Minimum altitude
Fort Bridger, Wyo. (VOR) via direct or 15° N alt. rad.	Rock Springs, Wyo. (VOR) via direct or 15° N alt. rad.	10,000
Rock Springs, Wyo. (VOR) via direct or 15° N alt. rad.	Cherokee, Wyo. (VOR) via direct or 15° N alt. rad.	10,000
Cherokee, Wyo. (VOR) via direct or 15° N alt. rad.	Rock River, Wyo. (VOR) via direct or 15° N alt. rad.	12,000
Rock River, Wyo. (VOR) via direct or 15° N alt. rad.	Cheyenne, Wyo. (VOR) via direct or 15° N alt. rad.	10,500
Laramie, Wyo. (VOR) via direct radial.	Cheyenne, Wyo. (VOR) via direct radial.	11,000
Rock River, Wyo. (VOR) via direct radial.	Laramie, Wyo. (VOR) via direct radial.	11,000
Omaha, Nebr. (VOR): Via direct radial	Des Moines, Iowa (VOR): Via direct radial	2,400
Via 15° S alt. rad	Via 15° S alt. rad	2,700
Des Moines, Iowa (VOR) via direct or 15° N or S alt. rad.	Iowa City, Iowa (VOR) via direct or 15° N or S alt. rad.	2,200
Des Moines, Iowa (VOR) via 15° N or S alt. rad.	Moline, Ill. (VOR) via 15° N or S alt. rad.	2,200
Iowa City, Iowa (VOR) via direct or 15° S alt. rad.	Moline, Ill. (VOR) via direct or 15° S alt. rad.	2,200

3. Section 610.14 *Green Civil Airway No. 4*, is amended by adding:

From—	To—	Minimum altitude
Tucumacrl, N. Mex. (VOR) via direct or 15° N alt. rad.	Amarillo, Tex. (VOR) via direct or 15° N alt. rad.	[1] 5,200
Amarillo, Tex. (VOR) via direct or 15° NW alt. rad.	Gage, Okla. (VOR) via direct or 15° NW alt. rad.	4,900
Gage, Okla. (VOR) via direct or 15° NW alt. rad.	Anthony, Kans. (VOR) via direct or 15° NW alt. rad.	3,500
Anthony, Kans. (VOR) via direct or 15° NW alt. rad.	Wichita, Kans. (VOR) via direct or 15° NW alt. rad.	3,000
Kansas City, Mo. (VOR) via direct or 15° N or S alt. rad.	Columbia, Mo. (VOR) via direct or 15° N or S alt. rad.	2,400
Columbia, Mo. (VOR) via direct or 15° N alt. rad.	St. Louis, Mo. (VOR) via direct or 15° N alt. rad.	2,200

[1] 6,000′—minimum continuous VOR reception altitude on direct radials.

4. Section 610.15 *Green Civil Airway No. 5*, is amended by adding:

From—	To—	Minimum altitude
Wink, Tex. (VOR) via radial 54 or 69.	Midland, Tex. (VOR) via radial 251 or 266.	4,500
Dallas, Tex. (VOR) via direct or 15° N alt. rad.	Sulphur Springs, Tex. (VOR) via direct or 15° N alt. rad.	2,000
Sulphur Springs, Tex. (VOR) via direct or 15° N alt. rad.	Texarkana, Ark. (VOR) via direct or 15° N alt. rad.	1,800
Texarkana, Ark. (VOR) [1] via direct or 15° NW alt. rad.	Little Rock, Ark. (VOR) via direct or 15° NW alt. rad.	[2] 1,600

[1] This route is associated with this airway since the route lies within the control area established for this airway.

[2] 2,500′—minimum continuous VOR reception altitude.

5. Section 610.15 *Green Civil Airway No. 5*, is amended to read in part:

From—	To—	Minimum altitude
Salt Flat, Tex. (VOR) [1] via 15° N. alt. rad.	Wink, Tex. (VOR) via 15° N. alt. rad.	10,800
Salt Flat, Tex. (VOR) [1] via radial 73.	Int. Wink, Tex. (VOR) radial 254 and Carlsbad, (VOR) radial 142.	10,000
Int. Wink, Tex. (VOR) radial 254 and Carlsbad, N. Mex. (VOR) radial 142.	Wink, Tex. (VOR) via radial 254.	4,500

[1] 8,900′—minimum crossing altitude at Salt Flat (VOR), eastbound.

6. Section 610.102 *Amber Civil Airway No. 2*, is amended to read in part:

From—	To—	Minimum altitude
Great Falls, Mont. (LFR).	Cut Bank, Mont. (LFR).	6,000

7. Section 610.103 *Amber Civil Airway No. 3*, is amended by adding:

From—	To—	Minimum altitude
Casper, Wyo. (VOR) via direct or 15° N alt. rad.	Douglas, Wyo. (VOR) via direct or 15° N alt. rad.	7,500

8. Section 610.104 *Amber Civil Airway No. 4*, is amended by adding:

From—	To—	Minimum altitude
Bismarck, N. Dak. (VOR) via direct or 15° SW alt. rad.	Aberdeen, S. Dak. (VOR) via direct or 15° SW alt. rad.	3,500
Aberdeen, S. Dak. (VOR) via direct or 15° W alt. rad.	Huron, S. Dak. (VOR) via direct or 15° W alt. rad.	2,500
Huron, S. Dak. (VOR) via direct or 15° SW alt. rad.	Sioux Falls, S. Dak. (VOR) via direct or 15° SW alt. rad.	2,800
Sioux Falls, S. Dak. (VOR) via direct or 15° E alt. rad.	Sioux City, Iowa (VOR) via direct or 15° E alt. rad.	2,700
Sioux City, Iowa (VOR) via direct or 15° E alt. rad.	Omaha, Nebr. (VOR) via direct or 15° E alt. rad.	2,500

9. Section 610.105 *Amber Civil Airway No. 5*, is amended by adding:

From—	To—	Minimum altitude
Malden, Mo. (VOR) via direct radial.	Farmington, Mo. (VOR) via direct radial.	2,400
Farmington, Mo. (VOR) via direct radial.	St. Louis, Mo. (VOR) via direct radial.	2,400

10. Section 610.107 *Amber Civil Airway No. 7*, is amended to read in part:

From—	To—	Minimum altitude
Lumberton (INT), N. C.	Raleigh, N. C. (LFR).	2,000

11. Section 610.201 *Red Civil Airway No. 1,* is amended by adding:

From—	To—	Minimum altitude
Thurman, Colo. (VOR) via direct or 15° N or S alt. rad.	Goodland, Kans. (VOR) via direct or 15° N. or S alt. rad.	6,000
Goodland, Kans. (VOR) via direct or 15° N or S alt. rad.	Hill City, Kans. (VOR) via direct or 15° N or S alt. rad.	5,000
Hill City, Kans. (VOR) via direct or 15° N or S. alt. rad.	Salina, Kans. (VOR) via direct or 15° N or S alt. rad.	4,000
Salina, Kans. (VOR) via direct radial.	Waldo, Kans. (VAR)	3,000

12. Section 610.204 *Red Civil Airway No. 4,* is amended by adding:

From—	To—	Minimum altitude
Las Vegas, N. Mex., via radial 109.	Cuervo (INT), N. Mex.	9,500

13. Section 610.211 *Red Civil Airway No. 11,* is amended by adding:

From—	To—	Minimum altitude
Tulsa, Okla. (VOR) via direct or 150° NW alt. rad.	Neosho, Mo. (VOR) via direct or 15° NW alt. rad.	2,200
Neosho, Mo. (VOR) via direct radial.	Springfield, Mo. (VOR) via direct radial.	2,400
Springfield, Mo. (VOR) via direct or 15° NW alt. rad.	Vichy, Mo. (VOR) via direct or 15° NW alt. rad.	2,600
Vichy, Mo. (VOR) via direct or 15° NW alt. rad.	St. Louis, Mo. (VOR) via direct or 15° NW alt. rad.	2,200

14. Section 610.212 *Red Civil Airway No. 12,* is amended by adding:

From—	To—	Minimum altitude
Kansas City, Mo. (VOR) via direct or 15° NW or SE alt. rad.	Kirksville, Mo. (VOR) via direct or 15° NW or SE alt. rad.	2,400
Kirksville, Mo. (VOR) via direct or 15° SE alt. rad.	Burlington, Iowa (VOR) via direct or 15° SE alt. rad.	2,000

15. Section 610.214 *Red Civil Airway No. 14,* is amended to read in part:

From—	To—	Minimum altitude
New Glarus (INT), Wis.	Rockford, Ill. (LFR)	2,300

16. Section 610.214 *Red Civil Airway No. 14,* is amended to eliminate:

From—	To—	Minimum altitude
Indianapolis, Ind. (VOR) via radial 340.	Int. Indianapolis, Ind. (VOR) radial 340 and Chicago Heights, Ill. (VOR) 15° E alt. rad. 138.	[1] 2,100
Int. Indianapolis, Ind. (VOR) radial 340 and Chicago Heights, Ill. (VOR) 15° E alt. rad. 138.	Int. Chicago Heights, Ill. (VOR) 15° E alt. rad. 138 and Lafayette, Ind. (VOR) 15° E alt. rad. via Chicago Heights, Ill. 15° E alt. rad. 138.	[1] 2,100

[1] 3,700′—minimum continuous VOR reception altitude.

17. Section 610.229 *Red Civil Airway No. 29,* is amended to eliminate:

From—	To—	Minimum altitude
Lancaster, Pa. (RBN) via RBN.	Allentown, Pa. (VOR) via direct radial.	2,500

18. Section 610.231 *Red Civil Airway No. 31,* is amended by adding:

From—	To—	Minimum altitude
Rapid City, S. Dak. (VOR) via direct radial.	Philip, S. Dak. (VOR) via direct radial.	4,400
Philip, S. Dak. (VOR) via direct radial.	Pierre, S. Dak. (VOR) via direct radial.	3,500
Pierre, S. Dak. (VOR) via direct radial.	Huron, S. Dak. (VOR) via direct radial.	3,300
Huron, S. Dak. (VOR) via direct radial.	Watertown, S. Dak. (VOR) via direct radial.	3,000
Rapid City, S. Dak. (VOR) via direct radial.	Chadron, Nebr. (VOR) via direct radial.	5,500
Rapid City, S. Dak. (VOR) via 15° W alt. rad.	Chadron, Nebr. (VOR) via 15° W alt. rad.	7,000
Chadron, Nebr. (VOR) via direct or 15° SE alt. rad.	Cheyenne, Wyo. (VOR) via direct or 15° SE alt. rad.	7,300

19. Section 610.233 *Red Civil Airway No. 33,* is amended by adding:

From—	To—	Minimum altitude
Lancaster, Pa. (RBN) via RBN.	Allentown, Pa. (VOR) via direct radial.	2,500

20. Section 610.235 *Red Civil Airway No. 35,* is amended by adding:

From—	To—	Minimum altitude
Hutchinson, Kans. (VOR) via direct or 15° N alt. rad.	Emporia, Kans. (VOR) via direct or 15° N alt. rad.	2,700

21. Section 610.237 *Red Civil Airway No. 37,* is amended by adding:

From—	To—	Minimum altitude
Little Rock, Ark. (VOR)[1] via direct or 15° N alt. rad.	Memphis, Tenn. (VOR) via direct or 15° N alt. rad.	[2] 1,700

[1] This route is associated with this airway since the route lies within the control area established for this airway.

[2] 2,500′—minimum continuous VOR reception altitude.

22. Section 610.246 *Red Civil Airway No. 46,* is amended by adding:

From—	To—	Minimum altitude
Aberdeen, S. Dak. (VOR) via direct or 15° NE alt. rad.	Watertown, S. Dak. (VOR) via direct or 15° NE alt. rad.	3,000

23. Section 610.259 *Red Civil Airway No. 59,* is amended by adding:

From—	To—	Minimum altitude
Gage, Okla. (VOR) via direct or 15° SW alt. rad.	Oklahoma City, Okla. (VOR) via direct or 15° SW alt. rad.	[1] 3,500

[1] 3,800′—minimum continuous VOR reception altitude, 4,500′ 15° SW alt. rad.

24. Section 610.268 *Red Civil Airway No. 68,* is amended by adding:

From—	To—	Minimum altitude
San Angelo, Tex. (VOR) via radial 62.	Paint Rock (INT), Tex.	3,500
Paint Rock (INT), Tex.	Abilene, Tex. (VOR) via radial 171.	[1] 3,800

[1] 4,700′—minimum continuous VOR reception altitude.

25. Section 610.270 *Red Civil Airway No. 70,* is amended by adding:

From—	To—	Minimum altitude
Childress, Tex. (VOR) via direct or 15° N alt. rad.	Lubbock, Tex. (VOR) via direct or 15° N alt. rad.	[1] 4,500

[1] 4,700′—minimum continuous VOR reception altitude on 15° N altitude radial.

26. Section 610.271 *Red Civil Airway No. 71,* is amended by adding:

From—	To—	Minimum altitude
Lubbock, Tex. (VOR) via direct or 15° N alt. rad.	Roswell, N. Mex. (VOR) via direct or 15° N alt. rad.	[1] 6,000

[1] 8,000′—minimum continuous VOR reception altitude.

27. Section 610.284 *Red Civil Airway No. 84,* is added to read:

From—	To—	Minimum altitude
Meridian, Miss. (LFR)	Montgomery, Ala. (LFR).	1,900

28. Section 610.289 *Red Civil Airway No. 89,* is amended by adding:

From—	To—	Minimum altitude
Kirksville, Mo. (VOR) via direct or 15° S alt. rad.	Quincy, Ill. (VOR) via direct or 15° S alt. rad.	2,500

29. Section 610.291 *Red Civil Airway No. 91,* is amended by adding:

From—	To—	Minimum altitude
Salt Flat, Tex. (VOR) via direct radial.	Carlsbad, N. Mex. (VOR) via direct radial.	10,800

30. Section 610.302 *Red Civil Airway No. 102,* is added to read:

From—	To—	Minimum altitude
Indianapolis, Ind. (VOR) via radial 340.	Int. Indianapolis, Ind. (VOR) radial 340 and Chicago Heights, Ill. (VOR) 15° E altitude radial 138.	[1] 2,100
Int. Indianapolis, Ind. (VOR) radial 340 and Chicago Heights, Ill. (VOR) 15° E alt. rad. 138.	Int. Chicago Heights, Ill. (VOR) 15° E alt. rad. 138 and Lafayette, Ind. (VOR) 15° E alt. rad. via Chicago Heights, Ill. (VOR) 15° E alt. rad. 138.	[1] 2,100

[1] 3,700′—minimum continuous VOR reception altitude.

31. Section 610.308 *Red Civil Airway No. 108,* is added to read:

From—	To—	Minimum altitude
Watertown, S. Dak. (VOR) via direct or 15° N alt. rad.	Redwood Falls, Minn. (VOR) via direct or 15° N alt. rad.	3,100

32. Section 610.602 *Blue Civil Airway No. 2,* is amended by adding:

From—	To—	Minimum altitude
Greenville (INT), Ala.	Birmingham, Ala. (LFR) via S crs. Birmingham, Ala. (LFR).	2,700

33. Section 610.605 *Blue Civil Airway No. 5,* is amended by adding:

From—	To—	Minimum altitude
Bryan, Tex. (VOR) via direct or 15° NE alt. rad.	Waco, Tex. (VOR) via direct or 15° NE alt. rad.	2,000
Waco, Tex. (VOR) via direct or 15° E alt. rad.	Dallas, Tex. (VOR) via direct or 15° E alt. rad.	2,000

34. Section 610.606 *Blue Civil Airway No. 6,* is amended by adding:

From—	To—	Minimum altitude
Walnut Ridge, Ark. (VOR) via direct or 15° W alt. rad.	Farmington, Mo. (VOR) via direct or 15° W alt. rad.	2,500

35. Section 610.609 *Blue Civil Airway No. 9,* is amended by adding:

From—	To—	Minimum altitude
Columbia, Mo. (VOR) via direct or 15° E alt. rad.	Kirksville, Mo. (VOR) via direct or 15° E alt. rad.	2,200
Kirksville, Mo. (VOR) via direct or 15° NE alt. rad.	Des Moines, Iowa (VOR) via direct or 15° NE alt. rad.	2,500
Mason City, Iowa (VOR) via direct or 15° SE alt. rad.	Rochester, Minn. (VOR) via direct or 15° SE alt. rad.	2,500

36. Section 610.613 *Blue Civil Airway No. 13,* is amended by adding:

From—	To—	Minimum altitude
Fort Smith, Ark. (VOR) via direct or 15° W alt. rad.	Neosho, Mo. (VOR) via direct or 15° W alt. rad.	3,100
Neosho, Mo. (VOR) via direct or 15° W alt. rad.	Butler, Mo. (VOR) via direct or 15° W alt. rad.	2,500
Butler, Mo. (VOR) via direct radial.	Kansas City, Mo. (VOR) via direct radial.	2,700
Kansas City, Mo. (VOR) via direct or 15° E alt. rad.	Lamoni, Iowa (VOR) via direct or 15° E alt. rad.	2,400
Lamoni, Iowa (VOR) via direct or 15° E or W alt. rad.	Des Moines, Iowa (VOR) via direct or 15° E or W alt. rad.	2,300
Mason City, Iowa (VOR) via direct or 15° W alt. rad.	Minneapolis, Minn. (VOR) via direct or or 15° W alt. rad.	2,600

37. Section 610.622 *Blue Civil Airway No. 22,* is amended by adding:

From—	To—	Minimum altitude
Tulsa, Okla. (VOR) via direct radial.	Fort Smith, Ark. (VOR) via direct radial.	[1] 2,600
Little Rock, Ark. (VOR) via direct radial.	Fort Smith, Ark. (VOR) via direct radial.	[2] 3,000

[1] 3,500′—minimum continuous VOR reception altitude.
[2] 4,000′—minimum continuous VOR reception altitude.

38. Section 610.630 *Blue Civil Airway No. 30,* is amended by adding:

From—	To—	Minimum altitude
Lubbock, Tex. (VOR) via direct or 15° E alt. rad.	Amarillo, Tex. (VOR) via direct or 15° E alt. rad.	5,000

39. Section 610.631 *Blue Civil Airway No. 31,* is amended by adding:

From—	To—	Minimum altitude
Quincy, Ill. (VOR) via direct radial.	Burlington, Iowa (VOR) via direct radial.	2,600

40. Section 610.637 *Blue Civil Airway No. 37,* is amended by adding:

From—	To—	Minimum altitude
Rock River, Wyo. (VOR) via direct or 15° E alt. rad.	Casper, Wyo. (VOR) via direct or 15° E alt. rad.	11,000

41. Section 610.638 *Blue Civil Airway No. 38,* is amended to read in part:

From—	To—	Minimum altitude
Petersburg, Alaska (LFR).	Sisters Island, Alaska (RBN).	7,000
Sisters Island, Alaska (RBN).	Gustavus, Alaska (RBN).	5,500

42. Section 610.661 *Blue Civil Airway No. 61,* is amended by adding:

From—	To—	Minimum altitude
Springfield, Mo. (VOR) via direct or 15° NE alt. rad.	Butler, Mo. (VOR) via direct or 15° NE alt. rad.	2,500

43. Section 610.664 *Blue Civil Airway No. 64,* is amended by adding:

From—	To—	Minimum altitude
Wink, Tex. (VOR) via direct radial.	Hobbs, N. Mex. (VOR) via direct radial.	4,900

44. Section 610.669 *Blue Civil Airway No. 69,* is amended by adding:

From—	To—	Minimum altitude
St. Louis, Mo. (VOR) via direct or 15° NE alt. rad.	Quincy, Ill. (VOR) via direct or 15° NE alt. rad.	2,000
Quincy, Ill. (VOR) via direct or 15° NE alt. rad.	Ottumwa, Iowa (VOR) via direct or 15° NE alt. rad.	2,600
Ottumwa, Iowa (VOR) via direct or 15° SW or NE alt. rad.	Des Moines, Iowa (VOR) via direct or 15° SW or NE alt. rad.	2,500
Int. Des Moines, Iowa 78° (VOR) rad. and Ottumwa, Iowa (VOR) rad. 300.	Int. Des Moines, Iowa (VOR) radial 93 and Ottumwa, Iowa (VOR) rad. 300, via rad. 300.	2,500

45. Section 610.670 *Blue Civil Airway No. 70,* is amended by adding:

From—	To—	Minimum altitude
Ardmore, Okla. (VOR) via direct or 15° E alt. rad.	Tulsa, Okla. (VOR) via direct or 15° E alt. rad.	[1] 2,700

[1] 4,000′—minimum continuous VOR reception altitude.

46. Section 610.676 *Blue Civil Airway No. 76,* is added to read:

From—	To—	Minimum altitude
Sinclair, Wyo. (LFR)	Casper, Wyo. (LFR)	11,000

47. Section 610.681 *Blue Civil Airway No. 81,* is added to read:

From—	To—	Minimum altitude
Charleston, W. Va. (LFR).	Zanesville, Ohio (RBN).	2,200
Zanesville, Ohio (RBN)	Akron, Ohio (LFR)	2,400
Akron, Ohio (LFR)	Int. E crs. Cleveland, Ohio (LFR) and S crs. Sarnia, Canada (LFR).	2,000
Int. E crs. Cleveland, Ohio [1] (LFR) and S crs. Sarnia, Canada (LFR).	U.S.-Canadian boundary.	2,400

[1] 2,000'—minimum crossing altitude at int. E crs. Cleveland and S crs. Sarnia, southbound.

48. Section 610.1001 *Direct routes; Northeast United States* is amended by adding:

From—	To—	Minimum altitude
Allentown, Pa. (LFR)	Chatham, N.J. (RBN)	2,500
Chatham, N.J. (RBN)	Little Ferry (INT), N.Y.	2,000
Chatham, N.J. (RBN)	Yonkers (INT), N.Y.	2,000

49. Section 610.1001 *Direct routes; Northeast United States* is amended to eliminate:

From—	To—	Minimum altitude
Akron, Ohio	Zanesville, Ohio	2,400
Zanesville, Ohio	Charleston, W. Va.	2,200

50. Section 610.1002 *Direct routes; Southeast United States* is amended by adding:

From—	To—	Minimum altitude
Beaumont, Tex. (LFR)	Lufkin, Tex. (RBN)	1,500
Clint, Tex. (RBN)	Van Horn, Tex. (RBN)	9,000
Columbus, N. Mex.	Deming, N. Mex. (RBN).	9,400
El Paso, Tex. (LFR)	Van Horn, Tex. (RBN)	9,000
Enid, Okla. (Vance LFR).	Oklahoma City, Okla. (LFR).	2,600
Enid, Okla. (Vance LFR).	Ponca City, Okla. (RBN).	2,600
Enid, Okla. (Vance LFR).	Gage, Okla. (LFR)	3,600
Fort Smith, Ark. (RBN).	Springfield, Mo. (LFR).	3,500
Houston, Tex. (LFR)	Lufkin, Tex. (RBN)	1,600
Houston, Tex. (LFR)	Longview, Mex. (Gregg Co. RBN).	2,000
Lufkin, Tex. (RBN)	Int. NE crs. Richmond, Tex. (LFR) and NW crs. Houston, Tex. (LFR).	1,600
Lufkin, Tex. (RBN)	Tyler, Tex. (LFR)	1,900
New Walla, Okla. (FM).	Int. E crs. Oklahoma City, Okla. (LFR) and Blue Airway 70 (19° mag. hearing to Tulsa, Okla. (LFR).	2,700
Ponca City, Okla. (RBN).	Tulsa, Okla. (LFR)	2,400
Springfield, Mo. (VOR) via direct radial.	Flippin, Ark. (VOR) via direct radial.	2,700

51. Section 610.1002 *Direct routes; Southeast United States* is amended to read in part:

From—	To—	Minimum altitude
Birmingham, Ala. (LFR).	Int. S crs. Muscle Shoals, Ala. (LFR) with a direct crs. between Birmingham, Ala. and Memphis, Tenn. (LFR).	2,000
Int. S crs. Muscle Shoals, Ala. (LFR) with a direct crs. between Birmingham, Ala. and Memphis, Tenn. (LFR).	Memphis, Tenn. (LFR).	2,500
Chattanooga, Tenn. (LFR).	Int. direct crs. between Chattanooga, Tenn., and Louisville, Ky. (LFR) with a 60° mag. bearing from Bowling Green, Ky. (LFR).	4,500
Int. direct crs. between Chattanooga, Tenn., and Louisville, Ky. (LFR) with a 60° mag. bearing from Bowling Green, Ky. (LFR).	Louisville, Ky. (LFR)	2,200
Int. SW crs. Wichita Falls, Tex. (LFR) and direct crs. between Fort Worth, Tex. (LFR) and Lubbock, Tex. (LFR).	Lubbock, Tex. (LFR)	4,500

52. Section 610.1002 *Direct routes; Southeast United States* is amended to eliminate:

From—	To—	Minimum altitude
Montgomery, Ala.	Meridian, Miss.	1,800
Pine Bluff, Ark. (VAR).	Int. SW crs. Pine Bluff, Ark. (VAR) & NE crs. El Dorado, Ark. (VAR).	1,500
Int. SW crs. Pine Bluff, Ark. (VAR) and NE crs. El Dorado, Ark. (VAR).	El Dorado, Ark. (VAR).	1,500
Shreveport, La.	El Dorado, Ark. (VAR).	1,500
Int. SW crs. Wichita Falls, Tex. (LFR) and a direct crs. between Fort Worth, Tex. (LFR) and Lubbock, Tex. (LFR).	Int. S crs. Guthrie, Tex. (VAR) and a direct crs. between Fort Worth, Tex. (LFR) and Lubbock, Tex. (LFR).	3,500

53. Section 610.1003 *Direct routes; Southwest United States* is amended by adding:

From—	To—	Minimum altitude
Abilene, Tex. (VOR) via direct radial.	Lubbock, Tex. (VOR) via direct radial.	5,000
Carlsbad, N. Mex. (VOR) via direct radial.	Wink, Tex. (VOR) via direct radial.	4,500
Hobbs, N. Mex. (VOR) via direct radial.	Big Spring, Tex. (VOR) via direct radial.	4,900

54. Section 610.1003 *Direct routes; Southwest United States* is amended to eliminate:

From—	To—	Minimum altitude
Columbus, N. Mex.	Clint, Tex. (RBN)	8,500
Culbertson, Tex. (VAR).	Int. N crs. Culbertson, Tex. (VAR) and SW crs. Carlsbad, N. Mex. (LFR).	7,000
Hudspeth, Tex.	Salt Flat, Tex.	7,000

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective August 13, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-8968; Filed, Aug. 3, 1951; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

[Docket No. FDC-54]

PART 51—CANNED VEGETABLES; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

PART 52—CANNED VEGETABLES OTHER THAN THOSE SPECIFICALLY REGULATED; DEFINITIONS AND STANDARDS OF IDENTITY

CANNED CORN

In the matter of amending the definitions and standards of identity for canned vegetables other than those specifically regulated; establishing definitions and standards of identity for canned corn and canned field corn; establishing a standard of quality for canned corn; and establishing standards of fill of container for canned corn and canned field corn:

By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371), and upon the basis of substantial evidence received at the hearing held pursuant to the notice published in the FEDERAL REGISTER on February 4, 1949 (14 F. R. 489), no exceptions having been filed to the tentative order issued on June 20, 1951 (16 F. R. 5874), the following order is promulgated:

Findings of fact. 1. Canned corn is the food the principal component of which is the succulent kernels from husked, silked ears of sweet corn. The kernel consists of an outer hull (pericarp), the main inner portion (endosperm), the germ (embryo), and the tip cap. The tip cap portion of the kernel in usual preparation remains attached to the cob when the kernels are cut from it, and is not properly included in canned corn. There are five types of canned corn as described hereinafter in findings 3 through 6 and finding 8, and the method of preparing the corn ingredient varies with the type of canned corn being prepared. Water is gen-

erally added for proper preparation and to aid in processing. Salt and sugar (sucrose) are generally added as seasoning ingredients. The salt and sugar are usually first dissolved in the water to form a solution, generally designated in the canning industry as a brine, which is then added to the corn ingredient. The food is sealed in a container, and is processed by heat to prevent spoilage. The evidence indicates the possibility of the development of other methods of processing, but no such methods have yet come into use.

2. Red or green sweet peppers or mixtures of these are sometimes added to canned corn for seasoning or garnishing. There is no reason why red or green hot peppers could not be similarly used. The added peppers may be fresh, packed in brine, frozen, or canned or mixtures of these forms. The amount used varies, and generally is added without weighing. The labels of canned corn containing peppers customarily show the kind of peppers used. The consumer can be adequately informed by the statement "with peppers," the blanks being filled in with the words "red" or "green" or both to show the color of the peppers used, and the words "sweet" or "hot" or both to show the type of peppers used.

3. The corn ingredient of whole-kernel or whole-grain corn consists of kernels cut from the ear above the tip cap. In packing whole-kernel corn brine is added to aid in processing. In one style of pack enough brine is added to cover the corn ingredient. In another style of pack a considerably lower proportion of brine to the corn ingredient is used, and the containers are sealed under conditions creating a high vacuum in the container in order to prevent a change in the color of kernels not covered by brine. This latter type of pack has come to be known as vacuum pack or vacuum packed. These terms originated with the use of machines for obtaining a high vacuum in the containers by mechanical means. It is in the interest of consumers buying this type of corn to restrict the amount of brine used, because a lower ratio of brine to the total weight of the food in the container is the principal distinguishing characteristic of vacuum-pack whole-kernel corn. The weight of brine drained from the corn ingredient should not exceed 20 percent of the net weight of the food in the container.

4. The corn ingredient of fritter corn is prepared by slitting the kernels on the cob and scraping out the inner portion, or by scraping out the inner portion after cutting off and removing the top part of the kernel. The corn ingredient consists almost wholly of endosperm and germ. Brine is added to season the food and as an aid in processing.

5. The corn ingredient of ground corn is obtained by grinding or comminuting corn kernels. Brine is added to season the food and as an aid to processing. This corn ingredient has not acquired a common name, but the designation "ground corn" adequately describes the product and differentiates it from other corn ingredients.

6. The corn ingredient of cream-style corn consists of cut kernels, together with portions of kernels that have been scraped from the ear, or a mixture of cut kernels and ground corn or fritter corn or both. Brine is generally added, and the mixture is often given a preliminary heat treatment. A small amount of starch is sometimes added to secure a smooth product, particularly where the corn ingredient is quite immature. There is a possibility that the use of starch may be abused, in that by its use water in excess of that necessary for proper preparation and processing can be incorporated in the product. The evidence, however, does not furnish a basis for setting a numerical maximum limit on the water used. Consistency of cream-style corn, fritter corn, and ground corn was proposed as a factor of identity for the purpose of limiting the amount of water used; however, the consistency of canned corn is affected by other factors than the amount of water used, and is a factor of quality rather than identity. Whenever starch has been used, the label has customarily borne a statement to reveal the addition. Cream-style corn has at times been designated as "crushed corn." In recent years, however, this term has been gradually discontinued as a designation for this style of pack.

7. The material retained on an 8-mesh sieve when cream-style corn is mixed with water and passed over such a sieve is referred to as washed drained residue. There was considerable evidence indicating that some definite proportion of washed drained residue should be required in cream-style corn, or that cream-style corn containing less than a certain amount of washed drained residue should be designated as substandard in quality. Because of the wide variations in the amounts of washed drained residue found in cream-style corn and the divergent opinions expressed as to the significance of washed drained residue, it is inadvisable to prescribe a limit for washed drained residue, either as an identity factor or as a quality factor.

8. A relatively small amount of a type of canned corn resembling whole-kernel corn, except that the kernels are dried before canning, is packed. In the usual method of preparation the shucked, silked ears of succulent sweet corn are cooked; the kernels are cut from the cob and are partially dehydrated in a blast of hot air. The dried kernels are placed in containers with brine, and the containers are sealed and processed. This type of canned corn is commonly known as evaporated corn. The drying of the kernels results in the corn ingredient having a taste and appearance that distinguish it from whole-kernel corn as described in finding 3.

9. Under 21 CFR 52.990 provision was made for canned corn on the cob. Manufacture of this product was discontinued during the late war, and the record does not show that it has been resumed. The evidence of record does not furnish a basis for including this form of corn in the definition and standard of identity, standard of quality, or standard of fill of container for canned corn. Canned corn on the cob, if its production is resumed, can best be treated as a food for which no applicable standard exists.

10. Kernels of yellow sweet corn and white sweet corn are occasionally mixed in preparing canned corn. Due to cross-pollination, canned yellow corn may occasionally contain a few kernels of white corn, and canned white corn may contain a few kernels of yellow corn. The record does not show that any minimum limit for yellow corn in white corn (or vice versa) is needed. Intentional admixtures should be permitted under proper labels.

11. Field corn has not generally been considered suitable for canning because it is not as sweet and not as tender as sweet corn. Field corn is more starchy than sweet corn. Nothwithstanding its less palatable characteristics, it is canned to a limited extent, either alone or mixed with sweet corn. In mixtures of field corn and sweet corn the latter has been used in proportions of from 20 to 40 percent to improve the appearance and flavor. Although it is generally packed only in the cream-style form, there is no reason why it could not be packed in all the forms previously described in findings 3 through 6 and finding 8. It is in the interest of consumers that a standard be adopted so that if field corn is used the finished food can be definitely differentiated by the consumer from canned sweet corn. To accomplish this it is reasonable to require that the food prepared from field corn or any mixture of field corn with sweet corn bear on the label the name "field corn."

12. The common or usual name of canned corn includes the generic name "corn," sweet corn," or "sugar corn"; a designation of the color group of the corn, or mixture of color groups used; the words "whole kernel" or "whole grain" when the corn ingredient is that described in finding 3, together with the supplemental statement "vacuum pack" or "vacuum packed," when the conditions characterizing vacuum-pack corn outlined in finding 3 are met; the word "fritter" when the corn ingredient described in finding 4 is used; the word "ground" when the corn ingredient described in finding 5 is used; the words "cream style" when the corn ingredient described in finding 6 is used; and the word "evaporated" when the corn ingredient described in finding 8 is used. Many canners wish to use the varietal name of the corn as a part of the name of the canned food. Consumers are sometimes interested in knowing the variety of corn used, and it is in the interest of consumers to provide for a variety designation in the name. The arrangement of the different parts of the name of canned corn varies according to the preference of the packer, and it is reasonable to provide that the different parts of the name be arranged in any order not misleading to the consumer. The same facts apply to the name of field corn, except the words "corn," "sweet corn," and "sugar corn" are replaced by the words "field corn," and the term "golden field corn" is not used.

13. The appearance of canned corn is marred by the presence of black or

brown discolored kernels or pieces of kernels. Any unit that has upon it a brown or black discolored area is objectionable. For the purpose of a quality standard it is reasonable that only those discolored kernels or pieces of kernels of such size that they remain on an 8-mesh sieve be counted. The presence of more than one such brown or black discolored kernel or piece of kernel in each 2 ounces of drained weight of whole-kernel or evaporated corn, or more than one such brown or black discolored kernel or piece of kernel in each 2 ounces of net weight of fritter, ground, or cream-style corn so lowers the quality of the food that its label should bear a statement of substandard quality. The caramelized color imparted to canned corn in the processing of the evaporated product is not a brown or black discoloration.

14. The eating quality of canned corn is adversely affected by the presence of pieces of cob. Cob is inedible, and even a small piece is objectionable. For the purpose of a quality standard it is reasonable that only those pieces of cob of such size that they remain on an 8-mesh sieve be included in the measurement of cob. A practicable method for measuring the amount of such cob is to segregate it and measure its volume by displacement. The presence of more than 1 cubic centimeter of cob remaining on an 8-mesh sieve in each 14 ounces of drained weight of whole-kernel or evaporated corn or in each 20 ounces of net weight of fritter, ground, or cream-style corn so lowers the quality of the food that its label should bear a statement of substandard quality.

15. The appearance and also the eating quality of canned corn are adversely affected by the presence of husk. For the purpose of a quality standard it is reasonable that only those pieces of husk of such size that they remain on an 8-mesh sieve be included in the measurement of husk. A practicable method for measuring the amount of such husk is to segregate the pieces and aggregate their areas. The presence of pieces of husk of such size that they remain on an 8-mesh sieve, and in such an amount as to aggregate more than 1 square inch in each 14 ounces of drained material of whole-kernel or evaporated corn; or in each 20 ounces of net weight of fritter, ground, or cream-style corn, so lowers the quality of the food that its label should bear a statement of substandard quality.

16. The appearance and also the eating quality of canned corn are adversely affected by the presence of silk. Silk is unsightly and unpleasant to the taste. There are two different color groups of silk: light green or white, and dark brown. These two color groups are equally objectionable when eaten, but dark-brown silk is more unsightly than lighter colored silk. It is impracticable to distinguish between colors when measuring the amount of silk present. Large pieces of silk are more objectionable to the consumer than small ones, and when the length of a piece is less than ½ inch it ceases to be a significant quality factor. For this reason, when the amount of silk present is measured, pieces less than ½ inch in length should not be counted. A practicable method for measuring the amount of silk is to segregate the pieces ½-inch long or longer remaining on the 8-mesh sieve and determine the aggregate length. The presence of a total length of more than 7 inches of silk for each 1 ounce of drained material of whole-kernel or evaporated corn, or more than a total length of 6 inches of silk in each 1 ounce of net weight of fritter, ground, or cream-style corn so lowers the quality of the food that its label should bear a statement of substandard quality.

17. In cream-style corn consistency has long been known as a factor of quality. Thinness and wateriness detract from the quality of cream-style corn. Thinness and wateriness may be due to the use of too much water, the use of very young corn, or both. When a thin consistency is due to the use of very young corn, the cream-style corn is acceptable to some buyers despite its relatively thin consistency. When such very young corn is used, the alcohol-insoluble-solids content of the washed drained material, as measured by the method set forth in finding 21, will be less than 20 percent. For many years it has been the practice in the trade dealing in canned corn to judge its consistency by observing its spread when emptied from the container onto a flat surface or by spooning the product, but these methods lack the precision which is necessary in a standard of quality. In the trade more accurate methods, which utilize instruments known as consistometers, have been developed for measuring consistency. The method set forth in finding 21 is practicable, well known, and sufficiently precise for use in a standard of quality. When the consistency of cream-style corn is tested by this method and the sample spreads over an approximately circular area having an average diameter of more than 10 inches in the case of cream-style corn the washed drained material of which has an alcohol-insoluble-solids content of over 20 percent, or spreads over more than 12 inches in the case of cream-style corn the washed drained material of which has an alcohol-insoluble-solids content of 20 percent or less, the quality of the cream-style corn is below standard, and its label should bear a statement of substandard quality. Thinness and wateriness also detract from the quality of fritter corn and ground corn. It is reasonable to determine the consistency of fritter corn and ground corn by the method used for determining consistency of cream-style corn. When the consistency of fritter corn or ground corn is tested by this method and the sample spreads over an approximately circular area having an average diameter of more than 12 inches, its quality is below standard, and its label should bear a statement of substandard quality.

18. The eating quality of canned corn is affected by the maturity of the corn used. As corn grows more mature the flavor changes and the corn becomes tough and hard. Accompanying these changes there is an increase in the alcohol-insoluble-solids content of the kernels. Alcohol-insoluble solids comprise certain substances, mostly starch, which are insoluble in warm 80-percent ethyl alcohol. Evidence relating to the determination of alcohol-insoluble solids was confined to the cream-style and whole-kernel corn ingredients. When the percent of alcohol-insoluble solids as determined according to the method set forth in finding 21 for cream-style corn or whole-kernel corn exceeds 27, the product is of such low quality that its label should bear a statement of substandard quality.

19. The eating quality of canned corn is adversely affected by the presence of pulled kernels. A pulled kernel is a kernel, or portion of kernel, from which not all of the tip cap has been removed. The tip cap of the kernel is composed of a hard, fibrous material that is unpleasant to chew. All the samples on which pulled kernels were reported showed relatively small numbers of such kernels, and on the basis of the evidence it is difficult to fix a reasonable dividing line between canned corn of standard quality and canned corn that is substandard in quality because of this defect. It is inadvisable at present to include a limit on pulled kernels in a quality standard for canned corn.

20. The determination of the proportionate amounts of black or brown discolored kernels, cob, husk, and silk present in whole-kernel and evaporated corn should be based upon the drained weight of the corn, in order to allow for different proportions of brine, but in fritter, ground, and cream-style corn, where it is impracticable to separate the corn ingredient from the packing medium, such proportionate amounts should be based upon the net weight of the contents of the container.

21. A practicable method for determining whether canned corn is of substandard quality is as follows:

A. *In the case of whole-kernel corn and evaporated corn.* Determine the gross weight of the container. Open and distribute the contents of the container over the meshes of an 8-mesh circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained material. Record, in ounces, the weight so found, less the weight of the sieve, as the drained weight. Dry and weigh the empty container and subtract this weight from the gross weight to obtain the net weight. Calculate the percent of drained liquid in the net weight.

Pour the drained material from the sieve into a flat tray and spread it in a layer of fairly uniform thickness. Count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of drained material. Remove pieces of silk more than ½-inch long,

husk, cob, and any pieces of material other than corn. Measure the aggregate length of such pieces of silk and calculate the length of silk per 1 ounce of drained weight. Spread the husk flat, measure its aggregate area, and calculate the area of husk per 14 ounces of drained weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume can be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 14 ounces of drained weight.

If the corn is whole kernel, comminute a representative 100-gram sample of the drained corn from which the silk, husk, cob, and other material which is not corn (i. e., peppers) have been removed. An equal amount of water is used to facilitate this operation. Weigh to the nearest 0.01 gram a portion of the comminuted material equivalent to approximately 10 grams of the drained corn into a 600-cubic centimeter beaker. Add 300 cubic centimeters of 80-percent alcohol (by volume), stir, cover beaker, and bring to a boil. Simmer slowly for 30 minutes. Fit a Buchner funnel with a previously prepared filter paper of such size that its edges extend ½ inch or more up the vertical sides of the funnel. The previous preparation of the filter paper consists of drying it in a flat-bottomed dish for 2 hours at 100° C., covering the dish with a tight-fitting cover, cooling it in a desiccator, and promptly weighing to the nearest 0.001 gram. After the filter paper is fitted to the funnel, apply suction and transfer the contents of the beaker to the funnel. Do not allow any of the material to run over the edge of the paper. Wash the material on the filter with 80-percent alcohol (by volume) until the washings are clear and colorless. Transfer the filter paper with the material retained thereon to the dish used in preparing the filter paper. Dry the material in a ventilated oven, without covering the dish, for 2 hours at 100° C. Place the cover on the dish, cool it in a desiccator, and promptly weigh to the nearest 0.001 gram. From this weight subtract the weight of the dish, cover, and paper as previously found. Calculate the remainder to percentage.

B. *In the case of fritter corn, ground corn, and cream-style corn.* Allow the container to stand at least 24 hours at a temperature of 68° F. to 85° F. Determine the gross weight, open, transfer the contents into a pan, and mix thoroughly in such a manner as not to incorporate air bubbles. (If the net contents of a single container is less than 18 ounces, determine the gross weight, open, and mix the contents of the least number of containers necessary to obtain 18 ounces.) Fill level full a hollow, truncated cone so placed on a polished horizontal plate as to prevent leakage. The cone has an inside bottom diameter of 3 inches, inside top diameter of 2 inches, and height of $4\frac{27}{32}$ inches. As soon as the cone is filled, lift it vertically. Determine the average of the longest and shortest diameters of the approximately circular area on the plate covered by the sample 30 seconds after lifting the cone. Dry and weigh each empty container and subtract the weight so found from the gross weight to obtain the net weight.

Transfer the material from the plate, cone, and pan onto an 8-mesh sieve as prescribed in the first paragraph of part A. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. Set the sieve in a pan. Add enough water to bring the level within ⅜ inch to ¼ inch of the top of the sieve. Gently wash the material on the sieve by combined up-and-down and circular motion for 30 seconds. Repeat washing with a second portion of water. Remove sieve from pan, incline to facilitate drainage, and drain for 2 minutes.

From the material remaining on the 8-mesh sieve, count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of net weight. Remove pieces of silk more than ½-inch long, husk, cob, and other material which is not corn (i. e., peppers). Measure aggregate length of such pieces of silk and calculate the length per ounce of net weight. Spread the husk flat and measure its aggregate area and calculate the area per 20 ounces of net weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume may be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 20 ounces of net weight. If the corn is cream-style corn, take a representative 100-gram sample of the material remaining on the 8-mesh sieve (if such material weighs less than 100 grams take all of it) and determine the alcohol-insoluble solids as prescribed above for whole-kernel corn.

22. When canned corn falls below the standard of quality, a label statement that fairly and accurately informs the consumer of that fact is the general statement of substandard quality specified in 21 CFR 10.2 (a). A more specific and equally acceptable statement may be obtained by substituting for the second line, "Good Food—Not High Grade." the words specified after the corresponding number of one of the findings 13 through 17, when the quality factor described in the finding is the only one which such corn fails to meet, as follows:

a. "Excessive discolored kernels." (Finding 13)
b. "Excessive cob." (Finding 14)
c. "Excessive husk." (Finding 15)
d. "Excessive silk." (Finding 16)
e. "Excessive liquid." (Finding 17)

23. A reasonable requirement for the fill of container for fritter corn, ground corn, and cream-style corn is a requirement that these foods occupy not less than 90 percent of the total capacity of the container as determined by the general method of fill of container in 21 CFR 10.1 (b). This requirement can be readily met in general practice by canners of fritter corn, ground corn, and cream-style corn. This method of measuring fill is a simple and practicable one, and provides accurate measurement for all shapes of containers. A small proportion of the corn canned in these styles is packed in large-size containers, commonly known as number 10 cans, for restaurant and institutional use. Some care is necessary to remove entrapped air from these large containers to obtain a 90-percent fill. It is reasonable to require that this care be taken, and that the same fill of container requirement be established for all commercial-size containers. When canned corn falls below the standard of fill of container, the consumer should be so informed. A label statement which fairly and accurately informs the consumer of that fact is the general statement of substandard fill of container (21 CFR 10.2 (b)).

24. In the case of whole-kernel and evaporated corn, a requirement based on the total volume occupied by the corn and the packing medium would not be satisfactory, since water added to aid in processing occupies a large proportion of the volume of the container.

Evidence was received tending to show that a requirement fixing a minimum drained weight of corn in relation to the capacity of the container would be a reasonable and effective method of establishing a standard of fill for whole-kernel corn. This evidence, however, showed the need for differentiating between corns of different maturities when fixing minimum drained-weight requirements, but did not furnish an adequate basis for making separate requirements. It is therefore inadvisable on the basis of the evidence now available to include in this order a standard of fill of container for whole-kernel and evaporated corn.

25. Although there is no evidence in the record on fill of container for canned field corn specifically, the similarity of canned field corn to canned corn is such that it is reasonable to make the same requirements for fill of container and label statement of substandard fill for canned fritter field corn, ground field corn, and cream-style field corn as for the same types of canned sweet corn.

Conclusions. Upon consideration of the whole record and the foregoing findings of fact it is concluded that it will promote honesty and fair dealing in the interest of consumers:

1. To amend the regulations fixing and establishing definitions and standards of identity for canned vegetables other than those specifically regulated (21 CFR 52.990) by deleting therefrom all references to corn and field corn.

2. To fix and establish the specific definitions and standards of identity for canned corn and canned field corn as hereinafter set forth.

3. To fix and establish a standard of quality for canned corn as hereinafter set forth, consideration having been given to and due allowance made for the different characteristics of the several varieties of corn.

4. To fix and establish standards of fill of container for fritter, ground, and cream-style corn and for fritter, ground, and cream-style field corn as hereinafter set forth.

It is further concluded that the record does not furnish a satisfactory basis for establishing standards of fill of container for whole-kernel corn and evaporated corn.

1. Therefore, Part 51—Canned Vegetables; Definitions and Standards of Identity; Quality; and Fill of Container is amended by adding the following new sections:

§ 51.20 *Canned corn, canned sweet corn, canned sugar corn; identity; label statement of optional ingredients.* (a) Canned corn, canned sweet corn, canned sugar corn is the food consisting of one of the corn ingredients specified in paragraph (b) of this section, with water necessary for proper preparation and processing. It may be seasoned or garnished with one or more of the following optional ingredients:

(1) Salt.

(2) Sugar (sucrose).

(3) Pieces of sweet red peppers or sweet green peppers or hot red peppers or hot green peppers or a mixture of any two or more of these.

It is sealed in a container and so processed by heat as to prevent spoilage.

(b) The corn ingredients referred to in paragraph (a) of this section consist of succulent sweet corn of the white or yellow color groups, or mixtures of these, and are as follows:

(1) Cut kernels from which the hulls have not been separated.

(2) Pieces of the inner portion of the corn kernel substantially free from hull.

(3) Ground kernels from which the hulls have not been separated.

(4) A mixture of the form described in subparagraph (1) of this paragraph with one or both of the forms described in subparagraphs (2) and (3) of this paragraph. When necessary to insure smoothness, starch may be added, in a quantity not more than sufficient for that purpose.

(5) Cut and cooked kernels from which most of the moisture has been evaporated.

In preparing each of the foregoing corn ingredients, the tip caps are removed.

(c) (1) The name of the food is: "Corn" or "Sweet Corn" or "Sugar Corn" with the name of the color group used, "White," "Yellow," or "Golden," or with the names of the color groups used, "White and Yellow" or "White and Golden," when the white color group predominates, and "Yellow and White" or "Golden and White," when the yellow color group predominates, and with:

(i) The words "Whole Kernel" or "Whole Grain," when the corn ingredient specified in paragraph (b) (1) of this section is used. When the weight of the liquid in the container, as determined by the method prescribed in § 51.21 (b) (1), is not more than 20 percent of the net weight, and the container is closed under conditions creating a high vacuum in the container, the words "Vacuum Pack" or "Vacuum Packed" also are part of the name.

(ii) The word "Fritter," when the corn ingredient specified in paragraph (b) (2) of this section is used.

(iii) The word "Ground," when the corn ingredient specified in paragraph (b) (3) of this section is used.

(iv) The words "Cream Style," when the corn ingredient specified in paragraph (b) (4) of this section is used.

(v) The word "Evaporated," when the corn ingredient specified in paragraph (b) (5) of this section is used.

(2) The parts of the name as specified in subparagraph (1) of this paragraph may be arranged in any order of precedence. The varietal name of the corn used may intervene between parts of the name of the food. For the purpose of arrangement of the name, the words "Sweet" and "Corn" may be treated as separate parts of the name. When the varietal name immediately precedes or follows the name or intervenes between parts of the name of the food and it accurately designates the color of the corn ingredient, no other designation of the color group need be made.

(d) (1) When the optional seasoning or garnishing ingredient specified in paragraph (a) (3) of this section is used, the label shall bear the words "With _____ peppers," the blanks being filled in with the words "red" or "green" or both, to show the color of peppers used, and "sweet" or "hot" or both, to show the kind of peppers used, as for example "With green sweet peppers" or "With hot red peppers."

(2) When the optional starch ingredient specified in paragraph (b) (4) of this section is used, the label shall bear the statement "Starch added to insure smoothness."

(e) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements prescribed by paragraph (d) of this section shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that the varietal name of the corn used may so intervene.

§ 51.21 *Canned corn, canned sweet corn, canned sugar corn; quality; label statement of substandard quality.* (a) The standard of quality for canned corn is as follows:

(1) When tested by the method prescribed in paragraph (b) of this section, canned corn in which the corn ingredient is whole-kernel corn (§ 51.20 (b) (1)) or evaporated corn (§ 51.20 (b) (5)):

(i) Contains not more than one brown or black discolored kernel or piece of kernel for each 2 ounces of drained weight;

(ii) Contains not more than 1 cubic centimeter of pieces of cob for each 14 ounces of drained weight;

(iii) Contains not more than 1 square inch of husk for each 14 ounces of drained weight; and

(iv) Contains not more than 7 inches of silk for each 1 ounce of drained weight.

(2) When tested by the method prescribed in paragraph (c) of this section, canned corn in which the corn ingredient is fritter corn (§ 51.20 (b) (2)), ground corn (§ 51.20 (b) (3)), or cream-style corn (§ 51.20 (b) (4)):

(i) Contains not more than one brown or black discolored kernel or piece of kernel for each 2 ounces of net weight;

(ii) Contains not more than 1 cubic centimeter of pieces of cob for each 20 ounces of net weight;

(iii) Contains not more than 1 square inch of husk for each 20 ounces of net weight;

(iv) Contains not more than 6 inches of silk for each 1 ounce of net weight; and

(v) Has a consistency such that the average diameter of the approximately circular area over which the prescribed sample spreads does not exceed 12 inches, except that, in the case of cream-style corn the washed drained material of which contains more than 20 percent of alcohol-insoluble solids, the average diameter of the approximately circular area over which the prescribed sample spreads does not exceed 10 inches.

(3) (i) The weight of the alcohol-insoluble solids of whole-kernel corn (§ 51.20 (b) (1)) does not exceed 27 percent of the drained weight, when tested by the method prescribed in paragraph (b) of this section.

(ii) The weight of the alcohol-insoluble solids of the washed drained material of cream-style corn (§ 51.20 (b) (4)) does not exceed 27 percent of the weight of such material, when tested by the method prescribed in paragraph (c) of this section.

(b) The method referred to in paragraph (a) of this section for testing whole-kernel corn (§ 51.20 (b) (1)) and evaporated corn (§ 51.20 (b) (5)) is as follows:

(1) Determine the gross weight of the container. Open and distribute the contents of the container over the meshes of an 8-mesh circular sieve which has previously been weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained material. Record, in ounces, the weight so found, less the weight of the sieve, as the drained weight. Dry and weigh the empty container and subtract this weight from the gross weight to obtain the net weight. Calculate the percent of drained liquid in the net weight.

(2) Pour the drained material from the sieve into a flat tray and spread it in a layer of fairly uniform thickness. Count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of drained material. Remove pieces of silk more than ½-inch long, husk, cob, and any pieces of material other than corn. Measure the aggregate length of such pieces of silk and calculate the length of silk per 1 ounce of drained weight. Spread the husk flat, measure its aggregate area, and calculate the area of husk per 14 ounces of drained weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that

the volume can be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 14 ounces of drained weight.

(3) If the corn is whole kernel (§ 51.20 (b) (1)), comminute a representative 100-gram sample of the drained corn from which the silk, husk, cob, and other material which is not corn (i. e., peppers) have been removed. An equal amount of water is used to facilitate this operation. Weigh to nearest 0.01 gram a portion of the comminuted material equivalent to approximately 10 grams of the drained corn into a 600-cubic centimeter beaker. Add 300 cubic centimeters of 80-percent alcohol (by volume), stir, cover beaker, and bring to a boil. Simmer slowly for 30 minutes. Fit a Buchner funnel with a previously prepared filter paper of such size that its edges extend ½ inch or more up the vertical sides of the funnel. The previous preparation of the filter paper consists of drying it in a flat-bottomed dish for 2 hours at 100° C., covering the dish with a tight-fitting cover, cooling it in a desiccator, and promptly weighing to the nearest 0.001 gram. After the filter paper is fitted to the funnel, apply suction and transfer the contents of the beaker to the funnel. Do not allow any of the material to run over the edge of the paper. Wash the material on the filter with 80-percent alcohol (by volume) until the washings are clear and colorless. Transfer the filter paper with the material retained thereon to the dish used in preparing the filter paper. Dry the material in a ventilated oven, without covering the dish, for 2 hours at 100° C. Place the cover on the dish, cool it in a desiccator, and promptly weigh to the nearest 0.001 gram. From this weight subtract the weight of the dish, cover, and paper as previously found. Calculate the remainder to percentage.

(c) The method referred to in paragraph (a) of this section for testing fritter corn (§ 51.20 (b) (2)), ground corn (§ 51.20 (b) (3)), and cream-style corn (§ 51.20 (b) (4)) is as follows:

(1) Allow the container to stand at least 24 hours at a temperature of 68° F. to 85° F. Determine the gross weight, open, transfer the contents into a pan, and mix thoroughly in such a manner as not to incorporate air bubbles. (If the net contents of a single container is less than 18 ounces, determine the gross weight, open, and mix the contents of the least number of containers necessary to obtain 18 ounces.) Fill level full a hollow, truncated cone so placed on a polished horizontal plate as to prevent leakage. The cone has an inside bottom diameter of 3 inches, inside top diameter of 2 inches, and height of $4\frac{27}{32}$ inches. As soon as the cone is filled, lift it vertically. Determine the average of the longest and shortest diameters of the approximately circular area on the plate covered by the sample 30 seconds after lifting the cone. Dry and weigh each empty container and subtract the weight so found from the gross weight to obtain the net weight.

(2) Transfer the material from the plate, cone, and pan onto an 8-mesh sieve as prescribed in paragraph (b) (1) of this section. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. Set the sieve in a pan. Add enough water to bring the level within ⅜ inch to ¼ inch of the top of the sieve. Gently wash the material on the sieve by combined up-and-down and circular motion for 30 seconds. Repeat washing with a second portion of water. Remove sieve from pan, incline to facilitate drainage, and drain for 2 minutes.

(3) From the material remaining on the 8-mesh sieve, count, but do not remove, the brown or black discolored kernels or pieces of kernel and calculate the number per 2 ounces of net weight. Remove pieces of silk more than ½-inch long, husk, cob, and other material which is not corn (i. e., peppers). Measure aggregate length of such pieces of silk and calculate the length per ounce of net weight. Spread the husk flat and measure its aggregate area and calculate the area per 20 ounces of net weight. Place all pieces of cob under a measured amount of water in a cylinder which is so graduated that the volume may be measured to 0.1 cubic centimeter. Take the increase in volume as the aggregate volume of the cob and calculate the volume of cob per 20 ounces of net weight. If the corn is cream-style corn (§ 51.20 (b) (4)), take a representative 100-gram sample of the material remaining on the 8-mesh sieve (if such material weighs less than 100 grams take all of it) and determine the alcohol-insoluble solids as prescribed in paragraph (b) (3) of this section for whole-kernel corn.

(d) If the quality of canned corn falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.2 (a) of this chapter, in the manner and form therein specified; however, if the quality of the canned corn falls below standard with respect to only one of the factors of quality specified by subdivisions (i) to (iv) of paragraph (a) (1) of this section, or by subdivisions (i) to (v) of paragraph (a) (2) of this section, there may be substituted for the second line of such general statement of substandard quality, "Good Food—Not High Grade," a new line as specified after the corresponding subdivision designation of paragraph (a) of this section which the canned corn fails to meet:

(1) (i) or (2) (i) "Excessive discolored kernels."
(1) (ii) or (2) (ii) "Excessive cob."
(1) (iii) or (2) (iii) "Excessive husk."
(1) (iv) or (2) (iv) "Excessive silk."
(2) (v) "Excessively liquid."

§ 51.22 *Canned corn, canned sweet corn, canned sugar corn where the corn ingredient is in one of the forms known as fritter corn, ground corn, or cream-style corn; fill of container; label statement of substandard fill.* (a) The standard of fill of container for canned corn where the corn ingredient is in one of the forms known as fritter corn (§ 51.20 (b) (2)), ground corn (§ 51.20 (b) (3)), or cream-style corn (§ 51.20 (b) (4)) is a fill of not less than 90 percent of the total capacity of the container, as determined by the general method for fill of containers prescribed in § 10.1 (b) of this chapter.

(b) If canned fritter corn, canned ground corn, or canned cream-style corn falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.2 (b) of this chapter, in the manner and form therein specified.

§ 51.30 *Canned field corn; identity; label statement of optional ingredients.* (a) Canned field corn conforms to the definition and standard of identity, and is subject to the requirements for label statement of optional ingredients, prescribed for canned corn by § 51.20, except that the corn ingredient consists of succulent field corn or a mixture of succulent field corn and succulent sweet corn.

(b) The name of the food conforms to the name specified in § 51.20 (c), except that the words "Corn," "Sweet Corn," and "Sugar Corn" are replaced by the words "Field Corn," and the term "Golden Field Corn" is not used.

§ 51.32 *Canned field corn where the corn ingredient is in one of the forms known as fritter field corn, ground field corn, or cream-style field corn; fill of container; label statement of substandard fill.* Each of the foods canned fritter field corn, canned ground field corn, and canned cream-style field corn conforms to the standard of fill of container and label statement of substandard fill prescribed for canned fritter corn, canned ground corn, and canned cream-style corn by § 51.22 (a) and (b).

2. Part 52, Canned Vegetables Other Than Those Specifically Regulated; Definitions and Standards of Identity, is amended in the following respects:

a. In § 52.990 *Canned vegetables; identity; label statement of optional ingredients,* paragraph (b), delete from the table in column I the ten listed references to canned corn, beginning with the words "White sweet corn or" and ending with the words "Field corn", and in column II delete the ten lines beginning with "Seed cut from ears of white sweet corn" and ending with "Seed cut and scraped from ears of field corn" and in column III the eight lines beginning with "Whole grain or whole kernel" and ending with "Cream style or crushed".

b. In § 52.990 (c) (3), delete subdivision (i) and renumber subdivision (ii) as subparagraph (3).

c. In § 52.990 (f) (1), delete the second sentence.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 401, 52 Stat. 1046; 21 U. S. C. 341)

Effective date. These regulations shall become effective on January 1, 1952.

Dated: July 30, 1951.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 51-8980; Filed, Aug. 3, 1951; 8:47 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter II—Economic Cooperation Administration

[ECA Reg. 2, as Amended November 5, 1949, Amdt. 2]

PART 202—PARCEL POST SHIPMENTS OF INDIVIDUAL RELIEF PACKAGES

SCOPE

Section 202.1 of ECA Regulation 2, as amended November 5, 1949, is hereby amended to read as follows, effective July 1, 1951:

§ 202.1 *Scope of the regulations in this part.* This part provides the rules under which the Administrator for Economic Cooperation will pay ocean freight charges from a United States port to initial foreign ports of entry on relief packages originating in the United States (including its territories and insular possessions) and consigned by an individual by parcel post to an individual residing in Austria, those areas of China which the Administrator may deem to be eligible for assistance, Italy, the Republic of Korea, or the zones of Trieste occupied by the United States, the United Kingdom, or France.

(Sec. 104, 62 Stat. 138, as amended; 22 U. S. C. Sup. 1503. Interprets or applies sec. 117, 62 Stat. 153, as amended; 22 U. S. C. Sup. 1515)

WILLIAM C. FOSTER,
Administrator for Economic Cooperation.

[F. R. Doc. 51-8969; Filed, Aug. 3, 1951; 8:45 a. m.]

[ECA Reg. 3, as Amended November 5, 1949, Amdt. 1]

PART 203—COMMERCIAL FREIGHT SHIPMENTS OF SUPPLIES BY VOLUNTARY NON-PROFIT AGENCIES

SCOPE

Section 203.2 of ECA Regulation 3, as amended November 5, 1949, is hereby amended to read as follows, effective July 9, 1951:

§ 203.2 *Scope of the regulations in this part.* This part provides the rules under which the Administrator, in order to further the efficient use of United States voluntary contributions for relief in the countries or zones hereinafter designated, will pay ocean freight charges from United States ports to initial foreign ports of entry on supplies donated to or purchased by United States voluntary non-profit relief agencies registered with and recommended by the Committee, for distribution in Austria, those areas of China which the Administrator may deem to be eligible for assistance, France, Greece, India, Italy, the Republic of Korea, Norway, or the zones of Germany and Trieste occupied by the United States, the United Kingdom, or France.

(Sec. 104, 62 Stat, 138, as amended; 22 U. S. C. Sup., 1503. Interprets or applies sec. 117, 62 Stat. 153, as amended; 22 U. S. C. Sup., 1515)

WILLIAM C. FOSTER,
Administrator for Economic Cooperation.

[F. R. Doc. 51-8970; Filed, Aug. 3, 1951; 8:45 a. m.]

[ECA Reg. 5, as Amended November 5, 1949, Amdt. 2]

PART 205—COMMERCIAL FREIGHT SHIPMENTS OF INDIVIDUAL RELIEF PACKAGES

SCOPE

Section 205.1 and the table of rates under § 205.3 of ECA Regulation 5, as amended November 5, 1949, are hereby amended to read as follows, effective July 1, 1951:

§ 205.1 *Scope of the regulations in this part.* This part provides the rules under which the Administrator for Economic Cooperation (hereinafter referred to as the Administrator) will make reimbursement for ocean freight charges from a United States port to initial foreign ports of entry on relief packages originating in the United States, its territories and insular possessions, and consigned to individuals residing in Austria, those areas of China which the Administrator may deem to be eligible for assistance, Italy, the Republic of Korea, or the zones of Trieste under occupation by the United States, the United Kingdom, or France, which relief packages are assembled and shipped by persons in the manner hereinafter provided.

§ 205.3 *Manner of payment of ocean freight charges.* * * *

Country	Rate per pound	
	Packages containing any food	Packages not containing any food
	Cents	*Cents*
Italy	2	2
Trieste	2	2
China (from east coast ports)	3	4.5
China (from west coast ports)	2.2	4.4
Korea (from east coast ports)	2.3	2.6
Korea (from west coast ports)	2.2	2.4

(Sec. 104, 62 Stat. 138, as amended; 22 U. S. C. Sup., 1503. Interprets or applies sec. 117, 62 Stat. 153, as amended; 22 U. S. C. Sup., 1515)

WILLIAM C. FOSTER,
Administrator for Economic Cooperation.

[F. R. Doc. 51-8971; Filed, Aug. 3, 1951; 8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter G—Procurement

ARMY PROCUREMENT PROCEDURE

MISCELLANEOUS AMENDMENTS

The following amendments to Subchapter G are issued.

PART 590—GENERAL PROVISIONS

Part 590 is amended as indicated below:

1. Section 590.301 is rescinded and the following substituted therefor:

§ 590.301 *Methods of procurement.* (a) Department of the Army policies with respect to procurement by formal advertising or by negotiation are set forth in §§ 591.102 and 592.101 of this chapter. In connection with the placement of contracts during a period of national emergency, it is essential that contracts be spread across industry as widely as possible in order to broaden the industrial base of the procurement program. All Procuring Activities and agencies will give particular attention to the following in effecting procurement:

(1) The greatest possible integration of current procurement contracts with the industrial mobilization program and the accepted schedules of production.

(2) The equitable distribution of procurement contracts among the maximum number of competent suppliers. The concentration of contracts with a few leader suppliers is to be avoided unless the necessity therefor is clear.

(3) The utilization of existing open industrial capacity to the maximum. Expansion of facilities should not be authorized when open capacity can be found. Whenever time permits, and in order to broaden the mobilization base, additional contractors should be utilized in lieu of multi-shift or overtime operation.

(4) The fullest possible use of small business concerns.

(5) The utilization in negotiation of competition and multiple awards, whenever possible.

(6) The aggressive encouragement or requirement of subcontracting by prime contractors.

(7) The provision of maximum incentive to the producer for the reduction of his costs.

(8) The placement of contracts with a view to economies in the use of transportation facilities.

(9) The availability of manpower in distressed employment areas or in areas of manpower shortages.

(10) The reservation of special skills and abilities for the more difficult production tasks.

(b) Procurements and procurement actions effected under Title II of the First War Powers Act, 1941, as amended, Executive Order 10210, 2 February 1951, and regulations issued thereunder will be governed by basic policies and procedures set forth in Subpart I of this part.

2. Section 590.354–1 is rescinded and the following substituted therefor:

§ 590.354–1 *Statement of policy.* (a) It is the policy of the Military Departments that unclassified, negotiated and advertised procurements exceeding $10,000 made in the Continental United States will be publicized when such procurements are scheduled to be opened 18 days or more from date of issue. Unclassified United States procurements exceeding $10,000 will be scheduled to be

opened 18 days or more from date of issue unless circumstances make an earlier opening essential. Synopses of Proposed Procurements, designed to furnish potential suppliers with sufficient information to determine whether they will be interested in bidding or quoting will be prepared in accordance with the instructions set forth in §§ 590.354—590.354–5.

(b) Policies with respect to dissemination of information to unsuccessful bidders and offerors concerning awards are set forth in §§ 401.407, 591.407 and 592.150 of this title. Instructions pertaining to synopses of awards are set forth in §§ 590.355–590.355–4.

3. Section 590.354–2 is amended by rescinding paragraph (b) thereof and substituting the following therefor:

§ 590.354–2 *Applicability.* * * *

(b) The procurement is unclassified;

* * * * *

4. Section 590.354–4 is amended by changing paragraphs (c), (d), and (f) to read as follows:

§ 590.354–4 *Instructions for teletyping of synopses.* * * *

(c) The description of the item being procured will be in capital letters, using the dash for commas and will not exceed 31 typewriter spaces. If 31 spaces are insufficient, additional lines may be used. The description will be clear, concise, abbreviated wherever possible, with a minimum number of words for description but sufficient for understanding by interested parties; it will consist of a minimum general description of the item procured and will include, when appropriate, commonly used names of supply items, basic materials from which fabricated, general size or dimensions, etc. Citation to specification and/or drawing numbers or other identifying data will be included, if this information will assist prospective suppliers in determining whether or not they are interested in the procurement.

(d) The column designating the quantity begins on typewriter space 32 and will not exceed 10 spaces. Every effort will be made to center the quantity between spaces 32 and 41. If 10 spaces are insufficient to include desired statements relative to quantity, additional lines may be used. Quantity to be procured will be indicated, except that whenever purchasing offices believe it advisable for security reasons, quantities may be published as "more than ----------."

* * * * *

(f) The column designating the opening date (or last date for submission of proposals or quotations) begins on typewriter space 58 and will not exceed 13 spaces. The last digit of the entry in this column should fall in space 70.

* * * * *

5. Section 590.355–2 is amended by changing the reference "§ 590.335", appearing therein, to read "§ 590.355", and rescinding paragraph (b) thereof and substituting the following therefor:

§ 590.355–2 *Applicability.* * * *

(b) The contract is unclassified.

* * * * *

6. Section 590.355–3 is amended by rescinding paragraphs (e) and (f) thereof.

7. Section 590.355–4 is rescinded and and the following substituted therefor:

§ 590.355–4 *Contents of synopsis of contract awards.* Synopses of contract awards will contain the following information:

(a) Name of purchasing officer.

(b) Name and address of the contractor.

(c) Brief description of the commodity or service being procured; description will be clear, concise and abbreviated wherever possible, with a minimum number of words for description but sufficient for understanding by interested persons; it will consist of a minimum general description of the item or service procured and will include, when appropriate, commonly used names of supply items, basic materials from which fabricated, general size, or dimensions, etc.

(d) Statement of dollar amount, providing it does not exceed $250,000. Where the dollar amount does not exceed $250 000, it will be indicated as: "exceeds $250,000."

(e) Quantity of items, providing the dollar value of the procurement does not exceed $250,000. If the dollar value does exceed $250,000, the quantity of items procured will be omitted entirely.

(f) Statement of industries, crafts, processes or component items in or for which subcontracts are available and subcontractors are desired by prime contractors, in substantially the following form: "Prime contractor has subcontracts open for the following: (Insert here industries, crafts, processes or component item applicable)," (insert the following clause where applicable) and desires that subcontractors be located in (insert here general area indicated by prime contractor, if any, such as: Southeast states, New England, West Coast, etc.).

8. Section 590.401 (e) is added as follows:

§ 590.401 *Responsibility of each procuring activity.* * * *

(e) Responsibilities and authority of heads of procuring activities in connection with applications for relief under Title II of the First War Powers Act, 1941, as amended, etc., are set forth in § 590.903–4.

9. Section 590.601 is amended by rescinding paragraph (a) thereof and substituting the following therefor:

§ 590.601 *Documentary evidence of purchases*—(a) *Requirement.* All purchase transactions made by a Contracting Officer will be evidenced by written contracts (§ 400.201–6 of this title) on approved contract forms, as prescribed in Parts 406 and 596 of this title, and applicable Procuring Activity instructions, except:

(1) Those in which payments are made coincidentally within receipt of the supplies or services.

(2) As authorized by §§ 590.909–1 and 592.409 (c) of this chapter.

* * * * *

10. Section 590.604–9 is rescinded and the following substituted therefor:

§ 590.604–9 *Contracts entered into under authority of Title II, First War Powers Act, 1941, as amended.* Approval of awards of contracts entered into under the authority of Title II, First War Powers Act, 1941, as amended, will be required and secured in accordance with procedures contained in Subpart I of this part.

11. Sections 590.604–10, 590.604–11, and 590.604–12 are redesignated §§ 590.604–11, 590.604–12, and 590.604–13, respectively, and a new § 590.604–10 is added as follows:

§ 590.604–10 *Modifications of contracts.* (a) Any supplemental agreement, change order, or any other type of modification of a contract which has the effect of increasing the original contract price so that the total amount exceeds the monetary limitation which the Head of the Procuring Activity is authorized to approve the award of a contract will be submitted for approval to the Chief, Current Procurement Branch, Assistant Chief of Staff, G–4, Department of the Army, or the Department of the Army Power Procurement officer, as the case may be.

(b) Any supplemental agreement, change order or any other type of modification of a contract coming within the purview of § 590.604–9 above, or otherwise proposed to be entered into pursuant to the authority granted in Title II, First War Powers Act, 1941, as amended, will conform to the requirements of Subpart I of this part.

12. Section 590.605 is amended by adding paragraphs (a) (24) and (c) as follows:

§ 590.605 *Information to be furnished when requesting approval of contracts or awards.* (a) * * *

(24) Requests for approval of personnel service contracts will contain the statement or be accompanied by the certificate set forth in § 592.204–2 (b) (3) of this chapter.

* * * * *

(c) *Information required in connection with exercise of authority under Title II, First War Powers Act, 1941, as amended.* Requests for approval of contracts and modifications of contracts under the authority of Title II, First War Powers Act, 1941, as amended, will contain the information required by Subpart I, of this part.

13. Section 590.800 is rescinded and the following substituted therefor:

§ 590.800 *Scope of subpart.* This subpart sets forth (a) instructions for the preparation of the Procurement Action Report and (b) reference to Munitions Board requirements regarding actions taken under the authority of Title II, First War Powers Act, 1941, as amended. It implements the Armed Services Procurement Regulation generally rather than a specific part or section thereof.

14. Section 590.811 is added as follows:

§ 590.811 *Reports in connection with actions taken under the authority of Title II, First War Powers Act, 1941, as amended.* Reports referred to in headnote will be submitted as required in § 590.918. Such reports are additional to reporting requirements otherwise set forth in this subpart.

15. Subpart I, including §§ 590.900–590.919–1, is added as follows:

SUBPART I—EXERCISE OF AUTHORITY UNDER TITLE II, OF THE FIRST WAR POWERS ACT, AS AMENDED, AND EXECUTIVE ORDER NO. 10210

§ 590.900 *Scope of subpart.* This subpart sets forth the following matters relative to the exercise of authority under Title II of the First War Powers Act, as amended: (a) Statutory and administrative authority; (b) Limitations on authority to be exercised by the Department of the Army and its procurement activities, agents, and officers; (c) Delegations of Authority; (d) General considerations; (e) Determinations and Findings required; (f) Amendments to contracts without considerations; (g) Correction of mistakes in contracts, other than mutual mistakes and ambiguities; (h) Correction of mutual mistakes and ambiguities; (i) Formalization of informal commitments; (j) Contract clauses required; (k) Records; (l) Reports; and (m) Regulations approved by Department of Defense.

§ 590.901 *Statutory and administrative authority.* (a) Title II of the First War Powers Act, 1941, 50 U. S. Code App. 611, as amended by Public Law 921, 81st Congress, enables the President to issue Executive orders relative to procurement and incidents of the procurement function which shall be applicable without reference to existing law (such as the Armed Services Procurement Act of 1947, P. L. 413, 80th Congress).

(b) Executive Order No. 10210, February 2, 1951, authorized the Secretary of the Army, under such regulations as may be prescribed or approved by the Secretary of Defense, to exercise the authority granted in the act cited in paragraph (a) of this section.

(c) "Regulations Governing the Exercise of Certain Authority Granted by Title II of the First War Powers Act, as amended, and Executive Order No. 10210, Issued Thereunder," February 21, 1951, have been issued by the Under Secretary of the Army in concert with the Procurement Secretaries of the Navy and the Air Force, and approved by the Deputy Secretary of Defense. The Regulations are contained in §§ 438.1–438.5 of this title. Section 438.4 (c) of this title authorizes the issuance of this subpart.

§ 590.902 *Limitations on authority.* (a) The regulations referred to in § 590.901 (c) authorize the Department of the Army to exercise the authority granted by the act referred to in § 590.901 (a) and the Executive order cited in § 590.901 (b) to the actions and extent only as indicated below:

(1) Amendments of contracts without consideration.

(2) Correction of mistakes in contracts.

(3) Formalization of informal commitments.

(b) The regulations cited in § 590.901 (c) further limit the exercise of the above authority in the following respects:

(1) Approval of requests for amendments of contracts without consideration may not be delegated by the Secretary of the Army below the level of a contract adjustment board.

(2) Approval of requests for correction of mistakes and ambiguities in contracts and for formalization of informal commitments may not be delegated below the level of the Head of a Procuring Activity, without the specific authority of the Under Secretary of the Army.

§ 590.903 *Delegations of authority.*

§ 590.903–1 *To the Under Secretary of the Army.* All of the authority granted to the Secretary of the Army has been delegated to the Under Secretary of the Army.

§ 590.903–2 *To Army Contract Adjustment Board.* The following authority has been delegated to the Army Contract Adjustment Board, heretofore established in the Office of the Under Secretary of the Army:

(a) To approve all requests for amendments of contracts without consideration.

(b) To approve correction of all mistakes in contracts.

(c) To approve correction of mutual mistakes and ambiguities in contracts, and contracts formalizing informal commitments, irrespective of amount.

(d) To consider, adjust, and make final determinations of all requests for relief under this procedure and the authorities referred to in § 590.901.

(e) All authority not otherwise expressly delegated in these procedures is reserved to the Board.

§ 590.903–3 *To Assistant Chief of Staff, G–4, Department of the Army.* (a) To approve correction of mutual mistakes (as defined in § 590.908–1 (a)) and ambiguities in contracts when the estimated or actual increase in price granted or to be granted to the contractor does not exceed $50,000.

(b) To approve contracts formalizing informal commitments when the amount involved does not exceed $50,000.

(c) To redelegate all or part of the authority herein delegated to the Head of a Procuring Activity, as defined in § 400.201–4 of this title: *Provided, however,* That such authority shall not be delegated below the level of the head of a procuring activity without specific approval of the Under Secretary of the Army.

§ 590.903–4 *To the heads of procuring activities.* All of the authority delegated to the Assistant Chief of Staff, G–4, Department of the Army, as set forth in § 590.903–3: *Provided, however,* That such delegated authority may not be redelegated without specific approval of the Under Secretary of the Army through the Assistant Chief of Staff, G–4.

§ 590.903–5 *To contracting officers and field procuring agencies.* When authorized by heads of procuring activities, the authority to deny applications for relief under the authority hereinabove cited in § 590.901.

§ 590.904 *General considerations.* (a) The authority granted herein is an extraordinary one and its exercise must be carefully administered.

(b) Carelessness and laxity on the part of contractors should not be encouraged by the practice of granting relief to such contractors even though denial of relief in a particular case may result in some lack of cooperation on the part of a contractor.

(c) The exercise of authority hereunder is not intended as an alternative to compliance with the Armed Services Procurement Act of 1947, Public Law 413, 80th Congress. The design of the act, Executive order, and regulations referred to in § 590.901, is to accomplish the actions therein authorized under such authority only when normal procurement procedures are inapplicable.

(d) At all events, no action under the above-described authority should be taken or recommended to higher authority unless the officer or official required to take such action or make such recommendation, is firmly and clearly convinced that the action is necessarily and urgently required to facilitate the national defense.

(e) (1) Proper exercise, or recommendation of exercise, of the authority granted under Title II of the First War Powers Act, 1941, as amended, and Executive Order 10210, will be facilitated, if it is clearly understood that the basic law is in part substantive, and in part, procedural.

(2) With respect to amendment of contracts without consideration; elimination of the general requirement of advertisement, competitive bidding and certain bonds; and formalization of informal commitments, the authority is substantive, in that such authority is in derogation of existing substantive law. E. g., existing law requires that no official of the government may amend a contract so as to disburse government funds or release a vested right of the government, without consideration. The authority granted herein changes that law as long as this procedure is effective.

(3) With respect to such matters as the correction of mistakes, or remission of liquidated damages in cases where delays are not excusable, the authority granted herein does not change substantive law, but only changes procedure. E. g., except for the authority herein granted mistakes in bid, etc., particularly after award, can be corrected only by the Comptroller General; likewise, remission of liquidated damages on an equitable basis; advance payments could be approved by the Secretary only. This authority permits other officials to perform these functions, but does not change the basic law as to the circumstances under which these functions may be performed.

(4) Therefor, when acting, or recommending action in cases which are in derogation of substantive law (such as

subparagraph (2) of this paragraph), the justification for such action must be clear and convincing because, on one hand, the contractor has no further recourse to the courts; and on the other hand the Government would not be in a position to correct errors other than in cases of fraud.

(5) However, when acting, or recommending, action in cases where procedure only has been changed (such as subparagraph (3) of this paragraph), any doubts as to the propriety of granting relief should be resolved in favor of the government, because the contractor is still in a position, after denial of relief, to pursue his normal remedies. And if the official passing on the case is of the opinion that normal channels should be followed, e. g. to the Comptroller General, there is no prohibition against following them.

(6) Even if the applicant appears to be entitled to relief under basic law and regulation, however, it is reiterated and emphasized that such relief cannot be granted under this authority unless a finding can be made to the effect that the granting of such relief will facilitate the national defense.

(f) Applications for relief will be reviewed and passed upon only with full consideration of the provisions of this section.

(g) All determinations and findings required by § 590.905 will be made.

(h) The determination of whether in a particular case a contract amendment to be entered into without consideration, or the correction of a mistake or ambiguity in a contract, or the formalization of an informal commitment will facilitate the national defense is a matter of sound judgment to be made on the basis of all of the facts of such case. Although it is obviously impossible to predict or enumerate all the types of cases with respect to which relief may appropriately be granted, examples of certain cases or types of cases where relief may be proper are set forth below. Such enumeration is not intended to exclude other cases where the circumstances are such as to warrant the granting of relief, and even in the enumerated cases other factors may result in a denial of relief.

§ 590.905 *Determinations and findings.* (a) Any action taken or recommended to high authority under this subpart must be based on a written finding that the national defense will be facilitated thereby.

(b) With respect to the correction of mutual mistakes, as defined in § 590.908–1 (a) and ambiguities, and the formalization of informal commitments, the Under Secretary of the Army has made general determinations and findings in paragraphs (b) and (c) of the examples set forth in § 438.2 (b) of this title, which may be referred to in contracts, amendments to contracts, and reports and recommendations.

(c) As to all amendments of contracts without consideration and correction of mistakes, other than mutual mistakes as defined in § 590.908–1 (a) each contract and amendment to contracts will contain an individual affirmative finding and each report and recommendation will contain an individual affirmative or negative finding, with respect to the facilitation of the national defense.

§ 590.906 *Amendments to contracts without consideration.*

§ 590.906–1 *Conditions under which relief may be granted or recommended.* (a) Where an actual or threatened loss on a defense contract, however caused, will impair the productive ability of a contractor whose continued operation as a source of supply is found to be essential to the national defense, the contract will generally be equitably adjusted to the extent necessary to avoid such impairment of the contractor's productive ability.

(b) Where a contractor suffers a loss (not merely diminution of anticipated profits) on a defense contract as a result of Government action, the character of the Government action will generally determine whether any adjustment in the contract will be made and its extent.

(1) Where the Government action is directed primarily at the contractor and is taken by the Government in its capacity as the other contracting party, the contract may be equitably adjusted if fairness so requires. Thus where such Government action, although not creating any liability on its part, increases the cost of performance, considerations of fairness make appropriate some equitable adjustment in the contract.

(2) When the action is not taken by the Government in its capacity as the other contracting party, but in its sovereign capacity, relief will generally not be granted. However, exceptional cases, depending on the nature of the action, the circumstances, and the effect on the contractor, may require an equitable adjustment in the contract when necessary to insure maximum cooperation and production in the national defense effort.

(c) Relief recommended in appropriate cases, may include such action as (1) termination of contract without cost to either party; (2) amendment to contract increasing the contract amount; (3) revision of delivery schedules; (4) other actions appropriate in the circumstances.

§ 590.906–2 *Administrative procedures*—(a) *Contractor's application.* (1) Written requests for amendments of contracts without consideration shall be filed by contractors with the contracting officer administering the contract or his properly appointed successor, in quadruplicate.

(2) In the event that such request refers to contracts with more than one purchasing office or procuring activity, it shall be submitted initially to the contracting officer administering the contract or contracts involving the greatest amount (or aggregate amount if administering more than one contract) of the procuring activity under which the largest total dollar value of contracts has been awarded as of the date of the application.

(3) The contractor's request for relief shall be substantially in the form set forth in § 590.906–3 (a), and shall contain, as a minimum requirement, the information requested in such form. Necessary adaptations may be made when required, as in applications involving more than one contract.

(b) *Action by contracting officer.* (1) The contracting officer will review the application and verify the contents thereof.

(2) If further information is required, request the contractor to furnish the same, in writing.

(3) If in the opinion of the contracting officer the application does not justify the granting of the relief sought after consideration of §§ 590.904 and 590.906–1, a written finding may be furnished to the contractor in substantially the form indicated in § 590.906–3 (b), providing such action is authorized by procuring activity instructions.

(4) If the opinion of the contracting officer, after consideration of the provisions of §§ 590.904 and 590.906–1, the application should be granted, and when otherwise required by procuring activity instructions, an indorsement in triplicate, inclosing three copies of the contractor's application, exhibits, and contractual documents, shall be forwarded to the head of the procuring activity, in accordance with instructions issued by such head of the procuring activity, setting forth as a minimum the following information (See suggested form for indorsement in § 590.906–3 (c)):

(i) That the application has been reviewed and the facts therein stated are certified to be substantially correct, except as specifically indicated.

(ii) A brief description of the contract, including reference to any special pricing clauses.

(iii) Whether final payment has been made, or any final administrative determination made of the amount due.

(iv) The importance of the contract or the contractor to the furtherance of the national defense effort, indicating present or future need for the item.

(v) The quality of performance by the contractor.

(vi) Present status of deliveries and payments.

(vii) Probable future orders to the contractor on other national defense work.

(viii) Other available sources of supply in comparison with the contractor.

(ix) A statement of the factors causing financial distress.

(x) If relief is recommended involving an increase in price, whether appropriated funds are sufficient to cover the proposed or requested additional payment to the contractor.

(xi) Whether appropriated funds allocated to other departments are involved; if such funds are involved, name the department.

(xii) An opinion on the merits as to whether the requested relief should be granted, or to what extent the same or alternative relief should be granted.

(xiii) A specific recommendation as to the nature of, and extent to which relief should be granted.

(xiv) A statement of opinion as to whether the granting of such relief will facilitate the national defense effort.

(5) Contractual documents and invitations to bid or requests for proposals, and abstracts thereof, will be submitted in duplicate.

(6) The contracting officer's indorsement will be forwarded through such channels and be reviewed and approved by such intermediate offices and commands as may be required by procuring activity instructions.

(c) *Action by intermediate reviewing agencies.* (1) Each echelon reviewing and passing upon such applications subsequent to the contracting officer's review and verification will review and verify the contents of the application to the fullest extent practicable: *Provided, however,* That in any case such echelons of review are authorized to rely fully upon the verification made by the contracting officer unless unusual circumstances require further verification.

(2) Make specific findings on the merits and specific recommendations with respect to whether, and the extent to which, the application should be approved or denied.

(3) Make a specific finding as to whether the national defense would be facilitated by the granting of the application.

(4) Heads of procuring activities are authorized to require all applications to be forwarded and initial determinations denying applications to be made in the office of the head of procuring activity or in any lower echelon, including the contracting officer.

(d) *Action by heads of procuring activities.* (1) Heads of procuring activities will take appropriate action as required by § 590.906–2 (c).

(2) Heads of procuring activities are authorized to deny applications without further reference to the Army Contract Adjustment Board. Appropriate written findings and determinations will be made and furnished to applicants by such agencies as may be designated by the head of the procuring activity for that purpose, including the contracting officer.

(3) If in the opinion of the head of the procuring activity, after consideration of the provisions of §§ 590.904 and 590.906–1 the application should be granted, and endorsement in duplicate, enclosing copies in duplicate of the contractor's application, all indorsements and findings, and attached papers, shall be forwarded direct to the Army Contract Adjustment Board, Office of the Under Secretary of the Army, Washington 25, D. C., recommending approval to the extent noted in such indorsement.

(e) *Action in cases of general public interest or doubt.* (1) In any case where any of the officers above-mentioned is of the opinion that the application should not be granted in whole or in part, but when in their judgment there is a serious doubt as to whether the relief should be granted or denied, or when the matter is believed to be of such general public interest that the initial determination denying the application should be made by a higher echelon, such officer may forward such application to the next higher echelon, including the Army Contract Adjustment Board with appropriate findings, recommendations, and determinations.

(2) Cases forwarded under the authority of this paragraph should explain fully the reasons why it is believed that consideration should be given to the application by the higher echelon.

§ 590.906–3 *Forms*—(a) *Contractor's application.*

(Firm Letterhead)

Capt. JOHN DOE (Date)
Contracting Officer

(Address)

Subject: Request for Relief Under Title II, First War Powers Act, 1941, as Amended.

DEAR SIR:

1. The undersigned hereby makes application for the following relief pursuant to Title II of the First War Powers Act 1941, as amended:

(State briefly relief desired including specific amounts claimed, if any)

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2. The undersigned believes that he(it) is entitled to the above-mentioned relief by reason of the following facts: _____

(Explain factors causing financial distress)

3. In support of such application the following statements are made.

a. Contract No. _____
b. Item _____
c. Date executed _____
d. Specification No. _____
e. Unit price _____ Total amount _____
f. Delivery schedule:

Quantity	*Date*
_____	_____
_____	_____
_____	_____
_____	_____
Total quantity ____	_____

g. Deliveries made:

_____	_____
_____	_____
_____	_____
_____	_____

h. Payments received:

Amount	*Date*
_____	_____
_____	_____
_____	_____
_____	_____

i. Final payment, or a final administrative determination of the amount due has _____ has not _____ been made. (Check appropriate box.)

j. Attached hereto and marked Exhibit "A" is a statement and analysis of the financial condition of the undersigned as of _____
(Date not more than 15 days prior to date of application)
with comparative balance sheets and profit and loss statements for the preceding twelve-month period, signed by the principal accounting officer of the undersigned _____ a certified public accountant _____. (Check appropriate box.)

k. If the relief requested is denied, the effect upon the financial condition of the undersigned will be as follows: _____

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l. The rate of production of the contract item up to and including the date of this application has averaged _____ per _____.
Quantity (Day, week or other period)
_____ _____
_____ _____

m. To date there have been submitted _____ lots consisting of _____ units per lot, of which _____ lots consisting of a total of _____ units have been rejected upon first submission. Of the rejected lots _____ lots consisting of a total of _____ units were thereafter resubmitted and accepted, and _____ lots consisting of _____ units were again rejected.

n. (1) As of the date of this application the undersigned and/or its subsidiaries have submitted bids and/or proposals on the following Invitations for Bid and/or Requests for Proposals, upon which contracts have as yet not been awarded:

I/B or Request Nos. _____ Issuing Office _____ Item _____ Price quoted _____.

(2) The undersigned and/or its subsidiaries have been awarded the following contracts which are now being performed:

Contract Nos. _____ Issuing Office _____ Item _____ Price _____.

o. Upon information and belief, there are _____ are not _____ other sources of supplies for the items furnished by the undersigned. (Check appropriate box.)

p. Attached hereto and marked Exhibit "B" is a statement covering the twelve-month period prior to the date of this application, of salaries, bonuses, dividends (including cash, stock or "in kind"), repayments of loans, and any other property and/or moneys paid or transferred to any officer, stockholder, director, partner or other principal of the undersigned, and a statement of moneys or other property of the undersigned received by or loaned to the aforementioned officials of the undersigned, during said twelve-month period.

q. The increase in amount requested herein will _____ will not _____ result in a total payment to the undersigned in excess of the ceiling price for the supplies or services furnished under the contract or contracts above mentioned.

r. Previous application has _____ has not _____ been made for the same or similar relief sought herein. (Check appropriate box; if box marked "has" is checked, complete the following sentence.) Such previous application was made to _____, located at _____ (State agency where application was filed) under date of _____, and has been assigned claim Number _____. The nature of the request made therein was:

Action taken thereon was as follows: _____

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s. This claim has _____ has not _____ been assigned. If assigned, such assignment has been made pursuant to the Assignment of Claims Act of 1940, as amended to

---
(Name of assignee)

of _____.

t. Additional facts and circumstances believed to justify granting of relief sought

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4. The undersigned affirms that the statements made above, including those made in exhibits and attachments hereto, are true to the best of his knowledge and belief.

Incls:

Name of firm (print or type)

Signature

Print or type name and title of person signing

(b) *Denial of application.*

Gentlemen (Dear Sir or Madam):

Receipt is acknowledged of your application, dated _____ for relief pursuant to Title II of the First War Powers Act, 1941, as Amended.

After due consideration of your application, the undersigned finds the following facts: (use appropriate findings as required).

By reason of the above, it is determined that the national defense would not be facilitated by the granting of your application.

It is therefore regretted that your application must be, and hereby is, denied.

JOHN DOE,
Captain, Ord.,
Contracting Officer.

(c) *Contracting officer's indorsement recommending approval of application.*

Heading and date.
Addressee and address.
1. The foregoing application of _____
_____
has been reviewed, and the facts therein stated are hereby certified to be substantially correct, except as follows: _____
_____
(State any corrections required)
2. The description of the contract as contained in contractor's application is correct, except as follows: _____
Special pricing clauses contained therein are as follows:
3. Final payment has _____ has not _____ been made, nor has any final administrative determination of the amount due been made.
4. The importance of the contract or contractor to the furtherance of the national defense effort is _____
(Indicate also present or future need for the item)
_____
_____
5. The quality of performance by the contractor is found to be _____
_____
6. Present status of deliveries is as follows:

Delivery schedule

Quantity	*Date*
_____	_____
_____	_____
_____	_____

Deliveries made

Quantity	*Date*
_____	_____
_____	_____
_____	_____

7. Present status of payments is as follows:

Amount	*Date*
_____	_____
_____	_____
_____	_____

8. Probable future orders to the contractor on other national defense work consist of
_____
_____
_____
9. Other available sources of supply in comparison with the contractor are: _____
_____
_____
_____
10. The factors causing financial distress were _____ were not _____ caused by an act of the Government in its contracting _____ sovereign _____ capacity, to wit: _____
_____
_____
11. Appropriated funds are _____ are not _____ sufficient to cover the proposed additional payment to the contractor.
12. Appropriated funds allocated to other Departments are _____ are not _____ involved. The Department concerned is _____
_____.
13. In the opinion of the undersigned, the requested relief should be granted to the following extent and for the following reasons: _____
_____
(or state alternative relief recommended)
_____
_____
_____
14. In the opinion of the undersigned the granting of such relief will _____ will not _____ facilitate the national defense effort.

JOHN DOE,
Captain, QMC,
Contracting Officer.

§ 590.907 *Correction of mistakes in contracts (other than mutual mistakes and ambiguities).*

§ 590.907–1 *Conditions under which relief may be granted.* (a) Criteria for determination and recommendations with respect to correction of mistakes in contract (other than mutual mistakes, as defined in § 590.908–1 (a)) and ambiguities, are identical with those contained in § 590.906–1.

§ 590.907–2 *Administrative procedures.* (a) The procedure set forth in § 590.906–2 is applicable to applications for correction of mistakes other than mutual mistakes (as defined in § 590.908–1 (a)) and ambiguities.

(b) In addition to information required by paragraph (a) of this section, the applicant will be required to submit supporting evidence of the alleged mistake such as work sheets or other data used in preparing the bid or proposal, as well as the complete facts on which the allegation of mistake is based.

(c) The contracting officer will indicate in his indorsement the date when a notice of the alleged mistake was received and annex copies of any written notice thereof received by him, as well as triplicate copies of (1) the invitation for bids or request for proposals; (2) abstract of bids or summary of proposals; (3) contractual documents.

§ 590.907–3 *Forms.* Forms set forth in § 590.906–3 are applicable.

§ 590.908 *Correction of mutual mistakes and ambiguities.*

§ 590.908–1 *Conditions under which relief may be granted.* (a) For the purpose of exercising authority, under the statutory and administrative authority cited in § 590.901, only, the term "mutual mistake" includes: (1) A mistake which consists of the failure to express in a written contract the agreement as both parties understood it.

(2) A mistake on the part of the contractor which is so obvious that it was, or should have been, apparent to the contracting officer.

(3) A mutual mistake as to a material fact.

(b) Mutual mistakes, as defined in paragraph (a) of this section, and ambiguities may be corrected at the level of the head of a procuring activity under the authority of the statutory and administrative authorities cited in § 590.901 only if:

(1) The actual or estimated increase in cost to the Government will not, in the opinion of the head of the procuring activity, exceed $50,000. Such opinion must be affirmatively stated as a finding of fact.

(2) The requested correction of mutual mistake or ambiguity must not deal with or directly affect any matter under the contract which has been referred to, or is pending before, or has been decided by, the General Accounting Office.

(3) The contractor has furnished written notice of the mistake or ambiguity to the contracting officer (i) before completion of performance of the contract by the contractor or (ii) prior to the issuance of a notice of termination for convenience or default, as the case may be.

(4) Final payment, approval of a final voucher, or a final administrative determination of the amount due has not been made under the contract.

(5) The correction will not result in payment to the contractor of a sum, which when added to other payments made under the contract, exceeds the amount of the next lowest responsive bid of a responsible bidder (in the case of contracts entered into after formal advertising).

(6) The correction will not result in payment to the contractor of a sum, which, when added to other payments made under the contract, exceeds the amount of any other proposal considered in the negotiations (in the case of negotiated contracts). Where the contract was placed on the basis of considerations other than price, this limitation shall not be applicable.

(7) Notice of allegation of mistake, oral or written, has not been furnished to the contracting officer (i) before award of a contract entered into after formal advertising or (ii) before award of a negotiated contract upon a form not requiring execution by both contracting parties or (iii) before execution of negotiated contracts entered into on forms requiring signatures of two or more parties.

(c) Mutual mistakes (as defined in § 590.908–1 (a)) and ambiguities, notice or allegation of which have been furnished to the contracting officer (1) prior to opening of bids or (2) before award of contracts will be corrected and processed as required by the provisions of §§ 401.405—401.405–3 and 591.405 of this title. Such alleged mistakes will not be processed under the authority of this subpart.

(d) Cases involving an estimated or actual increase in the amount to be paid to the contractor, exceeding $50,000, or in which final payment or final determination of the amount due has been made, will be processed to the Army Contract Adjustment Board in accordance with § 590.908–2 and procedures issued by the Board.

§ 590.908–2 *Administrative procedure.* (a) This procedure is applicable to the type of mistake and ambiguity only as set forth in § 590.908–1 (a).

(b) *Contractor's application.* The contractor will submit, in quadruplicate, an application for relief, substantially in the form set forth in § 590.908–3 (a). In addition thereto, he will submit supporting evidence of the alleged mistake such as work sheets used in preparing the bid or proposal or other data, as well as the complete facts on which the allegation of mistake is based.

(c) *Action of contracting officer.* (1) The contracting officer will examine and review the application.

(2) If further information is required request the contractor to furnish the same in writing.

(3) If, after consideration of the elements set forth in §§ 590.904 and 590.908–1 he determines that the application under this authority should be denied, and provided such action is authorized by procuring activity instructions, he will prepare written findings

of fact and a determination which will be mailed, or otherwise furnished to the contractor. The contractor will be informed that he may, if he so desires, submit a claim to the Comptroller General under existing law and regulation other than Title II of the First War Powers Act, 1941, as amended; and that denial of relief under this authority is not necessarily a determination that the contractor is not entitled to relief under normal procedures.

(4) If after consideration of the elements set forth in §§ 590.904 and 590.908–1 the contracting officer is of the opinion that the application should be granted, or if otherwise required by procuring activity instructions, the contracting officer will prepare an indorsement in triplicate setting forth as a minimum the following facts:

(i) That the contractor's application has been examined and reviewed.

(ii) A brief description of the contract including any special pricing clauses.

(iii) That the facts therein stated are certified to be substantially correct except as specifically indicated.

(iv) The date when notice of the alleged mistake was received, annexing copies of any written notice.

(v) The quality of performance by the contractor.

(vi) Present status of deliveries and payments.

(vii) That final payment has not been made, nor any final administrative determination made of the amount due.

(viii) Other available sources of supply in comparison with the contractor.

(ix) The importance of the contract or the contractor to the furtherance of the national defense effort, including present or future need for the item.

(x) An opinion on the merits as to whether the requested relief should be granted, and the extent thereof recommended for approval. In the alternative, a recommendation of what relief should be granted other than that requested by the contractor.

(xi) If relief is recommended involving an increase in price, whether appropriated funds are sufficient to cover the proposed additional payment to the contractor.

(xii) Whether appropriated funds allocated to other departments are involved; if such funds are involved, name the department.

(xiii) That the granting of such relief will facilitate the national defense effort. Reference may be made to the general finding of the Under Secretary of the Army contained in paragraph (b) of the examples set forth in § 438.2 (b) of this title.

(5) The following documents will be inclosed, in triplicate:

(i) Invitation for bids or request for proposals.

(ii) Abstract of bids or summary of proposals.

(iii) Contractual documents.

(6) The contracting officer's indorsement and inclosures will be forwarded, in triplicate, through such channels and be reviewed and approved by such intermediate offices and commands as may be required by procuring activity instructions.

(d) *Action by intermediate reviewing agencies.* (1) Each echelon reviewing and passing upon such applications subsequent to the contracting officer's review and verification will review and verify the contents of the application to the fullest extent practicable, provided, however, that in any case such echelons of review are authorized to rely fully upon the verification made by the contracting officer unless unusual circumstances require further verification.

(2) Make specific findings on the merits and specific recommendations with respect to whether the application should be approved or denied.

(3) Make a specific finding as to whether the national defense would be facilitated by the granting of the application.

(4) Heads of procuring activities are authorized to require all applications to be forwarded and initial determinations denying applications to be made in the office of the head of the procuring activity or in any lower echelon, including the contracting officer.

(e) *Action by heads of procuring activities.* (1) Heads of procuring activities will take appropriate action as required by § 590.908–2 (d).

(2) Heads of procuring activities are authorized to deny applications without further reference to the Army Contract Adjustment Board. Appropriate written findings and determinations will be made and furnished to applicants by such agencies as may be designated by the head of the procuring activity for that purpose, including the contracting officer.

(3) If in the opinion of the head of procuring activity, after consideration of the provisions of §§ 590.904 and 590.908–1 and subject to the limitation contained in § 590.908–1 (d), that the application should be granted, written findings of fact will be prepared and furnished to the contracting officer together with proper instructions relative to amendment or termination of the contract.

(4) In cases involving an increase in price in excess of $50,000, if in the opinion of the head of the procuring activity, the application should be granted, an indorsement in duplicate, inclosing two copies of the contractor's application and all indorsements and findings, shall be forwarded direct to the Army Contract Adjustment Board, Office of the Under Secretary of the Army, Washington 25, D. C., recommending approval to the extent noted in such indorsement.

(f) *Action in cases of general public interest or doubt.* (1) In any case where any of the officers above-mentioned is of the opinion that the application should not be granted in whole or in part, but when in their judgment there is a serious doubt as to whether the relief should be granted or denied, or when the matter is believed to be of such general public interest that the initial determination denying the application should be made by a higher echelon, such officer may forward such application to the next higher echelon, including the Army Contract Adjustment Board with appropriate findings, recommendations and determinations.

(2) Cases forwarded under the authority of this paragraph should explain fully the reason why it is believed that consideration should be given to the application by the higher echelon.

§ 590.908–3 *Forms*—(a) *Contractor's application.* (1) Application shall be made on a form substantially similar to that set forth in § 590.906–3 (a), except that subject will be referred to as follows:

Subject: Request for correction of Mistake Under Title II, First War Powers Act, 1941, As Amended.

(2) In cases where the requested or estimated increase in cost does not exceed $5,000, heads of procuring activities may authorize omission of replies to items 3j and 3p.

(3) The applicant will submit satisfactory evidence of the alleged mistake, including, but not limited to, original work sheets.

(b) *Denial of application.* Form set forth in § 590.906–3 (b) may be adapted.

(c) *Contracting officer's indorsement recommending approval of application.* Form suggested in § 590.906–3 (c) may be used and/or adapted.

§ 590.909 *Formalization of informal commitments.*

§ 590.909–1 *Conditions under which relief may be granted.* (a) Where any person has arranged to furnish or has furnished, on or after June 25, 1950, to a contracting agency of the Department of the Army or (at the request of such agency) to a defense contractor any materials, services, or facilities relating to the national defense, without a formal contract, relying in good faith upon the apparent authority of an officer or agent of such contracting agency, written or oral instructions, or any other request to proceed from a contracting agency, such contracting agency may enter into an appropriate contract providing fair compensation therefor. The formalization of informal commitments may be finally approved at the level of the head of a procuring activity when the amount involved does not exceed $50,000. Where the amount involved exceeds $50,000, the case will be processed to the Army Contract Adjustment Board in accordance with § 590.909 (d) and procedures issued by the Board.

(b) The above authority shall not be used (1) as a substitute for modification of existing contracts in accordance with existing regulations or (2) for the purpose of eliminating competition. Where the instruction or request to proceed were of the type which, when given, could properly have been embodied in a change order, supplemental agreement, or other amendment under a then existing contract, this authority will not be exercised if final payment has been made under such contract.

(c) Informal commitments shall be made only in situations where the need therefor is compelling and of unusual urgency, as when the national defense would be seriously impaired or impeded, if the supplies or services were not furnished before the contracting agency has an opportunity to prepare the necessary contractual forms. See also

§ 592.409 (c) of this chapter. The following are illustrative of circumstances with respect to which this authority may be used:

(1) Supplies or services needed at once because of a fire, flood, explosion or other disaster.

(2) Essential equipment for or repair to a ship when such equipment or repair is needed at once for compliance with the orders of the ship.

(3) Essential equipment for, or repair to, aircraft grounded or about to be grounded, when such equipment or repair is needed at once for the performance of an operational mission.

(4) Supplies or services needed at once because of requirements of operational missions or emergencies, and so certified in advance by the head of a procuring activity.

(d) Resultant contracts formalizing informal commitments shall contain a finding of fact justifying the informal commitment as well as the action of formalization.

(e) Compensation shall be awarded or recommended in an amount which provides fair compensation for the services or supplies furnished. Fair compensation will normally be the reasonable market value of the supplies or services furnished at the time and place furnished, including such considerations as extra cost involved in immediate compliance with informal commitment or necessary performance and delivery during other than normal business hours.

§ 590.909–2 *Administrative procedure*—(a) *Contractor's application.* Written requests for formalization of informal commitments shall be filed by contractors with the purchasing office which entered into the commitment, in quadruplicate, within ten days after completion of performance of the informal commitment. The request shall be substantially in the form set forth in § 590.909–3 (a).

(b) *Action by contracting officer.* (1) The contracting officer will review the application and verify the contents thereof.

(2) If further information is required, request the contractor to furnish the same in writing.

(3) If in the opinion of the contracting officer (i) an informal commitment was not entered into, or (ii) such informal commitment was made by an unauthorized person, or (iii) the contractor should not as a reasonably intelligent businessman have relied upon the apparent authority of a person who ordered the supplies, services or construction, a written finding will be furnished to the contractor to that effect, setting forth appropriate findings of fact, providing such action is authorized by procuring activity instructions.

(4) If in the opinion of the contracting officer, after consideration of the provisions of §§ 590.904 and 590.909–1, the application should be granted, an indorsement in triplicate, inclosing three copies of the contractor's application, shall be forwarded to the head of the procuring activity, in accordance with instructions issued by such head of procuring activity, setting forth as a minimum, the following information (see suggested form in § 590.909–3 (b).

(i) That the application has been reviewed and the facts therein stated are certified to be substantially correct except as specifically indicated.

(ii) That no payments have been made, nor any final administrative determination made of the amount due.

(iii) The importance of the material furnished or work performed to the furtherance of the national defense effort.

(iv) The quality of performance by the contractor.

(v) Present status of deliveries.

(vi) Whether appropriated funds are sufficient to cover the proposed payment to the contractor.

(vii) Whether appropriated funds allocated to other departments are involved; if such funds are involved, name the department.

(viii) A statement of the reasons why an informal commitment was necessary, and why an authorized form of contract could not have been prepared and processed before the supplies or services involved were furnished to the Government.

(ix) That the informal commitment was entered into by an authorized individual, and, if prior approval was required, that such prior approval was obtained from the proper authority.

(x) That the fair compensation for the supplies or services furnished or construction performed is as stated. Justification shall be set forth as to amount by reference to the reasonable market price or other reasonable price at the time and place of delivery or performance.

(xi) A specific recommendation as to the proposed contract or purchase order or modification of a then existing contract to be issued, including unit price (where applicable) and total contract amount. The proposed contract or modification should be annexed.

(xii) A finding that the national defense would be facilitated by granting of the relief requested.

(5) The contracting officer's indorsement will be forwarded through such channels and be reviewed and approved by such intermediate offices and commands as may be required by procuring activity instructions.

(c) *Action by intermediate reviewing agencies.* (1) Each echelon reviewing and passing upon such applications subsequent to the contracting officer's review and verification will review and verify the contents of the application to the fullest extent practicable: *Provided, however,* That in any case such echelons of review are authorized to rely fully upon the verification made by the contracting officer unless unusual circumstances require further verification.

(2) Make specific findings on the merits and specific recommendations with respect to whether the application should be approved or denied.

(3) Make a specific finding as to whether the national defense would be facilitated by the granting of the application.

(4) Heads of procuring activities are authorized to require all applications to be forwarded and initial determinations denying applications to be made in the office of the head of the procuring activity or in any lower echelon, including the contracting officer.

(d) *Action by heads of procuring activities.* (1) heads of procuring activities will take appropriate action as required by § 590.909–2 (d).

(2) Heads of procuring activities are authorized to deny applications without further reference to the Army Contract Adjustment Board. Appropriate written findings and determinations will be made and furnished to applicants by such agencies as may be designated by the head of the procuring activity for that purpose, including the contracting officer.

(3) If in the opinion of the head of the procuring activity, after consideration of the provisions of §§ 590.904 and 590.909–1 and subject to the limitation contained in § 590.909–1, the application should be granted, written findings of fact will be prepared and furnished to the contracting officer together with proper instructions as to the form of and required clauses to be inserted in resultant contracts.

(4) In cases involving contracts exceeding $50,000 in amount, if in the opinion of the head of the procuring activity, the application should be granted, an indorsement in duplicate, inclosing two copies of the contractor's application and all indorsements and findings, shall be forwarded directly to the Army Contract Adjustment Board, Office of the Under Secretary of the Army, Washington 25, D. C., recommending approval to the extent noted in such indorsement.

(e) *Action in cases of general public interest or doubt.* (1) In any case where any of the officers above-mentioned is of the opinion that the application should not be granted in whole or in part, but when in their judgment there is a serious doubt as to whether the relief should be granted or denied, or when the matter is believed to be of such general public interest that the initial determination denying the application should be made by a higher echelon, such officer may forward such application to the next higher echelon, including the Army Contract Adjustment Board with appropriate findings, recommendations and determinations.

(2) Cases forwarded under the authority of this paragraph should explain fully the reason why it is believed that consideration should be given to the application by the higher echelon.

§ 590.909–3 *Forms*—(a) *Contractor's application.*

(Firm Letterhead)

Capt. JOHN DOE Date _____
Contracting Officer
(Address)

Subject: Request for Formalization of Informal Commitment Under Title II, First War Powers Act, 1941, As Amended.

DEAR SIR:

1. The undersigned hereby makes application for formalization of the hereinafter described informal commitment pursuant to Title II of the First War Powers Act, 1941, as amended.

2. The undersigned was ordered by _____ _____, orally _____ (Name of individual ordering services or supplies) in writing _____ to furnish the services described in paragraph 3, below. Such oral order was given in person _____ by telephone _____ by the aforementioned to_____ _____ (Name) _____ of this firm on the _____ day of _____ 19____. A true copy of the written order above-mentioned is attached hereto. (Complete applicable information or attach written order.)

3. Such order required the undersigned to furnish the following supplies or services, at _____ (Place of performance) on _____ (Date or dates of required performance) _____ (Detail supplies or services ordered) _____ _____ _____

4. The circumstances under which the above-mentioned supplies or services were ordered, to the best of my knowledge and belief were as follows: _____ _____ (State circumstances if known) _____

5. Pursuant to such order the following supplies or services were furnished at _____ _____ (Place or installation) on _____ (Date or duties of performance) _____ (List supplies and services furnished) _____

6. a. The fair and reasonable value of the supplies and services furnished, at the time and place furnished is _____ (Amount) Attached hereto is analysis of the cost and price of the supplies or services furnished, indicating profit separately. (Attach Cost and Price Analysis.)

b. The above-mentioned amount does ____ does not ____ exceed the applicable ceiling price for the supplies or services furnished.

7. The following payments have been received:

Date	*Amount*
_____	_____
_____	_____
_____	_____

8. Final payment, or final administrative determination of the amount due has ____ has not ____ been made. (Check appropriate box.)

9. Previous application has ____ has not ____ been made for the relief sought herein. (Check appropriate box; if the box marked "has" is checked, complete the following sentence.) Such previous application was made to _____, located at _____ (State agency where application was filed) _____ under date of _____. The nature of the request made therein was: _____ _____ _____ _____ Action taken thereon was as follows:____ _____ _____

10. This claim has _____ has not _____ been assigned. If assigned, such assignment has been made pursuant to the Assignment of Claims of 1940, as amended, to _____, _____ (Name of assignee) of _____. (Attach three signed (Address) copies of assignment and three signed copies of assignee's notice.)

11. Additional facts and circumstances believed to justify granting of relief sought: _____ _____ _____

12. The undersigned affirms that the statement made above, including those made in exhibits and attachments hereto are true to the best of his knowledge and belief. _____ Name of firm (print or type) _____ (Signature) _____ Print or type name and title of person signing

(b) *Contracting officer's indorsement recommending approval of application.*

1st Ind.

Heading and date.
Addressee and address.

1. The foregoing application of _____ _____ has been reviewed, and the facts therein stated are hereby certified to be substantially correct, except as follows: _____ (State any corrections required) _____ _____

2. The informal commitment was entered into substantially as stated by the contractor in paragraphs _____ and _____ of his application, except as follows: _____ _____ _____

3. The circumstances under which the above-mentioned informal commitment was made, and the reasons why such informal commitment was necessary, are as follows: _____ _____ _____

4. The person who ordered the supplies or services, _____, was duly authorized so to do by _____, (State authorization) (or had apparent authority to issue the order). Strike out inapplicable words.

5. The supplies and/or services furnished to the Government pursuant to such informal commitment related to national defense and were as follows; _____ _____ --- _____ _____

6. The above supplies and/or services were furnished at _____, _____ (Location) on _____ (Date or dates)

7. The undersigned finds that the fair and reasonable value of the supplies and services furnished, at the time and place furnished, is $_____; and that that sum would constitute fair compensation to the applicant.

8. The following payments have been made to the contractor:

Date	*Amount*
_____	_____
_____	_____
_____	_____

9. Final payment, or a final administrative determination of the amount due has_____ has not_____been made.

10. Appropriated funds are_____are not _____sufficient to cover the proposed payment to the contractor.

11. Appropriated funds allocated to other Departments are_____are not_____involved. The Department concerned is_____ _____.

12. In the opinion of the undersigned a formal contract (purchase order) (or modification) should be issued formalizing the above-mentioned informal commitment, at a unit price of $_____, total amount $_____ substantially in the form annexed hereto.

13. In the opinion of the undersigned the granting of such relief will_____will not _____facilitate the national defense effort.

JOHN DOE,
Captain, QMC,
Contracting Officer.

§ 590.916 *Contract clauses required.* (a) All contracts and amendments to contracts made under the authority of this subpart, shall:

(1) Make reference to Title II, First War Powers Act, 1941, as amended and Executive Order No. 10210, February 1951.

(2) Contain a statement of the facts and circumstances which justify action.

(3) Include a finding that the national defense is facilitated thereby; and

(4) Include the following clause:

(a) The Contractor (which term as used in this clause means the party contracting to furnish the supplies or perform the work required by this contract) agrees that the Comptroller General of the United States or any of his duly authorized representatives shall have access to and the right to examine any pertinent books, documents, papers, and records of the Contractor involving transactions related to such contract.

(b) The Contractor agrees to insert the provisions of this clause, including this paragraph (b), in all subcontracts hereafter made.

(5) Include a statement regarding the approval obtained indicating specifically the office or officer duly authorized to make, and who granted, such final approval.

§ 590.917 *Records.* Complete written data, including, but not limited to memorandum to file of personal conferences and telephone conversations and all approvals or denials of application shall be maintained in the contracting officer's files as the office of record. Such data shall be available for inspection by authorized personnel at all times.

§ 590.918 *Reports.*

§ 590.918–1 *Amendments without consideration, correction of mistakes and formalization of informal commitments.* (a) A report will be rendered quarterly by each head of a procuring activity relative to claims received and actions taken pursuant to authority contained in §§ 590.906–590.909.

(b) The reports will cover the periods July 1 through September 30; October 1 through December 31; January 1 through March 31; and April 1 through June 30, of each year, commencing in 1951.

(c) Heads of procuring activities will consolidate information obtained from all purchasing offices (as defined in § 590.253–1); and forward such report to Assistant Chief of Staff, G–4, Department of the Army, Washington 25, D. C., Attn: Chief, Current Procurement Branch, in time to reach that office on the 10th day following the end of the reporting period.

(d) The following information will be included:

(1) Type of claim involved (e. g. correction of mistake, etc.).

(2) Purchasing office concerned.

(3) Date claim was received.
(4) Name and address of contractor.
(5) Contract number or numbers involved.
(6) Type of contract (formally advertised or negotiated). (This item is not required when the claim is made pursuant to § 590.909.)
(7) Dollar amount involved.
(8) Disposition or status of claim.
(i) Finally approved by head of procuring activity.
(ii) Finally denied by head of procuring activity (or any intermediate office, including contracting officer).
(iii) Forwarded to Army Contract Adjustment Board.
(iv) Pending:
(*a*) In purchasing office.
(*b*) In office of head of procuring activity.
(v) After a claim has once been reported as finally approved or denied, or forwarded to the Army Contract Adjustment Board, it need not be reported on succeeding quarterly reports.
(vi) A numerical summary will be attached to each quarterly report indicating the following information in substantially the following form:

	Type of claim					
	Amendments w/o consideration		Correction of mistakes		Formalization of informal commitments	
	Number	Total dollar value involved	Number	Total dollar value involved	Number	Total dollar value involved
On hand at beginning of quarter						
Received during quarter						
Disposed of during quarter (total)						
Finally approved by Procuring Activity						
Finally denied by Procuring Activity						
Forwarded to Board						
Pending as of end of quarter (total):						
In purchasing offices						
In Office of Head of Procuring Activity						

(vii) Forms will not be supplied for this report. Reports Control Symbol CS–GLD–376 has been assigned to this report.

§ 590.919 *Regulations issued or approved by Department of Defense.*

§ 590.919–1 *Regulations dated February 21, 1951.* Regulations governing the exercise of certain authority granted by Title II, of the First War Powers Act, as amended, and Executive Order No. 10210 (16 F. R. 1001), are contained in §§ 438.1—438.5 of this title.

Part 591—Procurement by Formal Advertising

Part 591 is amended as indicated below:

1. Section 591.202 (b) is rescinded and the following substituted therefor:

§ 591.202 *Methods of soliciting bids.* * * *

(b) *Time allowed before opening.* Invitations for bids will, as a rule, allow 30 days to intervene between the date of issuance and the date of opening bids. A shorter period may be allowed when circumstances make an earlier opening essential but no period of less than 10 days will be designated, except in case of emergency. The existence of such circumstances or emergency will be determined by the contracting officer. If the time allowed is less than 10 days, the copy of the invitation for bids furnished to the Procurement Information Center, Office of the Under Secretary of the Army in accordance with § 591.251 (a), will bear on its face the following certificate and appropriate reasons signed by the contracting officer:

I certify that the date shown hereon for the opening of bids cannot be a later date for the following reasons ----------,

2. Section 591.303 is added as follows:

§ 591.303 *Modification or withdrawal of bids.* Where written notice of withdrawal or modification of a bid is received after the time fixed for the opening of bids, proper cases may be processed under the authority of Title II, First War Powers Act, 1941, as amended and Subpart I, Part 590 of this chapter.

3. Section 591.405 (d) is added as follows:

§ 591.405 *Mistakes in bids.* * * *

(d) Cases processed under the authority of Title II of the First War Powers Act, 1941, as amended will be governed by Subpart I, Part 590 of this chapter.

Part 592—Procurement by Negotiation

Part 592 is amended as indicated below:

1. Section 592.101 (c) (5) is added as follows:

§ 592.101 *Negotiation as distinguished from formal advertising.* * * *

(c) *Requests for proposals.* * * *

(5) In unclassified negotiated procurements, effected in the continental United States, the request for proposals will allow not less than 18 days to intervene between the date of issuance and the closing date for receipt of proposals or the opening thereof, unless circumstances make essential a shorter interval.

2. Section 592.102 is amended by rescinding paragraphs (a) and (b) thereof and substituting the following therefor:

§ 592.102 *General requirements for negotiation.* * * *

(a) The contemplated procurement comes within one of the circumstances permitting negotiation enumerated in Subpart B, Part 402 of this title, or has been approved by the authority required in Subpart I, Part 590 of this chapter.

(b) Any necessary determination and findings prescribed in Subpart C, Part 402 of this title, and, either Subpart I, Part 590 of this chapter or Subpart C, Part 592 of this chapter, have been made.

* * * * *

3. Section 592.251 is added as follows:

§ 592.251 *Title II, First War Powers Act, 1941, as amended.* Negotiation of contracts under this authority will be governed by procedures contained in Subpart I, Part 590 of this chapter.

4. Section 592.302 (c) is added as follows:

§ 592.302 *Determinations and findings by the Secretary.* * * *

(c) Determinations and findings with respect to procurement actions effected pursuant to Title II, First War Powers Act, 1941, as amended, except as otherwise specifically authorized in Subpart I, Part 590 of this chapter. Action taken by the Army Contract Adjustment Board in this regard is deemed to be the action of the Secretary.

5. Section 592.303 (c) is added as follows:

§ 592.303 *Determinations and findings by the head of a procuring activity signed as "a chief officer responsible for procurement."* * * *

(c) Determinations and findings which may be made by the head of a procuring activity in connection with procurement actions effected under the authority of Title II of the First War Powers Act, 1941, as amended, are set forth in § 590.903–4 of this chapter. Such authority may not be redelegated below the level of the head of a procuring activity, unless specifically authorized by the Under Secretary of the Army.

6. Section 592.306 (d) is added as follows:

§ 592.306 *Procedure with respect to determinations and findings.* * * *

(d) Determinations and findings in connection with procurement actions effected under the authority of Title II, First War Powers Act, 1941, as amended, will be requested as prescribed in Subpart I, Part 590 of this chapter.

7. Section 592.408 is amended by rescinding paragraph (b) thereof.

8. Section 592.409 (c) is added as follows:

§ 592.409 *Other types of contracts.* * * *

(c) *Informal commitment.* (1) An informal commitment is a verbal order or written communication by a contracting officer or his authorized agent, requesting a person or firm to furnish supplies or services to the Government or a defense contractor.

(2) Informal commitments will be entered into under the circumstances only as authorized by § 590.909–1 (c) of this chapter, and pursuant to instructions of the head of a procuring activity issued

under authority contained in this procedure.

(3) Informal commitments will not be entered into for specific amounts. The basis of payment will be "fair compensation" as approved by the appropriate approving authority, depending upon the amount involved.

(4) Requests for formalization of informal commitments will be processed pursuant to § 590.909–2 of this chapter within 10 days after completion of performance thereof.

(5) No payment will be made or certified in connection with an informal commitment until formalization has been approved and accomplished.

PART 596—CONTRACT CLAUSES AND FORMS

1. Section 596.104–14 is added as follows:

§ 596.104–14 *Title II, First War Powers Act, 1941, as amended.* All contracts and amendments to contracts made under the authority of Title II, First War Powers Act, 1941, as amended, will contain the clauses and conform to the requirements prescribed in § 590.909 of this chapter.

2. Section 596.150–3 is amended by redesignating the two contract clauses contained therein as "a." and "b." and adding a new clause "c." as follows:

§ 596.150–3 *Plant protection.* * * *

c. PLANT PROTECTION

(Government-owned Contractor operated plants)

(a) The contractor shall at all times during the performance of the work under this Contract comply with all applicable Federal, State and local statutes, and with such rules and regulations as are furnished to the Contractor by the Contracting Officer, governing the manufacture, storage, loading, handling, or transporting of military explosives, pyrotechnic, and inert materials. The Contractor will maintain such additional safety precautions for its personnel, for facilities staffed and operated by it, and for work in process, as are customary in the industry or in the Contractor's private operations. All personnel having access to the plant, including Government personnel, shall comply with all instructions issued by the Contractor in furtherance of the safety precautions. The Contractor shall install and maintain in and about the plant such plant protective devices and shall employ such guards and other personnel as the Contracting Officer may approve, including such personnel and protective devices for the prevention of espionage, sabotage, and other malicious destruction or damage. The Contractor shall make available such information with respect thereto as the Contracting Officer may request. The use by the Contractor of such Government-owned safety or plant protective equipment as may be located at the plant site is authorized subject to approval by the Contracting Officer.

(b) The Contractor agrees to furnish the authorized Security and Safety personnel of the Army Establishment with a survey of the existing internal security system and explosion-and-fire-prevention system in the portions of the plant staffed and operated by the Contractor. The Contractor agrees to make any changes necessary to cause the existing internal security system and explosion-and-fire-prevention system to comply with all applicable local, State, and Federal laws, rules, and regulations, including such Department of the Army regulations or _____ instructions as are furnished to the Contractor by the Contracting Officer, governing the manufacture, storage, loading, handling or transporting of military explosives, pyrotechnic, and inert materials.
(Procuring Activity)

(c) At any time during the term of this contract, the Contracting Officer or his duly authorized representative may require the Contractor to install and maintain in and about the plant additional protective devices, equipment, and personnel. The Contractor shall submit promptly to the Contracting Officer or his duly authorized representative, for prior approval as to estimated cost, detailed inventories, including the estimated cost of each item of protective devices or equipment so required to be installed and of installing the same, and a detailed estimate of the cost maintaining any such additional protective devices or equipment and personnel.

(d) Title to all plant protective devices and equipment added under paragraph (c) of this clause shall be in the Government. The Contractor, during the term of this contract or any extension thereof, shall maintain and keep in good condition and repair all such protective devices and equipment.

(e) The Contracting Officer and authorized Security and Safety personnel of the Army Establishment, at all times during the performance of this Contract or any extension thereof, shall have access to the portions of the plant staffed and operated by the Contractor in order to inspect, inventory, or remove any of said plant protective devices or equipment, and to inspect the premises with respect to compliance with all regulations and requirements concerning plant protection, safety, and security including any recommendations made by the appropriate Army Establishment personnel.

3. Section 596.150–5 is added as follows:

§ 596.150–5 *Subcontracting.* Insert the clause set forth below in all supply and construction contracts in amounts exceeding $5,000.

SUBCONTRACTING

(a) It is the policy of the Government as declared by the Congress to bring about the greatest utilization of small business concerns which is consistent with efficient production.

(b) The Contractor agrees to accomplish the maximum amount of subcontracting to small business concerns that the Contractor finds to be consistent with the efficient performance of this contract.

4. Section 596.513 (d) (5) is added as follows:

§ 596.513 *Purchase Order (WD Form 18).* * * *

(d) * * *

(5) *Renegotiation.* [Insert the same clause authorized for DA AGO Form 383 in § 590.705–10 (f) of this chapter.]

* * * * *

[Proc. Cir. 9, 26 June 1951, Proc. Cir. 10, 9 July 1951, and Proc. Cir. 11, 9 July 1951]
(R. S. 161; 5 U. S. C. 22. Interpret or apply 62 Stat. 21; 41 U. S. C. 151–161)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–8995; Filed, Aug. 3, 1951; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 1 to Supplementary Regulation 6]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 6—CEILING PRICES FOR MANUFACTURERS FOR THE SALE OF PAINTS, VARNISHES, AND LACQUERS

EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency Order No. 2 (16 F. R. 738) this Amendment 1 to Supplementary Regulation 6 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment extends the effective date of this supplementary regulation to August 13, 1951. This amendment is issued for the same reasons as Amendment to Ceiling Price Regulation 22, which also extends the effective date of that regulation to August 13, 1951. Accordingly, that portion of the Statement of Considerations for Amendment 20 to Ceiling Price Regulation 22, which deals with the extension of the effective date of that regulation, is equally applicable to this supplementary regulation.

AMENDATORY PROVISIONS

Supplementary Regulation 6 to Ceiling Price Regulation 22 is amended by amending the last paragraph of the regulation to read as follows:

Effective date. The effective date of this supplementary regulation is August 13, 1951, or such earlier date between June 21, 1951, and August 13, 1951, as you may select. If you select such an earlier date, this regulation becomes effective as to you upon that date for all of your commodities covered by this supplementary regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51–8959; Filed July 31, 1951; 5:07 p. m.]

[Ceiling Price Regulation 22, Amdt. 2 to Supplementary Regulation 10]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 10—POSTPONEMENT OF PRICE CALCULATIONS FOR CERTAIN RUBBER PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., as amended), Executive Order 10161 (15

F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Amendment 2 to SR 10 to CPR 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 1 to SR 10 to CPR 22 added a new section, section 6, to that supplementary regulation. Section 6 provides that manufacturers of reclaimed rubber retain their GCPR ceiling prices for such items until the section is revoked. The intention of section 6, as stated in the Statement of Considerations to Amendment 1 to SR 10, was that reclaimed rubber remain subject to the General Ceiling Price Regulation until the issuance of a tailored regulation covering the reclaimed rubber industry. With the issuance of such a regulation, ceiling Price Regulation 58, section 6 of SR 10 is, accordingly, revoked.

AMENDATORY PROVISIONS

Supplementary Regulation 10 to CPR 22 is hereby amended by revoking section 6 thereof.

(Sec. 704, Pub. Law 774, 81st Cong., as amended. Interprets or applies Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, Sept. 9, 1950; 15 F. R. 6105; 3 CFR, 1950 Supp.)

Effective date. This amendment shall become effective August 6, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8967; Filed, July 31, 1951; 5:02 p. m.]

[Ceiling Price Regulation 22, Amdt. 1 to Supplementary Regulation 12]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 12—EXTENSION OF EFFECTIVE DATE FOR PARTICULAR COMMODITIES

ESTABLISHMENT OF TERMINATION DATE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 12 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

On June 29, 1951, there was issued Supplementary Regulation 12 to Ceiling Price Regulation 22 which extended the effective date of CPR 22 for various commodities at the option of the manufacturer.

This amendment to Supplementary Regulation 12 provides that CPR 22 will become effective for these commodities on October 1, 1951, except for such of these commodities as may be governed by other regulations or supplementary regulations. It is recognized that to a considerable extent there are objections to the application of CPR 22 to these commodities, in part due to the administrative burden placed upon the sellers. The Office of Price Stabilization will provide means of establishing ceiling prices to obviate these objections. These provisions will be announced as soon as practicable, and in any event considerably in advance of the effective date of CPR 22 for these commodities.

AMENDATORY PROVISIONS

The first sentence of section 1 (a) of Supplementary Regulation 12 to CPR 22 is amended by substituting for the language "until further action by the Director of Price Stabilization" the language "until October 1, 1951" so as to make the sentence read as follows:

(a) *Optional period.* Notwithstanding any provisions of Ceiling Price Regulation 22, you may until October 1, 1951, elect not to use Ceiling Price Regulation 22 as to any of the commodities listed in paragraph (b) below and to continue to use as to these commodities ceiling prices determined under the General Ceiling Price Regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. The effective date of this amendment is July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8961; Filed, July 31, 1951; 5:06 p. m.]

[Ceiling Price Regulation 22. Supplementary Regulation 14]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 14—PRICING METHOD FOR CUSTOM MOLDED AND CUSTOM FABRICATED PLASTIC PRODUCTS

Pursuant to the Defense Production Act c 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation is issued to enable manufacturers of custom molded plastic products and manufacturers of certain custom fabricated plastic products to price such products under the standards of CPR 22 and in accordance with the business practices, cost practiccs, and the pricing methods of their industries. The regulation specifically permits such manufacturers to use the price determining methods or formulae which they used during the period from April 1 to June 24, 1950.

The manufacturers covered by this regulation produce each month a wide variety and a large number of new commodities. Approximately 90 percent of the products manufactured by the plastics industry are new items. A large percentage of these new items are custom molded. It was estimated by the industry's advisory committee that custom molders would be required, under the provisions of section 32 of CPR 22, to file each day from 25 to 35 applications for pricing custom molded plastic products.

The regulation applies to plastic products custom molded to one customer's specifications for sale to that one customer and produced with the tools and dies owned or controlled by that customer; and to plastic products custom fabricated from plastics sheet, rods, tubes and laminates to one customer's specifications and sold only to that one customer. The regulation is issued to provide for these products a pricing technique less burdensome than that now provided under CPR 22 for new items. The regulation does not apply to proprietary products as it is believed that these can be easily priced under CPR 22 without any unusual burden being placed upon the manufacturer or the Office of Price Stabilization.

In the Plastics Industry it is customary to establish prices for a commodity by the use of a price determining method or formula which establishes the various items of cost involved in the production and arrives at a price by the application of factors such as machine-hour rates, overhead rates, rates for administrative and selling expenses, profit markup and discounts and allowances.

The regulation provides that a manufacturer who qualifies may use a price determining method to establish his ceiling price for the commodity but he must use that price determining method last used during the period from April 1 to June 24, 1950, and applicable to the commodity being priced. Further, in using his price determining method, he must use costs as of the end of his base period. To the base period cost so determined, he may apply a labor cost adjustment computed in accordance with sections 8 or 9 of CPR 22 and a materials cost adjustment computed on the basis of the change, between the end of the base period and December 31, 1950 (March 15, 1951, or a current date, whichever is applicable), in cost of materials used in the production of the article being priced.

It is customary in the Plastics Industry for a manufacturer to sell to his customers dies, molds and/or special tools in connection with the sale of a plastics product. The practice in the industry is to sell such dies, molds and special tools at cost. The regulation provides that a manufacturer who purchases the dies, molds and/or special tools may sell them to his customer at a price not above his own cost; if the plastics manufacturer produces the die, mold and/or special tool in connection with the sale of a plastics product, he may sell them to his plastics customer at a ceiling price calculated under CPR 22 or CPR 30, whichever is applicable.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Sales covered by this supplementary regulation.
3. How you determine your ceiling price.
4. How sellers who had a price determining method prior to June 24, 1950 determine their base period price.
5. Labor cost adjustment factor.
6. Materials cost adjustment.

Sec.
7. Computation of ceiling price where you are unable to determine your base period cost.
8. Ceiling prices for dies, molds and special tools sold by the manufacturer in connection with the sale of a product.
9. Evasion.
10. Records.
11. Definitions.

AUTHORITY: Sections 1 to 11 issued under sec. 704; Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CPR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation provides a compulsory method for determining ceiling prices of custom molded and custom fabricated plastic products not sold or offered for sale by you prior to June 24, 1950. As to all plastic products sold or offered for sale prior to June 24, 1950, you establish your ceiling prices under CPR 22. This supplementary regulation supersedes all previously issued regulations as to the products covered by it. Ceiling Price Regulation 22 remains applicable to sellers who come under this supplementary regulation except to the extent that it is inconsistent with the provisions of this supplementary regulation.

SEC. 2. *Sales covered by this supplementary regulation.* This supplementary regulation covers sales of custom molded or custom fabricated plastic products first offered for sale subsequent to June 24, 1950. A custom molded plastic product is one sold exclusively to one customer, made to his specifications and produced with tools or dies owned or controlled by him. A molded plastic product is one produced by any molding process, including injection molding, extrusion, compression molding, plunger molding, transfer molding, blow molding and casting. A custom fabricated plastic product is one fabricated from plastic sheets, rods, tubes or laminates sold exclusively to one customer and made to his specifications. A plastic product is one made of any of the natural or synthetic organic materials which are derived from cellulose, proteins, hydrocarbons and resins (not including crude or synthetic rubber or balata) and which can be molded or fabricated into various shapes by the use of either heat or pressure or both. This supplementary regulation does not cover sales or proprietary plastic products. A proprietary plastic product is one which you manufacture for sale to more than one customer.

SEC. 3. *How you determine your ceiling price*—(a) *Sellers who had a price determining method in effect prior to June 24, 1950.* If you had a price determining method in effect prior to June 24, 1950, you determine your ceiling price for a plastic product covered by this regulation by first calculating what your base period price for the commodity would have been. Directions for doing this are contained in section 4 of this regulation. You then apply to this base period price your labor cost adjustment factor calculated in accordance with section 5 of this regulation and your materials cost adjustment calculated in accordance with section 6. The result is your ceiling price for the product. This ceiling price must be consistent in every respect with your base period price, e. g., it must carry all customary terms and conditions of sale.

(b) *New sellers and other sellers who had no price determining method in effect prior to June 24, 1950.* If you are a new seller or if for any other reason you had no price determining method in effect prior to June 24, 1950, you determine your ceiling prices in accordance with sections 32, 33, or 34 of CPR 22.

SEC. 4. *How sellers who had a price determining method prior to June 24, 1950, determine their base period price.* If you had a price determining method which you customarily employed during the period from April 1 to June 24, 1950, to establish the prices at which you sold custom molded or custom fabricated plastic products, you establish your base period price for the commodity being priced in accordance with that price determining method. This means that in establishing your base period price you use the same overhead rates, machine hour rates, if any, rates for general administrative and selling expenses, profit markup, discounts, and allowances, and any other bases of computing price by relation to cost that you used during your base period and that are applicable to the plastic product being priced. You must, however, follow the directions contained in paragraphs (a) and (b) in calculating your direct labor cost, and materials cost in arriving at your base period price.

(a) *Direct labor costs.* You determine your direct labor costs in accordance with whatever method you employed during your base period. The rate you use is the rate in effect at your plant during your base period. If you require the use of labor of a classification not employed by you during your base period you use as the rate for that classification the rate prevailing during your base period in the locality of your plant. If labor of that classification was not employed in this locality during your base period, you use the rate prevailing during your base period in the most comparable locality as accurately as you are able to determine that rate.

(b) *Direct material costs.* You determine the cost of any manufacturing material by multiplying the cost of such material at the end of your base period by the physical amount of the material used per unit in the plastic product being priced. You determine the net cost to you per unit of a manufacturing material in accordance with section 18 of CPR 22. If you are unable to determine a cost under paragraphs (a) through (h) of CPR 22 you may use the published list prices of the supplier of the material in effect at the end of the base period.

SEC. 5. *Labor cost adjustment factor.* You calculate your labor cost adjustment in accordance with sections 8 or 9 of Ceiling Price Regulation 22. However, you must use as a base period the period April through June 24, 1950.

SEC. 6. *Materials cost adjustment.* You calculate your materials cost adjustment as follows:

(a) Find the physical amount of the manufacturing material which will be used per unit in the plastic product being priced.

(b) Multiply the physical amount of each of these manufacturing materials by the change in its net cost between June 24, 1950, and December 31, 1950, except that for any material listed in Appendix B of CPR 22 you may figure the change to March 15, 1951, and for any material listed in Appendix C of CPR 22 you may figure the change to a current date, subject to the limitations contained in section 21 of CPR 22.

(c) Add together the resulting figures derived under paragraph (b) of this section which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. The difference between these totals is "the materials cost adjustment" to be added to the base period price.

SEC. 7. *Computation of ceiling prices where you are unable to determine your base period cost.* This section applies if you are unable to determine your base period cost of any material, part or subcontracted service which, you use in the production of a commodity for which you must obtain a base period price under this supplementary regulation. This material, part or subcontracted service will be referred to in this section as the "item".

(a) You compute the base period price of the commodity in accordance with your base period price determining method, but you disregard the cost of the "item" in computing your base period price.

(b) Using the figure you derive under paragraph (a) as your base period price, you compute your ceiling price under section 3.

(c) You determine your current cost, not in excess of the applicable ceiling price, of the "item" you disregarded in the computation under paragraph (a) and add to this your markup over total costs, less selling and general administrative expense, which is provided in the price determining method you used in paragraph (a).

(d) You add the totals found under paragraphs (b) and (c). This is your ceiling price for the new commodity.

SEC. 8. *Ceiling prices for dies, molds, and special tools sold by the manufacturer in connection with the sale of a product*—(a) *Purchase of dies, molds and special tools.* If you purchase a die, mold or special tool, and sell it to the customer in connection with the sale of a product priced under this supplementary regulation, the ceiling price of the die, mold or special tool shall be the price you paid but in no event may exceed the applicable ceiling price of the die, mold or special tool.

(b) *Manufacture of dies, molds and special tools.* Where you produce the die, mold or special tool and sell it to the customer in connection with the sale of a product priced under this supplementary regulation, the ceiling price for the die, mold or special tool shall be determined in accordance with the provisions of CPR 22 or CPR 30 whichever is applicable.

SEC. 9. *Evasion.* Price limitations set forth in this supplementary regulation shall not be evaded by direct or indirect methods. In the case of any evasion, the Director of Price Stabilization may by written order establish a ceiling price in line with the level of ceiling prices established by this supplementary regulation.

The production of any article, the ceiling price for which is established under this supplementary regulation, must be consistent with the factors used in applying your price determining method.

Example: If you determine your price on the basis of a mold or die producing five units per hour, you may not use this price if you change the mold or die to produce ten units per hour, without reducing your price downward to reflect the decrease of cost per unit to you.

SEC. 10. *Records.* If you price under this supplementary regulation, you must prepare and preserve all the records required under section 46 of CPR 22 and, in addition, keep complete and accurate records of every sale of a product covered by this supplementary regulation including:

(1) The date that the sale was made;

(2) The name and address of the buyer;

(3) The quantity of each class, type, condition and grade of product sold;

(4) The price per unit received;

(5) Labor rates in effect during your base period and on March 15, 1951. If you are a new seller since June 24, 1950, use June 24, 1950, as the end of your base period;

(6) Material costs and factory overhead rates in effect during your base period; material costs on December 31, 1951 (March 15, 1951, wherever applicable; and any other date you use in your computation); if you are a new seller since June 24, 1950, use June 24, 1950, as the end of your base period;

(7) Total cost estimate sheets and other data showing the calculation of price for all products for which the ceiling prices are determined under this supplementary regulation.

SEC. 11. *Definitions.*

"Base period:" This term means April 1 to June 24, 1950.

"End of your base period:" This term means June 24, 1950.

Effective date. This supplementary regulation shall become effective August 25, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8957; Filed, July 31, 1951; 5:07 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 15]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 15—STERILE CANNED MEAT AND DRY SAUSAGE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Congress), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738), this Supplementary Regulation 15 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 22 is presently applicable to sterile canned meat and to dry sausage. As it now applies to these items, the regulation is inappropriate in two respects. First, the opportunity to make a choice of base periods and the fact that the materials cost adjustment is based on costs on one day of the base period have resulted in abnormally high increases for some sellers because costs of meat were at unusually low levels in relation to prices on December 31, 1949, the date selected by many manufacturers of sterile canned meat and dry sausage. Second, the regulation does not recognize costs of beef established under Ceiling Price Regulation 24, because CPR 24 was issued subsequent to March 15, 1951, the cutoff date applicable to manufacturing materials used in sterile canned meat and dry sausage. This has proved unfair to many manufacturers of sterile canned meat and dry sausage who use beef in the items they sell.

This supplementary regulation deals with both of these problems. It establishes a mandatory base period, April 1, 1950, to June 24, 1950, with respect to sterile canned meat and dry sausage. It provides a new method of calculating all materials cost adjustments with respect to those items under CPR 22. It requires the use of two weeks rather than one day in the base period. It provides for comparison of costs in this period with costs during two weeks preceding March 15, 1951, in the case of manufacturing materials other than beef, and with costs during two weeks preceding June 24, 1950, in the case of beef.

Those sellers who have calculated ceiling prices for sterile canned meat and dry sausage must recalculate them in accordance with the provisions of this supplementary regulation.

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950. In formulating this supplementary regulation it has not been feasible to consult with industry representatives.

In so far as practicable, the Director of Price Stabilization gave due consideration to the national effort to effect maximum production in furtherance of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Base period.
3. How to determine your "materials cost adjustment" for sterile canned meat or dry sausage.
4. Labor cost adjustment.
5. Redetermination of ceiling prices.
6. Incorporation of Ceiling Price Regulation 22 by reference.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This regulation applies to you if you are a manufacturer of sterile canned meat or dry sausage. It provides a new base period, and establishes a new method for determining your materials cost adjustment under Ceiling Price Regulation 22 for sterile canned meat and dry sausage. You must use the method prescribed in this supplementary regulation instead of any other method prescribed in CPR 22. You must recalculate your ceiling price for each item of sterile canned meat and dry sausage in accordance with this supplementary regulation.

SEC. 2. *Base period.* Your base period shall be the period April 1, 1950, to June 24, 1950.

SEC. 3. *How to determine your "materials cost adjustment" for sterile canned meat or dry sausage.* To calculate "the materials cost adjustment" for each item of sterile canned meat or dry sausage, you do the following:

(a) Find the physical amount of each manufacturing material which you normally used in the base period per unit of sterile canned meat or dry sausage being priced.

(b) With respect to a manufacturing material other than beef, multiply the physical amount of said material determined under section 3 (a) by the difference between (1) its average net cost per unit in the last two calendar weeks of the base period in which you made purchases of the manufacturing material and (2) its average net cost per unit in the last two calendar weeks preceding March 15, 1951, during which you made purchases of the manufacturing material. When the manufacturing material is beef, multiply the physical amount of beef determined under section 3 (a) by the difference between (1) its average net cost per unit in the last two calendar weeks of the base period during which you made purchases of such beef, and (2) its average net cost per unit in the last two calendar weeks preceding June 24, 1951, during which you made purchases of such beef.

(c) Add together the resulting figures derived under paragraph (b) of this section which represent increases in net cost. Do the same with the resulting figures which represent decreases in net cost. The difference between these totals is "the materials cost adjustment" to be added to the base period price in accordance with section 3 (a) of CPR 22.

SEC. 4. *Labor cost adjustment.* Your labor cost adjustment shall be calculated as provided in CPR 22 except that you must use the base period required by this supplementary regulation.

SEC. 5. *Redetermination of ceiling prices.* You must redetermine your ceiling price for each item of sterile canned

meat or dry sausage sold by you in accordance with the provisions of CPR 22 and of this supplementary regulation. You must mail an amended OPS Public Form 8 by September 15, 1951. Until September 15, 1951, your ceiling price shall be that heretofore determined under CPR 22 or, if you have no ceiling price for an item of sterile canned meat or dry sausage effective under CPR 22, your ceiling price for that item shall be that determined under the General Ceiling Price Regulation. On and after September 16, 1951, your ceiling price for an item of sterile canned meat or dry sausage shall be the ceiling price determined pursuant to CPR 22 and this supplementary regulation.

SEC. 6. *Incorporation of Ceiling Price Regulation 22 by reference.* Each manufacturer of sterile canned meat or dry sausage subject to this supplementary regulation shall be subject to all the provisions of Ceiling Price Regulation 22 which are not inconsistent with the provisions of this supplementary regulation.

Effective date. This supplementary regulation shall become effective on August 6, 1951.

NOTE: The record keeping and reporting requirements of this supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8964; Filed, July 31, 1951; 5:04 p. m.]

[Ceiling Price Regulation 24, Amdt. 4]

CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Defense Production Act Amendments of 1951, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with Respect to the Allocation of Meat (16 F. R. 1272) and Economic Stabilization Agency General Order 5 (16 F. R. 1273), this Amendment 4 to Ceiling Price Regulation 24 is hereby issued.

STATEMENT OF CONSIDERATIONS

(1) A substantial amount of beef purchased outside the United States at prices in excess of the ceiling prices established in CPR 24 has been imported either for resale or for processing in this country. Along with creating pressure against the domestic ceiling prices of the buyers of this beef, the increase in importation of beef at these high prices has seriously increased beef prices in some of the countries from which this beef is being imported and has drained a substantial portion of their supply.

The pressure against domestic ceiling prices has become very serious, and, therefore, this amendment prohibits the importation of beef purchased at prices above domestic ceiling prices at the point of consignment. Criteria are established for determining purchase price and domestic ceiling price. It is incumbent upon the import-purchaser of carcasses and wholesale cuts to estimate the grade and not buy at a price higher than the price established in CPR 24 for beef carcasses or cuts of like grade.

(2) This amendment also transfers the counties of Dubuque, Jackson, Clinton, and Scott, Iowa from Zone 1 into a new Zone 2b. Slaughterers in this area have been forced into a position of competitive disadvantage by operation of the zone differential allowance provided slaughterers in adjacent areas of Wisconsin and Illinois. Since slaughterers in Wisconsin and Illinois are located in Zones 2a and 4 respectively, they are allowed certain zone differential allowances which enable them to compete more effectively for live cattle in areas where slaughterers in these four counties normally procure their livestock. Slaughterers in this area of Iowa have, therefore, been unable to buy cattle in compliance with the provisions of Ceiling Price Regulation 23.

To alleviate this situation, Zone 2b has been created which includes these four counties and a new zone addition based upon 60 percent of the freight rate from Omaha has been provided for all grades of beef in this zone.

(3) Slaughterers located in southwest Texas have experienced a similar competitive disadvantage in buying cattle which has necessitated another zone change. In Zone 2, including southwest Texas, no allowance has been established on the lower grades of cattle since there are substantial quantities of lower grades of cattle in Zone 2.

Slaughterers in this southwest area of Texas, however, do not have sufficient quantities of lower grade cattle and procure a substantial portion of their cattle supply from outside the immediate territory, some of the major market areas being over 500 miles from their slaughtering plants. As a result, slaughterers in this area are not able to bid competitively and in compliance in these distant markets upon which they depend for a substantial part of their supply.

To correct this situation, that portion of Texas west and southwest of the Pecos River has been transferred into a new Zone 2c and a new zone addition based upon 60 percent of the freight rate from Denver has been provided for the four lower grades of beef in this zone.

(4) The definitions of ground beef, ground beef in casings and ground beef patties in CPR 24 permit the sale of ground beef with a fat content of 30 percent. It was anticipated that under this regulation sellers would continue their practice of making ground beef containing about 25 percent fat, but the regulation permitted the additional fat to give sellers leeway to make occasional batches of fatter ground beef without violating the regulation. Since issuance of the regulation, certain sellers have abused this provision of the regulation and have made all of their ground beef with 30 percent fat. This amendment corrects this situation by prohibiting the sale of ground beef, ground beef in casings and ground beef patties with fat content higher than 25 percent, thus restoring normal industry practices.

(5) Many sellers at wholesale have asked that the definition of ground beef be amended to permit the sale of leaner ground beef. This amendment, therefore, permits the sale of ground beef and ground beef patties with a fat content of not in excess of 12 percent and provides ceiling prices for these leaner products. The leaner ground beef may be sold at the higher prices established by this amendment only under defined conditions which are necessary to assure purchasers a regular supply of the lower priced ground beef. Therefore, if, at any time, a purchaser requests ground beef (bulk) or ground beef patties and the seller is unable to supply his demand, the seller may not sell him lean ground beef or lean ground beef patties at a price higher than the ceiling price for ground beef (bulk) or ground beef patties, respectively.

(6) In view of the provisions with respect to rollbacks on agricultural commodities in the legislation extending the price control law beyond July, the price schedules effective August 1 are canceled.

(7) Ceiling Price Regulation 24 prohibited the sale of cuts not defined therein, but permitted the sale of certain types of specialty steak products sold in 1950. Widespread evasion of this regulation has occurred, the sale of prohibited cuts—for example, high priced ground beef—being continued under the guise of specialty steak products sold during 1950. It is necessary to prevent this sort of evasion of Ceiling Price Regulation 24 and to more clearly define specialty steak products. Accordingly, a more precise definition is provided in this amendment. Those products which do not satisfy the criteria of the definition may not, hereafter, be sold as specialty steak products.

Conclusion. In formulating this amendment, the Director of Price Stabilization has consulted with industry representatives as far as practicable and has given full consideration to their recommendations. In his judgment, the provisions of this amendment are generally fair and equitable and necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability. To the extent that this amendment compels changes in business practices, such changes are necessary to prevent circumvention or evasions of this regulation.

AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended in the following respects:

1. Section 11 is amended by adding at the end thereof a new paragraph (c) to read as follows:

(c) *Importation at prices above ceiling.* Regardless of any contract, agreement or other obligation you shall not, by direct or indirect methods, import into the 48 states or the District of Columbia from a foreign country any beef product purchased by you, directly or through any agent, or through a foreign or domestic corporation affiliated with you, or any foreign or domestic subsidiary thereof, if this beef product has a landed cost higher than the domestic ceiling price at the point of consignment.

(1) The "landed cost" shall mean the amount you paid for the product, directly or indirectly, plus the following expenses actually incurred by or for you:

(i) transportation costs to the point of consignment;

(ii) customs duties or other import taxes;

(iii) other commodity taxes;

(iv) dock charges;

(v) clearance;

(vi) insurance;

(vii) letter of credit expenses;

(viii) any customary buying commission to a purchasing agent outside continental United States; and

(ix) grading.

(2) The "domestic ceiling price at the point of consignment" shall mean the lowest price established in the appropriate schedule for this grade of beef product when sold by a slaughterer, plus the zone differential, where applicable, to the point to which the shipment is consigned. In computing this price the point to which the shipment is consigned shall be the distribution point and none of the additions provided in sections 41 through 48, inclusive, may be added.

(3) *Records.* Each of you who imports into the 48 States or the District of Columbia from a foreign country any beef product purchased by you, directly or indirectly, shall make and preserve for a period of two years the records required in section 9 (a) of this regulation; and, in addition to the information required to be shown in paragraphs (1) through (4) therein, you shall also make and preserve records for a period of two years showing any of the actual costs listed in paragraph (c) (1) (i) through (ix) of this section which you incurred.

2a. Appendix 1 (a) is amended by deleting the word "Iowa" where it appears in the line "The entire States of Nebraska, Iowa, Kansas, and South Dakota" and by adding at the end of Appendix 1 (a) the following:

The entire State of Iowa except the counties of Dubuque, Jackson, Clinton and Scott.

b. Appendix 1 is amended by adding at the end thereof a new paragraph (h) reading as follows:

(h) *Zone 2b.* Zone 2b means the area described as follows:

The portion of Iowa which is not included in Zone 1, i. e., the counties of Dubuque, Jackson, Clinton, and Scott.

c. Section 40 is amended by adding at the end thereof a new subsection (f), reading as follows:

(f) *Zone 2b.* The amount to be added as a zone differential where the distribution point is located in Zone 2b shall be determined by multiplying by 60 percent the fresh meat railroad carload freight rate from Omaha, Nebraska, to the distribution point, adjusted to the nearest 10¢ per cwt.

3a. Appendix 1 (b) is amended by deleting the word "Texas" where it appears in the line beginning "The entire States of Oklahoma, Arkansas, Louisiana, Texas, New Mexico, and North Dakota" and by adding at the end of Appendix 1 (b) the following:

The entire State of Texas, except that portion west and southwest of the Pecos River.

b. Appendix 1 is amended by adding at the end thereof after paragraph (h) a new paragraph (i), reading as follows:

(i) *Zone 2c.* Zone 2c means the area described as follows:

The portion of Texas which is not included in Zone 2, i. e., that portion of Texas west and southwest of the Pecos River.

c. Section 40 is amended by adding at the end thereof after subsection (f) a new subsection (g) reading as follows:

(g) *Zone 2c.* For beef graded prime or choice, and for beef variety meats and by-products listed in section 26 of this regulation the amount to be added as a zone differential where the distribution point is located in Zone 2c shall be the fresh meat railroad carload freight rate from Denver, Colorado, to the distribution point, adjusted to the nearest 10¢ per cwt.

For beef graded good, commercial, utility, cutter or canner, the amount to be added as a zone differential where the distribution point is located in Zone 2c shall be determined by multiplying by 60 percent the fresh meat railroad carload freight rate from Denver, Colorado, to the distribution point, adjusted to the nearest 10¢ per cwt.

4. Appendix 4 (a) (33) is amended by deleting "30% by chemical analysis" where it appears therein, and substituting therefor "25% by chemical analysis."

5a. Section 21 (a), (b), and (c), as amended, are amended by adding within the tables captioned "Schedule II (a)", "Schedule II (b)" and "Schedule II (c)" immediately below the lines beginning "37. Stewing beef" two new lines and prices reading as follows:

Fabricated beef cuts	Prices by grade				
	Prime	Choice	Good	Commercial	Utility
38. Lean ground beef [2]	65.40	65.40	65.40	65.40	65.40
39. Lean ground beef patties [2]	70.40	70.40	70.40	70.40	70.40

b. Section 21 (a), (b) and (c), as amended, are amended by adding immediately after the line reading "This grade of this cut is not permitted to be sold and/or delivered" a new footnote 2 reading as follows:

[2] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef or lean ground beef patties at a price in excess of the ceiling prices for ground beef (bulk) or ground beef patties.

c. Section 22, as amended, is amended by adding within the table captioned "Schedule III" immediately below the line beginning "18. Tenderloins (military specifications)" two new lines and prices for columns (2) through (8), consecutively, reading as follows:

19. Lean ground beef: [1]
63.00 63.50 64.00 64.50 65.00 65.50 66.00
20. Lean ground beef patties: [1]
68.00 68.50 69.00 69.50 70.00 70.50 71.00

d. Section 22, as amended, is amended by adding immediately below the table captioned "Schedule III" a footnote reading as follows:

[1] If, at any time, a purchaser requests you to sell him ground beef (bulk) or ground beef patties and you are unable to supply his demand, you may not sell him lean ground beef (bulk) or lean ground beef patties at a price in excess of the ceiling price for ground beef (bulk) or ground beef patties.

e. Appendix 4 (a) is amended by adding, immediately following Appendix 4 (a) (37) the following:

(38) Lean ground beef (hamburger, hamburg steak, hamburger steak) means ground, chopped, or comminuted fresh beef only derived from the skeletal portion of the dressed carcass (but not including head meat) which contains no offal, added blood, cartilage, bone, cereal product, water or ice, or any adulterant or other foreign substance except seasoning, and which does not have a fat content in excess of 12 percent by chemical analysis. "Lean ground beef" shall be ground twice, the final grinding through a plate with holes not more than 3/16 of an inch in diameter, or chopped in a rotary cutter or by other means giving equivalent results.

(39) Lean ground beef patties means lean ground beef which has been formed in portions of uniform size and thickness, each of which shall not weigh more than four ounces. They may be formed by hand or machine.

f. Appendix 3 (a), as amended, is amended by adding, immediately following Appendix 3 (a) 18, the following:

(19) Lean ground beef means lean ground beef as defined in Appendix 4 (a) (38).

(20) Lean ground beef patties means lean ground beef patties as defined in Appendix 4 (a) (39).

6. a. Section 20 (a) is amended by deleting therefrom the words "Effective through July 31, 1951".

b. Sections 20 (b) and 24 (b) are deleted.

7. Appendix 7 is amended by adding thereto, immediately before Appendix 8, the following paragraph:

(e) Specialty steak product means a beef product which

(1) Differs substantially from a beef product for which a ceiling price is provided by this regulation;

(2) Was sold in 1950 by retailers as a specialty item at a substantially higher price per pound than the most similar beef cut for which a ceiling price is provided in

Ceiling Price Regulation 25, or was sold to purveyors of meals in 1950 as a specialty item at a substantially higher price per pound than the most similar beef product for which a ceiling price is provided in Ceiling Price Regulation 24;

(3) Is contained in a distinctive wrapping or package bearing the weight of the cut, a list of the ingredients, the grade of the beef contained therein, and the name of the processor; and

(4) Requires a substantial investment for the equipment used to process and wrap or package the item.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective on August 1, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 1, 1951.

[F. R. Doc. 51-8979; Filed, Aug. 1, 1951; 10:21 a. m.]

[Ceiling Price Regulation 30, Amendment 6]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

EXTENSION OF EFFECTIVE DATE AND RELATED CHANGES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment extends the effective date of Ceiling Price Regulation 30 to August 13, 1951. Further, this amendment provides that the requisite 15-day waiting period before putting price increases into effect continued to run during the period when Ceiling Price Regulation 30 was partially suspended by General Overriding Regulation 13. Similar changes are made with respect to the running of waiting periods prescribed in sections 9 (b), 41 and 42. In addition, this amendment permits applications for temporary adjustments to carry out existing contracts to be filed on or before September 4, 1951, instead of August 1, 1951.

This amendment accomplishes the same objectives and is issued for the same reasons as Amendment 20 to Ceiling Price Regulation 22. Accordingly, the Statement of Considerations for Amendment 20 to Ceiling Price Regulation 22 is equally applicable to this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended in the following respects:

1. The last paragraph of the regulation is amended to read as follows:

Effective date. The effective date of this regulation is August 13, 1951, or such earlier date between May 28, 1951, and August 13, 1951, as you may select. Any such earlier effective date selected on or after July 31, 1951, may not, however, be a date earlier than July 31, 1951. If you select an effective date earlier than August 13, 1951, this regulation becomes effective as to you upon that date for all of your commodities and services covered by the regulation.

2. In section 9 (b) (1) a sentence is added after the second sentence of the second paragraph to read as follows: "This 30-day waiting period shall include each day subsequent to the date of receipt of the required report by the Office of Price Stabilization (or any verification of the facts stated in the report that may be requested), regardless of the date on which the report (or any verification of the facts stated in the report that may be requested) was received by the Office of Price Stabilization."

3. Section 35 (f) is added to read as follows:

(f) Extension of the effective date of this regulation pursuant to Amendment 5 of this regulation. In case of such a redetermination, you must file an amended Public Form No. 8 by August 13, 1951.

4. Section 41 (d) is amended by adding the following sentence: "This 30-day waiting period shall include each day subsequent to the date of receipt of your application (or of any additional information that may have been requested), regardless of the date on which your application (or of any additional information that may have been requested) was received by the Office of Price Stabilization."

5. Section 42 (c) is amended by adding the following sentence: "The 30-day waiting period shall include each day subsequent to the date of receipt of the application by the Director of Price Stabilization, regardless of the date on which your application was received by the Director of Price Stabilization."

6. The first sentence of section 43 (c) is amended to read as follows: "Applications for adjustment under this section must be filed on or before September 4, 1951, with the Industrial Materials and Manufactured Goods Division, Office of Price Stabilization, Washington 25, D. C."

7. Section 46 (c) (2) is amended by adding the following sentence: "This 15-day waiting period shall include each day subsequent to the date of receipt of your report by the Office of Price Stabilization, regardless of the date on which your report was received by the Office of Price Stabilization."

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective on July 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8960; Filed, July 31, 1951; 5:06 p. m.]

[Ceiling Price Regulation 51]

CPR 51—FOOD PRODUCTS SOLD IN PUERTO RICO

REVOCATION OF SUSPENSION AND EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Congress, as amended), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this revocation of suspension and extension of effective date is hereby issued.

(1) *Notice of revocation of suspension.* Notice of suspension of the provisions of CPR 51 issued July 5, 1951, is hereby revoked.

(2) *Extension of effective date.* The effective date provision of CPR 51 is hereby amended to read: This regulation shall become effective August 13, 1951.

This revocation of suspension and extension of effective date notice shall become effective as of August 1, 1951.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8958; Filed, July 31, 1951; 5:06 p. m.]

[Ceiling Price Regulation 64]

CPR 64—TIRE MILEAGE

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 64 is hereby issued.

STATEMENT OF CONSIDERATIONS

Many bus and taxicab operators rent the tires and tubes used by them from suppliers who usually manufacture the tires and tubes as well as service them for the users. This relationship is referred to as the tire mileage business. This is strictly a service business as title to the tires and tubes never leaves the manufacturer. In most cases all phases of service are involved, such as inspection, mounting, repairing, etc.

The usual industry practice for pricing this service is to negotiate a contract between the manufacturer and the mileage operator for relatively long periods of time, never less than a year, and often running two to five years. Various base rates are established taking into consideration the individual operating conditions, the size of the tire to be used, the type of equipment which the operator has in service, and the type of roads travelled. In addition to these base rates, an adjustment clause generally applies to each contract permitting increases or decreases of the base rate for changes in these two primary factors:

(1) The cost of rubber.

(2) The cost of rayon and/or cotton. Furthermore, should the average mileage delivered exceed the pre-determined expectations, there are usually provisions which allow bonuses to the operator; and there is usually a provision relating to disposal of the tires at termination of the contract.

A tire mileage contract therefore does not permit any adjustment for labor increases, general overhead and administrative increases, advertising, transportation or any other cost increases except increases in the cost of the major raw materials, rubber, rayon and cotton.

This regulation freezes the particular supplier's base rates at the general level of the base period, December 19, 1950, to January 25, 1951, the same base period used under the General Ceiling Price Regulation and Ceiling Price Regulation 34, but allows for adjustments to reflect changes in the cost of the raw materials, rubber, rayon and cotton, from their cost at the time of the execution of the contract to their cost during subsequent accounting periods stated in the contract. It provides for new suppliers and new accounts by keeping the new contracts in line with the rest of the industry. Each operator is considered a separate class of purchaser because of the many differences in rating elements and their costs involved in each contract. In so doing, normal and established pricing methods for this service industry are maintained.

As a result of this regulation, there will be no immediate change in the cost of this service since the base rates of existing contracts are frozen and costs of the major raw materials, which are the bases for adjustments of the base rates for the immediate future, have not changed significantly since the freeze date. Cost changes are expected in these raw materials, however, and these will be passed on to the operator accordingly.

When the rates in the tire mileage industry were frozen by the General Ceiling Price Regulation and Ceiling Price Regulation 34, there was no provision for changes in the costs of the two major raw materials which represent more than half the cost of the tire. Therefore, if the costs of these raw materials increased, suppliers would have their profit margins cut substantially or eliminated entirely since this industry operates on a comparatively small profit margin. This would be undesirable since most large bus and taxicab operators use this service and the automotive transportation industry would be seriously disrupted. Under these contracts operators pay for their tires as they use them, in a more or less direct ratio, with no large capital outlay, such as would be required if they were compelled to buy their tires outright.

On the other hand, if the costs of these raw materials decreased, this decrease would not be passed on to the operator. This would be undesirable since most bus and taxicab rates are set by some public official or body and most petitions by operators for an increase or decrease in rate are based upon a rise or fall in the cost of operation. Thus a decrease in the cost of tire mileage might be reflected in a reduction in operators' charges or would offset other cost increases of the operator.

The Director of Price Stabilization considers both existing alternatives undesirable. Accordingly, in order to pass on certain decreases in costs to the operator and permit the supplier to continue this service by compensating him for increases in the costs of the major raw materials only, this regulation permits increases and requires decreases in costs to be passed on to the operator and all other cost increases or decreases to be absorbed by the supplier by the inclusion of an escalator clause in all tire mileage contracts, which is the normal industry practice.

In the judgment of the Director of Price Stabilization, this regulation is generally fair and equitable and will effectuate the purposes of the Defense Production Act of 1950.

In formulating this regulation, the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Coverage.
2. How to determine your ceiling rate.
3. Ceiling rates for new suppliers and new operator accounts.
4. Records.
5. Adjustments.
6. Adjustable rating.
7. Prohibitions.
8. Evasion.
9. Petitions for Amendment.
10. Penalties.

AUTHORITY: Sections 1 to 10 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *Coverage.* This regulation applies to transactions between you, if you supply tire mileage, and the person who buys such tire mileage from you, hereinafter referred to as the "operator". "Tire mileage" as used in this regulation means the supplying and servicing of tires for an operator at a rate per mile. "Tires" as used in this regulation refers to pneumatic rubber tires and tubes and any flaps that are used therewith. Each individual operator is to be considered a separate class of purchaser. This regulation does not apply to the renting of vehicles where a charge for the tires or tubes is included in the rental charge for the vehicle. This regulation applies in the 48 States and the District of Columbia, but not in the territories and possessions of the United States.

SEC. 2. *How to determine your ceiling rate.* The ceiling rate for tire mileage as defined in section 1 above is determined as follows:

(a) If at any time during the base period, which is December 19, 1950, to January 25, 1951, you had in effect a tire mileage contract with an operator, your ceiling rate for tire mileage to that operator is the rate computed pursuant to the provisions of such contract so long as you supply tire mileage to that operator.

(b) Notwithstanding the provisions of section 2 (a) above, on and after September 1, 1951, no payments shall be made on any tire mileage contract unless it includes adjustments pursuant to a clause which passes on to the operator increases or decreases in the cost of rubber, rayon and cotton and was either in effect during the base period or approved by the Director of Price Stabilization.

If you had no such clause in a tire mileage contract in effect during the base period you may apply in writing to the Rubber Branch, Office of Price Stabilization, Washington 25, D. C., proposing such a clause for inclusion in your ceiling rate computations for such contract. This application shall contain a proposed adjustment clause and an explanation of your methods of computation contained therein. You should submit comparative data if available, on your other such adjustment clauses, if any, and competitive supplier's adjustment clauses in effect during the base period to similar operators.

You may not use the proposed clause until 15 days after mailing your application; thereafter, unless and until notified by the Director of Price Stabilization that your proposed clause has been disapproved or that more information is required your proposed clause shall be deemed approved. In the event that more information is required you may not use the proposed clause until 15 days after mailing the additional information.

SEC. 3. *Ceiling rates for new suppliers and new operator accounts.* (a) If you cannot calculate your ceiling rate under section 2 of this regulation:

(1) Because you are a new supplier; determine your base rates as well as your total ceiling rate for your service on an inline basis with the rest of the suppliers in the industry, taking into account the same factors, escalation clauses, bonus provisions, etc. as was used by suppliers of similar service to similar operators during the base period.

(2) Because you have a new operator account; determine your base rates as well as your total ceiling rate for your service on an inline basis with your other accounts if similar, which were being serviced during the base period, considering the same factors, where applicable, and using the same terms and conditions. Where you had no accounts similar to a new one, during the base period, compute your base and ceiling rates as well as terms and conditions in a manner and at costs in line with those used by other suppliers of the tire mileage industry. "New Operator Account," as used in this regulation, is an account which entered into a tire mileage contract with a supplier subsequent to the base period.

(b) Within 10 days after execution of a contract or 10 days after the effective date of this regulation whichever is later, a copy of any such contract involving a new supplier or a new operator account shall be filed by the supplier with the Rubber Branch, Office of Price Stabilization, Washington 25, D. C., together with a letter justifying the base rates contained therein by showing compliance in detail with paragraph (a) of this section. Your ceiling rates for sup-

plying tire mileage to that operator will be determined pursuant to your proposed contract, unless and until the Director of Price Stabilization, disapproves or modifies the rates stated in the contract.

SEC. 4. *Records.* (a) You must prepare and preserve for examination by the Office of Price Stabilization all records regarding your rates and rating methods for tire mileage contracts in effect during the base period, so long as the Defense Production Act of 1950 remains in effect and for two (2) years thereafter.

(b) You must prepare and preserve for examination by the Office of Price Stabilization all records regarding the rates and rating methods for tire mileage contracts executed after the base period for the life of the contract or two years, whichever is longer.

SEC. 5. *Adjustments.* (a) You may apply for an upward adjustment of your ceiling rates established by this regulation if as a result of these ceiling rates you would operate at rates which are lower than those utilized by the tire mileage industry generally for a similar set of rating factors.

(b) If you believe one or more of your ceiling rates are not in line with those of the industry, you may apply by letter to the Director of Price Stabilization for permission to raise such rates. Your letter should contain detailed justification for the new rates by showing them to be in line with the rates charged by other tire mileage suppliers for a similar set of rating factors. Unless and until the Director of Price Stabilization approves in writing your proposed higher ceiling rates, you will continue using your ceiling rate established under section 2 or 3 of this regulation.

SEC. 6. *Adjustable rating.* Nothing in this regulation shall be construed to prohibit your making a tire mileage service contract at the ceiling rate in effect at the start of the contract or the lower of a fixed rate or a ceiling rate in effect at the start of the contract. You may not, however, unless specifically authorized by the Office of Price Stabilization, deliver or agree to deliver the tire mileage service at a rate to be adjusted upward in accordance with any increase in the ceiling rate after the start of the contract.

SEC. 7. *Prohibitions.* (a) On or after the effective date of this regulation, regardless of any contract or other obligation, you may not sell tire mileage and no person shall buy tire mileage at a rate higher than the ceiling rate. Of course, you may charge and the operator may pay lower rates than your ceiling rates at any time.

(b) Once you have reported your base ceiling rate or proposed base ceiling rate as required by this regulation, you may not thereafter redetermine it. A purely arithmetical error may, however, be corrected, but the correction must be reported to the Rubber Branch, Office of Price Stabilization, Washington 25, D. C.

SEC. 8. *Evasion.* Any practice which results in obtaining indirectly a higher rate than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to changes in the usual industry practices and charges regarding abused tire penalties and termination rates.

SEC. 9. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1.

SEC. 10. *Penalties.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

Effective date. The effective date of this regulation is August 6, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8956; Filed, July 31, 1951; 5:08 p. m.]

[Ceiling Price Regulation 65]

CPR 65—CEILING PRICES FOR CANNED SALMON

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 65 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes specific dollars-and-cents ceiling prices for sales of canned salmon by canners.

The prices of most canned salmon items increased sharply during the period from June 1950 to January 25, 1951. These increases were occasioned by the abnormally short pack in 1950 and by the wave of speculative buying which followed the outbreak of war in Korea. Further price increases were arrested by the issuance of the General Ceiling Price Regulation on January 26, 1951. At the time of issuance it was recognized that the general price freeze was not well adapted to the long range control of prices in many parts of the economy. This is especially true with respect to canned salmon. Virtually all salmon is canned during the Spring and Summer months and, because of the short pack in 1950, many canners did not make sales during the General Ceiling Price Regulation base period of December 19, 1950, to January 25, 1951. Moreover, scattered sales during the base period established varied ceiling prices for different sellers of identical items. Many packers, particularly in areas in which fish are canned during the early part of the season, will be forced to establish prices by using comparison commodities or adopting ceiling prices of competitors under sections 4 and 6 of the General Ceiling Price Regulation. Accordingly, orderly production and marketing of the 1951 pack will be facilitated by the establishment of uniform prices for identical species and grades following the historical pricing methods of the industry.

Canned salmon constitutes the largest single fishery product of the Northwest and provides a major source of low-priced, high-protein food throughout the United States. The industry is subject to peculiar conditions not common to other industries, such as severe limitations on natural supply and extreme seasonal variations in the availability of fish from year to year and among different localities. Consequently, it is desirable to establish uniform ceiling prices at levels which are generally fair and equitable if supplies of this essential food are to be made available at reasonable prices to the consumer.

The scope of cannery operations for a given year must be determined several months in advance of the first sales, and on the basis of only very general estimates of unit costs. Since a substantial part of total operating and administrative expense represents fixed commitments, unit costs vary widely with the size of the pack. Once the canning season is completed, virtually all costs may be regarded as fixed, and prices are determined on the basis of current and anticipated demand and the size of inventories held. Accordingly, it is the aim of this regulation to establish ceiling prices which will closely approximate normal competitive conditions directly in line with industry practice.

This regulation establishes dollars-and-cents ceiling prices for those items customarily distinguished for pricing purposes by the industry. Uniform prices are established for each grade and specie, regardless of producing area, and the differentials among prices of different species and grades here established are more representative of the experiences of recent years than those frozen under the General Ceiling Price Regulation. Consideration has been given to various "specialty packs" which the industry has traditionally distinguished in establishing market prices. The regulation preserves a normal average spread between raw fish prices and canned prices.

The standards used in arriving at these ceiling prices were established by adding to the prices at which the bulk of the 1949 pack was sold those increased unit costs which are reasonably common to all producers of major items. These cost elements, which include canning labor, raw fish and packing materials, and freight and warehousing, account for a substantial part of the total cost of goods sold by representative canners. The prices at which the bulk of the 1949 pack was sold are used as the base for these ceiling prices since the composition of the 1949 pack was more representative of normal operations than that experienced in 1950. The 1950 pack was the smallest in twenty years, primarily because of an unprecedented decline in the supply of Alaska Pinks in an "even" year when Puget Sound produces very little of that species. The pack was completed shortly after the

outbreak of war in Korea and the combined effect of short supply, speculative buying, and rumors of heavy military purchases resulted in an extraordinarily rapid rise in prices and decline in canner inventories. Moreover, the relative scarcity of Pinks produced ceiling prices for Pinks and Chums which are far out of line with those of other species.

Additionally, for some species these adjusted prices have been increased slightly less than $1.00 per standard case. The price for Cohoes was held at the adjusted level in order to preserve a normal relationship to the Red and Chinook prices which tend to govern it. Pinks were increased by $1.50 partly because estimated production in 1951 is substantially short of 1949 and partly because the price of Pinks was abnormally depressed during that year. For the most part these additional allowances have been made to recognize that 1949 prices for some species represented a decline from 1948 levels which resulted in relatively low earnings in 1949.

This regulation provides different prices for Chinook or King canned in different localities, ranging in descending order from the fancy Columbia River Chinook through the Alaska Chinook, Alaska King, and Puget Sound Chinook. These differences arise from the variance in the quality of fish at the time it is caught and, to a lesser degree, from special care in packing. These differentials have been established long since in the industry and were recognized in the canned salmon regulation (MPR 265) under the OPA. The same is true of Sockeyes and Reds packed in the Copper River and Puget Sound areas.

Differentials which follow industry distinctions have been recognized between flat and tall one pound cans. The amount packed in one pound flats is not significant. Half pound flats are priced at approximately 60 percent of prices for the same item in one pound talls. This figure conforms closely to free market quotations in post-war years. On the same basis the small quarter-pound packs are priced at approximately 55 percent of equivalent halves. A further allowance of $1.00 per case is permitted to provide the customary differential for hand-filled cans. Hand packing permits more careful packing and inspection of fish and is limited to relatively high-priced specialty items.

In order to prevent indirect price increases by packing barbecued, smoked, kippered or otherwise processed salmon so as to obtain higher net returns, this regulation contains a provision which requires that prices of any canned salmon item not specifically listed be priced in line with the prices of standard packs, and that such prices may only be established by application to the Office of Price Stabilization.

The highly seasonal nature of the salmon industry requires that ceiling prices be established for each year's pack as it comes to market. Consequently, this regulation establishes prices only for the 1951 pack and the small carry-over of the 1950 pack. Should the 1951 pack actually be abnormally large or small these ceiling prices will be promptly revised to reflect more accurately the changes in unit costs.

In formulating this revised regulation, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. Coverage of this regulation.
2. Geographical applicability.
3. Definitions.
4. Ceiling prices for canned salmon sold by canners.
5. Conditions and terms of sale.
6. Records.
7. Prohibitions.
8. Penalties.

AUTHORITY: Sections 1 to 8 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10151, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Coverage of this regulation.* This regulation establishes specific dollars-and-cents ceiling prices for the sale of all canned salmon by canners. These ceiling prices supersede those established by the General Ceiling Price Regulation.

SEC. 2. *Geographical applicability.* The provisions of this regulation are applicable in the United States, its territories and possessions and the District of Columbia.

SEC. 3. *Definitions.* (a) Terms used in this regulation, unless defined herein, or unless the context requires a different meaning, have the same meaning as when used in the General Ceiling Price Regulation.

(b) For the purpose of this regulation, the terms enumerated below shall have the following meanings:

(1) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, the legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency thereof.

(2) "Canner" means a person who preserves salmon by processing and sterilizing in hermetically sealed containers.

(3) "You" means any canner, as herein defined, his agents or employees or any other person acting in his behalf or under his control.

(4) "Salmon" means any canned fish of the genus Oncorhynchus or of the species Salmo gairdnerii.

(5) Species of Salmon are defined as follows:

"Red" salmon includes Red, Blueback, Quinnault, Alaska Sockeye and Puget Sound Sockeye (Oncorhynchus nerka).

"Coho" salmon includes Coho, Silver, and Silverside (Oncorhynchus kisutch).

"Pink" salmon includes Pink and Humpback (Oncorhynchus garbuscha).

"Chinook" salmon includes Chinook, Spring, King, Tyee, and Quinnat (Oncorhynchus tschawytscha).

"Chum" includes Chum and Dog (Oncorhynchus Keta).

(6) "Price per case" means the price for 48 cans of salmon, packed for shipment in the usual container.

(7) Sizes of cans are defined as follows:

One pound "Tall" means a can 301 x 411.

One pound "flat" means a can 401 x 211.

One-half pound "flat" means a can 307 x 201.25.

One pound "oval" means a can 406 x 607 x 108 C. R.

One-half pound "oval" means a can 309 x 515 x 103 C. R.

One-half pound "flat" means a can 307 x 200.25 C. R.

One-quarter pound "flat" means a can 301 x 106 C. R.

(8) "C. R." is the abbreviation for Columbia River.

(9) "Handpacked" means salmon which has been prepared for canning by hand and packed in the containers by hand.

SEC. 4. *Ceiling prices for canned salmon sold by canners.* (a) The prices set forth below are ceiling prices per case of 48 cans f. o. b. car at Seattle, Washington (or Everett or Bellingham, Washington, or Astoria, Oregon), for salmon canned in territory outside the continental United States and f. o. b. car at the shipping point nearest the cannery for salmon canned within the United States. For salmon canned in Alaska and sold for consumption in Alaska, the ceiling price shall be the price set forth below less the actual costs to ship it by water from the shipping point nearest the cannery in Alaska to Seattle, Washington.

Variety	Style of container	Price per case
Alaska King	1 pound talls	$26.00
Alaska Chinook	1 pound flats	31.00
Do	½ pound flats	19.00
Alaska Reds	1 pound talls	29.00
Do	1 pound flat	30.00
Do	½ pound flat	18.00
Cohoes	1 pound tall	25.00
Do	1 pound flat	26.00
Do	½ pound flat	15.00
Do	¼ pound flat	8.25
Pinks	1 pound tall	21.00
Do	1 pound flat	22.00
Do	½ pound flat	12.50
Do	¼ pound flat	7.00
Chums	1 pound tall	19.00
Do	½ pound flat	11.50
Copper River Sockeye	1 pound tall	30.50
Do	1 pound flat	31.50
Do	½ pound flat	19.00
Puget Sound Chinook	1 pound tall	25.00
Do	½ pound flat	15.00
Do	¼ pound flat	8.00
Puget Sound Sockeye	1 pound tall	31.50
Do	1 pound flat	32.50
Do	½ pound flat	20.00
Do	¼ pound flat	11.00
C. R. Chinook Fancy	1 pound tall	34.50
Do	1 pound flat	35.50
Do	1 pound oval	40.00
Do	½ pound flat	21.00
Do	½ pound oval	25.00
Do	¼ pound flat	11.50

Variety	Style of container	Price per case
C. R. Chinook Choice	1 pound tall	$27.50
Do	1 pound flat	28.50
Do	½ pound flat	16.00
Do	¼ pound flat	8.75
C. R. Chinook Standard	1 pound tall	21.00
Do	1 pound flat	22.00
Do	½ pound flat	12.50
Do	¼ pound flat	6.75
C. R. Chinook Unclassified	1 pound tall	17.50
Do	1 pound flat	18.50
Do	½ pound flat	10.50
C. R. Silversides	1 pound tall	25.00
Do	1 pound flat	26.00
Do	½ pound flat	15.00
Do	¼ pound flat	8.25
C. R. Steelheads	1 pound tall	27.50
Do	1 pound flat	28.50
Do	½ pound flat	16.00
Do	½ pound oval	19.00
Do	¼ pound flat	8.75
C. R. Bluebacks	½ pound flat	21.00
Do	¼ pound flat	11.50
C. R. Chums	1 pound tall	19.00
Do	1 pound flat	20.00
Do	½ pound flat	11.50

(b) For hand-packed salmon, you may increase the ceiling prices established by paragraph (a) of this section by $1.00 per case.

(c) For cases containing more than 48 cans, you may increase the ceiling prices established by paragraph (a) of this section proportionately to the additional number of cans per case.

(d) For varieties, container sizes, or types and styles of pack of salmon not listed in paragraph (a), the ceiling price shall be a price determined by the Director of Price Stabilization to be in line with the prices listed in paragraph (a). Such determination shall be made upon written request addressed to the Fish Branch, Office of Price Stabilization, Washington 25, D. C., showing the variety of salmon and style of container listed in section 4 (a) above to which the unlisted product is most similar and your price differential between the unlisted product and most similar listed product as of June 24, 1950 or the latest previous date on which both products were sold or offered for sale by you. You may not sell your product under this paragraph (d) until you receive written notification of the ceiling price which has been approved for such product.

SEC. 5. *Conditions and terms of sale.* The ceiling prices set forth in Section 4 of this regulation are gross prices and you must continue to apply all customary delivery terms, discounts, allowances, guarantees and other usual and customary terms and conditions of sale; except that in no instance shall the gross selling price of any item covered by this regulation exceed the ceiling price for such item as set forth in Section 4.

SEC. 6. *Records.* If you sell canned salmon in the course of trade or business or otherwise deal therein, after the effective date of this regulation, you must preserve and keep available for examination by the Director of Price Stabilization for a period of two years, accurate records of each sale, showing:

(1) The date of sale;

(2) The name and address of the buyer and of the seller;

(3) The price contracted for or received;

(4) The quantity, the grade or brand, style of pack and container size.

SEC. 7. *Prohibitions.* On or after the effective date of this regulation, regardless of any contract, agreement or other obligation, you shall not sell or deliver, and no person in the course of trade or business shall buy or receive any commodity covered by this regulation at prices higher than those established by this regulation, and no person shall agree, offer, solicit, or attempt to do any of the foregoing. The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of, or relating to any of the commodity covered by this regulation, alone or in conjunction with any other commodity, or by way of any commission, service, transportation or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or by changing the selection or style of processing or the canning, wrapping or packaging of the commodities covered by this regulation, or in any other way.

SEC. 6. *Penalties.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for damages provided by the Defense Production Act of 1950, as amended.

Effective date. This regulation shall become effective the 8th day of August 1951.

NOTE: The record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8962; Filed, July 31, 1951; 5:05 p. m.]

[Ceiling Price Regulation 66]

CPR 66—ASPHALT AND ASPHALT PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 66 is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation, issued on January 26, 1951, was a tentative and general measure designed to arrest the mounting inflation which was sweeping the economy, pending the issuance of specific regulations tailored to the needs of different industries. This regulation, applicable to petroleum asphalt and asphalt products, is the fifth to be issued covering a distinct segment of petroleum marketing activity. Its issuance marks the removal of all petroleum products from the coverage of the General Ceiling Price Regulation and the completion of tailored regulations governing the prices of such products.

Corresponding to the regulations which have preceded it, covering other petroleum products, this regulation is of the formula-freeze type. Unlike the others, it has a base period extending from August 1, 1950, to January 25, 1951. This longer base period was selected because it is of sufficient length to cover the marketing of asphalt products in sufficient volume to determine representative prices. The period December 19, 1950, to January 25, 1951, adopted for other petroleum product pricing, was not considered a truly representative base period for determining ceiling prices because of the insufficient number of sales made during this period. Since the bulk of asphalt products is sold for construction purposes, principal sales are normally made during the period, April 1–October 15. By extending the base period to August 1, there has been included a sufficient portion of the construction season upon which representative prices may be established.

With the exception of a different base period, the principal pricing provisions of this regulation also conform to those adopted in the petroleum regulations previously issued. A seller's ceiling price is based on the highest price charged by him for a sale of a particular asphalt product to a purchaser of the same class during the base period. However, during this chosen base period, substantial sales were made by asphalt marketers on the basis of fixed price contracts entered into late in 1949 and early in 1950. These sales did not reflect market conditions prevailing during the base period and, accordingly, the regulation provides that in determining ceiling prices, a seller may include prices established in written contracts or oral agreements to sell when verified by written memoranda or other written evidence made during the base period. Oral agreements are a customary method of conducting negotiations in the marketing of asphalt for road construction purposes which accounts for the major portion of asphalt sold. It is deemed appropriate that such transactions during the base period be considered in the establishment of ceiling prices.

Where the foregoing method of determining ceiling prices is inapplicable, the regulation provides that a seller shall determine his price on the basis of his highest offering price during the base period. Offering price is construed to include prices shown in the seller's price list. Such price lists customarily establish prices on an f. o. b. refinery basis. Since a substantial volume of sales is made on a delivered at destination basis, and in the case of road asphalt, is frequently predicated on bids for a multiplicity of new points, it is administratively expedient that a reasonable formula be provided for the ready determination of such prices without the need for review and approval by this office. For this reason, the regulation permits the determination of delivered at destination ceiling prices from f. o. b. refinery prices by adding to f. o. b. refinery prices the actual cost of transportation. However, since it is customary for the industry to meet competition through freight absorption practices, the regulation requires that prices at new destination points shall reflect the seller's customary freight equalization practices.

The regulation sets up two classes of products, namely, standard and special products. There are four basic grades of standard products and in each case the definition of a standard product is based on both the purpose for which it is sold and its specifications. Any product that does not fall within one of the four descriptive categories is a special product. The distinction drawn between standard and special products conforms to the marketing practices of the industry, and the pricing provisions for new products are adapted insofar as practicable to the industry's normal and singular pricing practices with respect to such products. This distinction is further designed to identify standard products for the eventual establishment of specific prices at principal marketing points. In the judgment of the Director of Price Stabilization, specific prices for standard asphalt products are administratively desirable and practical and should be established as expeditiously as possible. It is not deemed practicable to undertake a spell-out of specific prices for special asphalt products due to the variety of such products and the proprietary and varied character of their composition and specifications.

Provision is made in the regulation to allow refiners, convertors, and compounders whose total cost of components of a product on March 15, 1951, exceeds by more than 5 percent such cost on June 1, 1950, because of a change in the costs of the purchased components entering directly into the product and/or the non-returnable container used for shipping such product, or in the case of a reseller, the delivered cost of a finished product, to modify their ceiling prices for the product to reflect the dollar and cents increased costs of purchased components, products and/or non-returnable containers. However this provision is subject to the proviso that in computing the amount that may be added to ceiling prices, there shall be deducted from the increased costs any advances made in selling prices since June 1, 1950. Sellers using this provision to adjust their ceiling prices upward are required to reduce their ceiling prices when their total costs of a product have declined by more than five percent subsequent to March 15, 1951, due to a change in the costs of purchased components or in the case of a reseller, the purchased product, including non-returnable containers. The purpose and effect of this provision is to restore and maintain dollar and cents margins for compounded asphalt products in existence during the period immediately prior to the outbreak of hostilities in Korea. In adopting the stipulation that the increase or decline in costs shall be more than five percent before a change in ceiling price may be made or required, the Director of Price Stabilization gave consideration to the desirability of preventing every change in cost, no matter how infinitesimal, from being reflected in ceiling prices. This formula differs from that used in Ceiling Price Regulation 22 and the reasons therefor have been set forth in the Statement of Considerations accompanying Ceiling Price Regulation 63, Lubricating Oils, Greases, Waxes and Certain Other Petroleum Products, which contains a similar provision for another segment of the petroleum industry.

The regulation also authorizes the addition to ceiling prices of transportation rate increases occurring between January 26, 1951, and May 15, 1951, inclusive, which have been authorized by Federal or State regulatory bodies or the Office of Price Stabilization. This provision has been adopted because transportation charges represent a significant element of cost in the case of asphalt products since they are products of low value relative to their weight.

One of the more serious problems confronting the petroleum industry is the growing scarcity of steel containers which are indispensable to the distribution of petroleum products. Customarily the petroleum industry sells a substantial portion of its products on a nonreturnable drum basis. It has now become imperative that drums be returned to primary sellers, necessitating that such sellers shift from a non-returnable to a returnable drum basis. Since drums had a value during the base period to purchasers who are now required to return them, it is equitable that an allowance be made to such purchasers for the loss of value involved. Such value was variable depending upon the disposition individual purchasers made of these drums, and it is not possible to ascertain such values with any degree of accuracy. In the judgment of the Director of Price Stabilization, it is desirable that these values be specific and uniform and in conformity with the ceiling prices established for raw used drums purchased by container reconditioners. The specific allowances set forth in this regulation conform, therefore, to the ceiling prices as established for raw used drums under Ceiling Price Regulation 36, Used Steel Drums, effective May 16, 1951.

At the present time, there exists a variance among suppliers in their ceiling deposit charges for returnable drums. Provision is made in the regulation to allow a maximum deposit charge of $10.00 for 55-gallon, 16–20 gauge steel drums. This is designed to provide a maximum deposit charge for sellers who since the base period have converted from a non-returnable drum basis to a returnable drum basis and to make possible a uniform deposit system for all asphalt sellers. This deposit charge is higher, in some instances, than actually charged by suppliers during the base period, but under prevailing circumstances, such higher deposit appears warranted. Moreover, although this deposit charge is also higher than replacement cost, it is not so high that it may be considered susceptible to evasive use.

In establishing the foregoing pricing methods and procedure, the Director of Price Stabilization has given careful consideration to their adaptation to the customary practices of the industry so as to provide as flexible an instrument as possible within the general context of price controls.

Prior to the formulation of this regulation the Director of Price Stabilization advised with a large number of persons representing a substantial part of the industry and the regulation has been reviewed by the Petroleum Industry Advisory Committee for Asphalt and Asphalt Products established by the Director of the Office of Price Stabilization.

FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

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AUTHORITY: Sections 1 to 19 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

SCOPE OF THE REGULATION

SECTION 1. *Transactions and persons covered.* This regulation covers all sales and deliveries of asphalt and asphalt products, either by refiners, resellers, distributors, roofers, retailers or by any other persons, except the following:

(a) *Exchanges.* Exchanges of petroleum products covered by this regulation between refiners or other petroleum sellers, provided such exchanges conform to customary practices of the industry during the base period. Such exchanges are also exempt from all ceiling price regulations. The Office of Price Stabilization will not grant any increases in the ceiling prices of petroleum products covered by this regulation where the requested revision in price is due to the price at which such products have been exchanged.

(b) *Subsidiaries.* Sales between corporations when one is a wholly owned

subsidiary of the other, or when both are wholly owned subsidiaries of a third corporation, and sales between such other affiliated or controlled corporations as are especially excepted by order in writing by the Director of Price Stabilization or his duly authorized representative, provided prices at which such sales are made do not affect the level of existing ceiling prices. Such sales are also exempt from all ceiling price regulations.

SEC. 2. *Geographical coverage.* The provisions of this regulation are applicable to the United States, its Territories and Possessions and the District of Columbia.

SEC. 3. *Products excepted from the General Ceiling Price Regulation.* Any products or transactions excepted from the coverage of this regulation are also exempt from the provisions of the General Ceiling Price Regulation. However, certain petroleum products and transactions related thereto may be covered by other specific price regulations.

SEC. 4. *Imports.* Ceiling prices in this regulation shall apply even though the product involved originated outside of the area covered by the regulation and was imported into such area.

SEC. 5. *Transfers of business or stock in trade.* If the business, assets or stock in trade of any business are sold or otherwise transferred after January 26, 1951, and the transferee carries on the business or continues to deal in the same type of products in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record provisions of this regulation.

SEC. 6. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the ceiling price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Stabilization, deliver at prices to be adjusted upward in accordance with action taken by the Director after delivery. Such authorization may be given when a request for a change in the applicable ceiling price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Defense Production Act of 1950. The authorization may be given by the Director or by any official of the Office of Price Stabilization to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 7. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Revised.

SEC. 8. *Price revisions incident to orders establishing specific prices.* The Director of Price Stabilization may by supplementary regulation or by special order of general applicability establish specific ceiling prices or otherwise modify the provisions of this regulation with respect to certain products, transactions or geographical area.

SEC. 9, *Shifts which must be reported.* Where a seller has established a ceiling price on a delivered-at-destination basis at a given point for a particular petroleum product to a purchaser and thereafter sells such purchaser on an f. o. b. shipping point price basis, he shall report such shift to the Director of Price Stabilization within thirty days after the date such sale is made if the effect of selling on an f. o. b. shipping point price basis is to increase the laid-down cost to the purchaser above the seller's delivered-at-destination ceiling price to such purchaser. However, a seller may not shift to an f. o. b. shipping point price basis unless he has an f. o. b. shipping point ceiling price properly determined under the appropriate provisions of this regulation. The Director of Price Stabilization may by special order modify the terms and provisions applicable to such sales when in his judgment, the reported shift constitutes an evasion of the purposes of this regulation.

SEC. 10. *Records.* (a) With respect to any commodity covered by this regulation the provisions of section 16 of the General Ceiling Price Regulation are hereby continued in effect insofar as they apply to the preparation and preservation of "base period records" and such "current records" as have been made as a result of sales between January 26, 1951, and the effective date of this regulation.[1]

(b) (1) You shall prepare and preserve for the life of the Defense Production Act of 1950 and for two years thereafter all records necessary to determine whether you have computed your ceiling prices correctly, including (but not limited to) records showing base period prices and product costs, and records showing costs, prices, and sales for the other applicable periods and dates referred to in the regulation.

(2) The records to be preserved under this paragraph must include appropriate work sheets. The work sheets may be in any convenient form so long as they include all data and calculations required to determine your ceiling prices.

(c) You shall preserve for a period of two years all records showing the prices at which sales of commodities subject to the regulation have been made.

SEC. 11. *Compliance with this regulation required*—(a) *Prohibition against selling or delivery of asphalt products at prices above the ceiling.* On and after the effective date of this regulation regardless of any contract or other obligation, no person shall sell or deliver and no person shall buy or receive in the course of trade or business any asphalt product covered by this regulation at prices higher than the ceiling prices fixed by this regulation, and no person shall agree, offer, solicit, or attempt to do anything prohibited in this section. Prices lower than the ceiling prices may be charged, demanded, paid or offered.

(b) *Evasion.* The ceiling prices established by this regulation shall not be evaded either by direct or indirect methods in connection with the purchase, sale, delivery or transfer of asphalt products alone or in conjunction with any other materials, or by way of any commission, service, transportation, or any other charge, or discount, premium or other privilege, or by tie-in-agreement or othe trade understanding or by a change in the quality of the product, or otherwise, except when such change in quality results from order of any agency of the United States Government.

(c) *Enforcement.* Any person who violates any provision of this regulation is subject to the criminal penalties, civil enforcement actions, and suits for damage provided for by the Defense Production Act of 1950.

SEC. 12. *Definitions*—(a) *Person.* This term includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor and representatives of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political

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[1] The portions of the General Ceiling Price Regulation here referred to are as follows:

SEC. 16. *Base period records.* (a) (1) You must preserve and keep available, for examination by the Director of Price Stabilization those records in your possession showing the prices charged by you for the commodities or service which you delivered or offered to deliver during the base period. * * *

(2) In addition, on or before March 22, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period. * * *

(3) On or before March 22, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalog. * * *

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period. * * *

(b) *Current records.* If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period. * * *

"Base period" as used in section 16 of the General Ceiling Price Regulation means December 19, 1950, to January 25, 1951, inclusive.

subdivisions, or any agency of any of the foregoing.

(b) *Contract.* This term means an agreement, the existence of which is established by written evidence.

(c) *Offering price.* The price at which a product was offered means the price shown in the seller's price list, or if a particular price was not included therein, or if he had no price list, the price at which he offered products in any other written manner. These prices shall be subject to the seller's customary allowances, discounts, and price differentials, and further, when delivered prices are determined from such list prices, the seller's customary freight equalization practices shall be continued.

(d) *Purchaser of the same class.* This term refers to the practice adopted by the seller in setting different prices for a product for sales to purchasers performing different functions (for example, refiners; jobbers; industrial consumers; government) or for purchasers performing the same functions but located in different areas or buying in different quantities or grades or under different conditions of sale. Price is prima facie evidence but not conclusive evidence to be considered in determining if a purchaser belongs to a particular class; however, a lower price to a particular purchaser which was to meet competition and was otherwise inconsistent with the seller's practice in setting the same price to purchasers in the same functional class shall neither result in placing the particular purchaser in a lower price class nor be considered in determining a seller's ceiling price.

(e) *Sale.* The term "sale" for purposes of using the "ceiling price based on sales" method of section 13 (b) (1) shall include:

(1) Sales in the base period pursuant to oral or written contracts, including spot sales, made during such period.

(2) Written contracts or oral agreements to sell, verified by written memoranda or other written evidence made during the base period whether or not deliveries were made thereunder but which provided for performance to begin during or after the base period.

(3) Deliveries made during the base period under a contract made between June 1, 1950, and December 18, 1950, inclusive, if such contract was adjustable to reflect market conditions during the base period.

Provided, however, In all cases deliveries made in the base period under contracts entered into prior to June 1, 1950, shall not be considered as a "sale" unless the buyer and seller agree to continue such contracts, or to enter into new contracts containing substantially the same provisions in which case the ceiling price may be established on the basis of such contracts.

(f) *Competitor of the same class.* This term means a seller: (1) Of similar type, (2) performing the same function, (3) dealing in the same type of commodity, and (4) selling to the same class of purchaser.

(g) *Delivery point.* This term whenever referred to in this regulation means the different customary price areas of the seller, such price areas being reflected by the seller on a stated price or differential basis. Each such price area shall be interpreted as a delivery point and the ceiling price of each seller in each such price area shall reflect his customary differentials or differences in price.

(h) *Base period.* This term means the period from August 1, 1950, to January 25, 1951, inclusive.

(i) *Asphalt.* This term means any asphalt refined from petroleum.

(j) *Standard product.* This term means any of the following grades:

(1) "Roofing flux" means any grade of soft asphalt or liquid asphalt having a melting point of less than 110° F. (Method ball and ring A. S. T. M. D. 36–26) when sold to the roofing or floor covering industry for saturating or further processing to a higher melting point.

(2) "Oxidized asphalt" means any grade of asphalt which has a penetration of less than 125 (method A. S. T. M. D. 88–30) and has not been specially processed by the addition of another component, and when sold to the roofing or floor covering industry has been air-blown to a melting point above 90° F.

(3) "Asphalt cement" means any grade of asphalt which has a penetration of more than 30 and less than 300 at 77° F. when used for paving purposes.

(4) "Liquid asphalt" means any grade of asphalt which flows at 77° F. when used for road construction or similar ground surfacing.

S. C. (slow curing).
M. C. (medium curing).
R. C. (rapid curing).
Road oil.
Emulsions.

(k) *Special product.* This term means any asphalt or asphalt product not included under "standard products" with the exception of those products which have been specially processed by the roofing or paint industry by the addition of another component.

CEILING PRICES

SEC. 13. *Ceiling prices for asphalt and asphalt products*—(a) *Specific bulk prices for standard products.* [Reserved.]

(b) *Formula prices*—(1) *Ceiling price based on sales.* Where no applicable specific price has been established under (a) above, the ceiling price for each seller for each product covered by this regulation at each shipping or delivery point shall be the highest price charged at that point by him during the period August 1, 1950, to January 25, 1951, inclusive, for a sale of such product to a purchaser of the same class.

(2) *Ceiling price based on offering price.* If a seller is unable to determine a ceiling price under (1), the ceiling price for such seller at each shipping or delivery point for each product covered by this regulation shall be the highest offering price at the shipping or delivery point during the period August 1, 1950, to January 25, 1951, inclusive, for a sale of such product to a purchaser of the same class. If a seller has no delivered-at-destination offering price for a particular asphalt product at a given point in an area in which he has been customarily making deliveries, but has an f. o. b. refinery offering price for such product, the seller may establish a delivered-at-destination ceiling price at such point by adding to his f. o. b. refinery price the cost of transportation by normal methods of delivery computed according to the seller's customary freight equalization practices.

SEC. 14. *Seller unable to determine ceiling price*—(a) *Minor differences method for standard or special products.* Where a ceiling price for a particular product cannot be determined under the preceding pricing methods of this regulation and where the product differs from a product for which a ceiling price has been determined under this regulation, only by reason of minor differences in composition which do not prevent its offering substantially equivalent serviceability, the ceiling price of the particular product shall be the same as that of the product for which a ceiling price has been established.

However, this provision may not be used if the current delivered cost of the components of the particular product varies by more than five per cent from the current delivered cost of the components of the product for which a ceiling price is established. In computing cost, a refiner shall use with respect to the components obtained from his own refinery operations the value which he placed on those components during the base period as evidenced by accounting records maintained for this purpose. With respect to purchased components or products, current delivered costs shall be used.

(b) *Where minor differences method is inapplicable*—(1) *Standard product.* If a seller is unable to determine his ceiling price at a given shipping or delivery point for the sale of any standard asphalt product under the minor differences method of pricing, then the seller may nevertheless make a sale of such product at that point. The sale price shall be in line with the level of prices otherwise established by this regulation. The differential between the sale price of this standard product and the ceiling prices of the seller for other standard asphalt products shall be consistent with the seller's customary practices. Within fifteen (15) days of the making of the sale, the seller shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., a written request for approval of the ceiling price together with a statement of the basis used to determine this price. The price filed shall be the seller's ceiling price for the particular product until it is disapproved in writing or a different price is established by the Office of Price Stabilization. A price established under this section may be changed at any time by order of the Office of Price Stabilization. If a seller shall fail to report a sale as required by this section, the Office of Price Stabilization may at any time upon written notice to the seller establish his ceiling price for the particular product at

the particular point, effective retroactively to the date of the first sale.

(2) *Special product.* If a seller is unable to determine his ceiling price at a given shipping or delivery point for the sale of any special asphalt product under the minor differences method of pricing, the seller shall establish his ceiling price on the basis of the average of the markups on two comparable products as follows:

(i) *Convertors, compounders and resellers.* A convertor, compounder or reseller shall select two products which he sells which are nearest in specifications to the product to be priced. Of the two products, one shall be next lower in current delivery cost to the new product and the other shall be next higher in current delivered cost. In no case shall any product be selected which varies more than twenty percent from the current delivered cost of the product being priced. The seller shall establish his ceiling price by (*a*) dividing the ceiling price for each such product by its current delivered cost; (*b*) adding the resulting figures and dividing by 2; (c) multiplying the current delivered cost of the product priced by the figure obtained in (2).

(ii) *Refiners.* A refiner shall determine his ceiling price by the procedure for a convertor, compounder or reseller in (b) (2) (i) above, using his current delivered costs for the components he buys. With respect to the components he manufactures, he shall use in the place of current delivered costs of the components the value which he placed on such components during the base period, as evidenced by accounting records maintained for this purpose.

(3) *Filing provision.* The ceiling prices determined pursuant to sections (b) (2) (i) and (b) (2) (ii) above, shall be filed by registered mail, return receipt requested, within fifteen days of the making of the sale, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., together with the pertinent specifications and composition of the three products plus any additional information deemed relevant by the seller. Upon filing, the price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a different price is established by the Office of Price Stabilization. If he wishes, the seller may request a ceiling price before making a sale. A tentative price established under this section may be changed at any time by order of the Office of Price Stabilization. If a seller shall fail to report a ceiling price, the Office of Price Stabilization may upon written notice to the seller establish his ceiling price for a particular product at the particular point, effective retroactively to the date of the making of the first sale of the product.

(c) *Final pricing method; new products which the seller is unable to price under preceding methods.* If under other provisions of this regulation, a seller is unable to determine his ceiling price at a given shipping or delivery point for any product covered by this regulation, then the seller may nevertheless make a sale of such product at that point. If he wishes, he may request a ceiling price before making a sale. Within fifteen days of the making of the sale, the seller shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., a written request for approval of a ceiling price including a statement setting forth:

(1) Why the methods set forth above are inapplicable, indicating the name, end use, pertinent specifications and composition of the new product.

(2) The proposed ceiling price and the method used to determine it.

(3) Names and established ceiling prices of comparable competitive products giving the information which the seller is able to obtain regarding the pertinent specifications and end use of such products and the reason why the seller believes the proposed price is in line with the level of ceiling prices otherwise established by this regulation.

(4) Any other information which the seller can give to substantiate the ceiling price he is filing. The price filed shall be the seller's ceiling price unless it is disapproved in writing or a different price is established. A price established under this section may be changed at any time by order of the Office of Price Stabilization. If a seller shall fail to report a ceiling price, the Office of Price Stabilization may upon written notice to the seller establish his ceiling price for the particular product at the particular point, effective retroactively to the date of the making of the first sale of the particular product.

SEC. 15. *Customary price differentials.* The ceiling prices determined under the pricing provisions of this regulation shall reflect customary price differentials, discounts, allowances and premiums in effect during the base period to all classes of purchasers.

INCREASES PERMITTED OR REDUCTIONS REQUIRED

SEC. 16. *Transportation.* There may be added to the applicable ceiling prices determined under other sections of this regulation an amount not in excess of the following:

(a) The exact amount of increase in transportation costs to the seller or his reseller customer resulting from transportation rate increases including excise taxes applicable to such rate increases between January 26, 1951 and May 15, 1951, inclusive, permitted by Federal or State regulatory bodies or by the Office of Price Stabilization.

(b) Where transportation is in facilities owned or controlled by the seller the same increases as provided in (1) above where the movement involved is in lieu of transportation by such regulated carrier.

SEC. 17. *Taxes.* Any seller may collect, in addition to the ceiling prices established by this regulation, any new excise, sales or similar tax imposed upon him after January 25, 1951, by reason of his sales of any of the products covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 18. *Changes in the costs of purchased products, components and non-returnable containers*—(a) *Refiners, convertors, compounders and resellers.* When a refiner's, convertor's or compounder's total delivered cost of components of a product on March 15, 1951 exceeds by more than five per cent his total cost of components on June 1, 1950, because of a change in the costs of the purchased components entering directly into the product and/or the non-returnable container used for shipping such product, or in the case of a reseller, the delivered cost of a finished product, he may modify his ceiling price for the product to reflect the dollar and cents increased costs of purchased components and/or non-returnable container.

However, in computing the amount that may be added to his current ceiling price for each class of purchaser, he shall deduct from his increased costs the amount by which his current ceiling price exceeds his June 1, 1950, selling price to that class. In computing costs of purchased components, products and/or non-returnable containers on June 1, 1950, and March 15, 1951, refiners, convertors, compounders, and resellers shall use the delivered costs of these products less any discounts or allowances obtained (not including customary cash discounts) as of the dates nearest, but prior to and including June 1, 1950, and March 15, 1951. These costs for both prescribed dates shall be based on normal buying practices. For example, any cost based upon smaller quantity purchases or use of a more distant source of supply than customary would constitute departures from normal buying practices. Refiners, in computing total cost of components on June 1, 1950, shall use as delivered cost for the components obtained from their own refinery operations the value placed on such components on June 1, 1950, as evidenced by accounting records maintained for this purpose. Any seller having used this provision to increase his ceiling price for a product shall reduce this new ceiling price by the dollar and cents decreased costs of purchased components, products and/or non-returnable containers when his total costs of components of the product, or in the case of a reseller, the delivered cost of a finished product and/or non-returnable containers have decreased by more than 5 percent subsequent to March 15, 1951. In computing total costs, refiners, convertors, compounders and resellers shall use the applicable procedures set forth above.

(b) *Resellers.* Where a producer's ceiling price for an asphalt product has been increased or decreased by the use of this section, the reseller's ceiling price for such product shall be modified by the amount of the dollar and cents difference in cost to him.

(c) *Filing provision.* Any seller having modified his ceiling price pursuant to subparagraph (a) above, shall file by registered mail, return receipt requested, with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., the following information:

(1) Selling price for the particular product on June 1, 1950.

(2) Ceiling price for the particular product as established under other provisions of this regulation.

(3) Ceiling price as determined by this provision.

(4) The identification and net delivered cost of the purchased product, components and/or non-returnable container on March 15, 1951, or the date nearest but prior thereto on which a purchase was made; the net delivered cost of the purchased product, components and/or non-returnable container on June 1, 1950, or the date nearest but prior thereto on which a purchase was made; and the costs at the time a recalculation is made to reflect decreased costs. Upon filing, the price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a different price is established by the Office of Price Stabilization. A price established under this section may be changed at any time by order of the Office of Price Stabilization.

SEC. 19. *Containers* — (a) *Deposits.* Any seller subject to the provisions of this regulation may place a deposit charge not to exceed $10.00 on a 55-gallon, 16–20 gauge steel drum, not including I. C. C. 5 or 5B drums. Such deposit charge shall be subject to the seller's customary practice with respect to condition of drum and time allowed for return.

(b) *Reduction in ceiling price when shifting from a non-returnable to a returnable drum basis.* Any seller who during the base period sold on a non-returnable drum basis and subsequent to the base period shifts to a returnable drum basis shall allow his purchasers $1.75 for a 55-gallon, 16–20 gauge steel drum except in the States of California, Washington and Oregon. In the States of California, Washington and Oregon, there shall be allowed an additional $0.25 to the allowance set forth above.

Effective date. This Ceiling Price Regulation 66 shall become effective August 6, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8965; Filed, July 31, 1951; 5:03 p. m.]

[Distribution Regulation 1, Amendment 7]

DR 1—FAIR DISTRIBUTION OF LIVESTOCK AND MEAT

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Congress), the Defense Production Act Amendments of 1951, Executive Order 10161 (15 F. R. 6105), Delegation of Authority by the Secretary of Agriculture with respect to the allocation of meat (16 F. R. 1272) and Economic Stabilization Agency General Order 5 (16 F. R. 1273), this Amendment 7 to Distribution Regulation 1 is hereby issued.

Preamble. Section 101 (a) of the Defense Production Act amendments of 1951 prohibits the imposition of quotas on livestock slaughter. The legislative history makes clear, however, that the Office of Price Stabilization may continue its present program of requiring registration as a condition of engaging in slaughtering operations. There will be issued in the near future a revised regulation eliminating the quota provisions but preserving the registration and other provisions of Distribution Regulation 1. Pending completion of work on the revised regulation, this Amendment 7 to Distribution Regulation 1 cancels the provisions relating to quotas on livestock slaughter. However, all other provisions including those relating to registration, marking and reporting continue to be effective. This amendment also makes a minor change in the record keeping requirements necessitated by the new legislation.

Amendatory provisions. Distribution Regulation 1 is amended in the following respects:

1. The following provisions are canceled:

a. Paragraphs (d) and (e) of section 2;

b. Paragraphs (c), (d) and (e) of section 3;

c. Paragraphs (c), (d) and (e) of section 4;

d. The third and succeeding sentences of section 8 (a);

e. The third and succeeding sentences of section 8 (b);

f. Section 16 and Appendix A;

g. Supplement 1.

2. Section 12 (a) is amended by adding at the end thereof the following paragraph:

(3) Each Class 1 or Class 2 slaughterer whose quota period does not end on July 31, 1951 must keep records of the live weight of each species of livestock slaughtered by him from the beginning of the quota period through July 31, 1951.

Effective date. This amendment shall become effective on August 1, 1951.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Sec. 704 Pub. Law 774, 81st Cong., as amended)

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 1, 1951.

[F. R. Doc. 51-8978; Filed, Aug. 1, 1951; 10:21 a. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 43]

GCPR, SR 43—BOTTLED SOFT DRINKS

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency Order No. (16 F. R. 738), this Amendment to Supplementary Regulation 43 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying amendment is being issued to expand and clarify certain provisions of Supplementary Regulation 43 to the General Ceiling Price Regulation. That regulation relates to the pricing of bottled soft drinks. Under it bottlers who sell to retailers and have a GCPR ceiling price of less than 96 cents a case are allowed to increase their ceiling prices by 16 cents. The new price may not, however, exceed 96 cents. It has come to the attention of the OPS that a small number of bottlers do not sell directly to retailers. On the contrary they sell their products to distributors who, in turn, supply them to retailers. Customarily, the price at the level of sale to retailers is the same irrespective of whether the bottler or a distributor serves as the supplier.

In view of the fact that the regulation authorizes those who sell to retailers to raise their prices in certain circumstances, the distributors would be able to increase their prices while the bottlers would not be allowed to make a corresponding increase. Such a result was of course not intended. Accordingly, the regulation is now being amended to permit bottlers to increase their prices to distributors to the same extent as bottlers and distributors may increase their prices to retailers. This amendment will not authorize any increase in the price the retailer or the consumer may be charged under Supplementary Regulation 43.

It has also been called to the attention of the Office of Price Stabilization that considerable difficulty has been encountered in the application of SR 43 to problems created by the decrease or repeal of taxes on soft drinks. Section 9 of the regulation provides that where a ceiling price includes a tax (as distinguished from the case where a tax is added to a ceiling price) and the tax is wiped out, a deduction must be made from the ceiling price equal to the amount by which the tax has been reduced. A question has now arisen as to the effect of this provision in a case where a State tax was eliminated between the GCPR base period and the effective date of SR 43 (July 28, 1951). It was obviously not intended that in such a case the seller should be able to continue to make a charge for a tax he is no longer required by State law to pay. The pertinent language of SR 43 is accordingly now being clarified.

REGULATORY PROVISIONS

1. Section 4 of Supplementary Regulation 43 to the General Ceiling Price Regulation is hereby amended to read as follows:

SEC. 4. *Pricing for sales at wholesale.* If you sell a soft drink at wholesale and have, pursuant to the General Ceiling Price Regulation, a ceiling price for sales at wholesale below 96 cents for a

case of 24 bottles, you may increase that price by adding to it 16 cents so long as your new ceiling price is not higher than 96 cents a case.

For example. If your ceiling price is 75 cents a case, you may increase your ceiling price to 91 cents. But, if your ceiling price is 84 cents, you may increase it only to 96 cents.

2. Section 9 of Supplementary Regulation 43 to the General Ceiling Price Regulation is hereby amended to read as follows:

SEC. 9. *How to take account of taxes.* If your ceiling price otherwise established under the General Ceiling Price Regulation includes any State or local excise, sales or other tax which attaches to soft drinks or to their individual sale, you may for purposes of determining whether you are entitled to one of the ceiling prices authorized under section 4 or 5 of this supplementary regulation, ignore the amount of the tax. You may, however, then re-add the amount of the tax to your new ceiling price if you are entitled to one. If such a tax has been decreased between January 26, 1951 and the effective date of this regulation, you must now reduce your ceiling price by the amount of the decrease. You must also hereafter reduce your ceiling price by the amount of any decrease effectuated in such a tax after the effective date of this regulation. The provisions of this section are in addition to those contained in section 20 of the General Ceiling Price Regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective August 6, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8966; Filed, July 31, 1951; 5:03 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 49]

GCPR, SR 49—BASIC TIRE CARCASSES, RECAPPED AND RETREADED TIRES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 49 to the General Ceiling Price Regulation is issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation establishes the ceiling prices for sales of certain basic tire carcasses and recapped and retreaded tires. Heretofore such sales were governed by the provisions of the GCPR which in effect froze the seller's prices as of the base period, December 19, 1950, to January 25, 1951, inclusive. Since the issuance of the GCPR however, there has developed an increasing shortage of basic tire carcasses which are the worn tires to which camelback is applied in order to make a recapped or retreaded tire. As a result of this basic tire shortage, price pressures have developed and certain sales disparities have arisen.

Preliminary studies have been made by the Office of Price Stabilization to determine the actual industry-wide dollar and cent price level for basic tire carcasses as of the GCPR base period. Although these studies have not yet been completed, the indications are clear that for certain types of tires a dollar and cent price may now be spelled out replacing the individual freeze for each seller heretofore in effect. Accordingly this regulation establishes a ceiling price for passenger car basic tire carcasses at $3.50 at retail and $2.60 at wholesale. Further studies are being conducted by this office to confirm the actual price level established herein as well as to determine the proper dollar and cent level for other types of basic tire carcasses.

Using the basic tire carcass price as established by this regulation, sellers of recapped and retreaded tires calculate their ceiling prices for such sales by adding to the dollar and cent ceiling for the basic tire carcass their individual ceiling price for the service of recapping or retreading such carcass as determined under CPR 34—Services. Accordingly, this regulation makes no change in the general level of ceiling prices either for basic tire carcasses or recapped and retreaded tires since in either event the price calculated is one that would have been used by the industry generally under GCPR and CPR 34.

Insofar as practicable the Director has consulted with representatives of the industry and has considered their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Ceiling prices for basic tire carcasses.
3. Ceiling prices for recapped and retreaded tires.
4. Miscellaneous.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong. as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation establishes a dollar and cent ceiling price for sales of certain basic tire carcasses and a modified method of calculating the ceiling prices for sales of certain recapped and retreaded tires.

SEC. 2. *Ceiling prices for basic tire carcasses*—(a) *Passenger car basic tire carcasses.* The ceiling price for sales of any passenger car basic tire carcass is $3.50 each at retail and $2.60 each at wholesale. Minimum deductions of $1.75 for each sectional repair needed and $0.75 for each spot repair needed shall be made from the ceiling price of the basic tire carcass.

(b) [Reserved.]

SEC. 3. *Ceiling prices for recapped and and retreaded tires*—(a) *Passenger tires.* The ceiling price for any seller's sale of a recapped or retreaded passenger car tire shall be the sum of his ceiling price for the sale of such basic tire carcass as determined pursuant to section 2 of this supplementary regulation plus his ceiling price for the service of recapping or retreading the tire, as the case may be, determined pursuant to the provisions of CPR 34.

(b) [Reserved.]

SEC. 4. *Miscellaneous.* Except as herein specifically modified all of the provisions of the GCPR remain in effect.

Effective date. This supplementary regulation shall become effective August 6, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 30, 1951.

[F. R. Doc. 51-8963; Filed, July 31, 1951; 5:04 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-1, Direction 2]

M-1—IRON AND STEEL

DIR. 2—LEAD TIME; REQUIRED FILLING OF ORDERS; REQUIRED CONVERTER AND DISTRIBUTION ALLOTMENTS OF STAINLESS AND ALLOY; CARRYOVER

This direction to NPA Order M-1 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this direction consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.
1. What this direction does.
2. Definitions.
3. Lead time for carbon steel products for September 1951.
4. Determination of product limitation for acceptance of rated orders.
5. Required acceptance of orders.
6. Required shipments of alloy or stainless steel.
7. Carryovers.
8. Relation to other NPA orders and regulations.

AUTHORITY: Sections 1 to 8 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction incorporates changes made by telegram sent to iron and steel producers during the period from July 5, 1951, through July 25, 1951, except with respect to Table I of NPA Order M-1, which is being covered by an amendment to NPA Order M-1. This direction changes the lead time for carbon steel products for September 1951. It changes the method of calculation of the required acceptance of rated orders. It limits the amount of rated orders and warehouse and converter orders that may be accepted. It requires the filling of a minimum amount of distributor and converter orders irrespective of the amount of rated orders received. It requires the mills to fill a minimum amount of orders

for alloy and stainless steel products. It makes provision with respect to carryover.

SEC. 2. *Definitions.* As used in this direction:

(a) "Rated order" includes both DO rated orders and authorized controlled material orders (as defined in section 2 (q) of CMP Regulation No. 1).

(b) "Preferred orders" include all orders received by an iron or steel producer pursuant to or as a result of directives, rated orders, orders from converters pursuant to section 8 of NPA Order M–1 up to the amount required to be allotted under a production directive if received, or if no production directive has been received the minimum amount required to be allotted under section 8 of NPA Order M–1, and orders from steel distributors pursuant to section 4 of NPA Order M–6 up to the minimum amount required to be allotted in section 4 of NPA Order M–6. For September 1951 shipments only, the minimum amount required to be allotted under section 8 of NPA Order M–1 shall be deemed to include orders accepted from converters prior to July 16, 1951.

SEC. 3. *Lead time for carbon steel products for September 1951.* The closing date for the acceptance of rated orders for September deliveries of all carbon steel products with a 45-day lead time listed in column 1, part C, Table I, NPA Order M–1, as amended, was midnight of Friday, July 20, 1951. This lead time is to apply to the month of September 1951 only.

SEC. 4. *Determination of product limitation for acceptance of rated orders.* To the extent that this section is in conflict with sections 5 and 6 of NPA Order M–1 and Direction 1 thereof, the provisions of this section shall prevail. An iron or steel producer shall apply the required acceptance percentages listed in columns 1, 2, and 3, part C of Table I of NPA Order M–1 against his planned monthly production of the appropriate iron or steel product, instead of against his average monthly shipments of such product, in determining the total tonnage of such product required to be shipped by him on preferred orders for September 1951 shipments and shipments in subsequent calendar months: *Provided, however,* That an iron or steel producer's planned monthly production of any such product for the purposes of this calculation shall be deemed to be not less than his actual average monthly production of any such product for the 2 months, April and May 1951. The proviso of the preceding sentence does not apply to converters as defined in section 8 of NPA Order M–1 insofar as they are engaged in further conversion as defined in section 8 of that order. In determining his planned monthly production, insofar as he is engaged in further conversion as defined in section 8 of NPA Order M–1, a converter shall base his estimate of such planned monthly production upon the minimum tonnage of the particular steel mill product which he is entitled to receive pursuant to section 8 of that order. This section is subject to the further proviso that when and as a producer receives a production directive he shall deem for the purposes of this section that his "planned production" is the production authorized by the production directive.

SEC. 5. *Required acceptance of orders.* To the extent that this section is in conflict with the provisions of sections 5 and 6 of NPA Order M–1 and Direction No. 1 thereof, the provisions of this direction shall prevail. An iron or steel producer must accept preferred orders for a tonnage of any iron or steel product up to the tonnage of such product determined as set out in section 4 of this direction. He shall in no event accept preferred orders for a larger tonnage of any such product than the tonnage thereby determined as set out in section 4 of this direction. In any case where an iron or steel producer receives preferred orders calling for shipment of a total tonnage of any product in excess of the tonnage of such product determined as set out in section 4 of this direction, such producer shall fill orders for such tonnage in the following sequence: orders pursuant to or by reason of directives, minimum allotments for converters, minimum allotments for steel distributors, authorized controlled material orders, DO rated orders.

SEC. 6. *Required shipments of alloy or stainless steel.* (a) Notwithstanding the provisions of section 8 of NPA Order M–1, each producer supplier shall ship to each converter customer in October 1951 and subsequent calendar months, to the extent that processing times permit, not less than

(1) 85 percent of the average monthly tonnage of stainless tubing (of which percentage a minimum of 80 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such tubing shipped during the base period); and

(2) 85 percent of the average monthly tonnage of each other stainless product (of which percentage a minimum of 15 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such products shipped during the base period); and

(3) 100 percent of the average monthly tonnage of alloy cold-drawn bars (of which percentage a minimum of 25 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of cold-drawn bars shipped during the base period); and

(4) 100 percent of the average monthly tonnage of each other alloy product (of which percentage a minimum of 20 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such products shipped during the base period),

shipped by such producer supplier to such converter customer during the base period from January 1, 1950, through September 30, 1950.

(b) Notwithstanding the provisions of section 4 of NPA Order M–6, each iron and steel producer shall ship to each steel distributor customer in October 1951 and subsequent calendar months, to the extent processing times permit, not less than

(1) 85 percent of the average monthly tonnage of stainless tubing (of which percentage a minimum of 80 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such tubing shipped during the base period); and

(2) 85 percent of the average monthly tonnage of each other stainless product (of which percentage a minimum of 15 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such products shipped during the base period); and

(3) 100 percent of the average monthly tonnages of commercial quality alloy steels in any grades with a melting range of 0.70 maximum nickel, or 0.15 maximum molybdenum used individually or in combination, with or without chromium, or any non-nickel-bearing or non-molybdenum-bearing grades, with or without chromium, irrespective of the percentage of any of such grades of such commercial quality alloy steels shipped during the base period.

shipped by such iron or steel producer to such steel distributor customer during the base period from January 1, 1950, through September 30, 1950.

SEC. 7. *Carryovers.* Orders bearing CMP allotment numbers A through E shall not be displaced by this section. Orders bearing other CMP allotment numbers are subject to its provisions. Any DO orders accepted for July or August shipments which for any reason have not been shipped by August 31, 1951, shall have equal preferential status as authorized controlled material orders. Notwithstanding any carry-over of such orders for September 1951 shipments, in no event shall September 1951 shipments on preferred orders exceed required acceptance percentages under Table I of NPA Order M–1.

SEC. 8. *Relation to other NPA orders and regulations.* All of the provisions of other NPA orders and regulations apply to all persons affected by this direction except to the extent that such provisions are inconsistent with this direction, in which event, the provisions of this direction shall prevail.

This direction shall take effect on August 2, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9127; Filed, Aug. 2, 1951; 5:11 p. m.]

[NPA Order M–6, Direction 2]

M–6—STEEL DISTRIBUTORS

DIR. 2.—REQUIRED SHIPMENTS OF ALLOY OR STAINLESS STEEL

This direction to NPA Order M–6 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this direction consultation with industry representatives has been rendered impracticable due to the need for immediate action.

SECTION 1. Notwithstanding the provisions of section 4 of NPA Order M–6, each iron or steel producer shall ship to each steel distributor customer in October 1951 and subsequent calendar months, to the extent processing times permit, not less than

(a) 85 percent of the average monthly tonnage of stainless tubing (of which percentage a minimum of 80 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such tubing shipped during the base period); and

(b) 85 percent of the average monthly tonnage of each other stainless product (of which percentage a minimum of 15 percent shall be in the nickel grades, irrespective of the percentage of nickel grades of such products shipped during the base period); and

(c) 100 percent of the average monthly tonnages of commercial quality alloy steels in any grades with a melting range of 0.70 maximum nickel, or 0.15 maximum molybdenum used individually or in combination, with or without chromium, or any non-nickel-bearing or non-molybdenum-bearing grades, with or without chromium, irrespective of the percentage of any of such grades of such commercial quality alloy steels shipped during the base period,

shipped by such iron or steel producer to such steel distributor customer during the base period from January 1, 1950, through September 30, 1950.

(Sec. 704 Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

This direction shall take effect on August 2, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9126; Filed, Aug. 2, 1951; 5:11 p. m.]

[Amendment No. 1 to NPA Order M–1]

M–1—IRON AND STEEL

This amendment to NPA Order M–1, as amended, July 6, 1951, is found necessary and appropriate to promote the national defense, and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the issuance of this amendment, consultation with industry representatives has been rendered impracticable because of the necessity for immediate action.

NPA Order M–1, as amended, as aforesaid, is hereby further amended to the extent that certain "lead times" in part B of Table I, and certain percentages of required production acceptance in part C of Table I have been changed. Table I, as so amended, reads as follows:

(Sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.).

This amendment shall take effect on August 2, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

TABLE I.—*Iron and steel products to which this order applies*

Part A	Part B				Part C		
	Lead times (days)				Production limitation, required acceptance (percentage)		
Name of product	Carbon (*)	Low alloy	Stainless	Full alloy	Carbon (including low alloy high strength)	Stainless	Full alloy
	(1)	(2)	(3)	(4)	(1)	(2)	(3)
Steel (including wrought iron) mill products:							
Ingots	45	75	75	75	95	100	75
Billets, projectile and shell quality	45	75	-------	75	[11]	XXXX	[11]
Blooms, slabs, billets (except projectile and shell quality)	45	75	75	75	[11] 95	[4] 90	[8] [11] 85
Sheet bars	45	75	75	75	95	100	50
Tube rounds or rounds for piercing	45	75	75	75	100	100	95
Skelp	45	-------	-------	-------	95	XXXX	XXXX
Wire rods	45	75	90	75	95	-------	75
Structural shapes (heavy) standard	45	75	90	90	90	100	-------
Structural shapes wide flange	45	75	-------	90	90	XXXX	-------
Piling—sheet	45	-------	-------	-------	90	XXXX	XXXX
Piling—H bearing	45	-------	-------	-------	90	XXXX	XXXX
Plates—rolled armor	-------	-------	-------	[1]	XXXX	XXXX	[1]
Plates—sheared and U. M	45	75	90	75	[7]	100	75
Plates—strip mill	45	75	90	75	[7]	100	75
Rails—standard (over 60 pounds)	45	-------	-------	90	100	XXXX	-------
Rails—all other	45	-------	-------	90	90	XXXX	-------
Joint bars	45	-------	-------	90	100	XXXX	-------
Tie plates	45	-------	-------	-------	100	XXXX	XXXX
Track spikes	45	-------	-------	-------	100	XXXX	XXXX
Wheels (rolled and forged) (RR and transit only)	45	-------	-------	90	100	XXXX	5
Axles (RR and transit only)	45	-------	-------	90	100	XXXX	5
Bars—hot-rolled, projectile and shell quality	45	75	-------	75	[12]	XXXX	[12]
Bars—hot-rolled, other (including light shapes)	[2] 45	[3] 75	90	75	[12] 78	75	[12] 85
Bars—reinforcing	45	-------	-------	-------	95	XXXX	XXXX
Bars—cold-finished	[2] 75	[2] 105	105	[2] 105	75	75	75
Bars, tool steel (including die blocks)	[3] 60	-------	-------	[3] 90	-------	XXXX	-------
Standard pipe	45	-------	120	-------	95	100	-------
Oil country goods, seamless	45	-------	-------	-------	100	XXXX	100
Oil country goods, welded (including spiral weld)	45	-------	-------	-------	100	XXXX	-------
Line pipe, seamless	45	-------	-------	-------	100	XXXX	XXXX
Line pipe, welded (including spiral weld)	45	-------	-------	-------	100	XXXX	XXXX
Mechanical tubing, seamless	60	-------	120	120	90	98	95
Mechanical tubing, welded	75	-------	120	-------	45	98	XXXX
Pressure tubing, seamless	60	-------	120	120	95	98	95
Pressure tubing, welded	75	-------	120	-------	95	98	XXXX
Wire, drawn low carbon (less than 0.45 percent carbon)	45	75	90	-------	90	90	25
Wire, drawn high carbon (0.45 percent and over of carbon)	45	75	90	-------	85	90	25
Wire nails and staples (including steel cut nails)	45	-------	-------	-------	95	XXXX	XXXX
Barbed and twisted wire	45	-------	-------	-------	95	XXXX	XXXX
Wire fence, woven and welded	45	-------	-------	-------	95	XXXX	XXXX
Bale ties and/or coiled automatic baler wire	45	-------	-------	-------	95	XXXX	XXXX
Tin mill black plate	45	-------	-------	-------	[13]	XXXX	XXXX
Tin plate, hot-dipped	45	-------	-------	-------	[13]	XXXX	XXXX
Terneplate	45	-------	-------	-------	[13]	XXXX	XXXX
Tin plate, electrolytic	45	-------	-------	-------	[13]	XXXX	XXXX
Sheets, hot-rolled	45	75	90	75	70	75	75
Sheets, cold-rolled	45	75	105	90	54	75	75
Sheets, galvanized	45	75	-------	-------	80	XXXX	-------
Sheets, all other coated	45	75	-------	-------	43	XXXX	XXXX
Sheets, enameling	45	-------	-------	-------	10	XXXX	XXXX
Electrical sheets and strip	[6]	-------	-------	-------	[6]	-------	-------
Strip, hot-rolled	45	75	90	75	70	100	60
Strip, cold-rolled	45	75	105	90	60	50	-------
Steel castings—rough as cast	[9] 60	[9] 90	[9] [10] 90	[5] [9] 90	80	[10] 75	[9] 80
Steel products, fabricated:							
Forgings (rough as forged)	90	120	120	120	75	75	50
Fence posts	45	-------	-------	-------	90	-------	-------
Wire rope and strand	45	-------	105	-------	85	75	-------
Welded wire mesh	45	-------	105	-------	95	75	XXXX
Netting	45	-------	105	-------	95	75	XXXX
Iron products:							
Pig iron (not including iron with more than 6 percent silicon)	45	-------	-------	-------	20	XXXX	XXXX
Malleable castings (rough as cast)	60	-------	-------	-------	65	XXXX	XXXX
Gray iron castings, rough as cast, excluding pipes and fittings	60	90	-------	[8] 90	60	XXXX	[8] 65

*Closing date for September items is midnight July 20, 1951.

[1] Subject to direct negotiation by NPA.
[2] If annealed or heat-treated, add an additional 15 days.
[3] If cold-finished, add an additional 15 days.
[4] Of each item.
[5] Such percentage being the total for any combination of these products.
[6] For electrical sheets and strip, use this table:

Lead time	Percentage limitation	Definition
Low grade, 45	95	AISI M50, M43, M36.
Medium grade, 45	95	AISI M27, M22, M19.
High grade, 60	95	AISI M17, M15, M14 and (7) oriented.

[7] By directive.
[8] Alloy for steel and iron castings means all grades not included as stainless or carbon (including low-alloy) steel and iron castings.
[9] Lead time applies to unmachined castings after approval of patterns for production.
[10] All castings containing 8 percent or more of alloying metals are to be considered "stainless."
[11] Set aside for projectile and shell quality included in set aside for blooms, slabs, billets.
[12] Set aside for projectile and shell quality included in set asides for bars—hot-rolled.
[13] 95—which percentage is for any combination of tin-mill products.

[F. R. Doc. 51–9129; Filed, Aug. 2, 1951; 5:12 p. m.]

[NPA Order M–47A as Amended Aug. 2, 1951]

M–47A—Use of Iron and Steel, Copper, and Aluminum in Certain Consumer Durable Goods and Related Products

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of the original NPA Order M–47A of July 1, 1951, there was consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations. However, consultation with representatives of all trades and industries affected was rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries. In the formulation of the order as amended, consultation with industry representatives has been impracticable for the same reasons.

Sec.
1. Purpose.
2. Definitions.
3. Application of this order.
4. Use of metal products in consumer durable goods and related items.
5. Exemptions.
6. Seasonality.
7. Relationship to other orders and regulations.
8. Applications for adjustment or exception.
9. Records and reports.
10. Communications.
11. Violations.

Authority: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *Purpose.* The purpose of this order is to limit, during the third quarter of 1951, the use of iron and steel, copper, and aluminum, in the manufacture and assembly of specified items of consumer durable goods and related products, and of products for which no CMP allotment is received for the third quarter. Because large amounts of these metals must be used for defense and defense-supporting activities, only limited amounts remain available for production of the items covered by this order. This order is, therefore, necessary to promote an equitable distribution of these metals, and of parts made therefrom, among manufacturers and assemblers of such items.

Sec. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Base period" means:

(1) As to items included in List A of this order, except as otherwise provided in section 6 of this order, the 6-month period ending June 30, 1950.

(2) As to items included in List B of this order, the 3-month period ending March 31, 1951.

(c) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical means.

(d) "Metal product" means any of the following:

(1) The iron and steel products listed in Table I of NPA Order M–1, as amended, hereinafter referred to as "iron and steel products."

(2) The forms and products of copper and copper-base alloys listed in section 2 of NPA Order M–11 as amended, hereinafter referred to as "copper products." The term "copper products" includes copper powder.

(3) The aluminum forms and products listed in section 2 of NPA Order M–5, as amended, hereinafter referred to as "aluminum products."

(e) "Third quarter" means the calendar quarter commencing July 1, 1951.

(f) "Item" means the various products included in the listing following each Arabic numeral in List A or List B of this order, except as otherwise provided in the initial paragraph of section 4 of this order.

(g) "Part" means any part or component made wholly or partly from a metal product, and includes partially fabricated material which lost its identity as a metal product prior to its acquisition by the manufacturer or assembler of an item.

(h) "Gross weight" means the weight of a metal product used in the manufacture of an item, including the weight of any scrap resulting from such manufacturing operation. It does not refer to the metal product of the item, or any part thereof, after completion of the manufacturing process.

(i) "Net weight" means the weight of the metal product content of a part at the time such part is put into use in the assembly of an item.

Sec. 3. *Application of this order.* This order applies to any person who uses any metal product or part made wholly or partly therefrom in the manufacture or assembly of any item in List A or List B of this order. This order also applies to any person who manufactures parts specifically designed for any item in List A or List B, to the extent that such part may contain copper or aluminum used for ornamental or decorative purposes. This order does not apply to the production of metal products.

Sec. 4. *Use of metal products in consumer durable goods and related items.* The provisions of this section shall apply separately to iron and steel products, to copper products, and to aluminum products, and shall also apply separately to List A and List B of this order. In computing use or rate of assembly during the base period of copper products, aluminum products, or parts containing either such material, as to List B, no use or rate of assembly may be considered to the extent that it may have exceeded the use or rate of assembly permitted by any applicable NPA order, plus the additional use permitted by any adjustment of base-period use under such order. However, any use pursuant to an adjustment which did not by its terms authorize an adjustment of base-period use may not be considered for such purpose. In applying applicable percentage rates specified in paragraph (c) of this section to List A items, such rates shall be applied to average quarterly use or rate of assembly during the base period. Subject to the exemptions stated in section 5 of this order, or unless specifically authorized in writing by the National Production Authority, the following provisions shall apply to the use of metal products or parts in the manufacture or assembly of items subject to this order:

(a) No person shall use during the third quarter, in the manufacture of items included in List A or List B of this order, a total gross weight of any metal product in excess of his use of such material in such manufactured items in such list during the applicable base period, multiplied by the applicable percentage rate specified by paragraph (c) of this section. However, if such person used a metal product in the manufacture of one or more units of a part for an item during the applicable base period, and uses one or more purchased units of that part containing such material in such item during the third quarter, he shall include the gross weight of such metal product used in the manufacture of each such part, whether by himself or another, in computing his use of such metal product during the applicable base period and during the third quarter. Any person whose permitted use of any metal product in manufacture for the third quarter exceeds his actual use thereof for such purpose, computed in accordance with the preceding provisions of this paragraph, may, to the extent of such difference, treat as his own use the gross weight of such metal product used by others in the manufacture of any purchased part or parts which he uses in the assembly of any item. To such extent, with respect to such metal product, such purchased part or parts may be used without regard to the limitations of paragraph (b) of this section. Paragraph (b) of this section shall also apply to any person subject to this paragraph, to the extent that he assembles in any item purchased parts not subject to the provisions of this paragraph.

(b) Except as to parts subject to the provisions of paragraph (a) of this section, any person who uses purchased parts in the assembly of items in List A or List B of this order during the third quarter shall comply with one of the following limitations as to purchased parts containing a metal product, which limitations shall apply separately as to each metal product:

(1) He shall not use a number of units of any part containing a metal product in excess of the number of units of such part which he used during the applicable base period, multiplied by the applicable percentage rate specified by paragraph (c) of this section.

(2) He shall not assemble a number of units of any item in List A or List B of this order which contains purchased parts made wholly or partly from a metal product in excess of the number of units of such item containing such material which he assembled during the applicable base period, multiplied by the ap-

plicable percentage rate specified by paragraph (c) of this section.

(3) He shall not use purchased parts having a total net weight of a metal product in excess of the total net weight of such metal product in all purchased parts which he used during the applicable base period, multiplied by the applicable percentage rate specified by paragraph (c) of this section. Any person whose permitted use by net weight of any metal product in the assembly of purchased parts for the third quarter exceeds the actual net weight of such metal product in purchased parts used for such purpose, computed in accordance with the foregoing provisions of this subparagraph, may, to the extent of such difference, treat as the use of purchased parts in assembly the use of the net weight of such metal product in parts of his own manufacture. To such extent, the gross weight of such metal product used in the manufacture of such parts may be used without regard to the limitations of paragraph (a) of this section.

(c) In computing permitted use or rate of assembly of each metal product or of parts made wholly or partly therefrom, the following percentage rates shall be applied:

LIST A ITEMS

Type of products or parts:	*Percentage of average quarterly use or rate of assembly in base period*
Iron and steel products and parts	70
Copper products and parts	60
Aluminum products and parts	50

LIST B ITEMS

Type of products or parts:	*Percentage of use or rate of assembly in base period*
Iron and steel products and parts	85
Copper products and parts	80
Aluminum products and parts	75

However, in the manufacture or assembly of any item, or in the manufacture or assembly of any part specifically designed for use in the assembly of any item, no person shall:

(1) Use copper products or aluminum products, or any part containing either such material, for any ornamental or decorative purpose, except in an end-product which is primarily ornamental or decorative and is not ordinarily permanently attached to or used as part of another end-product. (Examples: Jewelry; tree ornaments.); or

(2) Subject to the same exception as is stated in the preceding subparagraph, use a greater quantity of copper products or aluminum products, or any part containing a greater quantity of either such material, than is necessary for functional or operational purposes; or

(3) Use a better grade of copper products or aluminum products, or any part containing a better grade of either such material, than is necessary for functional or operational purposes; or

(4) Use any stainless steel or high nickel alloy in violation of any provision of NPA Order M–14, as amended or any other applicable NPA order.

(d) During any month of the third quarter, no use in manufacture or rate of assembly subject to the limitations of this section shall exceed 40 percent of the permitted quarterly use or rate of assembly.

(e) The manufacture or assembly of any item in List A or List B of this order to fill rated orders, or to meet any mandatory order of the National Production Authority, shall be subject to the limitations of this order: *Provided, however,* That in cases where such limitations will delay or prevent the filling of such orders, application may be made for adjustment or exception pursuant to section 8 of this order.

SEC. 5. *Exemptions.* (a) Any person shall be exempt from the provisions of this order with respect to any metal product if his total output of manufactured and assembled items in List A and List B of this order during the third quarter has a content by weight of that metal product not in excess of the following quantities, subject to the provisions of paragraph (c) of section 4 of this order relating to the use of copper and aluminum products for ornamental or decorative purposes.

Type of material:	*Amount*
Carbon steel	5 short tons.
Alloy steel (except stainless steel)	1,000 pounds.
Copper products	500 pounds.
Aluminum	500 pounds.

The terms "carbon steel" and "alloy steel" are used as defined in Schedule I of CMP Regulation No. 1. In computing metal product content under this paragraph, there shall be considered both the use of such metal product and the estimated quantity of such metal product contained in parts purchased from others which are used in an item.

(b) Any person whose total output of manufactured and assembled items in List A and List B during the third quarter has a content by weight of any metal product (including the estimated amount of such metal product in parts purchased from others) of less than the following applicable maximum quantity may adjust his permitted use or rate of assembly as to such material as computed under section 4 of this order by increasing such permitted use by 25 percent, to the extent that such use or rate of assembly does not then exceed the applicable maximum quantity:

Type of product:	*Maximum quantity short tons*
Iron and steel products	100
Copper products	5
Aluminum products	5

SEC. 6. *Seasonality.* (a) Any person may, at his option, determine his permitted use or rate of assembly under this order for items in List A by using as a base period the 6-month period ending December 31, 1949: *Provided, however,* That such person shall then use that base period for all such manufactured and assembled items.

(b) If, because of seasonal factors, the use of the base period specified for items in List B of this order imposes undue or exceptional hardship upon any person who manufactures or assembles any item in such list, such person may apply for adjustment or exception pursuant to section 8 of this order.

SEC. 7. *Relationship to other orders and regulations.* (a) Nothing contained in this order shall impair or affect any CMP regulation. Any person who receives an allotment for a CMP Class B product subject to this order shall not thereafter be subject to this order as to such product: *Provided, however,* That such product shall not thereafter be included within any item in List A or List B of this order for the purpose of computing permitted use or rate of assembly for such item. If any part or subassembly is included in the Official CMP Class B Products List, and if the manufacturer thereof has received a CMP allotment for its manufacture during the third quarter, such part of subassembly may be disregarded in computations under section 4 of this order to the following extent:

(1) A person who uses such part or subassembly of his own manufacture in any item may disregard the metal product used in the manufacture of each such part or subassembly during the third quarter, in which case he shall also disregard the metal product used, whether by himself or another, in the manufacture of the corresponding part or subassembly which he used during the base period.

(2) A person who uses such a purchased part or subassembly in the assembly of any item may disregard the metal product content of such part or subassembly during the third quarter, in which case he shall also disregard the metal product content of the corresponding part or subassembly used during the base period, regardless of the identity of its manufacturer.

(b) The provisions of CMP Regulation No. 2 apply to any person subject to this order.

SEC. 8. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue and exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 9. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting

method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 10. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-47A.

SEC. 11. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

This order, as amended, shall take effect August 2, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

The items in List A and List B, made in whole or in part from metal products or containing parts made wholly or partly therefrom, are subject to the provisions of this order. (Joining hardware is not considered "parts" within the meaning of List A or List B.) The listing following each Arabic numeral shall be considered a separate item hereunder.

LIST A

I. Metal and Wood Household Furniture (Excluding Bedsprings, Mattresses, and Dual-Purpose Sleeping Equipment)

1. Household furniture predominantly of wood materials, including upholstered furniture (excluding products using less than 5 percent of iron and steel parts by weight, not including weight of joining hardware; and excluding wood beds with metal bedrails), and including but not limited to living room, dining room, kitchen, breakfast room, and bedroom furniture.

2. Household furniture predominantly of metal materials, including upholstered furniture, including but not limited to beach, recreation room, kitchen, sunroom, garden, porch, and lawn furniture.

II. Other Furniture and Fixtures (Excluding Medical, Dental, and Hospital Specialities, Bedsprings, Mattresses, and Dual-Purpose Sleeping Equipment)

1. Restaurant furniture and fixtures, including tray stands and serving tables.

2. Barber shop and beauty shop furniture especially designed for such use, including but not limited to manicure tables, dresserettes, hydraulic and reclining chairs, and couch units.

3. Soda fountain, counter, bar, beer and other malt beverage-dispensing equipment and fittings (including bar rails).

4. All other office, commercial, or industrial furniture, including but not limited to: all types of desks; stools; sofas; bookcases; tables; chairs; stands; booths; filing cabinets; transfer cases (including card and document cases); clothing racks; costumers; and theater, auditorium, stadium, and grandstand chairs and seats, ganged and single, indoor or outdoor types, including portable bleachers; flower pots, boxes, stands, and holders for same; and window boxes; but excluding seats and desks designed for school use.

III. Partitions, Shelving, Lockers, and Fixtures (Excluding Medical, Dental, and Hospital Specialties)

1. Lockers; partitions and shelving (excluding specially designed factory partitions and shelving); book stacks; luggage racks; household cabinets, such as kitchen, wardrobe, broom, and medicine cabinets; and telephone booths.

2. Show and display cases (including wall types), show and display tables, and counters.

3. Store and office decorative and ornamental fixtures.

IV. Appliances, Machines, and Equipment

1. Cooking stoves, ranges, combination cooking stoves, and combination ranges (domestic).

2. Small household-type electric appliances, including but not limited to: broilers, coffee percolators and urns; hot plates and disc stoves; roasters; toasters; waffle irons; sandwich grilles; cookers; casseroles; food mixers; juice extractors; drink mixers and whippers; hand hair dryers; vibrators; non-industrial electric air space heaters; electric steam radiators; heating pads; flat irons, including steam irons; immersion heaters and portable electric water heaters (excluding dry shavers).

3. Electric fans (except industrial types), including all desk-bracket, wall, pedestal, and floor or hassock fans under 16 inches; and attic, household, window ventilating, and kitchen exhaust fans of all sizes.

4. Floor waxing and polishing machines, furniture polishers, vacuum cleaners, and carpet sweepers (household).

5. Portable electric lamps, including office types, such as floor, bridge, desk, torch, and table; pin-up lamps; lamp shades; and incandescent vehicular lighting equipment.

6. Home laundry equipment, including but not limited to clothes dryers (gas and electric), mechanical ironers and mangles, electric and gasoline type washing machines, ironing boards, wash boards, drain boards, and washing boilers; dishwashing machines, automatic food and garbage disposal units, and water softeners (household).

7. Household refrigerators, mechanical and ice, and cabinets for household refrigerators sold separately; home and farm food freezers (under 13 cubic foot capacity) and cabinets for same sold separately; bottled beverage coolers (all types); and bulk beverage dispensers (all types).

8. Packaged air conditioning units (window and console types ¾ horsepower and under); dehumidifiers for home and office including self-contained types with complete refrigeration cycle.

9. Clothes poles and clothes hanging dryers.

10. Flexible cord sets; coated electric tubing; and Christmas tree lighting outfits.

V. Utensils and cutlery

1. Cooking and kitchen utensils (excluding hospital specialties).

2. Silverware (excluding religious), including but not limited to: flatware, hollow ware novelties, toilet ware, and trophies.

3. Plated ware (excluding religious), including but not limited to: flatware, hollow ware, novelties, toilet ware, and trophies.

4. Table and kitchen cutlery, such as all types of knives, forks, spoons, and carving sets; pocket knives; and cutlery handles.

5. Vacuum bottles and jugs over one quart, and silverware and plated ware types of all sizes; picnic boxes, kits, trunks, jugs, grills, and equipment.

VI. Radio, television, and phonographs

1. Radio receivers, home, portable, and broadcast band automobile receivers; radio-phonograph combinations (including combinations with recorders).

2. Television receivers; radio-television receivers; television-phonograph combination (including combinations with recorders); and radio-television-phonograph combinations (including combinations with recorders); color adapters and converters; and UHF adapters and converters.

3. Phonographs and record players, and phonograph needles and cutting styli.

VII. Transportation equipment

1. Motorcycles, motor scooters, motor bikes.

2. Bicycles.

3. Ships, boats and canoes, except military and commercial, including fittings of all kinds, fastenings, and hardware for same.

4. Aircraft, except military and commercial.

VIII. Miscellaneous Items

1. Automatic merchandising machines; coin-operated scales; home bathroom scales; nonmechanical and nonelectrical beverage coolers; household, nonelectric ice cream freezers; and coin operated musical devices or machines.

2. All games, toys, toy whistles, and children's vehicles (not including baby carriages, walkers, and strollers, not of play or toy type).

3. Jewelry (except religious goods); jewelry cases; novelties; ornaments; souvenirs; insignia, decorations, emblems, medals, and badges (except religious, protective services, and military); jewelers' findings and materials; buttons and button parts, civilian type (except machine-attached tack buttons, and rivets and burrs for the work-clothing industry); dress ornaments and fittings; millinery accessories and frames; statues and statuettes; artificial flowers; key chains and catches, and fasteners therefor.

4. Garden tools, lawn mowers, rollers, seeders, and tampers; hedgeclippers and snips; lawn and garden hose accessories, such as sprinklers, nozzles, couplings, clamps, menders, and reels.

5. Musical instruments, including equipment, stands, and cases; chimes and bells.

6. Pianos and organs, including parts and materials.

7. Paper weights; penholders and desk sets (excluding pens, mechanical pencils, and pen points contained therein); desk and document trays; letter openers; smokers' articles such as: ash trays, cigar tubes and cases, cigarette and match cases, holders, lighters, tobacco pipes, pipe cleaners, humidors, and smoking stands; match, cigarette, and typewriter ribbon boxes; book-ends, calendars, calendar stands, and desk pads; shoe stretchers and trees.

8. Venetian blinds, slats, fittings and accessories; and shades.

9. Fireplace fixtures and equipment, such as dampers, irons, and fire screens.

10. Sporting and athletic goods; weight reducing and exercising machines; rowing machines.

11. Morticians' goods and equipment such as caskets, coffins, urns, vaults, liners, and memorial tablets (excluding morticians' instruments, supplies, and wooden coffin hardware).

12. Signs, markers, and advertising displays (excluding safety and traffic control signs and markers); metal letters, numbers, and plates (except for industrial or public utility control, identification, or instruction).

13. Mirror and picture frames.

14. Garment hangers, hooks, brackets, racks, and rods; wire guards; wire florists' designs; bird and pet cages, houses, aquariums, accessories and equipment.

15. Grocery and retail market type baskets and carts.

16. Gambling and amusement devices or machines.

17. Luggage and trunks; handbags and purses; and small leather goods.

18. Beverage mixing and serving equipment such as coasters, bottle coolers, cocktail shakers, ice buckets and pails, and ice chippers and shavers.

19. Awnings and canopies.

20. Containers for bath salts, cosmetics (except collapsible tubes), gifts, and powder.

21. Bathroom accessories including soap dishes; tooth brush, tumbler and paper holders; and towel bars.

22. Binoculars and opera glasses (except precision types).

23. Umbrellas, parasols, walking sticks, canes, and batons; weather vanes; sundials; arbors and trellises.

24. Mops; mud scrapers; stairs and threshold treads and edging; cuspidors; and tags, collars, and harness for pets.

25. Clothes hampers; clothes-line hardware and clothespins; curtain and drapery hardware including fasteners, rods, and rings; carpet hardware; furniture grommets; robe hooks.

26. Hair brushes and combs; dresser sets; hair curlers, beauty cream jars; mesh bags; atomizers (except for medicinal purposes and for use in the preparation of dried milk and dried eggs).

27. Cups and soda fountain cup holders; flasks.

28. Any other end-product not included in any item in List A or List B of this order, as to a person who receives no CMP allotment for such product for the third quarter, and any other product on the Official CMP Class B Product List not included in any item in List A or List B of this order, whether or not such product is an end-product, as to a person who receives no CMP allotment for such product for the third quarter. (The term "end-product" shall not include any product normally incorporated as a part, component, or subassembly of any other product, whether or not such other product is included in any item in List A or List B of this order.) However, this item shall not include any product covered by NPA Order M-68.

IX. Accessories

1. Accessories for any single item in this list A shall constitute a separate item for the purposes of this order, and shall also be an item separate from the item to which it is an accessory.

2. Automobile accessories including but not limited to radio-antennae, heaters, defrosters, lighters, curb feelers, radiator ornaments, etc.

NOTE: With respect to items in this list A, an "accessory" shall mean any product not specifically listed in List A or List B which is used with or attachable to an item described in this list A or to a "passenger car" as defined in NPA Order M-68, and which is generally known in the trade as an "accessory".

LIST B

1. Pails, ash and garbage cans (except shipping containers), household buckets, washing tubs and tub covers; spray guns (except paint-spraying equipment and agricultural sprays).

2. Household furniture predominantly of wood materials (including upholstered furniture) using less than 5 percent of iron and steel parts by weight, not including weight of joining hardware; wood beds with metal bedrails.

3. Dual-purpose sleeping equipment.

4. Furniture and fixtures designed for medical, dental, and hospital use (medical, dental, and hospital specialties).

5. Partitions and shelving specially designed for factory use.

6. Furniture and cabinet hardware, including casters, caster cups, glides and floor protective devices; and casket and casket shell hardware.

7. Baby carriages, walkers, and strollers.

8. Hospital specialty cooking and kitchen utensils.

9. Sewing machines, household.

10. Farm food freezers, 13 cubic feet, and over.

11. Safety and traffic control signs and markers.

12. Incandescent hand portable lighting equipment (such as flashlights, lanterns, miners' and emergency warning hand portable lights); nonelectric lighting equipment, civilian type (such as: carbide, gasoline, and kerosene lamps and lanterns; nonelectric lighting equipment parts and accessories; and nonelectric lighting reflectors); lamp components, including cold cathode fluorescent lamp electrodes, electric lamp bases, and all electric lamp components except bulb blanks.

13. Domestic electric automatic controls for air conditioning, heating, and refrigeration.

14. Bottling machinery (except dairy).

15. Beauty and barber shop equipment (except products included in list A) such as: cold waving end wraps, processing caps and rods, hair clippers, lather mixers, permanent waving equipment and supplies, and manicure implements.

16. Clocks, clock cases, watches, and watchcases, including movements and parts.

17. Safety razors, blades, and blade magazines.

18. Electric dry shavers.

19. Electric fans (except industrial) other than types and sizes included in list A.

20. Home workshop machine tools and home woodworking machinery.

21. Stationery tablets, greeting cards, and related products; library and loose-leaf binders; lead pencils; pens, mechanical pencils, and pen points; paper clips; hand stamps; marking branding irons; marking dies; stamping and inking pads; stencil marking devices; and rubber and metal stamps.

22. Flat glass, except plate and sheet.

23. Brooms and brushes (except for types used in electric motors and generators).

24. Buttons and button parts (only machine-attached tack buttons, and rivets and burrs for the work clothing industry.)

25. Horse-drawn buggies, sleighs, and sulkies.

26. Vacuum bottles and jugs, one quart and under (other than silverware and plated ware type); lunch boxes for industrial and school use.

27. Religious jewelry, and religious, protective services, and military badges, insignia, decorations, emblems, and medals.

28. Commercial fishing tackle and gear.

29. Religious ware, including but not limited to altar vessels and communion ware.

NOTE: With respect to items in this List B, an "accessory" shall mean any product not specifically listed in List A or in List B of this order which is used with or attachable to an item described in this List B and which is generally known in the trade as an "accessory."

[F. R. Doc. 51-9128; Filed, Aug. 2, 1951; 5:12 p. m.]

Chapter XVIII — National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order 40 (DRO-30)]

DRO-30—RATES ON COAL IN BULK FROM HAMPTON ROADS, BALTIMORE OR PHILADELPHIA TO EIRE OR NORTHERN IRELAND

Sec.

1. What this order does.
2. Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.

AUTHORITY: Sections 1 and 2 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* This order hereby authorizes the following freight rates and charter terms and conditions for the transportation of full cargoes of coal, in bulk, under "warshipvoy" form of charter as revised August 15, 1944, in vessels operated for account of the National Shipping Authority, from Hampton Roads, Baltimore or Philadelphia to a port of discharge in Eire or Northern Ireland, effective on vessels commencing to load on and after August 1, 1951.

SEC. 2. *Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944:*

[All rates in U. S. currency per ton of 2,240 pounds]

To—	Freight rate	Discharge rate
Eire	$10.70	1,000
Northern Ireland	10.15	1,500

NOTE: Foregoing rates apply to cargoes loaded at one port and discharged at one port; for more than one port of loading or discharge, within the same general area or range, add fifty cents (50c) U. S. currency per ton for each such additional port to the highest applicable rate, the total rate thus formed to apply on the entire cargo. Cargoes for more than one port of loading or discharge shall be subject to negotiation and mutual agreement between the owners and the charterers.

The following clauses are to be inserted in paragraphs E, F, G, H, and I of Part I of "Warshipvoy":

E. *Freight rate* (insert applicable rate as above set forth, including, if applicable, additions for extra ports of discharge).

Freight fully prepaid in the United States on bill-of-lading quantity and to be considered due and payable and earned on the cargo as taken aboard, vessel and/or cargo lost or not lost.

Demurrage. Charterers to pay demurrage at the rate of $_____[1] per day for each and every day or pro rata for part of a day for all time used in loading or discharging in excess of allowed laytime.

Despatch. Despatch if earned at loading or discharging port will be payable at the rate of one-half (½) the demurrage rate per day or pro rata for part of a day for all laytime saved in loading or discharging.

F. *Stevedoring.* Loading and trimming expenses shall be for vessel's account; discharging expenses shall be for charterer's account.

G. *Loading time.* Loading to be at the rate of 1,500 tons per day, Sundays and holidays excepted unless used.

H. *Discharging time.* Cargo shall be discharged at the rate of three[2] tons per day, Sundays and holidays excepted unless used. Time lost in discharging due to weather preventing discharge shall not count as laytime.

I. *Special provisions.* 1. Charterers have the option of shipping not more than 250 tons of coke at the same rate of freight as the coal, charterers paying all additional expenses.

2. Any lightening required to enable vessel to reach her destination to be at charterer's risk and expense and time occupied to count as laytime.

3. General average clause: The adjustment and settlement of general average claims, pursuant to Clause 21, Part II, shall be governed by the York-Antwerp Rules of 1950, exclusive of Rule 22.

4. Wherever the words "United States Maritime Commission" appear in Part II hereof same shall be understood to mean National Shipping Authority.

5. This contract is subject to the approval of the National Shipping Authority.

C. H. McGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-9016; Filed, Aug. 3, 1951; 8:53 a. m.]

[NSA Order 41 (DRO-31)]

DRO-31—RATES ON COAL IN BULK FROM HAMPTON ROADS, BALTIMORE, OR PHILADELPHIA TO THE UNITED KINGDOM

Sec.
1. What this order does.
2. Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.

AUTHORITY: Sections 1 and 2 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* This order hereby authorizes the following freight rates and charter terms and conditions for the transportation of full cargoes of coal, in bulk, under "WARSHIPVOY" form of charter as revised August 15, 1944, in vessels operated for account of the National Shipping Authority, from Hampton Roads, Baltimore, or Philadelphia to a port of discharge in the United Kingdom, effective on vessels commencing to load on and after August 1, 1951.

SEC. 2. *Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944:*

[All rates in U. S. currency per ton of 2,240 pounds]

To:	
Falmouth or Plymouth	$10.10
London	10.65
Aberdeen/Grimsby Range	10.90
All other United Kingdom	10.25

NOTE: Foregoing rates apply to cargoes loaded at one port and discharged at one port; for more than one port of loading or discharge, within the same general area or range, add fifty cents (50¢) U. S. currency per ton for each such additional port to the highest applicable rate, the total rate thus formed to apply on the entire cargo. Cargoes for more than one port of loading or discharge shall be subject to negotiation and mutual agreement between the owners and the charterers.

The following clauses are to be inserted in paragraphs E, F, G, H, and I of Part I of "Warshipvoy":

E. *Freight rate* (insert applicable rate as above set forth, including, if applicable, additions for extra ports of discharge).

Freight fully prepaid in the United States on bill-of-lading quantity and to be considered due and payable and earned on the cargo as taken aboard, vessel and/or cargo lost or not lost.

Demurrage. Charterers to pay demurrage at the rate of $_____[1] per day for each and every day or pro rata for part of a day for all time used in loading or discharging in excess of allowed laytime.

Despatch. Despatch if earned at loading or discharging port will be payable at the rate of one-half (½) the demurrage rate per day or pro rata for part of a day for all laytime saved in loading or discharging.

F. *Stevedoring.* Loading and trimming expenses shall be for vessel's account; discharging expenses shall be for charterer's account.

G. *Loading time.* Loading to be at the rate of 1,500 tons per day, Sundays and holidays excepted unless used.

H. *Discharging time.* Cargo shall be discharged at the rate of 1,500 tons per day, Sundays and holidays excepted unless used. Time lost in discharging due to weather preventing discharge shall not count as laytime.

I. *Special provisions.* 1. Charterers have the option of shipping not more than 250 tons of coke at the same rate of freight as the coal, charterers paying all additional expenses.

2. Custom of the port to the contrary, it is agreed that in the event of the vessel being ordered to discharge at a port or berth which on arrival is inaccessible on account of insufficient water, and vessel is in all other respects ready to discharge, time shall still commence in accordance with Clause 10 of Part II hereof.

3. Any lightening required to enable vessel to reach her destination to be at charterer's risk and expense and time occupied to count as laytime.

4. If vessel is ordered to Purfleet Wharf, London, for discharge Master to arrange vessel's trim to arrive at discharging berth on even keel, as far as possible.

5. General average clause: The adjustment and settlement of general average claims, pursuant to Clause 21, Part II shall be governed by the York-Antwerp Rules of 1950, exclusive of Rule 22.

6. Wherever the words "United States Maritime Commission" appear in Part II hereof same shall be understood to mean National Shipping Authority.

7. This contract is subject to the approval of the National Shipping Authority.

C. H. McGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-9015; Filed, Aug. 3, 1951; 8:52 a. m.]

[NSA Order 42 (DRO-32)]

DRO-32—RATES ON COAL IN BULK BETWEEN HAMPTON ROADS, BALTIMORE OR PHILADELPHIA AND ITALY (INCLUDING PORTS ON THE ADRIATIC SEA)

Sec.
1. What this order does.
2. Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944.

AUTHORITY: Sections 1 and 2 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. *What this order does.* This order cancels NSA Order No. 15 (DRO-10) and authorizes the following freight rates and charter terms and conditions for the transportation of full cargoes of coal, in bulk, under "Warshipvoy" form of charter as revised August 15, 1944, in vessels operated for account of the National Shipping Authority, from Hampton Roads, Baltimore or Philadelphia to a port of discharge in Italy or on the Adriatic Sea, effective on vessels commencing to load on and after August 1, 1951.

SEC. 2. *Freight rates and charter terms and conditions required under "Warshipvoy" form of charter as revised August 15, 1944:*

[All rates in U. S. currency per ton of 2,240 pounds]

To—	Freight rate	Discharge rate
Italy:		
Savona	$11.20	3,000
Genoa, Naples, Bagnoli, La Spozia, Leghorn, Civitaveccia or Porto Vecchio di Piombino	11.70	2,000
All other West Coast Italy, Sardinian, or Sicilian ports	12.10	1,500
Adriatic:		
Venice, Ancona, or Trieste	13.05	2,000
All other Adriatic Sea ports	13.45	1,500

NOTE: Foregoing rates apply to cargoes loaded at one port and discharged at one port; for more than one port of loading or discharge, within the same general area or range, add fifty cents (50¢) U. S. currency per ton for each such additional port to the highest applicable rate, the total rate thus formed to apply on the entire cargo. Cargoes for more than one port of loading or discharge shall be subject to negotiation and mutual agreement between the owners and the charterers.

The following clauses are to be inserted in paragraphs E, F, G, H, and I of Part I of "Warshipvoy":

E. *Freight rate* (insert applicable rate as above set forth, including, if applicable, additions for extra ports of discharge).

Freight fully prepaid in the United States on bill-of-lading quantity and to be considered due and payable and earned on the cargo as taken aboard, vessel and/or cargo lost or not lost.

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[1] (Insert applicable demurrage rate, i. e., fifteen hundred dollars ($1,500) for Liberty type vessels and eighteen hundred dollars ($1,800) for Victory type vessels.)

[2] (Insert applicable rate of discharge as shown hereinabove under caption "Discharge rate.")

Demurrage. Charterers to pay demurrage at the rate of $_____[1] per day for each and every day or pro rata for part of a day for all time used in loading or discharging in excess of allowed laytime.

Despatch. Despatch if earned at loading or discharging port will be payable at the rate of one-half (½) the demurrage rate per day or pro rata for part of a day for all laytime saved in loading or discharging.

F. *Stevedoring.* Loading and trimming expenses shall be for vessel's account; discharging expenses shall be for charterer's account.

G. *Loading time.* Loading to be at the rate of 1,500 tons per day, Sundays and holidays excepted unless used.

H. *Discharging time.* Cargo shall be discharged at the rate of _____[2] tons per day, Sundays and holidays excepted unless used. Time lost in discharging due to weather preventing discharge shall not count as laytime.

I. *Special provisions.* 1. Charterers have the option of shipping not more than 250 tons of coke at the same rate of freight as the coal, charterers paying all additional expenses.

2. Charterer shall advise General Agent of the discharge range, i. e., West Coast of Italy including Sardinia and Sicily or Italian Adriatic, not later than 48 hours prior to vessel's expected readiness to load.

3. Any lightening required to enable vessel to reach her destination to be at charterer's risk and expense and time occupied to count as laytime.

4. General average clause: The adjustment and settlement of general average claims, pursuant to Clause 21, Part II shall be governed by the York-Antwerp Rules of 1950, exclusive of Rule 22.

5. Wherever the words "United States Maritime Commission" appear in Part II hereof same shall be understood to mean National Shipping Authority.

6. This contract is subject to the approval of the National Shipping Authority.

C. H. McGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-9014; Filed, Aug. 3, 1951; 8:52 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 119—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

MISCELLANEOUS AMENDMENTS

Basis and Purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, members of the Industry and Alaska field personnel of the Bureau of Indian Affairs, it has been determined that the abundance of the early runs of pink salmon to the eastern side of Stephens Passage and Frederick Sound, from the latitude of Midway Island to Horn Cliffs, have adequately seeded the spawning beds of the streams in this area and the surplus can be permitted to be taken for commercial purposes without endangering the runs.

Therefore, in accordance with the authority cited, the following amendments are adopted effective only during the specified open season from 6 a. m. August 6 until 6 p. m. September 1, 1951:

(1) Section 119.7 is deleted.

(2) Section 119.9 is amended by adding the following paragraphs:

§ 119.9 *Areas open to traps.* * * *

(a) Mainland, east side of Stephens Passage: From 57 degrees 35 minutes 42 seconds north latitude, 133 degrees 37 minutes 8 seconds west longitude, to 57 degrees 36 minutes 52 seconds north latitude, 133 degrees 39 minutes 17 seconds west longitude.

(b) Mainland, east side of Stephens Passage: Within 2,500 feet of a point at 57 degrees 28 minutes 8 seconds north latitude, 133 degrees 30 minutes 42 seconds west longitude.

(c) Mainland, east side of Stephens Passage: Along the coast: (1) within 2,500 feet of a point at 57 degrees 21 minutes 18 seconds north latitude, 133 degrees 26 minutes 37 seconds west longitude, and (2) within 2,500 feet of a point at 57 degrees 23 minutes 4 seconds north latitude, 133 degrees 27 minutes 42 seconds west longitude.

(d) Mainland, Frederick Sound: From a point on the south side of Fanshaw Bay at 133 degrees 32 minutes 27 seconds west longitude to Cape Fanshaw thence southeasterly to 133 degrees 29 minutes 57 seconds west longitude.

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

ALBERT M. DAY,
Director.

[F. R. Doc. 51-8976; Filed, Aug. 3, 1951; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 920]

IRISH POTATOES GROWN IN MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW HAMPSHIRE, AND VERMONT

NOTICE OF PROPOSED BUDGET AND RATE OF ASSESSMENT

Notice is hereby given that the Secretary of Agriculture is considering the approval of the budget and rate of assessment, hereinafter set forth, which were recommended by the New England Potato Committee, established pursuant to Order No. 20 (7 CFR 920), regulating the handling of Irish potatoes grown in the States of Massachusetts, Rhode Island, Connecticut, New Hampshire, and Vermont, issued under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 920.202 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the New England Potato Committee, established pursuant to Order No. 20, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid order, during the fiscal year ending May 31, 1952, will amount to $16,000.00;

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be one and one-half cent ($0.015) per hundredweight, of potatoes handled by him as the first handler thereof during said fiscal year; and

(c) The terms used in this section shall have the same meaning as when used in Order No. 20 (7 CFR Part 920).

(Sec. 5, 49 Stat. 753; as amended; 7 U. S. C. and Sup. 608c).

Done at Washington, D. C., this 1st day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-8986; Filed, Aug. 3, 1951; 8:48 a. m.]

[1] (Insert applicable demurrage rate, i. e., fifteen hundred dollars ($1,500) for Liberty type vessels and eighteen hundred dollars ($1,800) for Victory type vessels.)

[2] (Insert applicable rate of discharge as shown hereinabove under caption "Discharge Rate".)

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10017, 10018]

K9 PATROL BY KENNEDY DETECTIVE AGENCY AND ROLFE ARMORED TRUCK SERVICE, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Bennett Thornton Kennedy, d/b as K9 Patrol By Kennedy Detective Agency, for construction permit, Docket No. 10017, File No. 179-C2-P-51; and Rolfe Armored Truck Service, Inc., for renewal of license in the domestic Public Land Mobile Radio Service at Miami, Florida, Docket No. 10018, File No. 971-C2-R-51.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 18th day of July 1951;

The Commission, having under consideration the applications of Bennett Thornton Kennedy, d/b as K9 Patrol by Kennedy Detective Agency, for authorization to construct a radio station to provide mobile radiocommunication service on the frequencies 152.15 Mc. and 158.61 Mc. in the Domestic Public Land Mobile Radio Service at Miami, Florida, and the application of Rolfe Armored Truck Service, Inc., for renewal of its existing license for station KIA956 to provide mobile radiocommunication service on the frequencies 152.15 Mc. and 158.61 Mc. in the Domestic Public Land Mobile Radio Service at Miami, Florida; and

It appearing, that, in accordance with the Commission's Report and Order in Dockets Nos. 8658, et al., dated April 27, 1949, and § 6.409 of the Commission's rules governing Public Radiocommunication Services (Other than Maritime Mobile), each frequency available for assignment in the Domestic Public Land Mobile Radio Service is normally assigned exclusively to a single applicant in any service area in order to permit the rendition of service on an interference-free basis, and that the above-entitled applications are mutually exclusive;

It is ordered, That, pursuant to the provisions of section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to be held at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m. on the 24th day of September 1951; on the following issues:

(1) To determine the legal, technical, financial and other qualifications of Bennett Thornton Kennedy, d/b as K9 Patrol By Kennedy Detective Agency and Rolfe Armored Truck Service, Inc., respectively, to construct and operate the proposed radio stations.

(2) To determine the nature, type and scope of service proposed to be provided by each applicant.

(3) To determine the area which may be expected to receive service from each of the proposed stations and the need for such service in the area proposed to be served.

(4) To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices and services of each applicant for the furnishing of radiocommunication service in the Domestic Public Land Mobile Radio Service at Miami, Florida.

(5) To determine, in the light of the evidence on the foregoing issues, which applicant is better qualified to serve the public interest, convenience, or necessity.

(6) To determine, on a comparative basis, which, if either, of the applications in this proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-8997; Filed, Aug. 3, 1951; 8:49 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region I, Redelegation of Authority No. 1]

DIRECTORS OF DESIGNATED DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7, AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, pursuant to delegation of authority No. 5 (16 F. R. 3672) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, and Manchester, New Hampshire, District Offices of the Office of Price Stabilization to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the Directors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, and Manchester, New Hampshire, District Offices of the Office of Price Stabilization to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the cost of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the Directors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, and Manchester, New Hampshire District Offices of the Office of Price Stabilization to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective as of July 27, 1951.

JOHN M. O'ROURKE,
Director of Regional Office No. I.

AUGUST 2, 1951.

[F. R. Doc. 51-9120; Filed, Aug. 2, 1951; 4:58 p. m.]

[Region I, Redelegation of Authority No. 2]

DIRECTORS OF DESIGNATED DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 8 (16 F. R. 5659), as amended (16 F. R. 6640), this redelegation of authority is hereby issued.

1. Authority to act under sections 15 (c), 26a, 28a, and 28b of CPR 14, sections 26, 26a, 27, and 30 (b) of CPR 15, and sections 22 (b), 24, 24a, and 26 (b) of CPR 16. Authority is hereby redelegated to the Directors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, and Manchester, New Hampshire District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a, and 28b of CPR 14, sections 26, 26a, 27, and 30 (b) of CPR 15, and sections 22 (b), 24, 24a, and 26 (b) of CPR 16.

2. Authority to act under section 21a of CPR 15. Authority is hereby redelegated to the Directors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, and Manchester, New Hampshire, District Offices of the Office of Price Stabilization to act on all applications, price actions and adjustments under the provisions of section 21a of CPR 15.

This redelegation of authority is effective as of July 27, 1951.

JOHN M. O'ROURKE,
Director of Regional Office No. I.

AUGUST 2, 1951.

[F. R. Doc. 51-9118; Filed, Aug. 2, 1951; 4:57 p. m.]

[Region I, Redelegation of Authority No. 3]

DIRECTORS OF DESIGNATED DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 13 (16 F. R. 6306) this redelegation of authority is hereby issued.

1. Authority to act under section 13 of CPR 11, as amended. Authority is hereby redelegated to the Directors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, and Manchester, New Hampshire, District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of section 13 of CPR 11, as amended.

This redelegation of authority is effective as of July 28, 1951.

JOHN M. O'ROURKE,
Director Regional Office No. I.

AUGUST 2, 1951.

[F. R. Doc. 51-9119; Filed, Aug. 2, 1951; 4:57 p. m.]

[Region X, Redelegation of Authority No. 1]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7, AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 5 (16 F. R. 3672) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas, Tulsa, Oklahoma, Oklahoma City, Oklahoma, Shreveport, Louisiana, New Orleans, Louisiana, Lubbock, Texas, Fort Worth, Texas, Dallas, Texas, Houston, Texas, and San Antonio, Texas, District Offices of Price Stabilization to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas, Tulsa, Oklahoma, Oklahoma City, Oklahoma, Shreveport, Louisiana, New Orleans, Louisiana, Lubbock, Texas, Fort Worth, Texas, Dallas, Texas, Houston, Texas, and San Antonio, Texas, District Offices of Price Stabilization to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the cost of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the Directors of the Little Rock, Arkansas, Tulsa, Oklahoma, Oklahoma City, Oklahoma, Shreveport, Louisiana, New Orleans, Louisiana, Lubbock, Texas, Fort Worth, Texas, Dallas, Texas, Houston, Texas, and San Antonio, Texas, District Offices of Price Stabilization to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective as of July 26, 1951.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 2, 1951.

[F. R. Doc. 51-9117; Filed, Aug. 2, 1951; 4:57 p. m.]

[Region X, Redelegation of Authority No. 2]

DIRECTORS OF DISTRICT OFFICES, REGION X

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. X, pursuant to Delegation of Authority No. 8 (16 F. R. 5659) and Delegation of Authority No. 8, Amendment 1 (16 F. R. 6340) this redelegation of authority is hereby issued.

1. Authority to act under sections 15 (c), 26a, 28a and 28b of CPR 14, sections 21a, 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16. Authority is hereby redelegated to the Directors of Little Rock, Arkansas, Tulsa, Oklahoma, Oklahoma City, Oklahoma, Shreveport, Louisiana, New Orleans, Louisiana, Lubbock, Texas, Fort Worth, Texas, Dallas, Texas, Houston, Texas, and San Antonio, Texas, District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a and 28b of CPR 14, sections 21a, 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16.

This redelegation of authority is effective as of July 26, 1951.

ALFRED L. SEELYE,
Director of Regional Office No. X.

AUGUST 2, 1951.

[F. R. Doc. 51-9116; Filed, Aug. 2, 1951; 4:57 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1701]

NEW YORK STATE NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

JULY 31, 1951.

On June 4, 1951, New York State Natural Gas Corporation (Applicant), a New York corporation having its principal place of business at New York City, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission pipeline facilities, all as more fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition raising an issue of substance having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 21, 1951 (16 F. R. 5908).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 17, 1951, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: July 31, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8974; Filed, Aug. 3, 1951; 8:46 a. m.]

[Docket No. G-1743]

SOUTHERN CALIFORNIA GAS CO. AND SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

NOTICE OF APPLICATION

JULY 31, 1951.

Take notice that on July 13, 1951, Southern California Gas Company (Southern California), and Southern Counties Gas Company of California (Southern Counties), California corporations each having its principal place of business in Los Angeles, California, filed a joint application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of approximately 23.5 miles of 30-inch transmission pipeline from the Crenshaw station on applicant's Texas pipeline to connect with the Goleta Pipeline at Lindley Avenue and Burbank Boulevard in Los Angeles, California. Applicants also request the Commission to certificate the route of the existin

30-inch pipeline between Rivera Junction and Crenshaw Station in Los Angeles.

Applicants propose to transport gas from the La Goleta storage field southward through the proposed facilities to the Los Angeles area during the winter, and northward from the Texas pipeline in the summer. Southern California will have a 75 percent interest and Southern Counties a 25 percent interest in the 11.7 miles of line between the Crenshaw and Mississippi Avenue Stations. The remaining 11.8 miles will be owned solely by Southern California.

The cost of the proposed facilities is estimated to be $2,611,875.

Applicants propose to finance this construction initially from funds on hand, and later to cover this investment in part by the sale of bonds and common stock.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 20th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8972; Filed, Aug. 3, 1951; 8:46 a. m.]

[Docket No. G-1752]

NATURAL GAS PIPELINE CO. OF AMERICA

NOTICE OF APPLICATION

JULY 31, 1951.

Take notice that Natural Gas Pipeline Company of America (Applicant), a Delaware corporation, address, Chicago 6, Illinois, filed on July 25, 1951, an application for an order pursuant to section 7 (b) of the Natural Gas Act authorizing and approving the abandonment of its gas sales service to Chicago District Pipeline Company (Chicago District) and for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, authorizing the sale of natural gas directly to Public Service Company of Northern Illinois (Public Service), The Peoples Gas Light and Coke Company (Peoples Gas) and Northern Indiana Public Service Company (Northern Indiana).

Applicant presently sells and delivers natural gas to Chicago District which transmits and resells natural gas to Public Service, Peoples Gas and Northern Indiana. Chicago District has made application in Docket No. G-1643 to abandon the gas sales service which it now renders, and thereafter to render transportation service only to its present customers. Applicant in this proceeding proposes to abandon the sale for resale service which it now renders to Chicago District and to sell directly to Public Service, Peoples Gas and Northern Indiana that quantity of gas heretofore resold by Chicago District to those companies, and to continue to sell to Chicago District its fuel and unaccounted-for gas requirements. No new or additional facilities are proposed to be constructed by Applicant in connection with the proposed service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 20th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-8973; Filed, Aug. 3, 1951; 8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

OFFICIALS IN HOUSING AND HOME FINANCE AGENCY

REVOCATION OF DELEGATION OF AUTHORITY WITH RESPECT TO ORDER M-4 OF THE NATIONAL PRODUCTION AUTHORITY

The delegation of authority to officials in the Housing and Home Finance Agency, with respect to Order M-4 of the National Production Authority, as amended, 16 F. R. 5720, 6008, is hereby revoked.

(Pub. Law 774, 81st Cong.; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Del. 1, May 15, 1951, 16 F. R. 4594; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; Dept. of Commerce Order 123, Sept. 28, 1950, 15 F. R. 6726; NPA Del. No. 14, June 7, 1951, 16 F. R. 5401)

Effective as of the 1st day of August 1951.

B. T. FITZPATRICK,
Acting Housing and Home Finance Administrator.

[F. R. Doc. 51-8998; Filed, Aug. 3, 1951; 8:49 a. m.]

OFFICIALS IN HOUSING AND HOME FINANCE AGENCY

DELEGATION OF AUTHORITY WITH RESPECT TO CMP REG. 6 OF THE NATIONAL PRODUCTION AUTHORITY

The authority of the Housing and Home Finance Administrator under Delegation No. 14 of the National Production Authority, as amended, July 11, 1951, to approve or disapprove construction schedules of prime contractors and related allotments of controlled materials for residential construction and in connection therewith to apply or assign to others the right to apply DO ratings and allotment numbers and symbols for procurement of materials and products other than controlled materials which are required for such construction, in accordance with the provisions of CMP Regulation No. 6, is hereby delegated as follows, subject to such other instructions or directions as the Administrator may deem advisable:

1. To the Public Housing Commissioner and his designated representatives with respect to the construction of multi-unit residential structures by federal, state, and local public agencies.

2. To the Federal Housing Commissioner and his designated representatives with respect to all other construction of multi-unit residential structures not included in Paragraph 1, hereof.

3. To the Director of the Defense Liaison Staff, (Division of Plans and Programs) of the Housing and Home Finance Agency with respect to the construction of any residential structure.

(Pub. Law 774, 81st Cong.; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Del. 1, May 15, 1951, 16 F. R. 4594; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; Dept. of Commerce Order 123, Sept. 28, 1950, 15 F. R. 6726; NPA Del. No. 14, as amended, July 11, 1951, 16 F. R. 6735)

Effective as of the 1st day of August 1951.

B. T. FITZPATRICK,
Acting Housing and Home Finance Administrator.

[F. R. Doc. 51-8999; Filed, Aug. 3, 1951; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26295]

CARBON ELECTRODES FROM FOSTORIA, OHIO, TO NEW YORK AND NEW JERSEY

APPLICATION FOR RELIEF

AUGUST 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 3758, pursuant to fourth-section order No. 9800.

Commodities involved: Carbon electrodes, dry battery, carloads.

From: Fostoria, Ohio.

To: Brooklyn and New York, N. Y., and Jersey City, N. J.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-8969; Filed, Aug. 3, 1951; 8:48 a. m.]

[4th Sec. Application 26296]

CAUSTIC POTASH FROM CORPUS CHRISTI, TEX., TO EAST ST. LOUIS AND WOOD RIVER, ILL.

APPLICATION FOR RELIEF

AUGUST 1, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3967.

Commodities involved: Caustic potash, in solution, in tank-car loads.

From: Corpus Christi, Tex.

To: East St. Louis and Wood River, Ill.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8988; Filed, Aug. 3, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2659]

SOUTHERN NATURAL GAS CO.

ORDER AUTHORIZING PROPOSED BORROWING FROM CERTAIN BANKING INSTITUTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 31st day of July A. D. 1951.

Southern Natural Gas Company ("Southern"), a registered holding company, which is also engaged in the business of transporting natural gas, having filed a declaration and an amendment thereto with this Commission pursuant to section 7 of the Public Utility Holding Company Act of 1935 ("Act") regarding the following transactions:

Southern proposes to enter into a Loan Agreement with The Chase National Bank of the City of New York and certain other banks, pursuant to which it proposes to borrow an aggregate principal amount of $5,500,000 on or prior to September 4, 1951, and to issue its notes in evidence thereof. The notes evidencing the loans are to be payable two years after the respective dates of the loans and are to bear interest from such dates at the rate of 2¾ percent per annum for the first year and thereafter, until maturity, at the rate of 2¾ percent per annum or a rate which shall be ¼ of 1 percent above the prime commercial rate of The Chase National Bank of the City of New York for unsecured loans (whichever shall be greater) but in no event more than 3 percent per annum.

Southern proposes to use the proceeds from the above mentioned loans, together with other funds, toward its construction program for 1951 estimated at approximately $16,520,000

Southern states that during the year 1952 it will undertake the construction of further substantial additions and extensions to its system and, in connection therewith, will require a substantial amount of additional funds and that a major financial program will be undertaken sometime in 1952, in which provision will be made for the payment of the proposed notes. Southern further states that upon completion of its 1951 construction program, the net amount of unfunded property additions would amount to more than $11,000,000, an amount sufficient for the issuance of First Mortgage Bonds (at 60 percent under the provisions of the company's Indenture) in a principal amount of more than $6,600,000 and that if the contemplated financing program is not consummated prior to the maturity of the proposed notes, the notes could be paid from the proceeds of First Mortgage Bonds issued on the basis of 1951 property additions.

The declarant states that no fees, commissions or remunerations are to be paid in connection with the issuance of the notes and estimates its miscellaneous expenses at approximately $1,000.

Said declaration having been filed on June 28, 1951, and an amendment thereto having been filed on July 23, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that said declaration, as amended, satisfies the requirements of the applicable provisions of the Act and the Rules and Regulations thereunder and finding no basis for making adverse findings, and deeming it appropriate in the public interest and in the interest of investors and consumers that the declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Act that said declaration, as amended, be and the same hereby is, permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-8975; Filed, Aug. 3, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18250]

MASAKAZU HATTORI

In re: Real property owned by Masakazu Hattori, also known as Masakasu William Hattori and as William Masakasu Hattori. F-39-6267.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Masakazu Hattori, also known as Masakasu William Hattori and as William Masakasu Hattori, whose last known address is No. 521 Rokkakubashi-machi, Kanagawa-ku, Yokohama, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Real property situated in the County of San Joaquin, State of California, particularly described as "commencing in the center of Section 64 of Weber Grant, thence South 1655', East 377 feet from point of beginning; thence West 1143.3 feet; thence South 381 feet; thence North 381 feet to the point of beginning, containing 9.83 acres, more or less," together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9002; Filed, Aug. 3, 1951; 8:50 a. m.]

[Vesting Order 18252]

ALFRED RAYMOND RAFF AND NORTH PHILADELPHIA TRUST CO.

In re: Trust agreement dated February 24, 1933, between Albert Raymond Raff, Trustor, and North Philadelphia Trust Company of Philadelphia, Pennsylvania, Trustee. File No. D-28-13025-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Louise Rapp, Christian Hehn Rittelhof, Else Raff Leichler, Kandline Ruckh, Pauline Raff, Adolphus Raff, and the Family of Mary Werner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated February 24, 1933, by and between Albert Raymond Raff, Trustor, and North Philadelphia Trust Company of Philadelphia, Pennsylvania, Trustee, presently being administered by North Philadelphia Trust Company, Broad Street and Germantown Avenue Above Erie Avenue, Philadelphia 40, Pennsylvania,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9004; Filed, Aug. 3, 1951; 8:50 a. m.]

[Vesting Order 18257]

ANNA SCHAFHEITLIN

In re: Debts owing to Anna Schafheitlin also known as Anna M. Schafheitlin. F-28-1817-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Schafheitlin also known as Anna M. Schafheitlin, whose last known address is (21a) Dutzen, Krs. Minden i. W. Lubbeckerstr. 100, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations evidenced by Notes drawn by, dated and in the principal sums as set forth below:

Drawer	Date	Principal sum
Adelene Bowie	Mar. 2, 1933	$200.00
F. B. Schafheitlin	Jan. 30, 1939	100.00
Do	Apr. 10, 1939	50.00

said notes presently in the custody of the Attorney General of the United States, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, and any and all accruals thereto, together with any and all rights in, to and under said notes,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9009; Filed, Aug. 3, 1951; 8:51 a. m.]

[Vesting Order 18254]

CERTAIN GERMAN NATIONALS

In re: Scrip certificate owned by German nationals whose names are unknown. F-28-24581-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described in subparagraph 3 hereof is being held by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, for the account of Anglo Dutch Banking & Trading Company, The Hague, Netherlands;

2. That although the names of the owners of the property described in subparagraph 3 hereof are not available, such persons, who, if individuals, there is reasonable cause to believe are residents of Germany and, if partnerships, corporations, associations or other business organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: One (1) Scrip Certificate for 8/15ths of one share of stock of Public Service Company of Indiana, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in a blocked account entitled, "The Chase National Bank of the City of New York as custodian for Anglo Dutch Banking & Trading Company, The Hague, Netherlands", account numbered F86017, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate

consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9006; Filed, Aug. 3, 1951; 8:50 a. m.]

[Vesting Order 18256]

IMPERIAL JAPANESE GOVERNMENT

In re: Cash and personal property owned by the Imperial Japanese Government. D-39-19327.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the Japanese Financial Commission, the last known address of which is 120 Broadway, New York, New York, is an agency or instrumentality of a designated enemy country (Japan);

2. That the property described as follows:

a. The sum of $274.31, representing amount of $5.00, $250.00, $9.24 and $10.07 contained in separate envelopes, presently in the custody of Edward Feldman, Special Deputy Superintendent, State of New York Banking Department, New York, New York, in an account entitled "Yokohama Specie Bank, Ltd.,—Japanese Financial Commission", and

b. Those certain articles of personal property presently in the custody of Edward Feldman, Special Deputy Superintendent, State of New York Banking Department, in an account entitled "Yokohama Specie Bank, Ltd.—Japanese Financial Commission", and particularly described as follows:

Number of articles:	*Description of property*
One (1)	Large bronze trophy.
One (1)	Small silver trophy.
One (1)	Belt buckle.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by a designated enemy country (Japan);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9008; Filed, Aug. 3, 1951; 8:50 a. m.]

[Vesting Order 18255]

GESELLSCHAFT FUER ELEKTRISCHE UNTERNEHMUNGEN

In re: Debt owing to Gesellschaft fuer Elektrische Unternehmungen, also known as "Gesfurel". D-28-10621-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gesellschaft fuer Elektrische Unternehmungen, also known as "Gesfurel", the last known address of which is 35/36 Dorotheenstrasse, Berlin N. W. 7, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8399, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York 15, N. Y. arising out of cash held by the aforesaid, The Chase National Bank of the City of New York, as Paying Agent, for payment of unpresented coupons, maturing between June 1, 1932 and June 1, 1933, both dates inclusive, detached from and/or appurtenant to the Gesellschaft fuer Elektrische Unternehmungen 6 Percent Sinking Fund Gold Debentures due June 1, 1953, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by, Gesellschaft fuer Elektrische Unternehmungen, also known as "Gesfurel", the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9007; Filed, Aug. 3, 1951; 8:50 a. m.]

LIBRAIRIE HACHETTE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Librairie Hachette, 79 Boulevard Saint Germain, Paris 6eme, France; Claim No. 41876; $26,459.89 in the Treasury of the United States. Property to the extent owned by the claimant immediately prior to the vesting thereof by Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944) relating to the following works: The Babar books by de Brunhoff; L'Avare and Le Bourgeois Gentilhomme by Moliere; Le Gendre de M. Poirer by Augier and Sandeau; Les Oberle by Bazin; Histoire de France by Malet; and Le Voyage de Monsieur Perrichon by Labiche and Martin.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9011; Filed, Aug. 3, 1951 8:51 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 16 NUMBER 152

Washington, Tuesday, August 7, 1951

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Cottonseed Bulletin 2]

PART 643—OILSEEDS

SUBPART—1951 COTTONSEED PURCHASE PROGRAM

Sec.

643.545 General statement.
643.546 Administration.
643.547 Availability of purchases.
643.548 Eligible producer.
643.549 Eligible cottonseed.
643.550 Purchase price.
643.551 Approved forms.
643.552 Determination of quantity.
643.553 Liens.
643.554 Grade reporting areas.
643.555 PMA commodity offices.

AUTHORITY: §§ 643.545 to 643.555, issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.545 *General statement.* As a part of the 1951 Cottonseed Price Support Program formulated by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA), CCC offers to purchase from cotton ginners in cases where nonparticipation by oil millers makes purchases directly from ginners necessary, and from producers in cases where nonparticipation by ginners makes purchases directly from producers necessary, cottonseed of the 1951 crop upon the terms and conditions stated in this subpart. The program will be carried out by PMA under the general supervision and direction of the President, CCC. The requirements with respect to loans and purchase agreements are contained in the 1951 C. C. C. Cottonseed Bulletin 1.

§ 643.546 *Administration.* Operations under the program with respect to the purchase, transportation, handling, and storage of cottonseed prior to delivery of the cottonseed to an oil miller participating under the provisions of 1951 C. C. C. Bulletin 3 (hereinafter referred to as "participating oil miller") or storage facility approved by the appropriate PMA commodity office (hereinafter referred to as "approved storage facility") will be administered in each State by the State PMA chairman who may redelegate his authority to members or employees of the State PMA committee or of the PMA county committees, except that all contracts in connection with such operations may be executed on behalf of CCC only by authorized CCC contracting officers.

Contracts relating to the storage and handling of cottonseed subsequent to delivery of the cottonseed to a participating oil miller or an approved storage facility, for the sale, crushing and processing of cottonseed, and for the transportation, storage, handling and sale of the products derived therefrom, will be executed by CCC contracting officers in the appropriate PMA commodity offices.

State and county committees and PMA commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments thereto.

§ 643.547 *Availability of purchases.* (a) *Area.* The purchase program will be available in all cotton-producing States.

(b) *Time.* Purchases will be made from the date of the issuance of this subpart through February 29, 1952.

(c) *Source.* Purchases of eligible cottonseed will be made by participating oil millers from cotton ginners who file with the appropriate PMA county committees notice of their intention to participate in the program and who execute and deliver certificates as required by CCC (§ 643.551) evidencing compliance with the terms of this subpart (hereinafter referred to as "participating ginners"). Purchases will be made directly from such ginners by CCC through State PMA chairmen or their designated representatives in cases where oil millers do not participate in the program and the appropriate State PMA chairman determines that such direct purchases are necessary to make the program ef-

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fective. Payments to participating ginners for cottonseed purchased by CCC will be made by means of sight drafts drawn on CCC by PMA State or county committees.

Purchases will also be made directly from producers by CCC through State PMA chairmen or their designated representatives in cases where ginners do not participate in the program and the appropriate State PMA chairman determines that such direct purchases are necessary in order to make the program effective. Payments to producers for cottonseed so purchased, and for any authorized transportation performed by the producers in accordance with § 643.550, will be made by means of sight drafts drawn on CCC by PMA State or county committees.

Lists of participating oil millers and participating ginners will be maintained in the appropriate PMA commodity, State, and county offices.

§ 643.548 *Eligible producer.* An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof or an agency of such State or political subdivision, producing cottonseed in 1951 in the capacity of landowner, landlord, tenant, or sharecropper.

A cooperative association that handles cottonseed for its producer-members will be considered an eligible producer when selling eligible cottonseed delivered to the association and produced by eligible producers who are members of the association.

§ 643.549 *Eligible cottonseed.* Eligible cottonseed shall be cottonseed which meets the following requirements:

(a) Cottonseed must have been produced in the continental United States in 1951 by an eligible producer.

(b) Except in the case of cooperative associations or ginners, such cottonseed must have been produced by the person tendering them for purchase. Any person tendering such cottonseed for purchase must have the right to sell the cottonseed. If the person tendering such cottonseed for purchase, or the person delivering cottonseed to a cooperative association which later tenders such cottonseed for purchase, is a landlord or landowner, the cottonseed must not have been acquired by him directly or indirectly from a tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if the cottonseed were produced by him in the capacity of landlord, tenant or sharecropper, they must be his separate share of the crop, unless he is a landlord and is tendering, or delivering to a cooperative association, cottonseed in which both he and a tenant or sharecropper have an interest. Cottonseed tendered by a cooperative association for purchase must have been produced and delivered to the association by eligible producers who are members of the association. Each ginner tendering cottonseed for purchase will be required to certify that the cottonseed were purchased by the ginner from eligible producers on or after the date on which the ginner files notice of his intention to participate in the program.

§ 643.550 *Purchase price*—(a) *Price to ginners.* Eligible cottonseed will be purchased from participating ginners at the rate of $65.50 per net ton for basis grade (100), f. o. b. gin, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). Cottonseed which are "below grade" or "off quality" will be purchased from participating ginners by CCC at the market value of such cottonseed as determined by CCC. The grades of cottonseed purchased by CCC from such ginners shall be determined in accordance with the United States Official Standards for Grades of Cottonseed, by chemical analysis of samples drawn from the cottonseed by federally licensed cottonseed samplers and forwarded to federally licensed cottonseed chemists. A ginner tendering cottonseed for purchase by CCC or participating oil millers must not have paid any producer, for cottonseed purchased by the ginner on or after the date of filing notice of his intention to participate in the program, less than $61.50 per gross ton basis grade (100), plus or minus a percentage of such price equal to the percentage by which the average grade of cottonseed for the area in which the gin is located (see § 643.554) exceeded or was less than basis grade (100). Such average grade shall be determined on the basis of the latest PMA grade report for the area at the time of purchase from such producer or by such other method as the President, CCC, may approve. Notwithstanding the requirement in the preceding two sentences, a participating ginner, after first notifying the PMA county committee for the county where the gin is located of his intention to do so, may reduce the price paid to producers below the price established on the basis of the average grade for the area, provided that the ginner shall not pay any producer, during the period he is paying such a reduced price, less than $61.50 per gross ton basis grade (100) with price adjustments computed upon the difference between the average grade of cottonseed produced at the gin during such period and basis grade (100). The average grade of cottonseed produced at the gin during such period shall be determined on the basis of official chemical analyses or oil mill grade reports covering such cottonseed or on such other reasonable basis as may be approved by the PMA county committee. The ginner shall furnish the PMA county committee with certified copies of such chemical analyses, grade reports, or other evidence satisfactory to the PMA county committee, showing the average grade of cottonseed produced at the gin during such period. If it is determined by the PMA State or

county committee that any participating ginner paid producers less than the prices he should have paid in accordance with this paragraph, such ginner shall be ineligible to make any further sales to CCC or participating oil millers unless he first pays all of such producers the difference between the price the producers received and the price they should have received. The grade of cottonseed purchased from a producer before the first grade determination for an area is made shall be considered to be 97.5. A ginner may round per ton prices for cottonseed purchased from producers to the nearest multiple of 10 cents.

(b) *Price to producers.* Any direct purchases from producers will be made at a gin or other designated point of delivery at the rate of $61.50 per gross ton for basis grade (100), with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). The per ton price thus computed may be rounded to the nearest multiple of 10 cents. The grade of eligible cottonseed purchased directly from producers shall be considered to be the average grade of cottonseed for the area in which the purchase is made (see § 643.554) as determined on the basis of the latest cottonseed grade report for the area published by PMA or by such other method as the President, CCC, may approve. The grade of cottonseed so purchased before the first grade determination for an area is made shall be considered to be 97.5.

If the producer, upon authorization by the State PMA chairman or his designated representative, transports the cottonseed from the point of delivery to CCC to a participating oil miller or approved storage facility or designated concentration point, the producer will be paid for such transportation at a rate not in excess of the commercial rate for such transportation service.

§ 643.551 *Approved forms.* The approved forms, together with the provisions of this subpart and any supplements and amendments thereto, shall govern the rights and responsibilities of producers and participating ginners. Approved forms may be obtained from State and county PMA offices. Any fraudulent representation made by a producer or ginner in executing an approved form may render him subject to criminal prosecution under Federal law and liable for any damages resulting from the purchase of the cottonseed involved. Documents executed by an administrator, executor or trustee will be acceptable only where valid in law and must be accompanied by documentary evidence of the authority of the person executing such documents. The approved forms consist of the following:

(a) *Producers.* Producer's Voucher (Cottonseed Purchase Form 5) shall be executed by the producer when the cottonseed are purchased directly from the producer by the State PMA chairman or his designated representative.

(b) *Cotton ginners.* Each cotton ginner desiring to sell cottonseed to CCC pursuant to this subpart shall, prior to tender of any cottonseed for sale, file with the PMA county committee for the county in which each gin is located a Ginner's Notice of Intention to Participate (Cottonseed Purchase Form 1). The filing of such notice does not obligate the ginner to sell any cottonseed to CCC, but all applicable provisions of this subpart must be complied with by the ginner if any cottonseed are offered by the ginner for sale directly to CCC or to participating oil millers.

A Ginner's Certificate (Cottonseed Purchase Form 2) shall be completed and executed by the participating ginner to cover all cottonseed purchased from him by participating oil millers and the form shall be submitted by the ginner to the appropriate PMA county committee at such times and covering such periods of time as the State PMA chairman determines are necessary to make the program effective. If payment for the cottonseed is to be made by sight draft drawn on CCC, the ginner shall prepare and execute a Ginner's Voucher and Certificate (Cottonseed Purchase Form 4) covering the cottonseed and deliver the form to the PMA State chairman or his designated representative. Each Ginner's Voucher and Certificate submitted by a ginner to the State chairman or his designated representative shall be supported by weight certificates or warehouse receipts covering the cottonseed purchased which have been issued by an approved storage facility or participating oil miller, and, in the absence of warehouse receipts guaranteeing grade, by official chemical analysis certificates covering the cottonseed and identifying such cottonseed by lot numbers and/or receipt numbers and weights.

§ 643.552 *Determination of quantity.* The quantity of cottonseed purchased from the ginner shall be the net weight of the cottonseed at first destination, after deduction of the weight of all foreign matter in excess of 1 percent. The quantity of cottonseed purchased directly from a producer shall be the gross weight actually delivered to CCC as determined by the appropriate State PMA chairman or his designated representative, or by an approved storage facility, or by a participating oil miller.

§ 643.553 *Liens.* If liens or encumbrances exist on the cottonseed, proper waivers must be obtained.

§ 643.554 *Grade reporting areas.* Areas for grade reporting purposes will be established by the Director, Cotton Branch, PMA, and a list of area delineations may be obtained from the area offices of the Cotton Branch at Atlanta, Georgia; Memphis, Tennessee; Dallas, Texas; and Bakersfield, California.

§ 643.555 *PMA commodity offices.* The PMA commodity offices and the cotton growing area served by each are shown below:

50 Seventh Street NE., Atlanta 5, Ga.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia.

1114 Commerce Street, Dalas 2, Tex.: Arkansas, Louisiana, New Mexico, Oklahoma, Texas.

Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.: Kansas, Missouri, Illinois,

333 Fell Street, P. O. Box 3638, San Francisco 2, Calif.: Arizona, California, Nevada.

Issued this 1st day of August 1951.

JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

ROY W. LENNARTSON,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9114; Filed, Aug. 6, 1951; 9:01 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 3]

PART 415—FLAX CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above-identified regulations (14 F. R. 4543, 15 F. R. 2482, 16 F. R. 4297) are hereby amended as follows:

1. Section 415.9, paragraph (c) is amended with respect to flax crops insured for 1952 and succeeding crop years to read as follows:

(c) If an applicant for insurance or an insured dies or is judicially declared incompetent less than 15 days before the closing date for the filing of applications for insurance in any year and before the beginning of seeding of the flax crop intended to be covered by insurance, whoever succeeds him on the farm with the right to seed the flax crop as his heir or heirs, administrator, executor, guardian, committee, or conservator, may be substituted for the applicant or the insured upon filing with the county office, within 15 days (unless such time is extended in writing by the Corporation) after the date of such death or judicial declaration, a statement in writing in the form and manner prescribed by the Corporation, requesting such substitution and agreeing to assume the obligations of the original applicant with respect to such flax crop arising out of such application or the contract: *Provided,* That any substitution made pursuant to this paragraph shall be effective only with respect to the flax crop to be seeded in the ensuing crop year, and the contract shall terminate at the end of such year. If no such statement is approved by the Corporation, the application shall be void or the contract shall terminate.

2. Section 7 of the Policy as shown in § 415.17 is amended with respect to flax crops insured for the 1952 and succeeding crop years to read as follows:

7. *Fixed price.* The fixed price per bushel for the first crop year of the contract shall be the price established for that year by the Corporation and shall be shown on the county actuarial table on file in the county office at the time the application for insurance is submitted. For each subsequent crop year the fixed price shall be on file in the county office at least 15 days prior to the applicable cancellation date preceding the crop year for which such price applies. The fixed price shall be used to determine the cash equivalent of premiums and of any indemnities.

(Secs. 506, 516, 52 Stat. 73, as amended, 77 as amended; 7 U. S. C. and Sup. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73, as amended, 75; 7 U. S. C. and Sup. 1507, 1508, 1509)

Adopted by the Board of Directors on July 27, 1951.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9027; Filed, Aug. 6, 1951; 8:47 a. m.]

[Amdt. 5]

PART 416—CORN CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1950 AND SUCCEEDING CROP YEARS

The above identified regulations, as amended (14 F. R. 5290, 6674, 15 F. R. 4161, 6739, 9032), are hereby amended with respect to corn crops insured for the 1951 and succeeding crop years as follows:

1. Section 416.1, as amended, is amended by changing paragraph (d) to read as follows:

(d) The counties in which insurance will be provided and the type of coverage for the 1951 crop year are as follows:

State and county	Type of coverage
Illinois:	
Adams	Monetary.
Bureau	Do.
Carroll	Do.
Hancock	Do.
Iroquois	Do.
Kane	Do.
Livingston	Do.
McDonough	Do.
Mercer	Do.
Montgomery	Commodity.
Rock Island	Monetary.
Sangamon	Do.
Tazewell	Do.
Warren	Do.
Whiteside	Do.
Woodford	Do.
Indiana:	
Carroll	Do.
Clinton	Do.
Decatur	Do.
De Kalb	Do.
Delaware	Do.
Huntington	Do.
Jackson	Do.
Miami	Commodity.
Starke	Monetary.
Iowa:	
Boone	Do.
Buena Vista	Do.
Butler	Do.
Cass	Do.
Cerro Gordo	Do.
Clayton	Do.
Crawford	Do.
Dallas	Do.
Fayette	Do.
Floyd	Do.
Fremont	Do.
Hancock	Do.
Jefferson	Do.
Linn	Do.
Lucas	Do.
Lyon	Do.
Madison	Do.
Mitchell	Do.
Osceola	Monetary.
West Pottawattamie	Do.
Poweshiek	Do.
Ringgold	Do.
Story	Do.
Union	Do.
Washington	Do.
Webster	Do.
Kansas:	
Atchison	Do.
Jackson	Do.
Marshall	Do.
Maryland:	
Kent	Do.
Michigan:	
Monroe	Do.
Van Buren	Do.
Minnesota:	
Blue Earth	Do.
Brown	Do.
Martin	Do.
Meeker	Do.
Nobles	Do.
Redwood	Do.
Renville	Do.
Rice	Do.
Wabasha	Do.
Missouri:	
Atchison	Do.
Johnson	Do.
Macon	Do.
Marion	Do.
Nodaway	Do.
Pike	Do.
Stoddard	Do.
Nebraska:	
Boone	Do.
Cass	Do.
Cedar	Do.
Cuming	Do.
Richardson	Do.
Saunders	Do.
North Dakota:	
Richland	Do.
Ohio:	
Champaign	Do.
Hancock	Do.
Medina	Do.
Preble	Do.
Seneca	Do.
Van Wert	Do.
Wayne	Do.
Pennsylvania:	
Bucks	Do.
Chester	Do.
Westmoreland	Do.
South Dakota:	
Clay	Do.
Minnehaha	Do.
Wisconsin:	
Columbia	Do.
Dane	Do.
Lafayette	Do.
Pierce	Do.
Sauk	Do.
Trempealeau	Do.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U. S. C. and Sup. 1506, 1516. Interprets or applies secs. 507, 508, 509, 52 Stat. 73, as amended, 74, as amended, 75; 7 U. S. C. and Sup. 1507, 1508, 1509)

Adopted by the Board of Directors on July 27, 1951.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: August 1, 1951.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9030; Filed, Aug. 6, 1951; 8:48 a. m.]

[Amdt. 3]

PART 419—COTTON CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1951 AND SUCCEEDING CROP YEARS

The above-identified regulations, as amended (15 F. R. 6740, 9033; 16 F. R. 4171), are hereby amended as follows:

Section 419.14 *The commodity coverage policy,* and § 419.15 *The monetary coverage policy,* are amended by adding to section 31, the date table, of each the following counties and dates:

State and county	End of insurance period	Cancellation date
Tennessee: Hardeman.	Dec. 15	Mar. 10.
Texas:		
Crosby	Dec. 31	Dec. 31.
Floyd	do	Do.
Hale	do	Do.
Lamb	do	Do.
Lynn	do	Do.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U. S. C. and Sup. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73, as amended, 74, as amended, 75; 7 U. S. C. and Sup. 1507, 1508, 1509)

Adopted by the Board of Directors on July 27, 1951.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: August 1, 1951.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9028; Filed, Aug. 6, 1951; 8:48 a. m.]

[Amdt. 4]

PART 421—DRY EDIBLE BEAN CROP INSURANCE

SUBPART—REGULATIONS FOR 1950 AND SUCCEEDING CROP YEARS

The above identified regulations, as amended (14 F. R. 7684; 15 F. R. 2485, 9034; 16 F. R. 3973), are hereby amended with respect to bean crops insured for the 1951 and succeeding crop years as follows:

1. Section 421.21, as amended, is amended by changing paragraph (a) to read as follows:

(a) Bean crop insurance will be offered for the 1951 crop year in the counties specified below:

STATE AND COUNTY

Arizona: Yavapai.
Colorado:
- Dolores.
- Montezuma.
- Montrose.
- San Miguel.
- Weld.

Idaho:
- Cassia.
- Gooding.
- Jerome.
- Minidoka.

Michigan:
- Arenac.
- Bay.
- Huron.
- St. Clair.
- Saginaw.
- Sanilac.
- Shiawassee.

Nebraska:
- Morrill.
- Scotts Bluff.

New Mexico:
- Santa Fe.
- Torrance.

New York:
- Cayuga.
- Genesee.
- Livingston.
- Wayne.
- Yates.

Wyoming:
- Big Horn.
- Fremont.
- Goshen.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U. S. C. and Sup. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73, as amended, 74, as amended, 75; 7 U. S. C. and Sup. 1507, 1508, 1509)

Adopted by the Board of Directors on July 27, 1951.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: August 1, 1951.

K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9029; Filed, Aug. 6, 1951; 8:48 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 36—UNMAILABLE MATTER

MAILING OF PISTOLS, REVOLVERS, AND OTHER FIREARMS

In § 36.12 *Mailing of pistols, revolvers, and other firearms* make the following changes:

1. Redesignate paragraph (e) as paragraph (e) (1).

2. Add to the text a subparagraph (e) (2) to read as follows:

(2) Parcels containing unloaded firearms properly prepared for mailing, addressed for delivery to the Federal Bureau of Investigation, Washington, D. C., or the Director thereof, may be accepted for mailing without requiring the sender to file the affidavit and certificate prescribed in subparagraph (1) of this paragraph.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, sec. 1, 62 Stat. 781, as amended; 5 U. S. C. 22, 369; 18 U. S. C. 1715)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-9018; Filed, Aug. 6, 1951; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 80]

PART 60—AIR TRAFFIC RULES

DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

1. The Tyndall Air Force Base, Florida, area, published on May 26, 1950, in 15 F. R. 3212, is hereby designated "Area I", and an Area II added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
TYNDALL AIR FORCE BASE (Mobile Chart).	Area II: Beginning at lat. 31°10'20" N, long. 86°18'00" W; clockwise along the arc of a circle with a radius of 90 miles, centered at the Tyndall AFB radio range station at lat. 30°02'30" N, long. 85°32'15" W to a point 3 nautical miles from the shoreline at lat. 30°03'00" N, long. 84°02'00" W; westerly paralleling the shoreline at a distance of 3 nautical miles to lat. 29°36'30" N, long. 85°16'00" W; NW to the Tyndall AFB radio range station at lat. 30°02'30" N, long. 85°32'15" W; NW to lat. 31°10'20" N, long. 86°18'00" W, point of beginning, excluding the overlapped portions of the Tyndall AFB Danger Area I and the Camp Rucker, Alabama, Danger Area.	20,000 feet to unlimited.	Sunset to sunrise.	Department of Air Force, Tyndall AFB Panama City, Fla.

2. The Hinesville, Georgia, area, published on June 30, 1950, in 15 F. R. 4187, is amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at the Ogeechee River at lat. 32°04'15" N, long. 81°22'30" W; southeasterly along the Ogeechee River to lat. 32°00'30" N, long. 81°19'30" W; SSW to lat. 31°59'45" N, long, 81°19'45" W; SW to lat. 31°56'15" N, long. 81°23'00" W; SW to lat. 31°51'20" N, long. 81°36'00' W; WNW to lat. 31°55'30" N, long. 81°53'00" W; northerly to lat. 31°57'00" N, long. 81°53'15" W; NE to lat. 31°59'45" N, long. 81°51'06" W; NNE to lat. 32°04'40" N, long. 81°50'00" W; ENE to lat. 32°07'00" N, long. 81°43'30" W; easterly to lat. 32°06'15" N, long. 81°31'30" W; due S to lat. 32°05'30" N; ESE to lat. 32°04'15" N, long. 81°22'30" W, point of beginning."

3. The Camp Hood, Texas, area, published on July 16, 1949, in 14 F. R. 4295, is revised to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
CAMP HOOD (Austin Chart).	Beginning at lat. 31°22'30°° N, long. 97°38'00" W; due S to lat. 31°08'00" N; due W to long. 97°50'00" W; due N to lat. 31°18'00" N; NE to lat. 31°22'30" N, long. 97°44'20" W; due E to lat. 31°22'30" N, long. 97°38'00" W, point of beginning.	Surface to 45,000 feet.	Continuous	8th Air Force.

4. A Gray Air Force Base, Camp Hood, Texas, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
GRAY AIR FORCE BASE, Camp Hood (Austin Chart).	Beginning at lat. 31°18'00" N, long. 97°50'00" W; due S to lat. 31°08'00" N; due E to long. 97°45'00" W; due S to lat. 31°02'00" N; due E to long. 97°38'00" W; due S to lat. 30°56'00" N; due W to long. 98°00'00" W; due N to lat. 31°18'00" N; due E to lat, 31°18'00" N, long. 97°50'00"W, point of beginning.	Surface to unlimited.	Continuous.	Gray AFB, Camp Hood, Texas.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on August 10, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-9024; Filed, Aug. 6, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

NOTICE OF CONTINUATION OF EXISTING REGULATIONS

Pursuant to the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951 (Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order Nos. 2 and 5 (16 F. R. 738, 1273), this Notice of Continuation of Existing Regulations is hereby issued.

Notice of continuation of existing regulations.. All regulations, rules, orders, requirements, and amendments thereto, issued by the Office of Price Stabilization, on or before July 31, 1951, are hereby confirmed and continued in effect according to their terms.

(Sec. 704, Pub. Law 774, 81st Cong.)

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

AUGUST 1, 1951.

[F. R. Doc. 51-9256; Filed, Aug. 6, 1951; 12:31 a. m.]

[Ceiling Price Regulation 55, Amendment 1]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

EXTENDING TIME FOR FILING REPORTS, AND CHANGE IN THE EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.),

as amended by Defense Production Act Amendments of 1951 (Pub. Law 96, 82d Cong. 1st Sess.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 55 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 55 extends the effective date of the regulation to August 20, 1951 or such earlier date between July 25, 1951 and August 20, 1951 as a processor may select. The time for filing reports under the regulation is also extended to August 20, 1951 or to 5 days after the item is offered for sale, whichever is later.

The representations made to the Director of Price Stabilization by a substantial group of processors in different parts of the country make it plain that the method in the regulation for computation of the raw material cost adjustment needs further study, and also that the base period prices for these processors may have to be modified. Additional time is necessary to collect the pertinent data and to study these problems. Accordingly, the effective date of this regulation is extended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 55 is amended in the following respects:

1. Section 19, paragraph (b) is amended by deleting the period at the end thereof and adding the following: "or by August 20, 1951, whichever date is the later".

2. The effective date section of this regulation is changed as follows:

Effective date. The effective date of this regulation is August 20, 1951, or such earlier date between July 25, 1951, and August 20, 1951, as you may select. If you select an earlier date, the regulation becomes effective as to you upon that date for all of your commodities covered by the regulation.

Effective date. This amendment is effective August 3, 1951.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9207; Filed, Aug. 3, 1951; 4:56 a. m.]

[Ceiling Price Regulation 56, Correction]

CPR 56—CEILING PRICES FOR CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

Through inadvertence, the effective date of Ceiling Price Regulation 56 was incorrectly set forth in that regulation. Time is needed for computation of the calculations required under this regulation. Such a time allowance is given under CPR 55, the companion regulation which deals with processed vegetables, and is equally necessary here. Accordingly, the effective date of Ceiling Price Regulation 56 is corrected to read as follows:

Effective date. The effective date of this regulation is August 10, 1951, or such earlier date between July 31, 1951 and August 10, 1951, as you may select. If you select an earlier date, the regulation becomes effective as to you on that date for all of your commodities covered by the regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9206; Filed, Aug. 8, 1951; 4:56 p. m.]

[Ceiling Price Regulation 61]

CPR 61—EXPORTS

Correction

Due to clerical error, the following correction is made to Ceiling Price Regulation 61 (16 F. R. 7597).

The effective date clause reading, "This regulation shall become effective on August 6, 1951, or any earlier date at which you file information in accordance with section 5 (d)." is corrected to read as follows: "This regulation shall become effective on August 26, 1951, or any earlier date at which you file information in accordance with section 5 (d)."

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Wage Regulation 5, Revised]

GWR 5—ADJUSTMENTS FOR INDIVIDUAL EMPLOYEES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Congress, Pub. Law 69, 82nd Congress), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 5 is hereby revised.

STATEMENT OF CONSIDERATIONS

The purpose of this General Wage Regulation is to establish rules and procedures governing the administration of wage and salary structures within which increases in the compensation of individual employees may be made without specific approval of the Wage Stabilization Board.

These increases do not ordinarily affect the general level of an establishment's wages and salaries. In fact, these individual employee adjustments, when properly made, do not normally increase labor costs.

The Wage Stabilization Board recognizes the necessity of permitting the administration of existing wage and salary structures to continue in a normal manner with a minimum of governmental interference. At the same time, however, it is necessary to make certain that these wage and salary "housekeeping" practices are not abused in order to pirate labor nor cumulated so as to amount to general wage or salary increases.

Consequently, this regulation has been devised so as to provide broad limitations to safeguard the ends of stabilization while leaving maximum flexibility to employers and employees.

There is wide diversity of practice with respect to rate adjustments for individual employees. In some cases, formal written plans have been established which include jobs or job classifications grouped into labor and salary grades with prescribed rate ranges and procedures governing the timing and amount of individual adjustments. In others, there are plans of classification which do not formalize the individual adjustments. Some establishments have plans, either written out or established through years of practice, wherein single rates are paid for jobs and labor grades, and which do not contemplate any individual adjustments, preferring to pay all employees in the occupation or labor grade alike. Another, and very large group of establishments, has followed the practice of giving increases to individual employees on the basis of their merit or length of service and has not created written or formal schedules of rates or rate ranges. Often this type of establishment has so few employees in its various occupations and labor or salary grades that a formal policy would be meaningless. This regulation has been designed to permit past practices and policies, when not in contradiction to the purposes of the Defense Production Act of 1950, to continue with a minimum of interference and administrative work.

The Wage Stabilization Board recognizes nevertheless the possibility that the application of this regulation may for particular establishments or industries result in substantial hardship or inequity. In such cases, the Board will give consideration to requests for approval of plans which do not meet the requirements of this Regulation.

This regulation replaces General Wage Regulation No. 5, as amended, which was issued as a temporary regulation on February 12, 1951. The Board has adopted this regulation as a result of a thorough study of the operation of that regulation and has consulted with representatives of labor and industry. In the formulation of this regulation, due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Merit or length of service increases.
3. Promotions or transfers to higher paid jobs.
4. Changes in rates of pay of apprentices.
5. Hiring rates.
6. Rates for new or changed jobs.
7. Other auxiliary pay practices.
8. Revision of wage or salary schedules.
9. Rate reductions not required.
10. Repeal of existing Regulation 5.

AUTHORITY: Sections 1 to 10 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 82nd Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, 15 F. R. 6105; 3 CFR, 1950 Supp.; E. O. 10233, 16 F. R. 3503.

SECTION 1. *Definitions.* As used in this regulation, the term:

(a) "Rates paid on January 25, 1951" includes rates revised by reason of wage or salary increases put into effect thereafter in accordance with regulations or rulings of the Wage Stabilization Board.

(b) "Group" means all the employees in a bargaining unit, plant or other establishment, department, job classification, labor or salary grade, wage rate or salary level, or other group of employees whichever the employer has treated as a unit in the administration of his wage and salary schedules or practices. The term excludes temporary and part-time employees, learners, trainees, and probationers.

(c) "Straight-time rates" for purposes of this regulation mean wages or salaries paid per hour, day, week, month or other time unit exclusive of overtime, or other penalty or premium rates and exclusive of vacation pay, holiday pay, year-end bonus and other fringe benefits, but including incentives, production bonus or other similar payments.

(d) "Established rate range" means a range of rates for a job or job classification with clearly designated minimum and maximum rates or which are established by specific formula contained in a written schedule in effect on January 25, 1951, or which is subsequently established in accordance with the provisions of section 2 (b) of this regulation.

(e) "Rate range method of payment" for a group means a range of rates for each job, labor or salary grade with the specific rate for individual employees within the range determined by merit, length of service, or by a combination of the two. Each range is defined by a minimum and a maximum rate and may be expressed as the spread between the two, or it may be expressed by a series of specific rates between the minimum and maximum.

(f) "Labor grade" or "salary grade" means a grouping of jobs so that all jobs in the grade have the same rate or the same rate range.

(g) "Single rate method of payment" means a single rate for each job in a group so that all, or substantially all, employees performing the same job are paid the same rate. Minor exceptions to the single rate for certain employees may exist in one or more jobs.

(h) "Personal or random rate method of payment" for a group means a method of payment characterized by the fact that no formalized wage or salary payment plan exists. Either (1) different rates are paid for the same or similar jobs, or (2) the majority of the jobs have so few incumbents—frequently only one or two—that no single rate has been established for the job.

SEC. 2. *Merit or length of service increases*—(a) *Rate range method of payment.* (1) Merit or length of service increases in the wage or salary rates of individual employees may be made without prior approval of the Wage Stabilization Board, provided they are made in accordance with any one of the following options:

(i) Past practice, which permits application to the current year of the employer's actual experience in the year 1950 in a group; or

(ii) A six (6) percent plan, which limits the total of such increases to six (6) percent of the aggregate straight time rates of the employees in a group; or

(iii) An established plan for a group as defined in this Regulation in actual operation on January 25, 1951.

(2) Merit or length of service increases may be made provided that such increases in any calendar year remain within the limitations of any one of these options:

(i) *Merit or length of service increases granted under the past practice option.* (*a*) Under this option, the total amount of all merit and length of service increases combined that may be granted in the current calendar year to an appropriate group of employees in jobs or job classifications with established rate ranges, expressed as a percentage of the total of the straight-time rates, shall not exceed the corresponding percentage so granted in 1950.

(*b*) How to compute the amount that may be granted.

(*1*) Select the payroll period in the calendar year 1950 in which the total number of employees was nearest to the average for the year.

(2) Total the straight-time rates for the period selected in (*1*) above of all the employees in the group employed in jobs or job classifications with established rate ranges. This total may be expressed as an hourly, daily, weekly, monthly or other rate in accordance with past payroll practice.

(*3*) Total the merit and length of service increases combined which were granted to employees in the group in the calendar year 1950. This total shall be expressed on the same rate basis (hourly, daily, weekly, monthly, etc.) as in (2) above.

(*4*) Express the increase granted as determined in (*3*) above as a percentage of the total rates as determined in (*2*) above; that is, divide (*3*) by (2).

Example: During 1950 there was an average of 305 employees in a group. There were some changes in the number employed, but for the December 16 payroll there were 300 employees, the nearest number to the average. On this payroll the total of the straight-time hourly rates paid was $420.00. Merit and length of service increases granted throughout the year totaled $21.00 on an hourly basis. Hence, the percentage of the increases granted to the straight-time payroll is $21.00/$420.00 or 5%. In converting from weekly to hourly, 40 hours per week was used since this is the actual schedule. In converting from monthly to hourly, 20.8 days per month or 166⅔ hours per month was used.

(*5*) Total the straight-time rates of employees in the group employed in jobs or job classifications with established rate ranges for the payroll period ending nearest January 15 of the current calendar year and apply the percentage computed in (*4*) to this total. The resulting figure is the total merit and length of service increases that may be granted in the current calendar year.

(*6*) If payrolls have increased during the course of the year, a larger fund for merit and length of service increases may be obtained by averaging the totals of the straight-time rates for the payroll periods ending nearest the 15th of each month of the year which has elapsed and applying the percentage computed in (4) above to this average.

Example: Consider the same example quoted under item (*4*) above. Assume that merit or length of service increases are to be given before April 15, 1951. Payroll periods ending nearest the 15th of each of the three months which has elapsed are used to determine the average payroll fund as shown below.

Payroll period:	*Total straight-time hourly rates*
January 15, 1951	$560.00
February 15, 1951	595.00
March 15, 1951	618.00

Total 3 months $1,773; average 3 months $591; 5 percent (past practice) equals $29.55.

(c) In distributing this amount, no employee shall be raised to a rate higher than the maximum of the established rate range of his job or job classification.

(*d*) All merit or length of service increases, including those granted to employees who thereafter quit or were thereafter promoted, transferred, or otherwise separated from their job classification, shall be charged against the allowable total. Increases granted to trainees, part-time and temporary employees, learners or probationers and increases resulting from promotions or transfers of employees shall not be charged against the allowable total.

Example of Option (i): Assume that an appropriate group includes 100 employees in jobs or job classifications with established rate ranges. Assume further that the percentage calculated from the employer's past practice in accordance with (*4*) above comes to six percent. Suppose the employees are currently paid varying rates per hour which, when totalled, amount to $150.00 per hour. Six percent of this total yields $9.00 per hour. The rates of the employees in the group may be increased by a total of $9.00 per hour. For instance, the rates of 60 employees may be increased 15¢ per hour; or the rates of 50 employees may be increased 10¢ per hour and the rates of 25 others may be increased by 16¢ per hour.

(ii) *Merit or length of service increases granted under the six (6) percent option.* (*a*) Under this option, the total amount of all merit and length of service increases combined that may be granted in the current calendar year to an appropriate group of employees in jobs or job classifications with established rate ranges shall not exceed six (6) percent of the total of the straight-time rates of such employees.

(*b*) To compute the amount that may be expended: Total the straight-time rates for the payroll period ending nearest January 15 of the current calendar year of all the employees in the group employed in jobs or job classifications with established rate ranges. This total may be expressed as an hourly, daily, weekly, monthly, or other figure, in accordance with past payroll practice. Six (6) percent of this figure is the total of merit and length of service increases combined that may be granted in the current calendar year.

(c) If payrolls have increased during the course of the year, a larger fund for merit and length of service increases may be obtained by averaging the totals of the straight-time rates for the payroll periods ending nearest the 15th of each month of the year which has elapsed and applying six (6) percent to this average.

(d) In distributing this amount, no employee shall be raised to a rate higher than the maximum of the established rate range of his job or job classification.

(e) All merit or length of service increases, including those granted to employees who thereafter quit or were thereafter promoted, transferred or otherwise separated from their jobs, shall be charged against the allowable total. Increases granted to trainees, part-time and temporary employees, learners, or probationers and increases resulting from promotions or transfers of employees shall not be charged against the allowable total.

Example of Option (ii): Assume that a group includes 100 employees in job classifications with established rate ranges. They are paid varying rates per hour which, when totalled, amount to $150.00 per hour. Six (6) percent of this total yields $9.00 per hour. The rates of the employees in the group may be increased by a total of $9.00 per hour. For instance, the rates of 60 employees may be increased 15¢ per hour; or the rates of 50 employees may be increased 10¢ per hour and the rates of 20 others may be increased by 20¢ per hour.

(iii) *Merit and/or length of service increases granted in accordance with an established plan in actual operation on January 25, 1951.* (a) An established plan is one which meets the following tests:

(1) It must have been contained on January 25, 1951 either in a written collective bargaining agreement, or in a written statement of policy or procedure, or in a written notice that had been furnished to or posted for the employees or in some combination of these documents, and

(2) It must contain a schedule of rate ranges with clearly designated minimum and maximum rates for each job or job classification, and

(3) In accordance with the normal operation of the plan the employee would normally be reviewed for a merit increase or entitled to a length of service increase at or before the time the increase is granted, and

(4) It must set forth maximum amounts or maximum percentages of merit or length of service increases which may normally be made, however

(b) If it otherwise qualifies, but does not specify maximum amounts or maximum percentages of merit or length of service increases which may normally be granted, a plan shall nonetheless be deemed to be an established plan if the average amount or average percentage of merit or lenth of service increases or both combined made in the current calendar year does not exceed the average amount or average percentage granted in the calendar year 1950. These respective averages shall be calculated by totaling the amounts or percentages of all the merit and length of service increases continued granted to individual employees under the plan during the calendar year 1950 and dividing by the total number of employees who received such increases. These computations shall exclude trainees, part-time and temporary employees, learners or probationers and increases resulting from promotions or transfers of employees as well as the increases granted to them.

(c) The written agreement, statement, or notice setting forth such established plan shall be kept available by the employer at all times for inspection. The practice of the employer shall conform to such agreement, statement or notice.

(d) Merit or length of service increases may be granted in accordance with the terms of such an established plan to the employees covered by it, provided:

(1) An employee's rate shall not be raised above the maximum rate of his rate range, and

(2) Notwithstanding that such an established plan may also permit merit or length of service increases to be granted in advance of otherwise normal minimum time intervals or in excess of otherwise normal maximum amounts or maximum percentages, such increases shall not be granted without prior approval by the Wage Stabilization Board of the individual increases or the provisions of a plan governing them.

(iv) *Rate ranges revised between June 24, 1950 and January 25, 1951 must be filed.* If (a) the maximum rate of a job or job classification or labor or salary grade was increased or first established in the period June 24, 1950 to January 25, 1951 and (b) the amount of the increase in the maximum rate was greater than the amount of increase granted at the time to any incumbent in the job or job classification or labor or salary grade and (c) the maximum of such rate range was on January 25, 1951 more than 15 percent above the highest rate paid to any employee in such job or job classification or labor or salary grade in the period January 1, 1950 to January 25, 1951, the employer shall file the rate range with the nearest office of the Wage and Hour Division of the U. S. Department of Labor within 60 days from date hereof together with the highest rate within that rate range actually being paid to incumbents on January 25, 1951. If so filed, merit and/or length of service increases may continue to be granted within this rate range unless, within a year, the Wage Stabilization Board disapproves or modifies it with respect to increases thereafter.

(v) *Records to be kept by employers making merit or length of service increases.* Any employer who makes a wage or salary increase because of merit or length of service shall keep a record of the following with respect to each such increase effective after January 25, 1951:

(a) Name of the employee.
(b) Effective date of increase.
(c) Rate before and after increase.
(d) Job title or job description.
(e) Maximum of the rate range of the employee's job or labor grade.

Insofar as the above information is available from records currently maintained, such records shall suffice to meet the requirements of this section. Such records shall be maintained for three years following the calendar year in which the increase became effective, available for inspection by appropriate government agencies, and to the extent required by law, to the recognized or certified bargaining agent.

(vi) *Prerequisites for approval of new plans or modifications of existing plans to govern individual wage or salary increases.*

(a) A new plan or modification of an existing plan governing individual wage or salary increases may be approved by the Wage Stabilization Board. A plan must include:

(1) Description of each job.
(2) The grouping of jobs into grades, if any.
(3) Rate range for each job.
(4) Specified limits for increases.

(b) The Wage Stabilization Board's ruling on a new plan will be made in the light of the employer's past practice and of relevant practice in the industry, occupation and/or area, as may be appropriate.

(c) If there is a recognized or duly certified labor organization representing any of the employees covered by a plan, application for approval of the plan or for any modification of an existing plan affecting such employees must be submitted jointly by the employer and such labor organization.

(b) *Personal or random rate method of payment.* (1) It is recognized that in some establishments some jobs do not have formal rate ranges contained in written schedules in effect on January 25, 1951 but on that date (i) a diversity of rates was paid to incumbents or (ii) all the incumbents happened to be paid the same rates although there was a practice in effect of granting merit or length of services increases; or (iii) there was only one employee in a job classification in which it has been the practice to make merit or length of service increases; or (iv) wage rate schedules were in existence which set forth minimum job rates above which merit or length of service increases have been granted.

(2) Groups or establishments with such personal or random rate method of payment may not make merit or length of service increases without prior approval of the Wage Stabilization Board of the individual increases or of rate ranges within which merit and/or length of service increases may be made in accordance with options (i) and (ii) in section 2 (a) (2).

(c) *Single-rate method of payment.* Merit or length-of-service increases may not be made without prior approval of the Wage Stabilization Board to employees in job or job classifications in which a single rate is paid and in which it had not on January 25, 1951, been the established practice to grant merit or length-of-service increases.

SEC. 3. *Promotions or transfers to higher-paid jobs.* (a) When a bona-fide promotion or transfer of an em-

ployee to a higher-paid job is made and the employee is required to perform the normal duties of such job, the employee's rate of pay may be increased subject to the following limitations:

(1) If the job to which the employee is promoted or transferred has a rate range, the rate within the range to which he may be increased shall be governed by the practices or policies set forth in an applicable collective-bargaining agreement or written statement of policy or procedure in actual operation on January 25, 1951. If such agreement or written statement did not exist or it did not contain specific policies or practices governing the rate to which a newly promoted or transferred employee may be increased, the employee may be increased to a rate corresponding to his ability, experience, and training. Such increase shall not be deemed a merit or length-of-service increase if made within 45 days after the promotion or transfer. In no event shall the employee's rate be increased to a rate in excess of the maximum of the rate range of the job classification to which he is promoted or transferred.

(2) If the job to which the employee is promoted or transferred pays a single rate, the employee may not be increased to a rate in excess of the current single rate or the established rate for the job paid on January 25, 1951, whichever is higher.

(3) In the case of temporary promotions or transfers not exceeding 45 days, the employer's past practice or the applicable provisions of a collective-bargaining agreement with respect to the rates to be paid to such promoted or transferred employees may be followed.

(b) *Records to be kept by employers making promotions or transfers.* Any employer who makes a wage or salary increase resulting from a promotion or transfer shall hereafter keep the following records with respect to each of such increases, except for temporary promotions or transfers not exceeding 45 days:

(1) Name of the employee.

(2) Effective date of the increase.

(3) Rate before and after the increase.

(4) Minimum and maximum of the rate range of the job classification or the established single rate of the job classification, if applicable, to which the employee was promoted or transferred.

(5) Titles of the employee's job prior and subsequent to promotion or transfer.

Insofar as the above information is available from the several records currently maintained, such records shall suffice to meet the requirements of this section. Such records shall be maintained for three years following the calendar year in which the increase became effective, in accessible form for inspection by appropriate government agencies, and to the extent required by law, to the recognized or certified bargaining agent.

SEC. 4. *Changes in rates of pay of apprentices.* Apprentices employed in accordance with programs, registered on the date hereof with the Bureau of Apprenticeship of the United States Department of Labor, or with a state apprenticeship agency recognized by the Bureau, or in accordance with a collective bargaining agreement, or in accordance with bona-fide established apprentice programs, or in accordance with plans which provide for a rate progression not more rapid than apprenticeship standards which have been approved by the Federal Bureau of Apprenticeship or a state apprenticeship agency may be paid in accordance with the rates of pay and time intervals set forth in such apprenticeship program or agreement. Such increases shall not be deemed merit or length of service increases.

SEC. 5. *Hiring rates.* The following limitations apply to the hiring rates of the new employees:

(a) A new employee may not be hired at a rate exceeding the minimum of the established rate range of the job classification into which he is hired; except that

(b) A new employee with more than the minimum ability, experience or training required for the job classification into which he is hired may be hired at a rate within the established rate range corresponding to his ability, experience and training, and may be increased subsequently to a higher rate within a period not to exceed 30 days, but in no event shall he be paid a rate higher than the maximum of the rate range of the job classification into which he is hired. Such increases shall not be deemed merit or length of service increases.

The employer shall keep a written justification thereof, which will include the employee's name, date of hire, rate at which hired, minimum of the rate range of the job classification into which he was hired and a statement of the ability, experience and training justifying the hire at the rate in excess of the minimum. Insofar as the above information is available from the several records currently maintained, such records shall suffice to meet the requirements of this section. Such records shall be maintained for three years following the calendar year in which the adjustment became effective, in accessible form for inspection by appropriate government agencies; or

(c) A new employee hired to work in a job classification who had, within the preceding twelve months performed substantially the same duties in another establishment may be hired at the same rate he was paid in such previous job but in no event higher than the maximum of the rate range of the job classification into which he is hired. The employer shall keep a written record which will include the employee's name, date of hire, rate at which hired, name of the employee's previous employer for whom he performed substantially the same duties, last date on which he performed such duties for the previous employer, and the employee's last rate for performing such duties for the previous employer.

(d) If the job pays a single rate, a new employee may not be hired at a rate exceeding the current single rate or the established rate for the job paid on January 25, 1951 whichever is higher.

(e) Employees hired as trainees, learners or probationers at rates below the rates authorized in paragraphs (a) or (d) above may be advanced to the rates permitted by those paragraphs at any time. Such increases shall not be deemed merit or length of service increases.

SEC. 6. *Rates for new or changed jobs.* Rates for new or changed jobs may be established in accordance with the methods and principles in effect on January 25, 1951 for maintaining a balanced relationship between the rates for the various jobs in the establishment; or if no such system was in effect on that date the rates established for the new or changed jobs must be related to rates for the most nearly comparable jobs, making proper allowances for the difference, if any, in the requirements of knowledge, skills, duties, responsibilities or other factors normally taken into account. Slight or inconsequential changes in job content shall not provide the basis for establishing new job classifications, rates, or rate ranges, nor justify changes in existing job classifications, rates, or rate ranges.

SEC. 7. *Other auxiliary pay practices.* (a) The adjustment of payments to individual employees of shift premiums, overtime rates, penalty rates, vacation allowances, suggestion awards, or other similar auxiliary pay practices are permissible if they result from the terms of a written collective bargaining agreement, or a written statement of policy or of procedure provided those provisions were in effect on January 25, 1951. If no such agreement or statement was in effect on that date, the shift premiums, overtime rates, penalty rates or other auxiliary pay practices most recently in effect prior to January 25, 1951 as evidenced by prior payroll records, may be followed.

(b) Benefits from an insurance or welfare plan or coverage under a pension plan which accrue to an individual employee as a result of a change in his length of service, job classification, earnings, or similar individual circumstances may be provided or adjusted in amount if such adjustments are made pursuant to the specific terms of a plan in effect on January 25, 1951.

SEC. 8. *Revision of wage or salary schedule.* The terms of this regulation shall apply to the rates and rate ranges in effect on January 25, 1951 and to the auxiliary pay practices in effect on or prior to that date. If they have been revised subsequently in accordance with regulations and rulings of the Wage Stabilization Board this regulation shall apply to such revised rates, rate ranges and auxiliary pay practices.

SEC. 9. *Rate reductions not required.* Nothing in this regulation shall require a reduction in the wage rate, salary or other compensation paid to any individual.

SEC. 10. *Repeal of existing Regulation 5.* General Wage Regulation No.

5 as amended February 12, 1951 is hereby repealed.

Adopted by the Board on July 27, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-9246; Filed, Aug. 6, 1951; 11:43 a. m.]

[General Wage Regulation No. 8, Amendment 3]

GWR 8—COST OF LIVING INCREASES PROVIDED BY ESCALATOR CLAUSES AND WAGE AND SALARY PLANS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 8 is amended as follows:

1. By deleting the last sentence of the Statement of Considerations, and substituting therefor the following new paragraph, "The general question of the relationship between wage increases and the cost of living is under active consideration by the Board. This regulation is intended only as an interim policy statement, pending the announcement of further Board policy. The authority of the Board to issue this amendment has been affirmed by the Economic Stabilization Administrator."

2. By deleting section 4 and the undesignated paragraph which follows that section.

Adopted: July 31, 1951.[1]

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-9141; Filed, Aug. 6, 1951; 9:22 a. m.]

[General Wage Regulation 15]

GWR 15—INCENTIVE WAGE OR PIECE RATES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.; Pub. Law 69, 82d Cong.); Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), this General Wage Regulation No. 15 is hereby issued.

STATEMENT OF CONSIDERATIONS

The purpose of this General Wage Regulation is to establish rules and procedures governing the day-to-day administration of piece and incentive rates. These individual adjustments are intended to aid in the conversion and expansion of production required by the national mobilization effort. Some limitation of these adjustments is required in the interest of wage stabilization. If left uncontrolled, the aggregate impact of day-to-day change in piece and incentive rates could breach the stabilization line. Rules to govern the administration of piece and incentive rate systems of wage and salary payment are necessary.

The Board in considering the problem of incentive or piece rates has consulted with representatives of labor and management. This regulation is intended only as an interim statement of Board policy, to be supplemented and amplified as soon as may be practicable. This regulation replaces the incentive and piece rate provisions of General Wage Regulation No. 5, as amended on February 12, 1951.

In the formulation of this regulation, due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Adjustments in incentive wage or piece rates.
2. Obligation of employers to show adjustments made in accordance with this regulation.

AUTHORITY: Sections 1 and 2 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 69, 82nd Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; Pub. Law 69, 82nd Cong.; E. O. 10161, 15 F. R. 6105, 3 CFR, 1950 Supp.; E. O. 10233, 16 F. R. 3503.

SECTION 1. *Adjustments in incentive wage or piece rates*—(a) *Board approval not required.* The approval of the Wage Stabilization Board is not required:

(1) Where an incentive or piece rate is established for a new production item or for an hourly rated job newly placed on an incentive wage or piece rate basis in a plant in which an established incentive wage or piece rate plan is in operation, or

(2) Where an existing incentive or piece rate or a group of incentive or piece rates is changed because of a change in method, product, tools, material, design, quality requirements, work assignments, or other production or job conditions, or

(3) Where an existing incentive or piece rate or a group of incentives or piece rates is changed resulting in earnings which reflect the same percentage above day or base rates as when the existing incentive or piece rate was originally adopted.

(b) *Criteria for fixing incentive wage or piece rates.* In the application of paragraphs (a) (1) and (2) and (3), the new or changed incentive or piece rate shall be fixed as follows:

(1) Where incentive or piece rates are set by time study or by the use of standard data, the new or changed rate must result from the application of the rate-setting or engineering principles and allowances in effect on January 25, 1951 or established in accordance with the terms of a written agreement in effect on that date.

(2) Where incentive or piece rates are set by estimate or negotiation, the new or changed rate shall maintain the established relationship between earnings and job content.

SEC. 2. *Obligation of employers to show adjustments made in accordance with this regulation.* Employers who make incentive wage or piece rate adjustments without Board approval shall show upon Board request, that the adjustments were made in accordance with the principles outlined in this regulation.

GEORGE W. TAYLOR,
Chairman,
Wage Stabilization Board.

[F. R. Doc. 51-9245; Filed, Aug. 6, 1951; 11:43 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-4, Revocation]

M-4—CONSTRUCTION

NPA Order M-4 as amended July 1, 1951, is hereby revoked. This revocation does not affect any liabilities for violation of NPA Order M-4 as amended from time to time, or for violations of any adjustments, exceptions, directions, directives, or other actions of the National Production Authority under it.

This revocation shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9251; Filed, Aug. 6, 1951; 12:05 p. m.]

[NPA Order M-63, as Amended August 3, 1951]

M-63—SOFTWOOD PLYWOOD

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order as amended, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

NPA Order M-63 (May 16, 1951) is amended in the following respects: Section 1 is amended by deleting the word "natural" in the third line thereof and substituting the word "national" so as to read: "national defense"; section 2 is amended by deleting paragraphs (b) and (e) and substituting new definitions of "softwood plywood" and "grades suitable for concrete form use"; section 2 is further amended by deleting paragraph (f) and relettering the following paragraphs from (g), (h), and (i) to (f), (g), and (h), respectively; section 3 (b) (2) is amended by deleting the words "or hutment grade" from the fifth and sixth lines thereof; section 3 (b) is amended by changing the percentage figure "20" to "25" for September and October 1951, and to "30" for November 1951, and each month thereafter; section 3 (b) (1) is amended by changing the percentage

[1] Approving: Public members—Taylor, Bullen, Dunlop, Hepburn. Industry members—Smith, Olander, Heron, Doherty. Labor members—Birthright, Walker, Livingston. Dissenting: Labor member—Beirne.

figure "40" to "50"; a new paragraph (d) is added to section 4 establishing a 90-day delivery time limit on rated orders. NPA Order M–63, as so amended, reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Reserve production.
4. Acceptance of rated orders.
5. Release of reserve production.
6. Restriction on exchanges.
7. Applications for adjustment or exception.
8. Communications.
9. Monthly report.
10. Records, audit, inspection, and reports.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to set aside as a reserve for the needs of national defense specified percentages of the production of all softwood plywood manufacturers. It also provides for equitable distribution of rated orders among such manufacturers.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or any other government.

(b) "Softwood plywood" means any plywood which has a rotary cut face of Douglas fir, cedar (Alaska, Port Orford, and Western red), California redwood, Western (Idaho) white pine, Sitka spruce, Western larch, Western hemlock, Noble fir, and the commercial white firs; and ponderosa pine and sugar pine whether or not overlaid with paper, plastic, metal, or any other material except hardwood veneer, provided plywood conforms to U. S. Commercial Standards CS 45–48, CS 122–49, or CS 157–49, which cover the various species.

(c) "Exterior type softwood plywood" means softwood plywood bonded with waterproof adhesives and suitable for permanent exterior use.

(d) "Interior type softwood plywood" means softwood plywood bonded with moisture-resistant adhesives and suitable for uses where subjected to occasional deposits of moisture, but not suitable for permanent exterior use.

(e) "Grades suitable for concrete form use" means interior type softwood plywood of "BB" or better grades, as described in CS 45–48 for construction of concrete forms, which may be edge-treated and oiled or otherwise sealed at the option of the purchaser.

(f) "Facilities" means major equipment items, including but not limited to, presses, driers, and lathes, which increase or alter production capacity.

(g) "Production" means all softwood plywood produced for whatever purpose.

(h) "Base period" means the fourth calendar quarter of 1950 and the first calendar quarter of 1951.

SEC. 3. *Reserve production.* (a) Each manufacturer of softwood plywood, for the month of July 1951 and each calendar month thereafter (except as provided in the last sentence of this paragraph), shall set aside a reserve of production time and facilities and materials and supplies sufficient to produce and ship on DO rated orders within such month such proportions of this production as required by paragraph (b) of this section. Mills which operate during only a portion of any month due to industry vacation practice shall compute their reserve in proportion to the time operated during that month.

(b) For each of the months of July and August 1951, each manufacturer shall set aside as a reserve 20 percent of his average monthly production of softwood plywood during the base period. For each of the months of September and October 1951, each manufacturer shall set aside as a reserve 25 percent of his average monthly production of softwood plywood during the base period. For the month of November 1951 and each month thereafter, unless otherwise ordered by NPA, each manufacturer shall set aside as a reserve 30 percent of his average monthly production of softwood plywood during the base period. The quantity so set aside shall be such manufacturer's "reserve production." This reserve production, computed on a 3/8-inch rough footage basis, shall be set aside as follows:

(1) During the months of July and August 1951, each Douglas fir plywood manufacturer who shall produce both exterior and interior types is required to produce at least 40 percent of his reserve production in exterior type; the balance of his reserve production may be in any grade or type.

(2) For the month of September 1951, and each month thereafter, each Douglas fir plywood manufacturer who shall produce both exterior and interior types is required to produce at least 50 percent of his reserve production in exterior type; the balance of his reserve production may be in any grade or type.

(3) Each Douglas fir plywood manufacturer who shall produce interior type only is required to produce at least 40 percent of his reserve production in grades suitable for concrete form use; the balance of his reserve production may be in any grades.

(4) Each softwood plywood manufacturer, other than a Douglas fir manufacturer, shall produce his reserve production in any type or grade.

(c) The National Production Authority may from time to time, by amendment of this order, increase or decrease the quantity to be set aside as a reserve as required by paragraph (b) of this section.

(d) Any manufacturer of softwood plywood not in production during the base period shall apply for a reserve production quota in lieu of the reserve required by paragraphs (a) and (b) of this section, not later than June 1, 1951, or the fifteenth day of the month following his first full month of production. Application shall be made by letter, in triplicate, to the National Production Authority, Washington 25, D. C., Ref: M–63, stating plant capacity estimated on a 2-shift 5-day week, and the preceding month's softwood plywood production by types, exterior and interior. An interim reserve production quota will be assigned by NPA, which quota will be adjusted following the first 3 months of full production.

(e) A manufacturer who, through the installation of additional facilities, increases his production shall at once adjust his reserve production quota to include such increased production and, not later than 10 days following the first 3 months of increased production, shall report such increased production. Report shall be made by letter, in triplicate, to the National Production Authority, Washington 25, D. C., Ref: M–63. Thereupon NPA will assign an adjusted reserve production quota.

SEC. 4. *Acceptance of rated orders.* (a) A manufacturer, notwithstanding any previous contracts or agreements, shall not be required to accept DO rated orders for softwood plywood for shipment in any month in a quantity in excess of his reserve production for that month, unless specifically directed by NPA.

(b) A manufacturer shall not be required to accept a DO rated order which is received less than 30 days prior to the first day of the month in which shipment is requested, unless specifically directed by NPA.

(c) The provisions of NPA Reg. 2, as amended, relating to priorities are superseded to the extent they are inconsistent with this order.

(d) Unless so directed by NPA, a manufacturer shall not be required to accept DO rated orders for delivery more than 90 days later than his receipt of such rated orders.

SEC. 5 *Release of reserve production.* If, 30 days prior to the first day of the month of scheduled production, a manufacturer has not received rated orders which exhaust his reserve production for that month, unless otherwise directed by NPA he may schedule his production for which no rated orders have been received in any manner except as prohibited by section 6 of this order.

SEC. 6. *Restriction on exchanges.* (a) Except with the written approval of NPA, no person shall sell, transfer, trade, or ship, or contract to sell, transfer, trade, or ship, any softwood plywood as a consideration, whether actual or implied, for the receipt of logs. Application for such approval may be made by the person delivering or owning the logs, or the person delivering or owning the softwood plywood.

(b) Persons requesting approval of such exchanges shall file with NPA a letter setting forth: the name and addresses of the parties to any existing or proposed exchange agreement; the kind, grade, and form of the softwood plywood and logs involved; the footage of the logs and the footage of the resulting softwood plywood involved; the rate and the dates of delivery of such material; the length of time such agreement or other similar agreement between the same parties has been in force,

if there has been such an agreement; the duration of the agreement; the purpose for which the softwood plywood is to be used; and such other information as may seem pertinent and necessary.

SEC. 7. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 8. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-63.

SEC. 9. *Monthly report.* Each manufacturer of softwood plywood shall report on or before the fifteenth day of May 1951, and on or before the tenth day of each succeeding month, on NPA-Census Joint Survey Form M-13B Revised.

SEC. 10. *Records, audit, inspection, and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 11. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order, as amended, shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9247; Filed, Aug. 6, 1951; 12:04 p. m.]

[NPA Order M-4A]

M-4A—CONSTRUCTION

This order is found necessary and appropriate to promote the national defense, and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as extended. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.

1. What this order does.
2. Revocation of NPA Order M-4.
3. Definitions.
4. Commencing construction of buildings, structures, or projects listed in Table I.
5. How to obtain an authorized construction schedule and related allotments.
6. Use of copper and alluminum in construction.
7. Applications for adjustment or exception.
8. Exemptions.
9. Prohibited deliveries.
10. Scope of this order.
11. Communications.
12. Records and reports.
13. Violations.

Table I—Recreational, Entertainment, and Amusement Construction.
Table II—Agencies to Which Communications Should Be Directed.

AUTHORITY: Sections 1 to 13 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* (a) This order supersedes NPA Order M-4 (Construction); and, in its place, it provides new rules for limiting building construction and for limiting the use of certain building materials, in order to further the purposes of conserving critical materials and services required for the defense program. To accomplish these purposes, this order:

(1) Prohibits the commencement of construction of all types of buildings, structures, or projects which require the use of more than certain specified quantities of controlled materials, unless the prime contractor receives either an authorized construction schedule and related allotment under CMP Regulation No. 6, or is permitted to self-authorize his orders for the materials which he will use for the construction.

(2) Prohibits the use in construction of copper or aluminum for certain specified purposes.

(b) This order makes provision for the granting of adjustments or exceptions in cases of unreasonable hardship, or where required in the interest of the national defense or in the public interest.

SEC. 2. *Revocation of NPA Order M-4.* NPA Order M-4 as amended July 1, 1951, has been revoked. That revocation does not affect any liabilities for violation of NPA Order M-4, as amended from time to time, or for violation of any adjustments, exceptions, directions, directives, or other actions of the National Production Authority under it.

SEC. 3. *Definitions.* As used in this order:

(a) *"Person"* means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) *"Construction"* means the erection of any building, structure, or project, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of materials which are to be an integral and permanent part of the building, structure, or project, but it does not include maintenance and repair.

(c) *"Commence construction"* means to incorporate into a building, structure, or project, a substantial quantity of materials which are to be an integral and permanent part of such building, structure, or project (for example, the pouring or placing of footings or other foundations). Fabrication, production, or processing of prefabricated buildings, building materials, building equipment, or personal property to be installed does not constitute commencement of construction.

(d) *"Allotment"* has the meaning as given in section 2 (p) of CMP Regulation No. 6.

(e) *"Authorized construction schedule"* has the meaning as given in section 2 (g) of CMP Regulation No. 6.

(f) *"Controlled material"* means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(g) *"Steel," "copper,"* and *"aluminum"* means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(h) *"Multi-unit residential structure"* has the meaning as given in section 2 (c) of Direction 1 of CMP Regulation No. 6.

SEC. 4. *Commencing construction of buildings, structures, or projects listed in Table I.* (a) No person shall commence construction of any building, structure, or project of a type specified in Table I of this order if completion of such building, structure, or project will require the use of more than 2 tons of carbon steel, or 200 pounds of copper, or any quantity of aluminum alloy steel or stainless steel. An adjustment or exception to permit the commencement of such construction may be granted under section 7 of this order.

(b) Construction by, or for the account of, the Department of Defense or the Atomic Energy Commission, is exempt from the provisions of this section.

SEC. 5. *How to obtain an authorized construction schedule and related allotment.* The method of acquiring an authorized construction schedule and related allotment is set forth in CMP Regulation No. 6, which provides for submitting an application on Form CMP–4C. The instruction sheet to Form CMP–4C indicates where the application shall be filed, depending upon the type of construction involved. Further, provision is made in Direction 1 to CMP Regulation No. 6 for self-authorization by a prime contractor of his orders for certain specified quantities of controlled materials.

SEC. 6. *Use of copper and aluminum in construction.* No person shall use in or in connection with the construction of any building, structure, or project, any copper or aluminum controlled material (as defined in CMP Regulation No. 1) for decorative or ornamental purposes or use any aluminum (other than Class B products) for any purpose other than industrial construction, or use any copper controlled material to be fabricated, adapted, or fitted on the site of the construction for any of the following purposes:

Cement flooring and composition flooring (except that [crude arsenical] copper precipitate may be used for flooring in hospital operating and anesthesia rooms, for places where explosives are handled or stored, and for places where explosive vapors may be present).
Cornices.
Downspouts and accessories thereto.
Facias.
Gutters and accessories thereto.
I. P. S. waste nipples.
Leaders and accessories thereto.
Linoleum stripping.
Marquees.
Metal siding.
Moldings for joining cabinet sinks.
Pipe, iron pipe sizes, and fittings (except for industrial process piping and chemical and gas equipment; solder nipples, solder bushing, and ferrules; and special hospital plumbing fixtures), including unions and union fittings (except seats, and except for other parts of unions and union fittings (1) where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fittings make the use of any other material dangerous or impractical, or (2) where the valve is of a type designed for use in an air-conditioning or refrigeration "system," or (3) where use of copper and tubing and/or brass pipe is permitted).
Roofing.
Store fronts.
Supply pipes, iron pipe sizes.
Terrazzo strips.
Tube, tubing, and fittings for piping systems in construction (except for type K for underground water service connections; types B, L, and M for domestic hot and cold water supply pipes, tank to oil burner hook-ups, interconnecting lines carrying primary or secondary refrigerant between compression equipment and cooling coils, and oxygen lines; types B, K, L, and M for industrial process, food, chemical and gas equipment piping; and seamless tube carrying the actuating medium for air temperature control apparatus).

SEC. 7. *Applications for adjustment or exception.* (a) Any person affected by any provision of section 4 or 6 of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that the enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program.

(b) To apply for an adjustment or exception from section 4 of this order, both Form NPAF–24A and Form CMP–4C shall be filed. The forms shall be filed with the National Production Authority, Washington 25, D. C., except in the following instances:

(1) An application for an adjustment or exception to permit the commencement of construction of a building, structure, or project of the type specified in Table I of this order, which is required as part of an integrated hospital program of the Veterans' Administration, shall be filed with the Veterans' Administration, Washington 25, D. C.

(2) An application for an adjustment or exception to permit the commencement of construction of a building, structure, or project of the type specified in Table I of this order, which is required as part of an integrated hospital program of the Federal Security Agency, shall be filed with the Federal Security Agency, Washington 25, D. C.

(3) An application for an adjustment or exception to permit the commencement of construction of a gymnasium which is to be part of a school plant, and is to be used primarily for instructional purposes in physical education and training, shall be filed with the Federal Security Agency, Washington 25, D. C. (The Federal Security Agency shall not authorize the commencement of construction of such a school gymnasium if it provides for spectator seating).

(c) In determining whether an adjustment or exception should be granted under paragraph (b) of this section, the agency processing the application will consider whether the applicant has properly contained in his inventory, as provided for in CMP Regulation No. 2, controlled materials in a quantity sufficient to complete the proposed building, structure, or project.

(d) Each request for an adjustment or exception from the provisions of section 6 of this order shall be made by filing Form NPAF–24A with the National Production Authority, Washington 25, D. C. Ref: M–4A. However, when any such request relates to a category of construction with respect to which NPA has delegated authority to another government agency, it shall be addressed to such government agency, Washington 25, D. C., Ref.: M–4A.

SEC. 8. *Exemptions.* The following construction is exempt from the provisions of section 5 of this order:

(a) Construction of electric power generating projects, which is subject to NPA Order M–50.

(b) Construction of facilities for the production, processing, refining, and distribution of petroleum and gas, which is subject to NPA Order M–46B.

(c) Operating construction in connection with communications facilities, which is subject to NPA Order M–77.

SEC. 9 *Prohibited deliveries.* No person shall accept an order for, or sell, deliver, or cause to be delivered, any material, equipment, or supplies which he knows, or has reason to believe, will be used in violation of the provisions of this order.

SEC. 10. *Scope of this order.* This order shall apply to construction in the 48 States, the District of Columbia, and in the territories and insular possessions of the United States.

SEC 11. *Communications.* All communications concerning this order shall be addressed to the particluar agency designated in Table II of this order as being responsible for the particular category of construction involved (Ref: NPA Order M–4A).

SEC. 12. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that that provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority, or other governmental agency administering this order, as shall be required, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 13. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action

may be taken against any such person to suspend his privilege of receiving further deliveries of products or materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

Note: All record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

TABLE I—RECREATIONAL, ENTERTAINMENT, AND AMUSEMENT CONSTRUCTION

All buildings, structures, or projects to be used for, or in connection with, any recreational, amusement, or entertainment purpose, whether public or private, including, but not limited to:

Amphitheater.
Amusement arcade.
Amusement device built into place on the site, such as a roller coaster, merry-go-round, or similar device or kind. This shall not include demountable or portable equipment.
Amusement park.
Arena.
Assembly hall used primarily for recreation or amusement.
Athletic field house.
Band stand.
Bars and buildings or structures where the predominant business carried out therein or in connection therewith shall be the sale for consumption on the premises of alcoholic liquors.
Baseball park.
Bathhouse.
Billiard or pool parlor.
Bleachers and similar seating arrangements when they are built in place as a permanent part of the buildng, structure, or project.
Boardwalk used primarily for recreation or amusement.
Boat or canoe club.
Bowling alley establishment.
Cabana.
Camp (except for public or social welfare).
Carnival.
Club building except for social welfare purposes.
Country club.
Dance hall.
Dance studio.
Dude ranch used primarily for recreation or amusement.
Exposition or exhibition building or structure for recreational, amusement, or entertainment displays or purposes.
Flood lighting (including piers, poles, towers, framework, or foundation with fixed equipment) in connection with any recreational, amusement, or entertainment purpose.
Gambling establishment.
Golf course.
Golf club.
Golf driving range.
Grandstand.
Gymnasium.
Lodge hall.
Music shell.
Night club.
Pier used primarily for recreation or amusement.
Race track, any kind.
Riding academy.
Rodeo.
Shooting gallery.
Skating rink.
Ski lodge.
Slot-machine establishment.
Stadium.
Swimming pool.
Theater, any kind (including drive-in theater).
Yacht basin or marine railway primarily for the use of pleasure craft.

TABLE II—AGENCIES TO WHICH COMMUNICATIONS SHOULD BE DIRECTED

Category of construction	Agency	Address where communications shall be filed
All school and library construction; all hospital and health facility construction other than the Veterans' Administration and military bospitals; all other health and sanitation programs (but not water-supply and sewer-construction programs), except such types of construction on federally owned property under the control of the Atomic Energy Commission and such types of construction on military reservations; college housing.	Federal Security Agency	Schools and libraries: Office of Education, Federal Security Agency, Washington 25, D. C. Ref: NPA Order M-4A. Hospitals and healtb projects: Public Health Service, Federal Security Agency, Washington 25, D. C. Ref: NPA Order M-4A.
The hospital program of the Veterans' Administration.	Veterans' Administration	Assistant Administrator for Construction, Supply and Real Estate, Veterans' Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Housing construction, alteration, and repair, except: housing and community facilities on federally owned property under the control of the Atomic Energy Commission; housing on military reservations; military housing under Public Law 211, 81st Congress; college housing; and farmstead construction.	Housing and Home Finance Agency.	Public housing: Public Housing Administration Field Offices. Ref: NPA Order M-4A. Private housing: Federal Housing Administration Field Offices. Ref: NPA Order M-4A.
Facilities for departmental programs of the Department of the Interior.	Department of the Interior.	Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production, preparation, and processing of solid fuels.	Department of the Interior.	Defense Solid Fuels Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production and processing of metals and minerals (except solid fuels, oil, and gas).	Department of tbe Interior.	Defense Minerals Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production and processing of fishery products.	Department of tbe Interior.	Defense Fisheries Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the generation, transmission, and distribution of electric power.	See NPA Order M-50	Defense Electric Power Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production, processing, refining, and distribution of petroleum and gas, and facilities for the production, processing, and distribution of the products listed in Appendix A of NPA Delegation 9 (but not filling stations).	See NPA Order M-46B	Petroleum Administration for Defense, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Bureau of Public Roads programs for highway construction and maintenance of all rural and urban highways, streets, highway equipment repair shops, bridges, tunnels, toll-road facilities, and appurtenant installations, regardless of financing.	Department of Commerce	Bureau of Public Roads, District Engineer, Field Offices (through State Highway Department). Ref: NPA Order N-4A.
Air navigation facilities; civil airports	Department of Commerce	Civil Aeronautics Administration, Attention: W-30, Washington 25, D. C. Ref: NPA Order M-4A.
Shipyards	Department of Commerce	Maritime Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for domestic transportation, storage, and port facilities.	Defense Transport Administration.	Defense Transport Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Construction by, or for the account of, the Department of Defense and all military housing under Public Law 211, 81st Congress; Navy construction; Army construction; Air Force construction, including but not limited to projects of an industrial nature financed by the Air Force; military command construction.	Department of Defense	Local representative of the military department coucerned. Ref: NPA Order M-4A. (Do not file Form CMP-4C unless it is requested.)
All construction by, or for the account of, tbe Atomic Energy Commission; industrial construction sponsored by the Atomic Energy Commission.	Atomic Energy Commission.	Appropriate operations office of the Atomic Energy Commission. Ref: NPA Order M-4A. (Do not file Form CMP-4C unless it is requested.)
All coustructiou by, or for the account of, the National Advisory Committee for Aeronautics.	National Advisory Committee for Acronautics.	National Advisory Committee for Aeronautics. Washington 25, D. C. Ref: NPA Order M-4A.
Federal buildings and facilities except as otberwise designated in this table.	General Services Administration.	Controlled Materials Division, General Services Administration, Room G-125, GSA Building, 18tb and F Streets, NW., Wasbington 25, D. C. Ref: NPA Order M-4A.
Farm construction, including farmstead construction; food production and processing facilities, and wholesale food distribution facilities within the limits of the memorandum of agreement between the Administrator of the Production and Marketing Administration aud the Administrator of the National Production Authority (16 F. R. 3410), as from time to time amended or supplemented.	Department of Agriculture.	State offices, Production & Marketing Admin., Department of Agriculture. Ref: NPA Order M-4A.
Operation construction in connection with communications facilities.	National Production Authority. See NPA Order M-77.	Communications Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.
All other construction not specifically listed above (including all categories of construction in Table I except as provided in section 8 of tbis order).	National Production Autbority.	Construction Controls Division, National Production Authority, Washton 25, D. C. Ref: NPA Order M-4A.

[F. R. Doc. 51-9250; Filed, Aug. 6, 1951; 12:05 p. m.]

[NPA Order M-71 as Amended August 6, 1951]

M-71—Priorities Assistance to Technical and Scientific Laboratories

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this order as amended, consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action and because the order as amended affects a large number of different kinds of laboratories performing different functions and engaged in a wide variety of projects.

This amendment affects NPA Order M-71 by revising paragraph (a) of section 2, expanding the definition of "person" in the order, and by revising paragraphs (c) and (d) of section 8, substituting "CMP Regulation No. 5" for "NPA Reg. 4" wherever the latter appears in the said paragraphs of section 8.

Sec.

1. What this order does.
2. Definitions.
3. How a laboratory may obtain a small quantity of controlled materials.
4. Class A products.
5. Authorization of ratings for products and materials other than controlled materials.
6. Applications for quota assistance.
7. Restrictions on priorities assistance.
8. Relation to other regulations and orders.
9. Applications for adjustment or exception.
10. Communications.
11. Records.
12. Audit and inspection.
13. Reports.
14. Violations.

Authority: Sections 1 to 14 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *What this order does.* The purpose of this order is to provide assistance to technical and scientific laboratories in the procurement of needed supplies and materials. To accomplish this purpose, such laboratories, as defined in this order, are permitted to apply an allotment symbol and certification to obtain a small quantity of controlled materials and a rating and certification to obtain a small quantity of products and materials other than controlled materials. In the event that more than a small quantity of controlled materials, and products and materials other than controlled materials, is required, a mechanism is provided by section 6 of this order under which laboratories will be assigned a quota of such controlled materials, and products and materials other than controlled materials on a quarterly basis.

Sec. 2. *Definitions.* For the purposes of this order:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any business enterprise, Government agency or institution. If in 1950, or in his last fiscal year ending prior to March 1, 1951, a person operated more than one laboratory, as defined in paragraph (b) of this section, and maintained for any such laboratory separate records showing expenditures therefor for material, as defined in paragraph (c) of this section, he may elect to treat any one or more of such laboratories as a separate person for the purposes of this order, or to treat his entire laboratory operation within the United States, its territories and possessions, as a person. In the absence of a contrary election, his entire laboratory operation within the United States, its territories and possessions, shall be treated as a person for the purposes of this order. Such election may not be changed without prior written approval of NPA.

(b) "Laboratory" means any person located in the United States, its territories or possessions, who carries on scientific or technological investigation, testing, or development or experimentation as his regular business or in the course of his business and who buys any materials especially for that purpose, even though he does not have a separate department or organization in his company or institution for these activities. The term "laboratory" includes, without limitation, research laboratories, production control laboratories, testing laboratories, analytical laboratories, clinical laboratories, and instructional laboratories. It does not include any person to the extent that he is engaged in the manufacture of products for commercial sale or public distribution even though the place in which the products are manufactured may be called a laboratory.

(c) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. The term includes, but is not limited to, maintenance, repair, and operating supplies for laboratories, equipment and instruments designed for use in laboratories, and other materials needed to carry on scientific or technological investigation, testing, or development or experimentation. The term also includes such items as hand tools and safety equipment purchased by a laboratory for sale to its employees for use only in the laboratory activities.

(d) "Delivery order" means any purchase order, contract, or shipping or any other instruction, calling for delivery of any material or product on a particular date or dates or within specified periods of time.

(e) "Controlled materials" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(f) "Small quantities of controlled materials" means not in excess of the amounts for each material for any one calendar quarter as specified in the list below:

Carbon steel (including wrought iron)	5 tons.
Alloy steel (except stainless steel)	½ ton.
Stainless steel	300 pounds.
Copper and copper-base alloy brass mill products, copper wire mill products, copper and copper-base alloy foundry products and powder	500 pounds.
Aluminum	500 pounds.

(g) "NPA" means the National Production Authority.

Sec. 3. *How a laboratory may obtain a small quantity of controlled materials.* On delivery orders calling for delivery after June 30, 1951, a laboratory may obtain controlled materials in small quantities (as defined by section 2 (f) of this order) which are needed for carrying on scientific or technological investigation, testing, or development or experimentation by placing on its delivery orders the allotment symbol X1 and a certification which shall read as follows:

Certified under NPA Order M-71

This certification shall be signed as provided in section 8 of NPA Reg. 2, and shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place a delivery order under the provisions of this order to obtain the products or materials covered by the delivery order. Such orders are authorized controlled material orders for the purpose of all CMP regulations, as provided by section 2 (q) of CMP Regulation No. 1.

Sec. 4. *Class A products.* (a) In order to obtain Class A products (as defined in section 2 (j) of CMP Regulation No. 1) needed for carrying on scientific or technological investigation, testing, or development or experimentation, a laboratory must ascertain from its supplier the quantity of controlled materials required in the manufacture of the said Class A products. In the event that the quantity of controlled materials required for the manufacture of the said Class A products for the calendar quarter in which it is desired to place such a delivery order, including the laboratory's own requirements for controlled materials for the same calendar quarter, does not exceed the small quantity of controlled materials, as defined in section 2 (f) of this order, the laboratory may make an allotment thereof to its supplier of Class A products in the same manner as prescribed in section 12 of CMP Regulation No. 1, on Form CMP-5 as set forth in Schedule II of CMP Regulation No. 1, which shall be attached to the delivery order.

(b) In cases where an order for Class A products for any one calendar quarter will cause a laboratory to exceed the small quantity limitations prescribed in sections 2 (f) and 3 of this order, a laboratory may obtain such products by applying for a quota under section 6 of this order and including in the application Form NPAF-109 the controlled materials requirements of its Class A product suppliers. After a quota is assigned, the laboratory may make an allotment within the limits thereof to its supplier of Class A products in the same manner as prescribed in paragraph (a) of this section.

(c) In every case covered by paragraphs (a) or (b) of this section the delivery order involved shall bear the rating DO-X1, the calendar quarter for which the allotment is valid (as prescribed by section 11 (b) of CMP Regulation No. 1), and the certification prescribed in section 5 of this order.

(d) The provisions of this section shall apply only to delivery orders calling for delivery after June 30, 1951.

SEC. 5. *Authorization of ratings for products and materials other than controlled materials.* On delivery orders calling for delivery after June 30, 1951, a laboratory is hereby authorized to apply the rating DO–X1 to obtain delivery of its requirements of products and materials other than controlled materials which are needed for carrying on scientific or technological investigations, testing, or development or experimentation: *Provided, however,* That the total purchase price for all such products and material shall not exceed $3,000 during any one quarter. In such case the delivery order shall bear the rating DO–X1 and a certification which shall read as follows:

Certified under NPA Order M–71

This certification shall be signed as provided in section 8 of NPA Reg. 2, and shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an order under the provisions of this order to obtain the products or materials covered by the delivery order.

SEC. 6. *Applications for quota assistance.* (a) A laboratory which estimates that its requirements of controlled materials (including the requirements thereof of its supplier of Class A products, as provided in section 4 of this order) for any one calendar quarter will exceed the small quantities of controlled materials as defined by section 2 (f) of this order, may apply to the National Production Authority, Washington 25, D. C., on Form NPAF–109, in triplicate, for a quota of such materials. NPA may assign a quota of controlled materials to such a laboratory by returning a copy of Form NPAF–109 to the laboratory with the allowable quota inserted in the appropriate space on the form.

(b) A laboratory which estimates that its requirements of products and materials other than controlled materials for any one calendar quarter will exceed the quantity allowed by section 5 of this order, may apply to the National Production Authority, Washington 25, D. C., on Form NPAF–109, in triplicate, for a quota of such products and materials. NPA may assign a quota of products and materials other than controlled materials to such laboratory by returning a copy of Form NPAF–109 to the laboratory with the allowable quota inserted in the appropriate space on the form.

(c) Where a laboratory is assigned a quota by NPA as provided by paragraphs (a) and (b) of this section, it is hereby authorized to place on its delivery orders the same allotment symbol and certification in the case of controlled materials as provided by section 3 of this order and to apply the same rating and certification in the case of products and materials other than controlled materials as provided by section 5 of this order: *Provided, however,* That in no case may such a laboratory exceed its authorized quota for any one calendar quarter without express permission in writing from NPA.

(d) Forms NPAF–109, applications for quota assistance, will be available at all regional offices of NPA and may be filed for the third calendar quarter at any time after the effective date of this order. Subsequent to the third calendar quarter of 1951, however, such application forms must be filed on or before the fifteenth day preceding the first day of the calendar quarter.

(e) Quotas under this section will be assigned only to laboratories which are engaged in scientific or technological investigation, testing, or development or experimentation, and then only in cases where NPA determines that the project or projects for which quotas are desired are highly essential to the national defense or affect the public health or safety.

SEC. 7. *Restrictions on priorities assistance.* (a) No person may use any of the materials or products obtained under the provisions of this order for use in activities other than scientific or technological investigation, testing, or development or experimentation.

(b) No person may make trial production runs of experimental models which are made with materials or products obtained under this order.

(c) No person may use any of the materials or products obtained under the provisions of this order for the manufacture of experimental models which are to be distributed for the purpose of promoting sales or creating a consumer demand for the article. However, the provisions of this order may be used to get materials or products for the production of experimental models which are intended to be used only for scientific or technological investigation, testing, or development or experimentation.

SEC. 8. *Relation to other regulations and orders.* (a) This order supplements NPA Reg. 2, as amended, which sets forth the basic rules of the priorities system, and provisions of that regulation govern the use of the DO rating herein assigned, except to the extent that the provisions of this order are inconsistent with that regulation.

(b) The provisions of this order do not authorize the use of any materials where such use is prohibited by any other applicable NPA order, but any laboratory which uses the DO rating herein assigned may use any materials or parts so obtained regardless of the limitations on the rate of use stated in any applicable NPA order, except insofar as such order may limit the specifications of a product as to material content. No provision of this order, however, shall supersede any requirement of any other applicable NPA order that any material or part may be obtained only by allocation; nor shall any provision of this order supersede any such provision of CMP regulations, except to the extent that the provisions of this order are inconsistent therewith.

(c) Within 30 calendar days of the effective date of this order, a laboratory must make an election either to continue to avail itself of the provisions of CMP Regulation No. 5 or to operate under the provisions of this order. Under no circumstances may it avail itself of the provisions of both CMP Regulation No. 5 and this order. In the event that a laboratory uses the provisions of this order for any purpose whatsoever, it will be considered to have made an election to operate under the provisions of this order, and such election may not thereafter be altered in any way without specific authorization in writing by NPA. A laboratory electing to continue to avail itself of the provisions of CMP Regulation No. 5 must notify NPA of such election within 30 calendar days of the effective date of this order, or it will be assumed that the laboratory has elected to operate under the provisions of this order.

(d) A laboratory electing to operate under the provisions of this order may use any of its provisions to obtain the chemicals described in item 1, Table I, of CMP Regulation No. 5, but may not use any of its provisions to obtain any other item appearing in Table I of CMP Regulation No. 5, as that table may be amended from time to time. This exemption, however, shall not be applicable to a laboratory, which elects to continue to operate under CMP Regulation No. 5. The limitations contained in Table II of CMP Regulation No. 5 and section 31 (List A) of NPA Reg. 2, as those regulations may be amended from time to time, with respect to certain items and materials which are subject to regulation by other Government agencies, or which are not subject to rating by NPA, shall continue to apply under this order.

(e) Notwithstanding any of the foregoing provisions of this section, this order shall not be construed as revoking or preventing the use of any authority delegated by NPA to any other Government agency to use any other rating that may have been assigned to it to obtain any of the products or materials for which such rating has been assigned.

SEC. 9. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 10. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–71.

SEC. 11. *Records.* Each person participating in any transaction covered by this order shall retain in his possession

for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 12. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 13. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 14. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of receiving further deliveries of products or materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 6, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9249; Filed, Aug. 6, 1951; 12:04 p. m.]

[NPA Order M-74, as Amended August 3, 1951]

M-74—USE OF COPPER AND COPPER-BASE ALLOY IN CONSTRUCTION MATERIALS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this order as amended, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

NPA Order M-74 is hereby amended by making certain additions to List A of the order. As so amended, NPA Order M-74 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Restrictions on use of copper.
4. Applications for adjustment or exception.
5. Records.
6. Audit and inspection.
7. Reports.
8. Communications.
9. Violations.

AUTHORITY: Sections 1 to 9 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to conserve copper and copper-base alloys so as best to serve the interests of national defense and essential civilian requirements. It prohibits the use by a manufacturer or assembler of copper or copper-base alloy, or component parts made therefrom, in the manufacture or assembly of certain items.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Manufacture" means to put into process, machine, incorporate into products, fabricate, or otherwise alter the forms and products of copper defined in paragraph (c) of this section by physical or chemical means, and includes the use of copper in plating.

(c) "Copper and copper-base alloy" means the following forms and products of copper:

(1) *Unalloyed copper.* (It includes electrolytic copper, fire-refined copper, and all unalloyed copper in any form including scrap.)

(2) *Copper-base alloy.* Any alloy, the composition of which the percentage of copper metal by weight equals or exceeds 40 percent of the total weight of the alloy. (It includes fired or demilitarized cartridge cases and artillery cases and all copper-base alloys as specified above in any form, including scrap.)

(3) *Brass mill products.* Copper and copper-base alloys in the following forms: sheet, plate, and strip in flat lengths or coils; rod, bar, shapes, and wire, except copper wire mill products; and seamless tube and pipe. Straightening, threading, chamfering and cutting to width and length, and reduction in gage, do not constitute changes in form of brass mill products except as determined by NPA. The following related products which have been produced by a change in form of brass mill products are not included in the definition of brass mill products:

Circles.
Discs.
Cups.
Blanks and segments.
Forgings.
Welding rod, 3 feet or less in length.
Rotating bands.
Tube and nipples—welded, brazed, or mechanically seamed.
Formed flashings.
Engravers' copper.

(4) *Copper wire mill products.* Bare wire, insulated wire and cable whatever the outer protective coverings may be, and uninsulated wire and cable, where the conductors are made from copper, copper-base alloy, or copper-clad steel, containing over 20 percent copper by weight. All copper wire mill products should be measured in terms of pounds of copper content.

(5) *Foundry copper products and copper-base alloy products.* Cast copper and copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding, or forging. (The process of casting includes the removal of gates, risers, and sprues, and sandblasting, tumbling, and dipping, but does not include any further machining or processing.)

SEC. 3. *Restrictions on use of copper.* Commencing on July 1, 1951, no person shall use copper or copper-base alloy, as defined in section 2 of this order, or any component or part made therefrom, in the manufacture or assembly of any item included in List A of this order except as permitted therein.

SEC. 4. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or that its enforcement against him would not be in the interests of national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 5. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 6. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 7. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 8. *Communications.* All communications and reports concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-74.

SEC. 9. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended includes List A hereto attached and shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

The use of copper or copper-base alloys, or any component or part made therefrom, in the items listed below is prohibited except to the extent permitted in the list.

Bands on pipe insulation.
Chimneys and flues.
Conduits (except instrument assemblies).
Door sills.
Door frames (not including hardware and attachments).
Doors (not including hardware and attachments).
Downspouts and accessories thereto.
Drains (except strainer grids for showers and urinals).
Drip pans.
Escutcheons and plates for floor, ceiling, and wall use.
Fittings for underfloor raceway systems.
Gratings.
Grids (except for flooring in hospital operating rooms and anesthesia rooms, for places where explosives are handled or stored, and for places where explosive vapors may be present).
Grilles and shields, including fresh air inlet boxes and radiator and convector enclosures.
Gutters and accessories thereto.
Lavatory legs (except for hospital use).
Leaders and accessories thereto.
Linoleum stripping.
Louvers.
Ornamental metal work; including grille work, railings, and fittings.
Radiator covers and shields.
Railings and fittings.
Reglets, molding, and trim.
Skylights.
Store fronts.
Straps and hangers for pipe supports.
Switch plates.
Terrazzo strips.
Traps (except tube traps in 20-gage without cleanouts; except traps cast from secondary metal; except brass plates for cast iron drum traps).
Thresholds and saddles.
Unit heaters, unit ventilators, unit ventilator inlet wall boxes and convectors, and blast heating coils, or any apparatus using such coils as part of its construction (except for valves, controls, fins, bearings, or parts necessary for conducting electricity, and for water or steam courses and headers).
Valve handles (except plumbing fixture trim).
Ventilators (except for current carrying parts).
Vents.
Window frames (not including butts, hinges, and hardware).
Window sills (not including butts, hinges, and hardware).

[F. R. Doc. 51-9254; Filed, Aug. 6, 1951; 12:06 p. m.]

[CMP Regulation No. 5, Direction 1]

CMP REG. 5—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES AND MINOR CAPITAL ADDITIONS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 1—PRINTING PLATES AND ANODES AS OPERATING SUPPLY

This direction under CMP Regulation No. 5 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Producion Act of 1950 as amended. In the formulation of this direction there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.
1. What this direction does.
2. Definitions.
3. Printing plates.
4. Anodes.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* The purpose of this direction is to provide that printing plates shall constitute operating supplies as to the owner, whether such owner is an advertiser, an advertising agency, a publisher, or a printer, regardless of the established accounting practice of the owner, and regardless of who uses such plates in printing. Similarly, copper anodes used in the printing process shall constitute operating supplies. This direction does not apply to printing plates used in the textile industry.

SEC. 2. *Definitions.* As used in this direction "printing plate" means any kind or shape of printing or marking plate, cylinder, or other form used in printing, whether an original or a duplicate, except in roller, screen, or block printing by the textile industry.

SEC. 3. *Printing plates.* (a) Printing plates for use in the printing and publishing business shall be treated as an operating supply as to the ultimate owner under CMP Regulation No. 5 regardless of whether, under that particular owner's accounting practice, such plates are charged to operating expense and regardless of who uses such plates. Such plates shall be charged against the MRO quota of the owner, who may, in computing his quota base, include the amount he spent for plates during the base period. The person who orders a printing plate may apply the DO-MRO rating of the person for whose account the plate is ordered to the extent such person would be entitled to apply such rating himself.

(b) Printing plates are not MRO as to the engraver, etcher, electrotyper, stereotyper, lithographic-plate maker, or any other manufacturer of printing plates, as defined in section 2 of this direction, who processes them for final delivery to and use by others. Such processor may extend the DO-MRO rating of his customer as provided in NPA Reg. 2. The person who grinds, polishes, plates, or coats controlled materials for delivery to an engraver, etcher, electrotyper, stereotyper, lithographic-plate maker, or any other manufacturer of printing plates, as defined in section 2 of this direction, must file an application for an allotment on Form CMP-4B as provided in CMP Regulation No. 1.

SEC. 4. *Anodes.* Rolled, forged, and cast anodes used in the printing process shall be considered operating supplies as to the user regardless of his established accounting practice.

This direction shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9248; Filed, Aug. 6, 1951; 12:04 p. m.]

[CMP Regulation No. 6, as Amended Aug. 3, 1951]

CMP REG. 6—CONSTRUCTION UNDER THE CONTROLLED MATERIALS PLAN

This amended CMP Regulation No. 6 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as extended by Pub. Law 96, 82d Cong. In the formulation of this regulation as amended, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all industries affected in advance of the issuance of this regulation as amended has been rendered impracticable because the regulation affects many different industries.

This amendment affects CMP Regulation No. 6 as follows: Paragraph (e) of section 3 is deleted and a new paragraph is substituted therefor; section 5 is deleted and a new section 5 is substituted therefor; the two words "manually or" are deleted from paragraph (f) of section 6; the two words "manually or" are deleted from paragraph (c) of section 15; and a new sentence is added at the end of section 18. As so amended, CMP Regulation No. 6 reads as follows:

EXPLANATORY PROVISIONS

Sec.
1. What this regulation does.
2. Definitions.
3. General construction schedule and allotment procedure.
4. Statements of requirements.
5. Applications for authorized construction schedules and allotments.

AUTHORIZED CONSTRUCTION SCHEDULES, ALLOTMENTS, AND DELIVERY ORDERS FOR CONTROLLED MATERIALS

Sec.
6. How construction schedules are authorized.
7. How allotments are made.
8. Designation and use of allotment numbers.
9. Allotments by contractors and consumers.
10. How to cancel or reduce allotments.
11. Transfer of allotments.
12. Alternative procedure for simultaneous allotments.
13. Restrictions on placing authorized controlled material orders, and on use of allotments and materials.
14. Adjustments for changes in requirements.
15. How to place orders with controlled materials producers and distributors.

GENERAL PROVISIONS

16. Applicability of other regulations and orders.
17. Records and reports.
18. Applications for adjustment or exception.
19. Communications.
20. Violations.

AUTHORITY: Sections 1 to 20 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

EXPLANATORY PROVISIONS

SECTION 1. *What this regulation does.* The purpose of this regulation is to explain how to get materials for construction under the Controlled Materials Plan. Manufacturers of class A products for use in construction may receive authorized production schedules and allotments under this regulation, but they must comply with all applicable provisions of CMP Regulation No. 1. Controlled materials for the manufacture of class B products are not obtained under this regulation. A manufacturer of class B products for use in construction may obtain allotments from the appropriate Industry Division or Claimant Agency in accordance with the provisions of CMP Regulation No. 1. This regulation will be supplemented from time to time by the issuance of procedures, forms, interpretations, directions, and instructions.

SEC. 2. *Definitions.* As used in this regulation:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "NPA" means the National Production Authority.

(c) "Construction project" means the erection of any building, structure, or project, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of products and materials which are to be an integral and permanent part of the building, structure, or project.

(d) "Construction program" means a statement of the types and amounts of construction projects to be provided in specified periods of time.

(e) "Authorized construction program" means a construction program specifically approved by the Requirements Committee of the Defense Production Administration.

(f) "Construction schedule" means a statement of the type and amount of construction project or projects to be provided by a contractor.

(g) "Authorized construction schedule" means a construction schedule specifically approved by a Claimant Agency or by an Industry Division with respect to a prime contractor, or specifically approved by a prime contractor or a subcontractor with respect to a subcontractor.

(h) "Production schedule" means a statement of the amounts of a class A product or group of class A products for use in construction to be produced by a secondary consumer in specified periods of time.

(i) "Authorized production schedule" means a production schedule for class A products to be used in construction specifically approved by a prime contractor, a subcontrator, or a secondary consumer with respect to a secondary consumer.

(j) "Controlled material" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(k) "Industry Division" means the division or other unit of NPA which is charged with supervision over particular types of construction.

(l) "Claimant Agency" means any Government agency or subdivision thereof designated as such by the Defense Production Administration.

(m) "Prime contractor" means any person who receives an authorized construction schedule and an allotment of controlled material from a Claimant Agency or an Industry Division. A prime contractor shall be the person who is to be the owner of the construction, or the person designated by such owner to act as the prime contractor for him.

(n) "Subcontractor" means any person who receives an authorized construction schedule and an allotment of controlled material from a prime contractor or another subcontractor.

(o) "Secondary consumer" means any person who receives an authorized production schedule for a class A product to be used in construction and an allotment of controlled material from a prime contractor, a subcontractor, or another secondary consumer.

(p) "Allotment" means (1) an authorization by the Requirements Committee of the Defense Production Administration, of the amount of controlled materials which a Claimant Agency may receive and/or allot during a specified period, or (2) an authorization by the Requirements Committee of the Defense Production Administration, of the amount of controlled materials which an Industry Division may allot during a specified period, or (3) an authorization by a Claimant Agency or an Industry Division, of the amount of controlled materials which may be received and/or allotted by one of its prime contractors during a specified period, or (4) an authorization by a prime contractor or a subcontractor, of the amount of controlled materials which may be received and/or allotted by one of its subcontractors or secondary consumers during a specified period, or (5) an authorization by a secondary consumer, of the amount of controlled materials which may be received and/or allotted by one of its secondary consumers during a specified period.

(q) "Class A product" means any product which is not a class B product (as defined in paragraph (r) of this section), and which contains any controlled material, fabricated or assembled beyond the forms and shapes specified in Schedule I of CMP Regulation No. 1, other than any controlled material which may be contained in class B products incorporated in it.

(r) "Class B product" means any product designated as such in the "Official CMP Class B Product List" issued by NPA, as the same may be modified from time to time.

(s) "Delivery order" means any purchase order, contract, shipping, or other instruction calling for delivery of any material or product on a particular date or dates or within specified periods of time.

(t) "Authorized controlled material order" means any delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to an allotment as provided in section 15 of this regulation or which is specifically designated to be such an order by any regulation or order of NPA.

SEC. 3. *General construction schedule and allotment procedure.* (a) Each Claimant Agency or Industry Division shall authorize construction schedules of prime contractors pursuant to authorized construction programs. Each prime contractor who has an authorized construction schedule shall, pursuant thereto, authorize construction schedules of his subcontractors, and each subcontractor who has an authorized construction schedule shall, pursuant thereto, authorize construction schedules of his subcontractors.

(b) Each Claimant Agency or Industry Division shall make allotments to prime contractors, for the purpose of fulfilling related authorized construction schedules, pursuant to allotments which it has received. Each prime contractor who has received an allotment shall, pursuant thereto, make allotments to his subcontractors to fulfill related authorized construction schedules; and each subcontractor who has received an allotment shall, pursuant thereto, make allotments to his subcontractors to fulfill related authorized construction schedules.

(c) Each prime contractor or subcontractor who has an authorized construction schedule shall, pursuant thereto, authorize production schedules of secondary consumers producing class A products for it; and each secondary

consumer who has an authorized production schedule shall, pursuant thereto, authorize production schedules of secondary consumers producing class A products for it.

(d) Each prime contractor or subcontractor who has received an allotment shall, pursuant thereto, make allotments to secondary consumers producing class A products for it, to fulfill related authorized production schedules; and each secondary consumer who has received an allotment shall, pursuant thereto, make allotments to secondary consumers producing class A products for it, to fulfill related authorized production schedules.

(e) Except where otherwise specifically provided, no person who has received an authorized construction schedule shall purchase controlled materials or products and materials other than controlled materials for fulfillment of such authorized construction schedule except by use of the related allotment and DO rating.

SEC. 4. *Statements of requirements.* (a) The basis for an allotment to a prime contractor, subcontractor, or secondary consumer shall be his actual requirements (including those of his subcontractors and/or secondary consumers) for controlled materials in connection with the fulfillment of an authorized construction schedule or an authorized production schedule, after taking inventories into account to the extent required by CMP Regulation No. 2. A statement of requirements is to be furnished as provided in section 5 of this regulation.

(b) When a person who has furnished a statement of requirements ascertains that he has substantially overstated his requirements or those of his subcontractors or secondary consumers for any material or product, he shall report such error immediately to the person to whom the statement of requirements was furnished.

(c) If any person receives any statement of requirements which he knows or has reason to believe to be substantially excessive, with respect to controlled materials, he shall withhold any allotment based thereon in an amount sufficient to correct such excess and shall report the facts immediately to the appropriate Claimant Agency or Industry Division.

SEC. 5. *Applications for authorized construction schedules and allotments.* (a) Except where otherwise specifically provided by NPA, no person shall continue construction that has been commenced or commence construction (as defined in NPA Order M-4A) unless he has received an authorized construction schedule for such construction.

(b) Except where otherwise specifically provided by NPA, construction schedules may be authorized and related allotments made on the basis of information furnished by application on Form CMP-4C, or in such other manner as may be prescribed.

(c) Any contractor, upon the request of a Claimant Agency or contractor, shall furnish to such Claimant Agency or Contractor, the information called for in Form CMP-4C. Such information shall be submitted on Form CMP-4C, or in such other manner as may be prescribed.

(d) Except where otherwise specifically provided by NPA, any prime contractor who desires to continue construction that has been commenced or to commence construction (as defined in NPA Order M-4A) shall submit an application on Form CMP-4C (or in such other manner as may be prescribed) to the appropriate Claimant Agency or Industry Division for an authorized construction schedule and related allotment.

(e) Any producer of Class A products, upon the request of a prime contractor, a subcontractor, or a secondary consumer, for whom he produces Class A products for use in construction, shall furnish the information called for in Form CMP-4A by submitting such form (or by furnishing the information in such other manner as may be prescribed) to the person making the request. Such producer shall receive an authorized production schedule and allotment under this regulation, but he must comply with all applicable provisions of CMP Regulation No. 1.

AUTHORIZED CONSTRUCTION SCHEDULES, ALLOTMENTS, AND DELIVERY ORDERS FOR CONTROLLED MATERIALS

SEC. 6. *How construction schedules are authorized.* (a) A construction schedule for each prime contractor undertaking construction pursuant to an authorized construction program will be authorized by the appropriate Claimant Agency or Industry Division on such form or in such manner as may be prescribed. A Claimant Agency may, in particular cases, authorize a construction schedule through an Industry Division.

(b) A construction schedule for each subcontractor shall be authorized pursuant to an authorized construction schedule by the appropriate prime contractor or subcontractor, on such form or in such manner as may be prescribed.

(c) A production schedule for each secondary consumer producing a class A product for use in construction shall be authorized by the contractor or secondary consumer for whom such class A product is to be produced, pursuant to an authorized construction schedule or an authorized production schedule, on such form as may be prescribed. A contractor having several authorized construction schedules bearing the same allotment number, and a secondary consumer having several authorized production schedules bearing the same allotment number, may, pursuant thereto, authorize a single production schedule of a secondary consumer producing class A products for him.

(d) Except where otherwise specifically provided by NPA, no person shall authorize a construction schedule or a production schedule unless at the same time he makes an allotment as provided in section 7 of this regulation, and no person shall make an allotment unless at the same time he authorizes a related construction schedule or a related production schedule as provided in this section.

(e) When the construction schedule of a prime contractor or a subcontractor, or the production schedule of a secondary consumer, is authorized and a related allotment is made to him, a DO rating shall be assigned or applied to such schedule by the person authorizing the schedule, for use as provided in paragraph (f) of this section.

(f) A contractor who has received a DO rating for an authorized construction schedule as provided in paragraph (e) of this section may use such rating with the related allotment number on delivery orders only: (1) To acquire products and materials other than controlled materials in the minimum practicable amounts required, and on a date or dates no earlier than required, to fulfill such schedule; or (2) to replace in his inventory products and materials other than controlled materials used to fulfill authorized construction schedules; or (3) to acquire production machinery and production equipment necessary for the operation of the completed construction project covered by the authorized construction schedule to which such DO rating relates. A delivery order placed by a contractor pursuant to this paragraph must contain, in addition to a DO rating with an allotment number, a certification in the following form: "Certified under CMP Regulation No. 6," which shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an order under the provisions of this regulation to obtain the products or materials covered by the delivery order. When a contractor converts a delivery order for products or materials other than controlled materials, pursuant to section 5 of CMP Regulation No. 3, he shall use the certification provided in this paragraph in lieu of the certification provided in CMP Regulation No. 3. In all other respects the provisions of CMP Regulation No. 3 shall apply to a DO rating used by a contractor in connection with delivery orders for products and materials other than controlled materials. A secondary consumer who has received a DO rating for an authorized production schedule as provided in paragraph (e) of this section shall use such rating in accordance with the provisions of CMP Regulation No. 3.

SEC. 7. *How allotments are made.* (a) Each Claimant Agency, Industry Division, or contractor authorizing a construction schedule, as provided in section 6 of this regulation, shall concurrently make a related allotment, pursuant to allotments which it has received, to the contractor whose construction schedule has been authorized, on such form or in such manner as may be prescribed.

(b) Each contractor or secondary consumer authorizing a production schedule as provided in section 6 of this regulation, shall concurrently make a related allotment, pursuant to allotments which it has received, to the secondary consumer whose production schedule has been authorized, on such form as may be prescribed.

(c) Except where otherwise specifically provided by NPA, the allotment shall specify the quantities and the kinds

of controlled materials needed for delivery in specified calendar quarters to complete the related authorized construction schedule or related authorized production schedule. Allotments shall be made in terms of (1) carbon steel (including wrought iron), (2) alloy steel (except stainless steel), (3) stainless steel, (4) copper and copper-base alloy brass mill products, (5) copper wire mill products, (6) copper and copper-base alloy foundry products and powder, and (7) aluminum, in each case without further breakdown.

(d) The allotment shall be identified by an allotment number as provided in section 8 of this regulation.

(e) Advance allotments by Claimant Agencies or Industry Divisions to prime contractors may be made within such limits as may be specified by the Requirements Committee of the Defense Production Administration. Prime contractors receiving such advance allotments shall, in turn, make advance allotments to their subcontractors and secondary consumers, and such subcontractors and secondary consumers shall make advance allotments, in the same manner as in the case of regular allotments, but no contractor or secondary consumer shall make any allotment before receiving his own allotment.

(f) A Claimant Agency, Industry Division, contractor, or secondary consumer may make allotments only in the same kinds of controlled materials in which it has received its allotment.

SEC. 8. *Designation and use of allotment numbers.* (a) Allotments shall be identified by an allotment number consisting of a Claimant Agency letter symbol and one digit designating the authorized construction program of such Claimant Agency.

(b) Authorized controlled material orders shall show the related allotment number and the calendar quarter for which the allotment is valid. For example, a delivery order for controlled materials placed pursuant to an allotment identified by allotment number K–2 which is valid for the fourth quarter of 1951 shall be designated as follows: K–2–4Q51. The date or dates on which delivery is required must also be specified on such delivery order.

(c) Delivery orders for products and materials other than controlled materials required for completion of an authorized construction schedule shall show the DO rating and the related allotment number, for example, DO–K–2. The date or dates on which delivery is required must also be specified on such delivery order.

SEC. 9. *Allotments by contractors and consumers.* (a) Each prime contractor receiving an allotment may use that portion of the allotment which he requires to obtain controlled materials as such for his authorized construction schedule, and shall allot the remainder to his subcontractors and secondary consumers producing class A products for him to cover their requirements for controlled materials for related authorized construction schedules and authorized production schedules. Allotments by subcontractors to subcontractors and secondary consumers, and allotments by secondary consumers to secondary consumers supplying them, shall be made in the same fashion.

(b) No contractor or secondary consumer shall make any allotment in an amount which exceeds the related allotment received by him, after deducting all other allotments made by him and all orders for controlled materials placed by him pursuant to his related allotment.

(c) No contractor or secondary consumer shall make any allotment in excess of the amount required, to the best of his knowledge and belief, to fulfill the related authorized construction schedule of the subcontractor or the related authorized production schedule of the secondary consumer to whom the allotment is made (including the schedules of any subcontractors and/or secondary consumers supplying them).

(d) A contractor may make an allotment to his subcontractor or secondary consumer, and a secondary consumer may make an allotment to his secondary consumer, on such form (including Form CMP–5 set forth in Schedule II of CMP Regulation No. 1) as may be prescribed for the purpose. Allotments may be made by telegraphing or telephoning the information required by the appropriate form and confirming the same with such form, within 15 days.

SEC. 10. *How to cancel or reduce allotments.* A person who has made an allotment may cancel or reduce the same by notice in writing to the person to whom it was made. A person who has received an allotment may cancel or reduce the same by making an appropriate notation thereon and notifying the person from whom he received it. In either case, if an allotment received by a person is cancelled, he must cancel all allotments which he has made, and all authorized controlled material orders which he has placed, to the extent that allotment; and, if an allotment received by a person is reduced, he must cancel or reduce allotments which he has made, or authorized controlled material orders which he has placed, to the extent that the same exceed his allotment as reduced. If and to the extent that cancellation or reduction is impracticable because of shipments already made to him pursuant to such allotment, he may use or dispose of controlled materials or class A products which he gets with such allotment in the manner provided in section 13 of this regulation.

SEC. 11. *Transfer of allotments.* No contractor shall transfer or assign any allotment (as distinct from making an allotment) unless concurrently he transfers or assigns the related authorized construction schedule, and unless such transfers or assignments are approved in writing by the authorizing Claimant Agency, Industry Division, or contractor.

SEC. 12. *Alternative procedure for simultaneous allotments.* A contractor who has several subcontractors and/or secondary consumers in different degrees of remoteness, may, at his option, authorize individual construction and/or production schedules and make simultaneous direct allotments to all such subcontractors and/or secondary consumers of all degrees of remoteness. The person who is to make the allotment under this alternative procedure (the originating contractor) may request each supplier of all degrees of remoteness to furnish him directly with information regarding such supplier's requirements for controlled materials, and each such supplier shall comply with such request. If this procedure is followed, each supplier shall include in the information he furnishes to the originating contractor only his own requirements for controlled materials and not those of his suppliers. In no event shall a person who uses this alternative procedure make an allotment of more controlled materials than he has received. All the provisions of this regulation regarding authorized construction schedules, authorized production schedules, and allotments, shall apply to the alternative procedure for simultaneous allotments, except as specifically provided in this section.

SEC. 13. *Restrictions on placing authorized controlled material orders, and on use of allotments and materials.* (a) In no event shall a contractor request delivery of any controlled material in a greater amount or on an earlier date than required to fulfill his authorized construction schedule, or in an amount so large or on a date so early that receipt of such amount on the requested date would result in his having an inventory of controlled materials in excess of the limitations prescribed by CMP Regulation No. 2 or by any other applicable regulation or order of NPA. If the quantity of any controlled material required by a contractor is less than the minimum mill quantity specified in Schedule IV of CMP Regulation No. 1, and is not procurable from a distributor, he may accept delivery of the full minimum shown in such schedule.

(b) No contractor shall use an allotment, or any controlled material or class A product obtained pursuant to an allotment for any purpose except: (1) To fulfill the related authorized construction schedule, or (2) to fulfill any of his other authorized construction schedules which bear the same allotment number, or (3) to replace in inventory, controlled materials or class A products used to fulfill any of such authorized construction schedules, subject to the provisions of CMP Regulation No. 2 or any other applicable regulation or order of NPA. Where an allotment made for one schedule is used in filling another schedule as provided in this paragraph, no charge need be made against the allotment account of the second schedule, but an appropriate record must be made, on the allotment accounts or otherwise, describing the circumstances.

(c) If a contractor's needs for a controlled material or class A product are reduced before he has ordered or received delivery of them, he must immediately return the allotment as explained in section 14 of this regulation unless he uses the allotment for the purposes permitted in paragraph (b) of this section. If he has already placed authorized controlled material orders or delivery orders for class A products, he must cancel them. If cancellation of such orders is impracticable because of shipments already

made, he may accept delivery of the controlled materials and class A products, in which case his use of them is covered by paragraph (d) of this section.

(d) If it develops, after a contractor has received delivery of controlled materials or class A products, that he cannot use them for a purpose permitted under paragraph (b) of this section, he may use or dispose of them subject to restrictions of other orders or regulations of NPA.

(e) If, before using or disposing of controlled materials or class A products in a way permitted by this section, the contractor receives instructions from NPA as to disposition or use of the same, he must comply with such instructions. Also, he must comply with any instructions he receives from a Claimant Agency with respect to his use of controlled materials or class A products which he obtained by use of an allotment from that Claimant Agency, in any construction program of the same Claimant Agency, or with respect to their sale to any other person for use in a program of the same Claimant Agency, subject always to whatever rights he may have to reimbursement.

(f) A contractor need not segregate inventories of controlled materials or class A products which he obtained by use of his allotments, even though different allotment numbers are used in ordering them, nor does he have to earmark them for a particular construction schedule. Although a contractor must charge the appropriate allotment account when placing an authorized controlled material order or making an allotment, he may keep all controlled materials and class A products received in a common inventory and in withdrawing from inventory he does not have to charge the withdrawal against the allotment account.

SEC. 14. *Adjustments for changes in requirements.* (a) If a contractor's requirements for controlled materials or class A products needed to fulfill an authorized construction schedule are increased after he receives his allotment, he may apply for an additional allotment to the person who made the allotment for that schedule.

(b) If a contractor finds that he has been allotted substantially more than he needs, he must return the excess. As of the first of each month, each contractor must check up on his anticipated requirements for the quarter and determine whether he has been allotted more than he anticipates he needs. If he has, he must return the excess by the tenth of the month. He need not take a physical inventory for this purpose, but must merely check up on the effect of known changes in his requirements or errors which he has discovered in his statement of requirements.

(c) The return of an unneeded allotment must be made to the person from whom the allotment was received on such form as may be prescribed. If it is impracticable to obtain the prescribed form, the return may be made by letter setting forth the facts.

(d) In those cases where it is impracticable for a subcontractor to return an allotment to the person from whom he received it, he may make the return directly to the appropriate Claimant Agency or Industry Division.

SEC. 15. *How to place orders with controlled materials producers and distributors.* (a) A delivery order placed with a controlled materials producer or a controlled materials distributor (as defined in CMP Regulation No. 4) for controlled material shall be deemed an authorized controlled material order only if (1) it contains an allotment number and the calendar quarter for which the allotment is valid, as provided in section 8 of this regulation, and complies with the provisions of this section, or (2) it is specifically designated as an authorized controlled material order by any regulation or order of NPA.

(b) A contractor who has received an allotment may place an authorized controlled material order with any controlled materials producer or distributor unless otherwise specifically directed. An allotment to a prime contractor may include an instruction to place delivery orders for controlled materials with one or more designated controlled materials producers. In such event the prime contractor shall use the allotment only to obtain controlled materials from the designated controlled materials producer or producers or to make allotments to subcontractors and secondary consumers, designating therein only producers named in the allotment received by him. Except as required by the allotment which he has received, no contractor or secondary consumer shall impose any such restriction in any allotment made by him.

(c) Every authorized controlled material order placed by a contractor must contain a certification in addition to an allotment number. Unless another form of certification is specifically prescribed by an applicable order or regulation of NPA, such certification shall be in the following form: "Certified under CMP Regulation No. 6," and shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an authorized controlled material order under the provisions of this regulation to obtain the controlled materials covered by the delivery order.

(d) An authorized controlled material order must be in sufficient detail to permit entry on mill schedules and must be received by the controlled materials producer at such time in advance as is specified in Schedule III of CMP Regulation No. 1, or at such later time as the controlled materials producer may find it practicable to accept the same, provided that no controlled materials producer shall discriminate between customers in rejecting or accepting late orders.

(e) A delivery order for controlled materials placed by a contractor before he has received his authorized construction schedule and allotment, calling for delivery after June 30, 1951, may be converted into an authorized controlled material order, after receipt of such schedule and allotment, either by furnishing a revised copy of the order conforming to the requirements of this section or by furnishing in writing information clearly identifying the order and bearing the certification required by paragraph (c) of this section.

(f) No person shall place an authorized controlled material order unless the amount of controlled material ordered is within the related allotment received by him, after deducting all allotments made by him and all orders for controlled material placed by him pursuant to the same allotment, or unless he is expressly authorized to place such an order by any applicable regulation or order of NPA.

(g) Authorized controlled material orders shall take precedence over other orders for controlled materials to the extent provided in CMP Regulation No. 3. A delivery order for controlled materials not covered by an allotment shall not be combined with an authorized controlled material order. However, such orders shall be combined if the total of both does not exceed the minimum mill quantity specified in Schedule IV of CMP Regulation No. 1, provided that the controlled materials involved are not procurable from a distributor. Where such orders are combined, the portion covered by allotment must be specifically identified by the appropriate allotment number, and such delivery order must contain the certification provided in paragraph (c) of this section.

GENERAL PROVISIONS

SEC. 16. *Applicability of other regulations and orders.* Nothing in this regulation shall be construed to relieve any person from complying with all other applicable regulations and orders of NPA. In case compliance by any person with the provisions of any such regulation or order would prevent fulfillment of an authorized construction schedule, he shall immediately report the matter to the Claimant Agency which authorized the schedule and to NPA, or to the Industry Division which authorized the schedule. NPA will thereupon take such action as is deemed appropriate, but unless and until otherwise expressly authorized or directed by NPA, such person shall comply with the provisions of such regulation or order.

SEC. 17. *Records and reports.* (a) Each contractor making or receiving any allotment of controlled materials shall maintain at his regular place of business accurate records of all allotments received, of procurement pursuant to all allotments, and of the subdivision of all allotments among his direct subcontractors and direct secondary consumers. Such records shall be kept separately by allotment numbers, pursuant to section 8 of this regulation, and shall include separate entries under each number for each contractor, Claimant Agency, or Industry Division from whom allotments are received under such number, except as otherwise specifically provided in this regulation.

(b) Each contractor shall retain for at least 2 years at his regular place of business all documents on which he relies as entitling him to make or receive an allotment or to accept delivery of controlled materials or class A products, segregated and available for inspection by representatives of NPA, or Claimant Agencies

authorized by NPA, or filed in such manner that they can be readily segregated and made available for such inspection.

(c) The provisions of this regulation do not require any particular accounting method, provided the records maintained supply the information specified by this regulation and furnish an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(d) Persons subject to this regulation shall maintain such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942.

SEC. 18. *Applications for adjustment or exception.* Any person subject to any provision of this regulation may file a request for adjustment, exception, or other relief upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests claiming that the public interest is prejudiced, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing submitted in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor. Any such request which relates to a category of construction with respect to which NPA has delegated authority to another Government agency, shall be addressed to such Government agency, Washington 25, D. C., Ref: CMP Regulation No. 6.

SEC. 19. *Communications.* All communications concerning this regulation, except as otherwise specified in this regulation, shall be addressed to the National Production Authority, Washington 25, D. C., Ref: CMP Regulation No. 6.

SEC. 20. *Violations.* Any person who wilfully violates any provision of this regulation or any other regulation or order of the National Production Authority, or who wilfully conceals a material fact or furnishes false information in the course of operation under this regulation, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment, or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation as amended shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9252; Filed, Aug. 6, 1951; 12:05 p. m.]

[CMP Regulation No. 6, Direction 1]

CMP REG. NO. 6—CONSTRUCTION UNDER THE CONTROLLED MATERIALS PLAN

DIR. 1—PROCEDURE FOR OBTAINING SMALL QUANTITIES OF MATERIALS FOR USE IN CONSTRUCTION PROJECTS

This direction under CMP Regulation No. 6 as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as extended by Pub. Law 96, 82d Cong. In the formulation of this direction, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all industries affected in advance of the issuance of this direction has been rendered impracticable because the direction affects many different industries.

Sec.
1. What this direction does.
2. Definitions.
3. Rules for continuing or commencing construction and use of self-authorization procedure.
4. Use of allotment symbols to obtain controlled materials.
5. Use of ratings to obtain materials other than controlled materials.
6. Certification.
7. Construction not affected by this direction.

AUTHORITY: Sections 1 to 7 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction constitutes a determination by the National Production Authority that persons desiring to continue or commence certain types of construction may do so without submitting applications on Form CMP-4C, if their total requirements of each controlled material do not exceed specified quantities. It also establishes a procedure whereby such persons may place authorized controlled material orders and DO rated orders for such construction. Such persons shall be subject to all NPA regulations and orders.

SEC. 2. *Definitions.* As used in this direction:

(a) "Project" means a construction plan contemplated for execution, irrespective of the time when it is to be carried into effect in full or in part, involving all or portions of a single building or structure, or involving two or more buildings or structures, or portions thereof, which are physically contiguous, or are parts of an integrated design or plan, so that each is an element of a single operation. In addition, a project also means a type of construction which is not a building or structure, but which requires a construction operation for its completion, such as a freight yard or a golf course. A project shall not be subdivided for the purpose of coming within the self-authorization provisions of this direction.

(b) "Residential structure" means any structure in which at least 50 percent of the floor space (excluding floor space devoted to stairways, halls, and other common space) is used or designed for permanent year-round dwelling purposes.

(c) "Multiunit residential structure" means any residential structure, such as an elevator-type apartment house, a garden-type housing project, or a dormitory (other than college), which includes more than four dwelling units (except that houses connected by common walls and commonly known as "row" houses shall be considered separate structures).

(d) "Construction" has the meaning as given in NPA Order M-4A.

(e) "Commence construction" has the meaning as given in NPA Order M-4A.

SEC. 3. *Rules for continuing or commencing construction and use of self-authorization procedure.* (a) A prime contractor may continue construction that has been commenced or commence construction, and use the self-authorization procedure provided in this direction to obtain priority assistance for delivery of materials and products after September 30, 1951, for use in construction (subject to the provisions of NPA Order M-4A dealing with limitations on use of materials and products in construction), without submitting an application on Form CMP-4C, if his total requirements after September 30, 1951, for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein.

(b) Prior to October 1, 1951, a prime contractor may commence construction of any building, structure, or project, other than the types listed in Table I of NPA Order M-4A and multi-unit residential structures, without submitting an application on Form CMP-4C, if his total requirements after September 30, 1951, for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein.

(c) Prior to October 1, 1951, a prime contractor may continue construction that has been commenced, of any building, structure, or project, other than the types listed in Table I of NPA Order M-4A and multi-unit residential structures (1) without submitting an application on Form CMP-4C, if his total requirements after September 30, 1951, for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein, or (2) by submitting an application on Form CMP-4C for authorization to continue construction after September 30, 1951, and an allotment of controlled materials, if his total requirements after September 30, 1951, for completion of such construction, including material for Class A products, of any kind of controlled material exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein.

(d) After August 3, 1951, a prime contractor shall not commence construction, and after September 30, 1951, a prime contractor shall not continue construction that has been commenced, of a building, structure, or project of a type listed in Table I of NPA Order M-4A without receiving authorization pursuant to applications submitted on both Form CMP-4C and Form NPAF-24A to the appropriate Government Agency specified in NPA Order M-4A, unless his total requirements for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified below:

Carbon steel ..... 2 tons.
Alloy steel and stainless steel.. None.
Copper and copper-base alloys. 200 pounds.
Aluminum ..... None.

(e) After September 30, 1951, a prime contractor shall not continue construction that has been commenced or commence construction of a multi-unit residential structure without receiving authorization pursuant to an application submitted on Form CMP-4C to the appropriate field office of the Housing and Home Finance Agency (as indicated on the instruction sheet of that form). A prime contractor may, however, continue construction that has been commenced or commence construction of a multi-unit residential structure prior to October 1, 1951, without receiving such authorization if his total requirements for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified below:

Carbon steel ..... 25 tons.
Alloy steel and stainless steel.. None.
Copper and copper-base alloys.. 2000 pounds.
Aluminum ..... None.

A prime contractor who desires to continue construction that has been commenced, or to commence construction of a multi-unit residential structure, prior to October 1, 1951, requiring more than the amounts of controlled materials specified above may request authorization to do so by submitting an application on Form CMP-4C to the Housing and Home Finance Agency, Washington 25, D. C.

(f) The self-authorization procedure provided in this direction may be used only in placing orders calling for delivery of materials and products after September 30, 1951, for use in construction other than the types listed in Table I of NPA Order M-4A and multi-unit residential structures.

SEC. 4. *Use of allotment symbols to obtain controlled materials.* Any person who may self-authorize delivery orders for controlled materials for use in construction by reason of this direction is authorized to use the following allotment symbols on orders calling for delivery after September 30, 1951, of controlled materials within the limits set forth in section 3 of this direction:

U-6 for industrial plants, factories, or facilities.
U-7 for residential structures other than multiunit residential structures.
U-8 for all other types of buildings, structures, or projects except those listed in Table I of NPA Order M-4A and multiunit residential structures.

A delivery order designated as provided in this section when certified as provided in section 6 of this direction, shall constitute an authorized controlled material order. Such construction project or projects as may be erected with controlled materials obtained with the use of the allotment symbols provided for in this section plus controlled materials properly contained in inventory (pursuant to the provisions of CMP Regulation No. 2) shall constitute an authorized construction schedule for the purpose of all CMP regulations.

SEC. 5. *Use of ratings to obtain materials other than controlled materials.* Any person who may self-authorize delivery orders for controlled materials for use in construction by reason of this direction is authorized to use the rating DO with the appropriate allotment symbol provided for in section 4 of this direction on orders calling for delivery after September 30, 1951, of products and materials other than controlled materials required for such construction, except any items of construction machinery as defined in NPA Order M-43, and any items of metalworking machines as defined in NPA Order M-41. Delivery orders bearing such DO ratings shall be certified as provided in section 6 of this direction. The use of such DO rating shall be in accordance with the provisions of section 6 of CMP Regulation No. 6.

SEC. 6. *Certification.* Every delivery order placed by a contractor under the provisions of this direction shall contain a certification in the following form:

Certified under CMP Regulation No. 6

which shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an order under the provisions of this direction to obtain the products or materials covered by the delivery order.

SEC. 7. *Construction not affected by this direction.* The provisions of this direction do not apply to the types of construction which are subject to the provisions of NPA Order M-46B (Petroleum and Gas Industries), NPA Order M-50 (Electric Utilities), and NPA Order M-77 (Communications).

This direction shall take effect on August 3, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I

TYPES OF CONSTRUCTION AND QUANTITIES OF CONTROLLED MATERIALS FOR WHICH THE SELF-AUTHORIZATION PROCEDURE MAY BE USED

Type of construction	Carbon steel excluding structural steel	Structural steel	Alloy steel and stainless steel	Copper and copper-base alloys	Aluminum
	Pounds	*Pounds*	*Pounds*	*Pounds*	*Pounds*
Industrial plants, factories or facilities, per project, per calendar quarter	(1)	(1)	(1)	2,000	1,000
Residential structures (using steel pipe water distribution systems) containing one dwelling unit, per structure [2]	1,800	None	None	35	None
Residential structures (using copper pipe water distribution systems) containing one dwelling unit, per structure [2]	1,450	None	None	160	None
Residential structures (using steel pipe water distribution systems) containing two dwelling units, per structure [2]	3,500	None	None	65	None
Residential structures (using copper pipe water distribution systems) containing two dwelling units, per structure [2]	2,750	None	None	300	None
Residential structures (using steel pipe water distribution systems) containing three dwelling units, per structure [2]	5,100	None	None	100	None
Residential structures (using copper pipe water distribution systems) containing three dwelling units, per structure [2]	4,100	None	None	450	None
Residential structures (using steel pipe water distribution systems) containing four dwelling units, per structure [2]	6,500	None	None	125	None
Residential structures (using copper pipe water distribution systems) containing four dwelling units, per structure [2]	5,200	None	None	575	None
All other types of buildings, structures, or projects, except those listed in Table I of NPA Order M-4A and multiunit residential structures, per project, per calendar quarter	(3)	(3)	None	200	None
Buildings, structures, or projects of the types listed in Table I of NPA Order M-4A	None	None	None	None	None
Multiunit residential structures	None	None	None	None	None

[1] 25 tons of carbon and alloy steel, including structural steel (not to include more than 2½ tons of alloy steel and no stainless steel).
[2] Only one-half the quantities permitted under the self-authorization procedure may be used for an addition, extension, or alteration to or of an existing residential structure other than a multiunit residential structure
[3] 2 tons of carbon steel, including structural steel.

[F. R. Doc. 51-9253; Filed, Aug. 6, 1951; 12:06 p. m.]

Chapter XV—Federal Reserve System

[Regulation W]

REG. W—CONSUMER CREDIT

MISCELLANEOUS AMENDMENTS

1. Effective July 31, 1951, Regulation W (formerly Part 222 of Title 12) is hereby amended in the following respects:

a. By amending the first paragraph of section 1 to read as follows:

This regulation is issued by the Board of Governors of the Federal Reserve System (hereinafter called the "Board"), under authority of section 5 (b) of the

act of October 6, 1917, as amended, U. S. C., title 50, App., section 5 (b); Executive Order No. 8843, dated August 9, 1941 (hereinafter called the "Executive Order"); and the "Defense Production Act of 1950," as amended, particularly section 601 thereof.

b. By amending paragraph (c) of section 3 to read as follows:

(c) *Time of down payment.* The down payment shall be obtained at or before the time of delivery of the listed article; except that in the case of an article listed in Group D of Part 1 of section 9 (the Supplement to the regulation), neither this section, section 6 (b), nor section 6 (f), shall be deemed to require compliance in advance of completion of the agreed upon repairs, alterations, or improvements.

c. By amending paragraph (b) of section 3 to read as follows:

(b) *Amounts and intervals of instalments; record.* Except as permitted by section 6 (a) of this regulation for seasonal incomes, etc., the time balance shall be payable in instalments which shall be (1) substantially equal in amount or so arranged that no instalment is substantially greater than any preceding instalment, and (2) payable at approximately equal intervals not exceeding one month. The information specified in section 6 (c) of this regulation shall be set forth in a bona fide record of any transaction subject to this section.

d. By amending paragraph (c) of section 4 to read as follows:

(c) *Amounts and intervals of instalments; record.* Whether subject to paragraph (a) or (b) of this section, the instalment credit, except as permitted by section 6 (a) of this regulation for seasonal incomes, etc., shall be payable in instalments which shall be (1) substantially equal in amount or so arranged that no instalment is substantially greater in amount than any preceding instalment, and (2) payable at approximately equal intervals not exceeding one month. The terms of payment shall be set forth in a bona fide record of any instalment credit subject to this section.

e. By amending subparagraph (2) of paragraph (a) of section 5 to read as follows:

(2) The renewed, revised, or consolidated obligation may, in so far as the maturity and instalment requirements are concerned, be treated as if it were a new credit with the maximum maturity calculated from the date of the renewal, revision or consolidation.

f. The first part of paragraph (b) of section 5 is amended to read as follows:

(b) *Statement of changed conditions.* Notwithstanding any other provision of this regulation, if a Registrant accepts in good faith a Statement of Changed Conditions as provided in the following paragraph, an instalment credit that refinances any outstanding obligation (whether or not such obligation is held by the Registrant or is itself payable in instalments) may have a maturity not exceeding the maximum maturity specified in section 9 (the Supplement to the regulation) for refinancing pursuant to such Statements, but such maximum maturity shall be applicable only to the credit refinanced.

g. By amending subparagraph (3) in paragraph (c) of section 6 to read as follows:

(3) The amount of the purchaser's down payment (i) in cash and (ii) in property accepted as trade-in, together with a brief description identifying such property and stating the monetary value assigned thereto in good faith;.

h. By amending the last two sentences of paragraph (c) of section 6 to read as follows: "The record need not include a description of the article if it is purchased by means of a coupon book or similar medium of installment credit upon which there has been made a down payment at least as great as the down payment required by this regulation on the article sold by the Registrant. The record need not include the information called for by subparagraphs (2) and (4) of this paragraph if the Registrant is one who, with respect to the article, customarily quotes to the public a time price only which includes the finance or other charges if any, provided he sets forth such time price in such record, and provided he obtains a down payment which is at least as large as would be required if the percentage specified for the article in section 9 (the Supplement to the regulation) were applicable to the time price."

i. By amending paragraph (j) of section 6 to read as follows:

(j) *Trade-in.* Any property which the seller of a listed article buys or receives in exchange, or arranges to have bought or so received, from the purchaser at or about the time of the purchase of the listed article shall be regarded as a trade-in for the purposes of this regulation.

j. By adding at the end of section 7 a new paragraph (m) reading as follows:

(m) *Credit for sewerage installations.* Any credit for the purpose of financing the installation of sewerage and necessary related facilities (including plumbing and plumbing fixtures), required in order to comply with a statute, ordinance, or regulation of the United States, a State or political subdivision thereof, pertaining to health and sanitation, where the Registrant accepts in good faith a written statement signed by the obligor certifying that such credit is for the above purpose.

k. By amending the second part of paragraph (a) of section 8 to read as follows:

For the purpose of determining whether or not there has been compliance with the requirements of this regulation, every Registrant shall permit the Board or any Federal Reserve Bank by its duly authorized representatives, to make such inspections of his business operations as the Board or Federal Reserve Bank may deem necessary or appropriate, including inspections of books of account, contracts, letters, or other relevant papers wherever located, and, for such purpose, shall furnish such reports as the Board or the Federal Reserve Bank may require. When ordered to do so by the Board, every Registrant shall furnish, under oath or otherwise, such information relative to any transaction within the scope of the authority cited in section 1 as the Board may deem necessary or appropriate for such purpose, including the production of books of account, contracts, letters, or other papers in the custody or control of such person.[6a]

l. By amending the heading of Group B in Part 1 of section 9 (the Supplement to the regulation) to read as follows:

Group B—15 percent minimum down payment, 85 percent maximum loan value:

m. By amending Part 2 of section 9 (the Supplement to the regulation) to read as follows:

PART 2. *Maturities.* The maximum maturities for listed articles and for unclassified instalment loans are:

	Months
Group A	18
Group B	18
Group C	18
Group D	36
Unclassified instalment loans	18

n. By amending Part 3 of section 9 (the Supplement to the regulation) to read as follows:

PART 3. *Refinancing pursuant to Statement of Changed Conditions.* The maximum maturity of any refinancing pursuant to a Statement of Changed Conditions as specified in section 5 (b) is 21 months.

o. By amending the first paragraph of Part 4 of section 9 (the Supplement to the regulation) to read as follows:

PART 4. *Calculation of down payments for automobiles.* The maximum loan value of any automobile shall be the specified percentage of the cash price or of the "appraisal guide value," whichever is lower, and the required down payment shall be the difference between the cash price and the maximum loan value as so calculated. Such required down payment may be obtained in the form of cash, trade-in, or both.

p. By amending the first paragraph of Part 5 of section 9 (the Supplement to the regulation) to read as follows:

PART 5. *Calculation of down payments for articles in Groups B, C, and D.* In the case of any article listed in Group B, Group C, or Group D, the required down payment and the maximum loan value shall be the specified percentage of the cash price of the article. Such required down payment may be obtained in the form of cash, trade-in, or both.

(Sec. 5, 40 Stat. 415, as amended, sec. 601, Pub. Law 774, 81st Cong., as amended; 50 U. S. C. App. 5, E. O. 8843, Aug. 9, 1941, 6 F. R. 4035; 3 CFR, 1941 Supp.)

2a. The above amendment to Regulation W is issued under the authority of section 5 (b) of the act of October 6, 1917, as amended, U. S. C., Title 50, App., sec. 5 (b); Executive Order No. 8843, Dated August 9, 1941; and the "Defense

[6a] All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Production Act of 1950", as amended, particularly section 601 thereof.

The purposes of the amendment are to bring the regulation into conformity with the provisions of the "Defense Production Act Amendments of 1951" and to make certain related and additional changes. The amendment (1) delays until completion of the agreed upon repairs, alterations, or improvements the time for obtaining the down payment applicable to articles listed in Part 1, Group D of section 9 (the Supplement to the regulation); (2) permits the down payment applicable to articles in Part 1, Groups B, C, and D of such Supplement to be obtained by trade-in or exchange of property as well as in cash; (3) changes from 25 percent to 15 percent and from 75 percent to 85 percent, respectively, the down payment and maximum loan value for articles listed in Part 1, Group B of such Supplement; (4) changes the maximum maturity specified in Part 2 of such Supplement for articles listed in Group A, Group B, Group C and for Unclassified Instalment Loans from 15 to 18 months, and for articles listed in Group D from 30 months to 36 months, and makes related modification in the maximum maturity specified in Part 3 of such Supplement and in the amounts of instalment payments; and (5) exempts credit for certain required sewerage installations.

b. The above amendment was adopted by the Board after consideration of all relevant matter. Special circumstances rendered impracticable consultation with industry representatives, including trade association representatives, in the formulation of the amendment, especially in view of the relaxing and technical nature thereof; and, therefore, as authorized by section 709 of the Defense Production Act of 1950, as amended, the amendment to the regulation has been issued without such consultation. Section 709 of the Defense Production Act of 1950, as amended, provides that the functions exercised under such act shall be excluded from the operation of the Administrative Procedure Act (60 Stat. 237), except as to the requirements of section 3 thereof.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-9023; Filed, Aug. 6, 1951; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 978]

[Docket No. AO-184-A7]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 6th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendments, hereinafter set forth, to the tentative marketing agreement and to the order, as amended, were formulated, was conducted at Nashville, Tennessee, on May 31, June 1, and June 4-5, 1951, pursuant to notice thereof which was issued May 23, 1951 (16 F. R. 4983).

The material issues of record are concerned with the following:

1. Redefine Class I milk to include the products presently classified as Class II milk and all shrinkage and unaccounted for milk and redesignate Class III milk as Class II milk.
2. Reduce the class butterfat differentials.
3. Revise the basic formula prices used for determining Class I prices.
4. Change the list of plants for which prices are obtained for determining the price of milk for manufacturing purposes.
5. Provide floor prices for Class I milk supplemented by a supply-demand arrangement through March 1952.
6. Provide for reports to cooperative associations showing the percentage utilization in each class for each handler of milk received from producer members.
7. Eliminate the 85 mile mileage limitation as a factor in the classification of cream transferred or diverted to a nonfluid milk plant.

Findings and conclusions. The following findings and conclusions are based upon the evidence introduced at the hearing and the record thereof:

1. The provisions of the order relating to the classification of milk should be revised to provide for the classification in Class I milk of eggnog, cream, and other cream products required to be made from approved milk.

Heretofore, the order has provided for three classes of milk. Milk, skim milk, buttermilk, flavored milk, flavored milk drinks, yoghurt, and skim milk and butterfat, the utilization of which is not established as having been used or disposed of in other classes, have been in Class I milk. Eggnog, cream, and other cream products, required to be made from approved milk, have been included in Class II milk and milk used to produce manufactured products has been classified as Class III milk.

The recommended classification plan would result in milk and those products required by the Nashville Health Department to be made from approved milk being placed in Class I milk. Such products as butter, cottage cheese, cheese, condensed milk, ice cream, and other milk products which need not be made from graded milk and for which such milk usually is used only at times when a handler's supply of graded milk is in excess of his needs for such milk, would be placed in Class II milk.

The Nashville health ordinance requires that milk disposed of for consumption as milk, and milk used to produce skim milk, buttermilk, flavored milk, flavored milk drinks, cream, eggnog, and yoghurt be derived from milk produced in conformity with the sanitary standards of the city ordinance. In accordance with this ordinance, milk producers in the local supply area are inspected by the local health authorities, or in case of approximately 70 producers, by a reciprocal agreement with the Columbia, Tennessee health authorities. Only those producers who meet the standards are permitted to ship milk to the marketing area, except in periods of shortage, when importations of milk and skim milk from sources outside the local milk shed are allowed. Such importations must meet sanitary standards similar to those applying to milk produced in the local supply area. Non-fat milk solids and condensed milk may be used at all times to produce buttermilk, flavored milk drinks, and other reconstituted products, but they must be so labeled.

It is a major principle of milk classification systems that uses of milk with similar economic values be placed in the same class. The milk which must meet the standards of the local sanitary ordinances (even though upon occasions such milk and milk products may be imported from outside graded sources or in the case of some products may be reconstituted from milk products) is produced at costs which, in so far as sanitary standards have any effect, are the same for all uses. It is the practice in this market to move to the marketing area, in whole milk fluid form, all milk received from producers needed in the marketing area for milk, cream, and

other ordinance products. Products such as cream, and condensed skim milk, made from producer milk, for use in the marketing area, are not concentrated at country points. For these reasons, it is concluded that all milk from local producers used in milk, cream, and other ordinance products should be placed in Class I.

Handlers claimed that cream should not be included in Class I milk because this change would increase the cost of cream. It is concluded herein that the Class I butterfat differential should be reduced. This reduction will result in a slight reduction in handlers' product costs of cream and other relatively high butterfat content items. Handlers also contended that cream and other fluid cream products should not be classified as Class I milk because historically these items have been classified as Class II milk. In this connection, it is pointed out that if the Secretary were confined by the historical relationship existing in a market he could not carry out his responsibilities under the Agriculture Marketing Agreement Act.

It was also proposed to classify shrinkage and all unaccounted for milk as Class I milk. Under the present order, actual shrinkage up to 3 percent of total receipts from producers may be classified as Class III milk and any shrinkage or unaccounted for milk in excess of 3 percent is classified as Class I milk. The classification procedures of the order permit the pricing of milk according to its utilization. The testimony fails to show a need for a change in these procedures insofar as shrinkage is concerned at this time. For this reason, shrinkage should continue to be classified in the lowest priced utilization—Class II milk as proposed herein.

2. The butterfat differentials applicable for pricing Class I milk should be reduced from 1.4 to 1.3 times the average price of 92-score butter on the Chicago market. Class I milk is priced on the basis of 4.0 percent butterfat content and the differential applies to any variation from 4.0 percent in the average butterfat content of the total skim milk and butterfat content of Class I utilization which is derived from producer milk. The monthly average test of all milk received from producers during 1950 ranged between 4.0 and 4.6 percent. Producer milk classified as Class I milk (as presently defined) ranged between 3.1 and 3.4 percent and Class II milk ranged between 5.8 and 23.9 percent. The weighted average butterfat test for both classes was 3.5 percent. The volume of butterfat contained in producer milk has exceeded the total utilization of butterfat in these uses in each month since early 1948 while at the same time it has been necessary to import other source milk (chiefly in the form of nonfat solids) in several months to supply uses for skim milk.

It has been concluded above that skim milk and butterfat utilized in products which are required to be made of approved milk should be classified in Class I milk. The market tends to be short of the non-fat component of milk and there is an excess of butterfat to supply these Class I requirements. The problem, therefore, is to find a method of facilitating the disposal of butterfat while at the same time providing appropriate returns to producers for milk. A reduction of the Class I butterfat differential will reduce the cost of butterfat and increase the value attributed to the skim milk component. The total cost for skim milk and butterfat used in cream and other relatively high testing Class I products will be slightly reduced. The net result will be to encourage a Class I utilization of skim milk and butterfat more nearly in accordance with the average test of producer milk. Since the average test of producer milk utilized in fluid milk, skim milk, and flavored milk and milk drinks is somewhat below 4.0 percent, the classification of all approved products in Class I milk and a reduction in the Class I butterfat differential factor from 1.4 to 1.3 during 1950 would have increased the handlers' cost between 2 and 3 cents per hundredweight of Class I milk. This increase was given consideration in reaching other conclusions herein for an increase in producer returns on Class I milk under present supply-demand relationships.

As a consequence of the need to facilitate the disposal of excess butterfat in this market, the present butterfat differential factor of 1.2 applying to milk devoted to manufactured products should also be reduced. Handlers dispose of excess butterfat chiefly to butter and ice cream manufacturers, in competition with butterfat from uninspected sources. Excess fat disposed of in the form of cream to local manufacturing outlets has yielded returns to handlers per pound of fat equivalent to 1.12 to 1.14 times the 92-score butter price.

A reduction in the butterfat differential will tend to bring about a more reasonable relation between the value assigned to skim milk and butterfat in manufacturing milk. During 25 of the 41 months that milk has been priced under the order, the manufacturing class price adjusted by a 1.2 butterfat differential factor resulted in a value of less than 10 cents per hundredweight for skim milk. In 9 months a minus value resulted.

It is concluded that the Class II butterfat differential factor of 1.2 should be reduced to 1.15. This will not change the cost of Class II milk containing 4.0 butterfat but excess butterfat will be priced more nearly in accordance with the price received for such butterfat. During 1950, this reduction in the butterfat differential would have lowered the cost to handlers of producer milk classified in the manufacturing class (which contained approximately 8 percent butterfat) approximately 12 cents per hundredweight. This was equivalent to between 1 and 2 cents per hundredweight on total receipts of producer milk.

3. The factors employed in computing the basic formula prices should not be changed from their present form, but the formula price for each month should be computed from prices reported during (or for) the previous month.

Several changes in the alternative formulas used in computing the basic formula price were proposed by producers. Specifically these proposals would accomplish the following:

(a) Adjust for butterfat content the prices paid by the 18 midwest condenseries named in the order, from 3.5 percent, as reported, to 4.0 percent by dividing by 3.5 and multiplying by 4, instead of adjusting the price by adding 5 times the producer butterfat differential;

(b) Change the nonfat dry milk solids price used in the butter-powder formula from the average for spray and roller process, f. o. b. Chicago area manufacturing plants, to the average carlot price for only spray process powder delivered at Chicago;

(c) Change the "yield factor" applicable to the nonfat dry milk solids price in the butter-powder formula from 7.5 to 8.5.

The factor "7.5" is not stated in the order but is implicit in the provision that the butter-powder formula price shall change 3¾ cents for each ½ cent change in the average powder price.

Proposals (a), (b), and (c) would each have the effect of increasing the formula price to which they apply, under current relationships of dairy product prices and paying prices of manufacturing plants. The effect of these changes on the Class I price would vary from time to time, depending on the changing price relationships, and on which of the alternative formulas yields the highest price.

A further result of the proposed changes in the manner of computing the basic formula price would be to give more weight to the skim milk value in the butter-powder formula. This would result from increasing the yield factor applied to the powder price, and changing to the spray process price at Chicago. Also, using the direct ratio method to adjust the condensery paying price to a 4.0 percent butterfat basis, imputes a skim milk value to the 5 points of butterfat between 3.5 percent and 4.0 percent. The testimony did not show, however, that appropriate weight is not already given to the skim milk value in the formulas as presently constructed, or that the proposed changes would result in more timely changes in the Class I price.

Testimony by the producer representative supporting these changes indicated that they were requested primarily for the purpose of increasing returns to producers. Such a result, in so far as it is necessary, may be attained more directly by increasing the Class I price differential. Also, any changes in manner of determining the basic formula price would need to be taken account of in establishing appropriate class price differentials, since the basic problem is to establish the proper level of the resulting class prices.

It was proposed by handlers in the market that the present basic formula price used to determine the Class I and Class II prices for each delivery period should be computed from dairy product prices or manufacturing plant paying prices reported for the immediately preceding delivery period. Inasmuch as the attached recommended order would

include in Class I the products presently classified as Class II, this proposal would apply only to Class I.

At present the basic formula price for each delivery period is computed from dairy product prices or prices paid by manufacturing plants reported for or during the same delivery period. Consequently, the price for Class I milk has not been known to handlers or to producers until after the delivery period. Paying prices of condenseries and manufacturing plants for each month are not reported until a few days after the month, and accordingly the market administrator is not required to announce the class prices until the 6th day following the month to which the prices apply. Handlers testified that it would be of advantage in their operations to know the price they must pay for milk before they sell or distribute it. Producers, likewise, would know the Class I price in advance. No objection to such a change was made by producer representatives.

The change would result in lagging changes in the Class I price one month behind changes in the basic formula price, thereby increasing producer returns over the present method in months when the formula price declines and decreasing returns in months when the formula price increases. These effects, however, would tend to balance out in the long run.

The average condensery paying price is reported on the basis of 3.5 percent butterfat content, and in computing the basic formula price it is adjusted to a 4.0 percent butterfat price by adding 5 times the producer butterfat differential. To accomplish the purpose of the handlers' proposal, it would be necessary also to adjust the condensery price to a 4.0 percent butterfat basis using the butterfat differential based on prices reported in the month preceding the delivery period.

It is concluded that the basic formula price for each delivery period should be computed from prices reported during or for, the previous delivery period. Similarly, the Class I butterfat differential should be based on the average price of butter during the preceding delivery period.

In view of the fact that basic prices are not available until about the 6th day of the month and it has been decided herein that the Class I price should be subject to a supply-demand adjustment, the amount of which will not be known prior to the pool computation for the preceding month, it is concluded that the Class I price should be announced by the market administrator not later than the 10th day of the current delivery period to which such price will apply.

4. The present list of ten manufacturing plants whose paying prices are used to determine the Class II order price for producer milk should not be changed at this time.

A proposal by producers would remove four plants from the list of those manufacturing plants presently employed to determine the price for producer milk used for manufacturing purposes, and would substitute four others. The Class II price applies principally to producer milk used for manufactured products in handlers' plants as well as to any excess milk diverted or disposed of to other manufacturing outlets.

The average paying price of the four plants proposed to be deleted would have been, in each month since January, 1950, lower than the average price of the remaining six plants. The record does not show individual plant prices, however. The testimony indicates that the substitution of the four plants during 1950 would have increased the resulting average price for Class II milk. Because the testimony, with respect to the prices paid by these plants, both those proposed to be included and those to be excluded, was in terms of averages for each group, it is not possible to appraise the extent to which the inclusion or exclusion of a particular plant(s) would change the level of Class II prices over a period of time. Also, it is not possible to determine the relationship between such prices and actual selling prices for excess milk from the Nashville market.

Producers testified that the proposed plants were located in the Nashville supply area and thus offer a more logical outlet for excess milk than the plants to be excluded. It should be pointed out that two of the plants (located at Lafayette and Carthage, Tennessee) proposed to be retained are located outside the present supply area. It is concluded, therefore, that a more comprehensive study than is permitted from the present record of the relative locations of these and any other nearby plants, prices paid, and the movements of excess milk to such plants is necessary to evaluate the propriety of any change in the list of plants to reflect a more representative value of manufacturing milk for this market.

Producers also proposed that in establishing the price for Class II milk, 15 cents be added to the average price paid by the listed manufacturing plants during August through March of each year. In support of this position, producers argued that this premium is needed as an incentive to Nashville producers to maintain a reserve supply of Grade A milk to meet changing needs of handlers and to promote the proper allocation of milk among handlers. However, because of the relatively low proportion of surplus in this market the Class II price does not have a great effect upon producer returns. Proponents failed to show on the other hand that such surplus as does exist from time to time could be disposed of in an orderly manner and that general stability of marketing conditions could be retained in this market if the Class II price were increased to the extent proposed. For this reason the proposal cannot be adopted on the basis of this record. Moreover, this proposal is closely related to the problem of the appropriate level of Class II prices, discussed above, and on which it has been decided that no change should be made on the basis of this record.

For these reasons, except for the proposed change in the Class II butterfat differential (Issue No. 2), no change should be made at this time in the method of determining Class II prices.

5. A supply-demand arrangement should be incorporated in the order for adjusting the Class I price differential of $1.25 per hundredweight.

Producers propose that the order be amended to provide a floor price of $6.10 per hundredweight for Class I milk effective July 1951 through March 1952. This floor price was to be supplemented by a supply-demand arrangement which would increase or decrease the price each delivery period 3 cents per hundredweight for each full percentage point that producer receipts classified for manufacturing uses during the preceding 12 months were more or less respectively, than 25 percent of total producer receipts. Based upon the relationship prevailing during the 12 months preceding the hearing the proposal would result in a floor price of approximately $6.37 per hundredweight.

Under the present order, Class I prices are established by adding a differential of $1.25 per hundredweight to basic, or manufacturing milk, prices. Although this differential, as such, has not been changed since the pricing provision became effective in December 1947, somewhat higher prices for Class I milk than have resulted from this differential, have been paid producers during the fall and winter months of each year, either as a result of supplementary amendments to the order or negotiated premiums over order prices. These temporary adjustments resulted in average differences between Class I and basic prices for the months of September through March of each year as follows: 1948–49, $1.68; 1949–50, $1.59; and 1950–51, $1.26, and an average differential for the 41 months during which the order has been in effect of $1.38 per hundredweight.

During this 41 month period the number of producers supplying the Nashville market has increased from less than 600 to approximately 1,000. Production per farm has decreased, however, partly because the scale of production of new producers, who have entered the market, is somewhat less than those already established. During the latter part of 1950 and early 1951, the downward trend appears to have been more rapid. Some producers are using milk cows to suckle calves and there was testimony that numerous producers are breeding their dairy cows to beef bulls. The rate of turnover among producers has increased substantially within the past year.

Total receipts of milk from producers during the 41 month period show a substantial upward trend and the rate of increase has exceeded somewhat the rate of increase in Class I sales. Even with this substantial increase, however, receipts were less than Class I sales during November 1950 through February 1951.

Producers testified that floor prices during the fall and spring of 1951–52 will be necessary to give producers assurance that milk prices will compensate for a continued upward trend in the cost of production, the favorable prices for products of alternative enterprises such as beef cattle, veal calves and hogs, as well as local unfavorable weather conditions and crop yields. A severe winter was experienced during 1950–51 and im-

mediately preceding the hearing, a severe drought.

The prices established under the order are intended to assure the market of an adequate supply of milk. The adequacy of supply can be measured by the relationship of receipts from producers to the utilization of milk in those products which must be made from approved milk. An analysis of the changes in receipts and sales indicates that it is more logical to effectuate any adjustment in the Class I differential by relating such changes directly to changes in the "supply-demand" relationship in the market rather than by attempting to reflect this relationship in a short run fixed, or floor, price. Producers, in their testimony, also emphasized recent increases in population growth, expansion in construction projects, and other industrial activity which indicates a continued increasing demand for fluid milk. By relating adjustments in Class I price differential directly to changes in the supply-demand relationship, producers will be assured that changes in prices they receive will reflect changes not only in general economic conditions but also changes in local supply-demand factors. Such local factors are reflected in market receipts and their relationship to sales of approved milk and milk products. For these reasons the present formula method of establishing Class I prices should be supplemented by a supply-demand arrangement rather than by specific floor prices. It may be noted that Nashville producers, the same as dairy farmers, generally, now have the assurance of floor prices insofar as manufacturing or basic formula prices are concerned through the dairy product price support program of the Federal Government. This, coupled with the fact that Class I prices also will be changed promptly in response to changes in the relationship between the market supply and demand should offer producers the desired assurance for continuing production.

Although producers' proposal was for a temporary supplement to the present Class I pricing arrangement, the record indicates the long term aspects of the pricing problem. Other proposals were intended to accomplish somewhat higher Class I prices on a permanent basis by amending basic price formulas. These proposals are being denied (Issue No. 3) and it is concluded on the basis of the present record any adjustment in the level of Class I prices may be more directly and more appropriately reflected through adjustments in the Class I price differential.

The supply-demand arrangement proposed by producers to supplement floor prices would reflect receipts-sales relationships on the basis of the percentage of producer milk classified in the manufacturing class (presently Class III). Because the utilization of milk in fluid products exceeds producer receipts in some months, the use of the percentage of producer milk utilized in the manufacturing class is not a reliable indication of the fluid milk supply-demand relationship in all months. The ratio of producer receipts to total utilization of milk for fluid products (Class I as redefined herein) should be used.

The object of the supply-demand price adjustment is to bring about an automatic price increase when the supply of producer milk is at such a level in relation to fluid utilization that a shortage in the months of seasonally low production is indicated and a price decrease when the supply may be expected to be in excess of approved fluid milk needs. These changes should be made as soon as possible after an oversupply or shortage is indicated. An analysis of changes in receipts and sales shows that the use pattern of the two most recent months preceding the current delivery period is the most satisfactory for this purpose. The use of a supply-demand relationship for the preceding 2 months' period will permit the market administrator to announce the Class I price for the current delivery period not later than the 10th day of the month—the date on which he now announces the uniform price to be paid to producers for deliveries during the preceding month.

In order that the Class I price differential may be adjusted monthly, it is necessary to establish a representative relationship of producer receipts to Class I utilization by months. Monthly data of daily receipts of milk from producers and Class I utilization show distinct and fairly regular seasonal variations. Sales of fluid milk and fluid-milk products are relatively low during the summer months when receipts from producers are greatest. Analysis of these data indicates that the average seasonal relationship between receipts and sales during the most recent 2-year period (May 1949 through April 1951) is a satisfactory basis for developing a representative relationship. During this period, receipts in relation to Class I utilization were lowest during November and December, and averaged 97 percent (see table, Column 2).

BASE PERIOD SUPPLY-DEMAND INDEX

Period for determination (months)	Actual relationship 2 most recent periods (percent)	Adjusted index (percent)	Month applicable
November-December	97	106	January.
December-January	100	109	February.
January-February	103	112	March.
February-March	110	119	April.
March-April	123	132	May.
April-May	136	145	June.
May-June	138	147	July.
June-July	135	144	August.
July-August	131	140	September.
August-September	118	127	October.
September-October	104	113	November.
October-November	98	107	December.

The testimony shows that under present conditions minimum receipts from producers of 5 or 6 percent in excess of Class I sales is necessary during the months of short production to provide adequate supplies of milk for Class I uses because of daily and weekly variations in receipts and sales.

The 1949–51 supply-demand percentages should be adjusted, therefore, to reflect an index of 106 percent for the months of November through December (97+9=106). This index (106, Column 3) will be used under the schedule each year for comparing the percentage relationship of receipts to sales during the preceding November-December, which in turn determines any adjustment in the differential for the month of January. The average percentage calculated for each of the other 11 months also should be adjusted by adding the same amount (9 percentage points) to determine representative monthly adjusted indexes. The addition of a constant number of points in each month results in relatively smaller increases in the indexes for the "flush" production months as compared with the "short" production months when milk is most needed. Although the effect of this is incidental to the principal objective, a small degree of seasonal variation in the Class I differential may result. However, in order to assure that no "counter-seasonal" variation in the differential will occur, it should be provided that the resulting Class I differential during the months of June, July, and August shall not be more than the adjusted differential for May; and that the Class I differential for November, December, and January shall not be less than the adjusted differential for October. Substantial changes in the seasonal pattern of production or in Class I sales over a period of time, of course, may necessitate a revision of the representative seasonal index.

An analysis of market-wide statistics under the order shows a change of approximately 2 cents per point deviation from the representative or base period index should be used for adjusting the Class I price differential. An adjustment based on the supply-utilization ratio for as short a period as two months may reflect minor random changes in this ratio which are not indicative of actual trends. It is necessary, therefore, to provide for some method of stabilizing this adjustment and of limiting it as to total magnitude. This has been accomplished by grouping the percentage deviation, and setting limits on the amount of the adjustment (see § 978.5 (b) (1) (iii) of the order set forth below. The percentage groups are in such intervals that no adjustment occurs until the current ratio is 3 or 4 percentage points above or below the base-period index. The next percentage group allies to deviations of 6 or 7 percentage points. In the case of any deviation falling between groups, the adjustment amount is determined by the adjacent group which is the

same as or nearest to the percentage group used in the previous month. For example, a deviation of 5 percentage points from the base would require the use of the group which includes 3 or 4 percent if the adjustment during the previous month had been determined by that group or a lower one. On the other hand, a 5 percent difference would provide for an adjustment based on the 6 or 7 percentage group if the adjustment during the previous month had been determined by the latter or a higher group.

Actual prices received for Class I milk during 1949 resulted in increasing the average annual Class I differential from $1.25 to $1.56 per hundredweight over basic formula prices. The application of the proposed supply-demand arrangement to 1949 data results in an average differential of $1.51 per hundredweight. For 1950 the average differential was $1.29 while the proposed supply-demand arrangement would have yielded $1.38 per hundredweight. For the first 5 months in 1951, the Class I differential would have been $1.49, an increase of 24 cents per hundredweight. As long as receipts of producers' milk in relation to Class I utilization are less than corresponding indexes proposed herein, the Class I price differential should be increased in order to assure this market of an adequate supply of milk. A corresponding reduction in the Class I differential will result if receipts of milk from producers in relation to Class I utilization exceeds the representative schedule figure. Under such circumstances, this supply-demand adjustment factor, coupled with a flexible basic price, will assure producers of a Class I price which will reflect in a large measure local supply and demand conditions. Reports should be furnished by the market administrator to cooperative associations showing the percentage utilization in each class of milk received by each handler from association members upon request from such association.

The producer cooperative association, whose members comprise a majority of the producers in this market, proposed that the market administrator be required to report to a cooperative association the percentage utilization of milk received monthly from producer members in each class for each handler. This association, through contracts with its members, has the authority over the sale of each member's milk and the transfer of producer receipts from one handler to another. The association testified that the proposed reports of utilization would aid the association in allocating milk among handlers in accordance with their needs to supply fluid milk and other approved milk products. Handlers testified that such information is presently confidential with the market administrator and there is no need to release reports to producers' associations.

In markets operating under an individual handler pooling arrangement, utilization patterns of individual handlers are indicated by each handler's uniform price which is announced publicly. Under a market-wide pooling arrangement, as used in the Nashville market, the producers' association has no means of determining whether or not milk is properly allocated among handlers. The allocation of milk to various handlers in accordance with their needs is as important an aspect of the supply problem as that of getting sufficient milk produced to meet the over-all market requirements. The desire of handlers to keep their respective receipts and sales volumes confidential is recognized by limiting reports to associations to percentage utilization figures by classes.

7. The limitation on the classification of cream shipped to outlets beyond 85 miles from the City Hall in Nashville, other than as Grade A cream, should be changed.

A handler proposed the elimination of the order provision which precludes the classification of cream in the manufacturing use class (Class II in the attached proposed order), when it is shipped beyond 85 miles from the City Hall in Nashville. Testimony in support of this proposal was based upon the necessity of disposing of excess butterfat resulting from the handler's fluid milk operations.

The problem of disposing of excess butterfat generally affects all handlers in the Nashville market, since the butterfat test of milk received from producers is considerably higher than the average test of fluid products apparently desired by consumers under present pricing arrangements. Sales in the marketing area of fluid cream and other high butterfat content products required to be made from approved milk are not sufficient to absorb this excess butterfat. Handlers must seek outlets for excess butterfat in other Grade A markets or in competition with ungraded butterfat in manufacturing outlets.

A large portion of the excess butterfat must be disposed of in the form of cream to manufacturing plants. Outlets, within the 85 mile area, at prices equivalent to the cost of cream components under the order have not been available to absorb the total volume of cream. Manufacturing plants located in this area and which are engaged in processing cheese, condensed and evaporated milk also generally have excess butterfat which is sold as ungraded cream for use in ice cream, aerated cream, butter, and other products not required to be made of approved milk. The testimony shows that excess butterfat disposed of by Nashville handlers, chiefly to local butter and ice cream manufacturers, is sold in competition with this ungraded butterfat at a price equivalent to approximately 15 percent over the Chicago 92-score butter price.

The proponent handler testified that outlets, even at this price, were not always available within the 85-mile radius of Nashville. This handler's plant is located aproximately 45 miles south of Nashville and a substantial portion of his cream has been disposed of to ice cream manufacturers outside the 85-mile radius of Nashville in eastern Tennessee, Georgia, Florida, and a few shipments to Virginia, Washington, D. C., and Pennsylvania. Because of the relatively small quantity of Grade A cream available at any given time, it is customary for the proponent handler to include cream from his Grade A and his ungraded plant in the same shipment.

The testimony indicates that ice cream manufacturers located in southern markets offer the principal outlet for the excess fat from this market. In most of these markets ungraded cream may be used in the manufacture of ice cream and in some cases for sale as fluid cream. It is appropriate, therefore, to price the skim milk and butterfat used for cream which is disposed of in such outlets at the competitive price for ungraded cream. Testimony by the handler, proposing elimination of the 85 mile limit, shows that net prices received f. o. b. at his plant for 15 shipments of cream, during 1950–51, to 9 different markets beyond the 85 mile distance averaged 76 cents per 40 quart can higher than the product cost of cream to the handler in the corresponding months if the Class II price recommended herein had been in effect. In this comparison, no allowance was made for receiving, processing, and handling costs.

Without a change in the transfer provisions of the order, the provisions recommended above would price such cream components at the Class I price with a butterfat differential factor of 1.30. It is concluded that more orderly marketing may be promoted by classifying cream disposed to outlets beyond the 85 mile area for ungraded uses as Class II milk. There is no reason, however, for pricing Nashville Grade A cream for disposal in more distant markets for uses requiring Grade A cream lower than for comparable uses under the order. Cream which is identified by tagging as Grade A or sold under a Grade A certificate of the local health authority to points beyond 85 miles from the marketing area should be priced at the Class I price. Cream not so identified should be priced at the Class II level. In order that the market administrator may verify the classification of cream disposed of beyond the 85 mile zone, a handler should be required to label "for manufacturing uses," all cream on which the Class II classification is to apply and notify the market administrator of the intention to make such disposal. In this manner, such shipments will be subject to a check by the market administrator at the time of shipment.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of a producer organization and handlers who are concerned with the proposed marketing agreement and proposed order amending the order now in effect. The briefs contained suggested findings of fact, conclusions, and arguments with respect to the proposals considered at the hearing. Every point covered in the briefs was carefully examined along with evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the requests to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the findings and conclusions in this decision.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement upon which a hearing has been held.

Recommended Amendment to the Order

The following amendment to the order, as amended, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The amendments to a proposed marketing agreement are not repeated because they would be identical to the following:

1. Delete § 978.2 (c) (10) and substitute the following:

(10) Publicly announce the prices and butterfat differentials determined for each delivery period as follows: (i) On or before the 6th day after the end of such delivery period, the prices and butterfat differentials for Class II milk computed pursuant to § 978.5; and (ii) on or before the 10th day after the end of such delivery period, the uniform price, computed pursuant to § 978.7 (b), the butterfat differential to be paid pursuant to § 978.8 (f) and the Class I price and the Class I butterfat differential for the next following delivery period pursuant to § 978.5.

2. Add as § 978.3 (d) the following:

(d) *Reports from the Market Administrator to cooperative associations.* On or before the 15th day after the end of each delivery period, the market administrator shall report to each cooperative association as described in § 978.10 (b), upon request by such association, the percentage of milk caused to be delivered by such association or by its members which was used in each class by each handler receiving any such milk. For the purpose of this report the milk so received shall be prorated to each class in the proportion that the total receipts of milk from producers by such handler were used in each class.

3. Delete § 978.4 and substitute the following:

§ 978.4 *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat contained in (1) milk, skim milk, cream, and milk products received at a fluid milk plant and (2) producer milk diverted pursuant to § 978.1 (j) (2) shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraphs (c), (d), (e), and (f) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat: (i) Disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, eggnog, yoghurt, and any other milk product which is required by the Nashville Health Department to be made from approved butterfat and skim milk, and (ii) not specifically accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat: (i) Used to produce any item other than those specified in subparagraph (1) of this paragraph; (ii) in inventory variations; (iii) disposed of for livestock feed; (iv) in actual plant shrinkage of skim milk and butterfat received in producer milk, but not in excess of 3 percent of such receipts of skim milk and butterfat, respectively, hereinafter known as allowable shrinkage; and (v) in actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided,* That if producer milk is utilized as milk, skim milk, or cream in conjunction with other source milk the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and other source milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

(c) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified in another class.

(2) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(d) *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(1) As Class I milk if transferred or diverted to a fluid milk plant of another handler (except a producer-handler), unless utilization in Class II milk is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred: *Provided,* That skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to paragraph (f) of this section, and any excess of such skim milk or butterfat respectively, shall be assigned to Class I milk.

(2) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section to a producer-handler.

(3) As Class I milk if transferred or diverted to a nonfluid milk plant located less than 85 miles from the City Hall at Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless (i) the handler claims Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the nonfluid milk plant and the handler on or before the 6th day after the end of the delivery period within which such transaction occurred, (ii) the operator of the nonfluid milk plant mantains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (iii) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided,* That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified as Class I milk.

(4) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section to a nonfluid milk plant located 85 miles or more from the City Hall in Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless in the case of bulk fluid cream only (i) the handler claims Class II utilization, (ii) such cream is disposed of other than as Grade A cream under a Grade A certification or label of the handler or the health authority(s) having jurisdiction over inspection of the handler's plant, (iii) the handler tags or otherwise labels such cream "for manufacturing uses" and (iv) the handler notifies the market administrator 24 hours in advance of his intention to make such Class II disposition.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

(f) *Allocation of skim milk and butterfat classified.* (1) The pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(i) Subtract allowable shrinkage of skim milk from the total pounds of skim milk in Class II milk;

(ii) Subtract from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced available use, the pounds of skim milk in other source milk;

(iii) Subtract from the pounds of milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pur-

suant to paragraph (d) (1) of this section;

(iv) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subdivision (1) of this subparagraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced utilization.

(2) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in subparagraph (1) of this paragraph.

(3) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of this paragraph, and determine the percentage of butterfat in each class.

4. Delete § 978.5 and substitute the following:

§ 978.5 *Minimum prices*—(a) *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the price for Class I milk and pursuant to paragraph (b) of this section shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content computed pursuant to subparagraphs (1), (2), or (3) of this paragraph, or paragraph (b) (2) of this section, all for the preceding delivery period.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 10th day after the end of the delivery period by the companies listed below:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential computed pursuant to § 978.8 (f) by 5.

(2) The price per hundredweight computed as follows:

(i) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided,* That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(3) The price per hundredweight computed as follows:

Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 20 percent thereof, and add to such sum 3¾ cents for each full ½ cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed) spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by the Department of Agriculture during the delivery period, is above 5 cents: *Provided,* That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation, the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported weekly by the Department of Agriculture during the delivery period; and in the latter event the "5 cents" shall be increased by 1 cent.

(b) *Class prices.* Subject to the provisions of paragraph (c) of this section, each handler shall pay producers, at the time and in the manner set forth in § 978.8 not less than the prices per hundredweight computed as follows for the respective quantities of Class I milk and Class II milk computed pursuant to § 978.4 (f).

(1) *Class I milk.* The price for Class I milk shall be the basic formula price plus a differential of $1.25, plus or minus a supply-demand adjustment computed as follows:

(i) Divide the total receipts of producer milk in the first and second preceding delivery periods by the total gross volume of Class I milk (less interhandler transfers) for such period, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "current supply-demand relationship."

(ii) Compute a net deviation percentage by subtracting from the "current supply-demand relationship" computed pursuant to subdivision (i) of this subparagraph, the "base period supply-demand index" shown below:

Delivery period for which the Class I price is computed (month)	Delivery periods used to compute relationship (months)	Base period supply-demand index (percent)
January	November-December	106
February	December-January	109
March	January-February	112
April	February-March	119
May	March-April	132
June	April-May	145
July	May-June	147
August	June-July	144
September	July-August	140
October	August-September	127
November	September-October	113
December	October-November	107

(iii) Determine the amount of the supply-demand adjustment from the following schedule:

Net deviation (percentage points):	*Adjustment amount (cents)*
−24 or more	+49
−21 or −22	+43
−18 or −19	+37
−15 or −16	+31
−12 or −13	+25
− 9 or −10	+19
− 6 or − 7	+13
− 3 or − 4	+ 7
−1, 0, or +1	0
+ 3 or + 4	− 7
+ 6 or + 7	−13
+ 9 or +10	−19
+12 or +13	−25
+15 or +16	−31
+18 or +19	−37
+21 or +22	−43
+24 or more	−49

In case the net deviation percentage does not fall within the tabulated brackets, the adjustment amount shall be determined by the adjacent net deviation bracket which is the same as or nearest to the bracket used in the previous month. *Provided,* That the Class I differential adjusted pursuant to this subdivision for each of the months of June, July, and August shall not be more than such adjusted differential for the immediately preceeding month of May; and that the Class I differential adjusted pursuant to this subdivision for each of the months of November, December, and January shall not be less than such adjusted differential for the month of October.

(2) *Class II milk.* The price per hundredweight for Class II milk shall be the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

Company and Location

Cudahy Packing Co., Lafayette, Tenn.
Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Borden Co., Fayetteville, Tenn.
Swift and Co., Lebanon, Tenn.
Borden Co., Lewisburg, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Lakeshire-Marty Cheese Co., Carthage, Tenn.
Swift & Co., Lawrenceburg, Tenn.
Wilson & Co., Murfreesboro, Tenn.

(c) *Butterfat differential to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 978.4 (f), is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such weighted average butterfat test is above or below, respectively, 4.0 percent, a butterfat differential (computed to the nearest 10th of a cent), calculated for each class of utilization as follows:

(1) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the preceding delivery period, and divide the result by 10.

(2) *Class II milk.* Multiply by 1.15 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

5. In § 978.9 delete the words "and Class II milk".

Issued at Washington, D. C., this 8th day of August 1951.

[SEAL] GEORGE A. DICE,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-9115; Filed, Aug. 6, 1951; 9:01 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 120]

RAILROAD FREIGHT STATION COSTS AND OTHER PERFORMANCE FACTORS

NOTICE OF PROPOSED RULE MAKING

JULY 31, 1951.

The Commission having under consideration the matter of rail cost studies to be used in rate cases has approved the form of special report of railroad freight station costs and other performance factors attached hereto.[1] The information is to be assembled and filed for the month of October 1951, except as otherwise indicated on the form, by all Class I steam railroads excluding switching and terminal companies.

Any interested party may on or before August 24, 1951, file with the Commission written views or arguments to be considered in this connection. Unless otherwise found necessary after consideration of all representations so received, an order will be entered requiring the special report to be filed in the form referred to above.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9104; Filed, Aug. 6, 1951; 9:00 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

SEWARD TOWNSITE, ALASKA

NOTICE OF SALE

JULY 30, 1951.

Notice is hereby given that there will be offered at public sale to the highest bidder at 1:00 p. m. on Wednesday, August 29, 1951, in the Council Chambers in the City Hall, Seward, Alaska, the lots listed below. No lot will be sold for less than the appraised price as shown below. No bid exceeding that amount will be accepted unless made in multiples of five dollars. Bids may be offered by all who may care to do so, and when there will be no further offers the lot will be declared sold to the last and highest bidder. The successful bidder may make full payment at the time of sale or may pay one-third of the bid price down, with the remainder payable to the Manager of the U. S. Land Office in Anchorage within ten days after the date of sale. Down payment will be forfeited if the balance is not paid when due.

The officer conducting the sale is authorized to reject any and all bids, to suspend, adjourn or postpone the sale of any lot or lots, and to reappraise lots at the time of sale or after the sale has been adjourned or closed. Lots remaining unsold and lots offered and declared forfeited may, in the discretion of the Regional Administrator, be sold at private entry for the appraised price. Patents for lots when issued will contain a reservation of fissionable materials. All persons are warned against violation of the provisions of 18 U. S. C. 1860 prohibiting unlawful combination or intimidation of bidders.

Following are the lots being offered for sale and the minimum acceptable bid for each lot:

FEDERAL ADDITION, SEWARD TOWNSITE

Block 1:	
Lot 1	$100.00
Lot 2	150.00
Block 16:	
Lots 1, 2, 3, 5, 6	50.00
Lots 7-10	25.00
Block 18: Lot 3	150.00
Block 22:	
Lots 1, 2	50.00
Lots 3, 4	10.00

CLIFF ADDITION, SEWARD TOWNSITE

Block 5: Lot 4	$25.00
Block 6: Lots 1-6	35.00
Block 7: Lots 2-5	35.00
Block 8:	
Lots 1-8	35.00
Lots 9-10	25.00
Lots 14-17	25.00
Block 9: Lots 1, 5, 9-14	25.00
Block 11: Lots 1-7	35.00
Block 12:	
Lots 1, 2	50.00
Lots 3-6	25.00
Block 13: All	10.00
Block 14: All	10.00

ABE BARBER,
Acting Regional Administrator, and Superintendent of Sales, Alaska Railroad Townsites.

[F. R. Doc. 51-9019; Filed, Aug. 6, 1951; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

CHAIRMEN AND ACTING CHAIRMEN OF PMA COUNTY COMMITTEES IN COTTON PRODUCING STATES

DELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN CONTRACTS OR AGREEMENTS RELATING TO COTTONSEED

Pursuant to authority vested in the President, Commodity Credit Corporation, by the by-laws of the Corporation, the respective chairmen, or in their absence the acting chairmen, of the PMA County Committees in the cotton producing States are hereby appointed contracting officers of Commodity Credit Corporation, with authority to execute, in the name of the Corporation, contracts, agreements, or other documents relating to the purchase, transportation, handling, and storage of cottonseed prior to the delivery of such cottonseed to a participating oil miller or an approved storage facility under the 1951-Crop Cottonseed Purchase Program formulated by Commodity Credit Corporation and Production and Marketing Administration.

The foregoing authority as contracting officers shall be exercised in accordance with instructions issued by the Vice President of Commodity Credit Corporation who is Assistant Administrator for Commodity Operations, PMA, which shall be available for public inspection in the files of the PMA county offices in the respective cotton producing States.

Issued this 2d day of August 1951.

[SEAL] G. F. GEISSLER,
President, Commodity Credit Corporation.

[F. R. Doc. 51-9111; Filed, Aug. 6, 1951; 9:01 a. m.]

Rural Electrification Administration

[Administrative Order T-45]

NORTH CAROLINA

LOAN ANNOUNCEMENT

MAY 24, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Yadkin Valley Telephone Membership Corp., North Carolina 509-B	$120,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9031; Filed, Aug. 6, 1951; 8:49 a. m.]

[Administrative Order T-46]

IOWA

LOAN ANNOUNCEMENT

MAY 25, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mutual Telephone Co., Iowa 503-A	$150,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9032; Filed, Aug. 6, 1951; 8:49 a. m.]

[1] Filed as a part of the original document.

[Administrative Order T-47]

FLORIDA

LOAN ANNOUNCEMENT

JUNE 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Santa Fe Telephone Co., Inc., Florida 505-A	$474,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9033; Filed, Aug. 6, 1951; 8:49 a. m.]

[Administrative Order 3263]

ARKANSAS

LOAN ANNOUNCEMENT

MAY 18, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arkansas 21Y Lincoln	$50,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9034; Filed, Aug. 6, 1951; 8:49 a. m.]

[Administrative Order 3264]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

MAY 18, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 40E Perkins	$216,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9035; Filed, Aug. 6, 1951; 8:50 a. m.

[Administrative Order 3265]

VIRGINIA

LOAN ANNOUNCEMENT

MAY 18, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 34V Lee	$250,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9036; Filed, Aug. 6, 1951; 8:30 a. m.]

[Administrative Order 3266]

MAINE

LOAN ANNOUNCEMENT

MAY 18, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Maine 16D Swan's Island	$10,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9037; Filed, Aug. 6, 1951; 8:50 a. m.]

[Administrative Order 3267]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

MAY 18, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 21T Lancaster	$360,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9038; Filed, Aug. 6, 1951; 8:50 a. m.]

[Administrative Order 3268]

MONTANA

LOAN ANNOUNCEMENT

MAY 18, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 36D Lincoln	$125,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9039; Filed, Aug. 6, 1951; 8:50 a. m.]

[Administrative Order 3269]

GEORGIA

LOAN ANNOUNCEMENT

MAY 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Georgia 83R Jackson	$445,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9040; Filed, Aug. 6, 1951; 8:50 a. m.]

[Administrative Order 3270]

LOUISIANA

LOAN ANNOUNCEMENT

MAY 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Louisiana 9X Lafayette	$1,200,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9041; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3271]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 19G Turner	$243,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9042; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3272]

NEW YORK

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
New York 21H Steuben---------- $191,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9043; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3273]

ARIZONA

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Arizona 22D Kingman---------- $25,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9044; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3274]

OHIO

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Ohio 65S Fairfield---------- $290,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. D. Doc. 51-9045; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3275]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Oklahoma 22AB Cotton---------- $290,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9046; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3276]

OKLAHOMA

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Oklahoma 34F, H Texas------- $1,860,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9047; Filed, Aug. 6, 1951; 8:51 a. m.]

[Administrative Order 3277]

TEXAS

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Texas 113G Dickens---------- $112,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9048; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3278]

WISCONSIN

LOAN ANNOUNCEMENT

MAY 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Wisconsin 46N Lafayette-------- $88,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9049; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3279]

PENNSYLVANIA

LOAN ANNOUNCEMENT

MAY 24, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Pennsylvania 15W Bradford--- $1,080,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9050; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3280]

MISSISSIPPI

LOAN ANNOUNCEMENT

MAY 25, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Mississippi 48C DeSoto---------- $100,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9051; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3281]

MINNESOTA

LOAN ANNOUNCEMENT

MAY 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Minnesota 61L Freeborn-------- $380,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9052; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3282]

GEORGIA

LOAN ANNOUNCEMENT

MAY 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Georgia 88U Telfair---------- $90,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9053; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3283]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

MAY 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 24S Marion	$190,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9054; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3284]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

MAY 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 14AC Aiken	$620,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9055; Filed, Aug. 6, 1951; 8:53 a. m.]

[Administrative Order 3285]

NEBRASKA

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Nebraska 56U Cedar-Knox District Public	$470,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9056; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order No. 3286]

MONTANA

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 9S Yellowstone	$117,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9057; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3287]

TEXAS

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 83V Fisher	$250,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9058; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3288]

MICHIGAN

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Michigan 26AC Ingham	$160,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9059; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3289]

TENNESSEE

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Tennessee 21N Franklin	$1,550,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9060; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3290]

NEW MEXICO

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 14H Mora	$25,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9061; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3291]

MINNESOTA

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 83P Hubbard	$180,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9062; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3292]

KANSAS

LOAN ANNOUNCEMENT

MAY 31, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 41F Wilson	$135,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9063; Filed, Aug. 6, 1951; 8:54 a. m.]

[Administrative Order 3293]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting

through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 36K Barnwell	$105,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9064; Filed, Aug. 6, 1951; 8:55 a. m.]

[Administrative Order 3294]

TEXAS

LOAN ANNOUNCEMENT

JUNE 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 107V Martin	$50,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9065; Filed, Aug 6, 1951; 8:55 a. m.]

[Administrative Order 3295]

ALABAMA

LOAN ANNOUNCEMENT

JUNE 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 22S Butler	$580,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9066; Filed, Aug. 6, 1951; 8:55 a. m.]

[Administrative Order 3296]

TEXAS

LOAN ANNOUNCEMENT

JUNE 4, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 95V Medina	$680,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9067; Filed, Aug. 6, 1951; 8:55 a. m.]

[Administrative Order 3297]

FLORIDA

LOAN ANNOUNCEMENT

JUNE 4, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Florida 23P Levy	$90,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9068; Filed, Aug. 6, 1951; 8:55 a. m.]

[Administrative Order 3298]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 4, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 43P Grant	$343,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9069; Filed, Aug. 6, 1951; 8:55 a. m.]

[Administrative Order 3299]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 4, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 32S Person	$1,680,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9070; Filed, Aug. 6, 1951; 8:55 a. m.]

[Administrative Order 3300]

WYOMING

LOAN ANNOUNCEMENT

JUNE 5, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wyoming 22C Niobrara	$1,225,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9071; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3301]

TEXAS

LOAN ANNOUNCEMENT

JUNE 5, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 72M Lamar	$170,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9072; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3302]

TEXAS

LOAN ANNOUNCEMENT

JUNE 8, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 103S Polk	$100,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9073; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3303]

OREGON

LOAN ANNOUNCEMENT

JUNE 11, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oregon 29F Morrow	$415,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9074; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3304]

ALLOCATION OF FUNDS FOR LOANS

JUNE 11, 1951.

Inasmuch as (1) Fleming-Mason Rural Electric Cooperative Corporation has transferred certain of its properties and assets to Clark Rural Electric Cooperative Corporation and Grayson Rural Electric Cooperative Corporation, respectively, and Clark Rural Electric Cooperative Corporation and Grayson Rural Electric Cooperative Corporation have each assumed a certain part of the indebtedness of Fleming-Mason Rural Electric Cooperative Corporation to United States of America arising out of loans made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, and (2) Fleming-Mason Rural Electric Cooperative Corporation, with the consent of United States of America, has assigned to Clark Rural Electric Cooperative Corporation and Grayson Rural Electric Cooperative Corporation, respectively, and Clark Rural Electric Cooperative Corporation and Grayson Rural Electric Cooperative Corporation have each accepted the assignment of certain obligations of Fleming-Mason Rural Electric Cooperative Corporation to United States of America arising out of loans contracted to be made by United States of America pursuant to the Rural Electrification Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 274, dated July 25, 1938, by changing the project designation appearing therein as "Kentucky 9052A1 Fleming" in the amount of $220,000 to read "Kentucky 9052A1 Fleming" in the amount of $128,273.20, "Kentucky 49 Clark (Kentucky 9052A1 Fleming)" in the amount of $34,392.60 and "Kentucky 61 Carter (Kentucky 9052A1 Fleming)" in the amount of $57,334.20;

(b) Administrative Order No. 328, dated March 22, 1939, by changing the project designation appearing therein as "Kentucky R9052B1 Fleming" in the amount of $227,000 to read "Kentucky R9052B1 Fleming" in the amount of $132,354.62, "Kentucky 49 Clark (Kentucky R9052B1 Fleming)" in the amount of $35,486.91 and "Kentucky 61 Carter (Kentucky R9052B1 Fleming)" in the amount of $59,158.47;

(c) Administrative Order No. 393, dated September 27, 1939, by changing the project designation appearing therein as "Kentucky 0052C1 Fleming" in the amount of $188,000 to read "Kentucky 0052C1 Fleming" in the amount of $109,615.28, "Kentucky 49 Clark (Kentucky 0052C1 Fleming)" in the amount of $29,390.04 and "Kentucky 61 Carter (Kentucky 0052C1 Fleming)" in the amount of $48,994.68;

(d) Administrative Order No. 557, dated February 8, 1941, by changing the project designation appearing therein as "Kentucky 1052D1 Fleming" in the amount of $97,000 to read "Kentucky 1052D1 Fleming" in the amount of $56.556.82, "Kentucky 49 Clark (Kentucky 1052D1 Fleming)" in the amount of $15,164.01 and "Kentucky 61 Carter (Kentucky 1052D1 Fleming)" in the amount of $25,279.17;.

(e) Administrative Order No. 664, dated February 16, 1942, by changing the project designation appearing therein as "Kentucky 2052E1 Fleming" in the amount of $64,000 to read "Kentucky 2052E1 Fleming" in the amount of $46,530.21, "Kentucky 49 Clark (Kentucky 2052E1 Fleming)" in the amount of $6,550.23 and "Kentucky 61 Carter (Kentucky 2052E1 Fleming)" in the amount of $10,919.56;

(f) Administrative Order No. 805, dated February 8, 1944, (as amended by Administrative Order No. 841, dated June 17, 1944), by changing the project designation appearing therein as "Kentucky 4052E2 Fleming" in the amount of $40,000 to read "Kentucky 4052E2 Fleming" in the amount of $23,322.40, "Kentucky 49 Clark (Kentucky 4052E2 Fleming)" in the amount of $6,253.20 and "Kentucky 61 Carter (Kentucky 4052E2 Fleming)" in the amount of $10,424.40;

(g) Administrative Order No. 839, dated June 9, 1944, by changing the project designation appearing therein as "Kentucky 4052E3 Fleming" in the amount of $50,000 to read "Kentucky 4052E3 Fleming" in the amount of $29,153, "Kentucky 49 Clark (Kentucky 4052E3 Fleming)" in the amount of $7,816.50, "Kentucky 61 Carter (Kentucky 4052E3 Fleming)" in the amount of $13,030.50;

(h) Administrative Order No. 847, dated July 8, 1944, by changing the project designation appearing therein as "Kentucky 5052F1 Fleming" in the amount of $130,000 to read "Kentucky 5052F1 Fleming" in the amount of $45,736.43, "Kentucky 49 Clark (Kentucky 5052F1 Fleming)" in the amount of $31,594.29 and "Kentucky 61 Carter (Kentucky 5052F1 Fleming)" in the amount of $52,669.28;

(i) Administrative Order No. 1025, dated March 21, 1946, by changing the project designation appearing therein as "Kentucky 52L Fleming" in the amount of $300,000 to read "Kentucky 52L Fleming" in the amount of $174,918, "Kentucky 49 Clark (Kentucky 52L Fleming)" in the amount of $46,899 and "Kentucky 61 Carter (Kentucky 52L Fleming)" in the amount of $78,183;

(j) Administrative Order No. 1110, dated July 25, 1946, by changing the project designation appearing therein as "Kentucky 52M Fleming" in the amount of $940,000 to read "Kentucky 52M Fleming" in the amount of $548,076.40, "Kentucky 49 Clark (Kentucky 52M Fleming)" in the amount of $146,950.20 and "Kentucky 61 Carter (Kentucky 52M Fleming)" in the amount of $244,973.40;

(k) Administrative Order No. 1288, dated May 27, 1947, by changing the project designation appearing therein as "Kentucky 52N Fleming" in the amount of $685,000 to read "Kentucky 52N Fleming" in the amount of $399,396.10, "Kentucky 49 Clark (Kentucky 52N Fleming)" in the amount of $107,086.05 and "Kentucky 61 Carter (Kentucky 52N Fleming)" in the amount of $178,517.85;

(l) Administrative Order No. 1410, dated December 31, 1947, by changing the project designation appearing therein as "Kentucky 52S Fleming" in the amount of $555,000 to read "Kentucky 52S Fleming" in the amount of $323,593.30, "Kentucky 49 Clark (Kentucky 52S Fleming)" in the amount of $86,763.15 and "Kentucky 61 Carter (Kentucky 52S Fleming)" in the amount of $144,638.55;

(m) Administrative Order No. 1712, dated December 16, 1948, by changing the project designation appearing therein as "Kentucky 52P Fleming" in the amount of $800,000 to read "Kentucky 52P Fleming" in the amount of $466,448, "Kentucky 49 Clark (Kentucky 52P Fleming)" in the amount of $125,064 and "Kentucky 61 Carter (Kentucky 52P Fleming)" in the amount of $208,488;

(n) Administrative Order No. 2170, dated June 13, 1949, by changing the project designation appearing therein as "Kentucky 52T Fleming" in the amount of $360,000 to read "Kentucky 52T Fleming" in the amount of $501.431.60, "Kentucky 49 Clark (Kentucky 52T Fleming)" in the amount of $134,443.80 and "Kentucky 61 Carter (Kentucky 52T Fleming)" in the amount of $224,124.60; and

(o) Administrative Order No. 2563, dated March 17, 1950, by changing the project designation appearing therein as "Kentucky 52R Fleming" in the amount of $1,315,000 to read "Kentucky 52R Fleming" in the amount of $668,868.92, "Kentucky 49 Clark (Kentucky 52R Fleming)" in the amount of $14,423.10, "Kentucky 61 Carter (Kentucky 52R Fleming)" in the amount of $24,018.17, "Kentucky 49K Clark" in the amount of $188,392.88 and "Kentucky 61B Carter" in the amount of $419,296.93.

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9075; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3305]

VIRGINIA

LOAN ANNOUNCEMENT

JUNE 12, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 34U Lee	$1,655,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9076; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3307]

WYOMING

LOAN ANNOUNCEMENT

JUNE 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf

of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wyoming 24D Sheridan	$385,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9077; Filed, Aug. 6, 1951; 8:56 a. m.]

[Administrative Order 3306]

SOUTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 12, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Dakota 42B Lyman	$250,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9078; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3308]

OKLAHOMA

LOAN ANNOUNCEMENT

JUNE 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 24R Lincoln	$980,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9079; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3309]

ALABAMA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 44F Covington	$290,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9080; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3310]

GEORGIA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Georgia 35T Walton	$150,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9081; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3311]

INDIANA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 21K Bartholomew	$75,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9082; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3312]

MONTANA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 24E, F Blaine	$850,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9083; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3313]

NEW MEXICO

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 25G Luna	$110,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9084; Filed, Aug. 6, 1951; 8:57 a. m.]

[Administrative Order 3314]

OKLAHOMA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 14S Love	$65,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9085; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3315]

CALIFORNIA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
California 18H San Diego	$405,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9086; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3316]

KENTUCKY

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 35V Warren	$250,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9087; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3317]

KENTUCKY

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 54V Wayne	$840,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9088; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3318]

MINNESOTA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 1U Kanabec	$565,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9089; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3319]

MINNESOTA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 34S Stearns	$220,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9090; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3320]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 29V, W Oktibbeha	$415,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9091; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3321]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 19R Boone	$405,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9092; Filed, Aug. 6, 1951; 8:58 a. m.]

[Administrative Order 3322]

MONTANA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 28H McCone	$315,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9093; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order 3323]

OKLAHOMA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 25U Rogers	$530,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9094; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order 3324]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 26T Darlington	$145,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9095; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order 3325]

TEXAS

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 107U Martin	$72,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9096; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order 3326]

TEXAS

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 123N Baylor	$268,000

[SEAL] WM C. WISE,
Acting Administrator.

[F. R. Doc. 51-9097; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order No. 3327]

WYOMING

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting

through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wyoming 9L Uinta	$84,000

[SEAL] WM C. WISE,
Acting Administrator.

[F. R. Doc. 51-9098; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order 3328]

ALABAMA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 20N Baldwin	$157,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9099; Filed, Aug. 6, 1951; 8:59 a. m.]

[Administrative Order 3329]

ARKANSAS

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arkansas 31P Ashley	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9100; Filed, Aug. 6, 1951; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1345, G-1523, G-1629, G-1729 and G-1730]

EL PASO NATURAL GAS CO. AND NEVADA NATURAL GAS PIPE LINE CO.

ORDER CONSOLIDATING PROCEEDINGS

AUGUST 1, 1951.

On July 17, 1951, by order of the Commission, the proceedings in Docket Nos. G-1345, G-1629 and G-1523 were consolidated for purposes of hearing and date of hearing fixed at August 13, 1951. On June 27, 1951, El Paso Natural Gas Company filed its applications in Docket Nos. G-1729 and G-1730, for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas pipeline facilities, subject to the jurisdiction of the Commission, all as more fully described in each such application on file with the Commission and open to public inspection, public notice thereof having been given, including publication in the FEDERAL REGISTER on July 18, 1951 (16 F. R. 6888) and on July 25, 1951 (16 F. R. 7304), respectively.

The Commission finds: Good cause exists and it would be in the public interest to consolidate the above-named proceedings for purposes of hearing.

The Commission orders: The proceedings in Docket Nos. G-1729 and G-1730 be and the same hereby are consolidated with the proceedings in Docket Nos. G-1345, G-1523, and G-1629 for purposes of hearing to be held on August 13, 1951, at 10:00 a. m. (e. d. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: August 1, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-9025; Filed, Aug. 6, 1951; 8:47 a. m.]

[Project No. 2086]

SOUTHERN CALIFORNIA EDISON CO.

NOTICE OF APPLICATION FOR LICENSE

JULY 31, 1951.

Public notice is hereby given that Southern California Edison Company, of Los Angeles, California, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for license for proposed hydroelectric Project No. 2086 on Mono Creek in Fresno County, California, affecting lands of the United States within the Sierra National Forest. The proposed development would consist of the Vermilion Valley Dam across Mono Creek, the Vermilion Valley Reservoir with a gross capacity of approximately 125,000 acre-feet when filled to the top of the spillway gates at elevation 7,642.5 feet, approximately. Water would be discharged down the natural channel of Mono Creek to the applicant's existing Mono Creek diversion works, which are a part of Project No. 67.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and address of the party or parties so protesting or requesting should be submitted on or before September 7, 1951 to the Federal Power Commission at Washington 25, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-9026; Filed, Aug. 6, 1951; 8:47 a. m.]

GENERAL SERVICES ADMINISTRATION

CHAIRMAN, FEDERAL COMMUNICATIONS COMMISSION

DELEGATION OF AUTHORITY TO NEGOTIATE CERTAIN CONTRACTS AND PURCHASES WITHOUT ADVERTISING

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, as amended (Pub. Laws 152 and 754, 81st Cong.), hereinafter called the act, authority is hereby delegated to the Chairman, Federal Communications Commission, to negotiate contracts and purchases without advertising for the purchase of twelve radio receivers, which the agency head determines to be technical equipment, and as to which he determines that the procurement thereof without advertising is necessary in special situations or in particular localities in order to assure standardization of equipment and interchangeability of parts and that such standardization and interchangeability are necessary in the public interest.

2. This authority shall be exercised strictly in accordance with the act, particularly section 307 requiring written findings and in certain instances preservation of data, and reports to the General Accounting Office.

3. The authority herein delegated may not be redelegated to any other person.

This delegation of authority shall be effective as of September 5, 1950.

Dated: July 31, 1951.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 51-9017; Filed, Aug. 6, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26299]

NATURAL GASOLINE AND PETROLEUM GAS FROM BUTLER AND HOCKER, OKLA., TO MONTANA

APPLICATION FOR RELIEF

AUGUST 2, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3825.

Commodities involved: Natural Gasoline and liquefied petroleum gas, in tank-car loads.

From: Butler and Hocker, Okla.

To: Destinations in Montana.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3825, Supp. 108.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hear-

ing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9105; Filed, Aug. 6, 1951; 9:00 a. m.]

[4th Sec. Application 26298]

WASTE SALTS FROM COOSA PINES, ALA., TO TEXAS, ARKANSAS AND LOUISIANA

APPLICATION FOR RELIEF

AUGUST 2, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3883, 3899, and 3927.

Commodities involved: Salts, waste, neutral, carloads.

From: Coosa Pines, Ala.

To: Houston, Tex., Camden and Crossett, Ark., Advance, Bastrop, Elizabeth, and Spring Hill, La.

Grounds for relief: Circuitous routes, competition with rail carriers, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3899, Supp. 59; D. Q. Marsh's tariff I. C. C. No. 3927, Supp. 21; D. Q. Marsh's tariff I. C. C. No. 3883, Supp. 47.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9106; Filed, Aug. 6, 1951; 9:00 a. m.]

[4th Sec. Application 26297]

COTTON PIECE GOODS AND RELATED ARTICLES FROM DELAWARE TO POINTS IN CENTRAL TERRITORY

APPLICATION FOR RELIEF

AUGUST 2, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-823.

Commodities involved: Cotton piece goods, dry goods, rugs, etc.

From: Rockford, Kentmere, and Wilmington, Del.

To: Chicago, Ill., Indianapolis, Ind., St. Louis, Mo., and other points in central territory generally on and west of a line drawn from Cincinnati, Ohio, to Chicago.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-823, Supp. 251.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9107; Filed, Aug. 6, 1951; 9:00 a. m.]

[S. O. 878, Rev. Gen. Permit 1-F]

CARLOAD IMPORT FREIGHT

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to carload import freight moving first by water on the high seas to a port in the continental United States and thence by rail in a single car, or moving first by water on the high seas to a port in the continental United States, thence by an inland water carrier to another point in the continental United States, and thence by rail in a single car to destination when, in either case, such carload freight moves as a complete order from both the point it is first shipped by water and the point it is reshipped by rail.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish the permit agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., August 6, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of August 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-9108; Filed, Aug. 6, 1951; 9:00 a. m.]

[S. O. 878, Gen. Permit 5-F]

FISH

LOADING REQUIREMENTS

Pursuant to the authority vested in me in Paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to fish, not fresh, not frozen, packed in tierces, which must be protected by ice en route.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish the permit agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., July 31, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of July 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-9109; Filed, Aug. 6, 1951; 9:00 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 55, Amendment 1]

MORRIS FURNITURE MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 55, under section 43 of Ceiling Price Regulation 7, issued on May 31, 1951, established ceiling prices for sales at retail of occasional tables, desks, dining room and bedroom furniture manufactured by Morris Furniture Manufacturing Co., Inc., having the brand name "Architectural Modern by Morris of California." The special order required the manufacturer to mark each article listed in the special order with the retail ceiling price fixed under the special order, or to attach to each article a label, tag or ticket stating the retail ceiling price. Applicant was required to comply with this preticketing provision on and after July 2, 1951.

Morris Furniture Manufacturing Co., Inc., has filed an application for an extension of time in which to meet this preticketing requirement. The application points out that this extension is needed to give the applicant additional time to complete his computations under Ceiling Price Regulation 22 and also to print the tags required by the special order.

Under the special circumstances set forth by the applicant, the Director has determined that the requested amendment should be granted.

Amendatory provisions. Special Order 55 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

In paragraph 3, substitute for the date "July 2, 1951," the date "August 2, 1951."

2. In paragraph 3, substitute for the date "July 31, 1951," wherever it appears, the date "September 3, 1951."

Effective date. This amendment shall become effective on August 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 2, 1951.

[F. R. Doc. 51-9121; Filed, Aug. 2, 1951; 4:58 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 69, Amendment 1]

JERKS SOCKS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 69, under section 43 of Ceiling Price Regulation 7, issued on June 5, 1951, established ceiling prices for sales at retail of men's hosiery "manufactured" by Jerks Socks, Inc.

Jerks Socks, Inc., has filed an application for an amendment to this special order. The application for amendment points out that due to an omission in the original application, the applicant was not described as a wholesaler and that as a result Special Order 69 incorrectly designates Jerks Socks, Inc., as a manufacturer. In addition, the application points out that the special order makes no provision for two cost lines which were included in the original application.

Applicant has submitted the information required under this section for the establishment of dollar-and-cents ceiling prices at retail for a wholesaler of a branded item, and the Director has determined on the basis of information available to him, including the data submitted by the applicant, that the retail ceiling prices requested for the two additional lines and which are established by this amendment are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Under the special circumstances set forth by the applicant, the Director has determined that the requested amendment be granted and that because the original order requires this amendment, an extension of time to meet the preticketing requirements of the special order also be granted.

Amendatory provisions. Special Order 69, under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 1 substitute for the word "manufactured" the word "distributed" and substitute for the word "manufacturer's," wherever it appears, the word "wholesaler's."

2. In paragraph 1 add "$5.75 to $5.90, inclusive" to the column headed "Wholesaler's selling price (per dozen pairs)" between the figures "$5.25" and "$7.25" now appearing therein. Opposite these inserted figures in the column headed "Ceiling price at retail (per pair)" add the figure "$.85" between the figures "$.75" and "$1.00" now appearing therein.

3. In paragraph 1 add the figure "$7.70" to the column headed "Wholesaler's selling price (per dozen pairs)" between the figures "$7.25" and "$8.85" now appearing therein. Opposite this inserted figure in the column headed "Ceiling price at retail (per pair)" add the figure "$1.10" between the figures "$1.00" and "$1.25" now appearing therein.

4. In paragraph 2 substitute for the word "manufacturer's," wherever it appears, the word "wholesaler's."

5. In paragraphs 3, 5, and 6 substitute for the word "manufacturer," wherever it appears, the word "wholesaler."

6. In paragraph 4 substitute for the date "July 5, 1951" the date "August 6, 1951."

7. In paragraph 4 substitute for the date "August 4, 1951," wherever it appears, the date "September 6, 1951."

Effective date. This amendment shall become effective on August 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 2, 1951.

[F. R. Doc. 51-9122; Filed, Aug. 2; 1951; 4:58 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 206]

WHEARY, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wheary, Incorporated, 1511 Sixteenth Street, Racine, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of luggage and trunks manufactured by Wheary, Inc., 1511 Sixteenth Street, Racine, Wisconsin, having the brand name(s) "Prom Queen", "Taper-Tweed", "Diagonal Tweed", "Tailored", "Side-Saddle", "Dude Ranch", "Streamgard", "Colonel", "Weskit Colonel", "Thoroughbred" and "Vanity" shall be the proposed retail ceiling prices listed by Wheary, Inc., in its application dated April 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 18 and May 24, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 3, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special

order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 1, 1951, Wheary, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 1, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 1, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 2, 1951.

[F. R. Doc. 51-9123; Filed, Aug. 2, 1951; 4:58 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 207]

AMERICAN LUGGAGE WORKS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, American Luggage Works, Inc., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during that period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of luggage manufactured by American Luggage Works, Inc., 669 Elmwood Avenue, Providence, Rhode Island, having the brand name "American Tourister" and described in the manufacturer's application dated April 18, 1951. Sales may, of course, be made at less than these ceiling prices. The manufacturer's prices listed below carry the following terms; 2 percent 10 days—net 30 days; f. o. b. factory, Providence, Rhode Island.

Manufacturer's selling price (per unit)	*Ceiling price at retail (per unit)*
$7.75	$13.50
8.65	15.50
9.50	17.25
9.65	16.95
10.00	17.50
10.50	18.50
11.35	19.95
11.85	20.95
12.00	21.00
12.85	22.75
13.40	23.50
13.50	23.95
14.25	24.95
14.70	25.75
15.50	28.25
16.50	29.00
17.00	29.95
18.00	31.25
18.50	32.50
19.50	34.25
20.90	36.95
22.00	38.50
23.00	42.00
23.75	41.50
24.50	44.50
25.00	43.95
27.50	47.95
29.75	52.50
34.00	61.95
35.75	65.00
41.25	75.00

2. (a) Men's Weekend Case, having style number 5121M, 21 inches in size, in the manufacturer's application dated April 18, 1951, so long as it has a manufacturer's selling price of $16.25 per unit, shall have a ceiling price at retail of $29.95 per unit. This price carries terms

of 2 percent—net 30 days, f. o. b. factory, Providence, Rhode Island. Sales may, of course, be made at less than the ceiling price.

(b) Ladies' Pullman Case, having style number 5323, 24 inches in size, in the manufacturer's application dated April 18, 1951, so long as it has a manufacturer's selling price of $18.65 per unit, shall have a ceiling price at retail of $34.25 per unit. This price carries terms of 2 percent—net 30 days; f. o. b. factory, Providence, Rhode Island. Sales may, of course, be made at less than the ceiling price.

(c) Ladies' Pullman Case, having style number 8126, 26 inches in size, in the manufacturer's application dated April 18, 1951, so long as it has a manufacturer's selling price of $19.50 per unit, shall have a ceiling price at retail of $34.50 per unit. This price carries terms of 2 percent—net 30 days, f. o. b., factory, Providence, Rhode Island. Sales may, of course, be made at less than the ceiling price.

3. The retail ceiling price of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

4. On and after October 1, 1951, American Luggage Works, Inc., must mark each article listed in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 1, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in paragraphs 1, 2 (a) (b) and (c) of this special order or changes the retail ceiling price of a listed article, American Luggage Works, Inc., must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

5. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraphs 1, 2 (a), (b) and (c) of this special order. Copies shall be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of the special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. Within 15 days after the effective date of any subsequent amendment to the special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment.

6. Within 45 days of the expiration of the first six months' period following the effective date of this special order and within 45 days of the expiration of each successive six months' period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that six months' period.

7. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the seller is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

8. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

9. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 2, 1951.

[F. R. Doc. 51-9124; Filed, Aug. 6, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 208]

FOX-KNAPP MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Fox-Knapp Manufacturing Company, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order allows for establishment of a cost bracket to the retailer, which bracket applies to a specific retail price. The costs of the articles purchased by the retailer should, on the average, fall evenly between the polar ends of each cost bracket and will thus maintain the general historical markup pattern. The establishment of such cost bracket permits minor changes in costs without influencing the general level of retail prices of the articles in question.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during that period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of surcoats, jackets, shirts, leisure coats and mackinaws manufactured by Fox-Knapp Manufacturing Company, 230 Fifth Avenue, New York 1, New York, having the brand name "Woolmaster," and described in the manufacturer's application dated June 19, 1951. Sales may, of course, be made at less than these ceiling prices. The manufacturer's prices listed below carry the following terms: net 10 days, E. O. M.

Manufacturer's selling price (per unit)	*Ceiling price at retail (per unit)*
$2.70– $3.29	$5.00
3.30– 3.89	6.00
3.90– 4.49	7.00
3.50– 5.09	8.00
5.10– 5.69	9.00
5.70– 6.29	10.00
6.30– 6.89	11.00
6.90– 7.49	12.00
7.50– 8.09	13.00
8.10– 8.69	14.00
8.70– 9.29	15.00
9.30– 9.89	16.00
9.90– 10.34	17.00
10.35– 10.64	17.50
10.65– 11.09	18.00
11.10– 11.69	19.00
11.70– 12.29	20.00
12.30– 12.89	21.00
12.90– 13.34	22.00
13.35– 13.64	22.50
13.65– 14.09	23.00
14.10– 14.69	24.00
14.70– 15.74	25.00
15.74– 17.24	27.50
17.25– 19.49	30.00
19.50– 22.49	35.00
22.50– 25.49	40.00
25.50– 28.49	45.00
28.50–	50.00

2. The retail ceiling price of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, falling within the same bracket of selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 1, 1951, Fox-Knapp Manufacturing Company must mark each article listed in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 1, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 1, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in paragraph 1 of this special order or changes the retail ceiling price of a listed article, Fox-Knapp Manufacturing Co. must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of the special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. Within 15 days after the effective date of any subsequent amendment to the special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the seller is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 2, 1951.

[F. R. Doc. 51-9125; Filed, Aug. 6, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 209]

HAVILAND & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Haviland & Co., Inc., 26 West Twenty-third Street, New York 10, New York (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of imported table chinaware sold at wholesale by Haviland & Co., Inc., 26 West Twenty-third Street, New York 10, New York, having the brand name(s) "French Haviland China", "Haviland—France", "Haviland's" shall be the proposed retail ceiling prices listed by Haviland & Co., Inc., in its application dated May 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 2, 1951, Haviland & Co., Incorporated, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailer	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9154; Filed, Aug. 3, 1951; 2:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 210]

HAVILAND & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Haviland & Co., Inc., 26 West Twenty-third Street, New York 10, New York (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant, has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of china dinnerware sold at wholesale by Haviland & Co., Inc., 26 West Twenty-third Street, New York 10, New York, having the brand name(s) "Theodore Haviland New York" shall be the proposed retail ceiling prices listed by Haviland & Co., Inc., in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 2, 1951, Haviland & Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9155; Filed, Aug. 3, 1951; 2:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 211]

THE RED WING POTTERIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Red Wing Potteries, Inc., Red Wing, Minnesota, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of earthenware, vases and bowls manufactured by The Red Wing Potteries, Inc., having the brand name(s) "Red Wing" shall be the proposed retail ceiling prices listed by The Red Wing Potteries, Inc., in its application dated April 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, The Red Wing Potteries, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon isssuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9156; Filed, Aug. 3, 1951; 2:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 212]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sealy Mattress Company, 2363 Larimer Street, Denver 2, Colorado, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Sealy Mattress Company, 2363 Larimer Street, Denver 2, Colorado, having the brand name(s) "Sealy Sleepcharm", "Sealy Primrose", "Sealy Trueease", "Sealy Perfect Rest", "Sealy Enchanted Night", "Sealy Rest", "Sealy Orthopedic Firm-O-Rest", "Sealy Natural Rest", "Sealy Sunspun", "Sealy Cotton Boll", shall be the proposed retail ceiling prices listed by Sealy Mattress Company, in its application dated March 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated March 19, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Sealy Mattress Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9157; Filed, Aug. 3, 1951; 2:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 213]

ROYAL CHINA, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Royal China, Inc., Sebring, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of dinnerware manufactured by Royal China, Inc., Sebring, Ohio, having the brand name(s) "Colonial Homestead" and "Bucks County By Royal" shall be the proposed retail ceiling prices listed by Royal China, Inc., in its application dated April 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Royal China, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those alrcady listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------ {unit. dozen. etc.}	Terms {net. percent EOM. etc.} $------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9158; Filed, Aug. 3, 1951; 2:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 214]

THE ATLANTA STOVE WORKS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Atlanta Stove Works, Inc., 112 Krog Street NE., Atlanta, Georgia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling

price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of cast iron lawn furniture manufactured by The Atlanta Stove Works, Inc., 112 Krog Street NE., Atlanta, Georgia, having the brand name(s) "Atlanta Stove Works Cast Iron Lawn Furniture" shall be the proposed retail ceiling prices listed by The Atlanta Stove Works, Inc., in its application dated March 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, the Atlanta Stove Works, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9159; Filed, Aug. 3, 1951; 2:32 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 215]

JACK CHARLES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Jack Charles, Inc., 245 North Water Street, Milwaukee 2, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's sport shirts, manufactured by Jack Charles, Inc., 245 North Water Street, Milwaukee 2, Wisconsin, having the brand name(s) "Jack Charles" and "Sir Charles," shall be the proposed retail ceiling prices listed by Jack Charles, Inc., in its application dated March 7, 1951, and filed with the Office of Price

Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Jack Charles, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9160; Filed, Aug. 3, 1951; 2:32 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 216]

COUNTESS MARA, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Countess Mara, Inc., 445 Park Avenue, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirements conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's ties manufactured by Countess Mara, Inc., 445 Park Avenue, New York, New York, having the brand name(s) "Countess Mara", shall be the proposed retail ceiling prices listed by Countess Mara, Inc., in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Countess Mara, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail

ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any), issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9161; Filed, Aug. 3, 1951; 2:32 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 217]

KROEHLER MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kroehler Manufacturing Co., 222 Fifth Avenue, Naperville, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of upholstered living room furniture, manufactured by Kroehler Manufacturing Co. 222 Fifth Avenue, Naperville, Illinois, having the brand name(s) "Kroehler," shall be the proposed retail ceiling prices listed by Kroehler Manufacturing Co., in its application dated June 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Kroehler Manufacturing Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to

the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9162; Filed, Aug. 3, 1951; 2:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 218]

LUBIN-WEEKER CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lubin-Weeker Co., Inc., 1270 Broadway at Thirty-third Street, Wilson Building, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's pajamas manufactured by Lubin-Weeker Co., Inc., 1270 Broadway at Thirty-Third Street, Wilson Building, New York 1, New York, having the brand name(s) "First Nighter" or "First Nighter by Weldon" shall be the proposed retail ceiling prices listed by Lubin-Weeker Co., Inc., in its application dated March 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 26, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Lubin-Weeker Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the

cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9163; Filed, Aug. 3, 1951; 2:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 219]

SUSQUEHANNA WAIST CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Susquehanna Waist Company, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during that period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this Special Order is hereby issued.

1. The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of women's and children's blouses manufactured by Susquehanna Waist Company, Upland, Pennsylvania, having the brand name "Ship 'n Shore" and described in the manufacturer's application dated May 22, 1951. Sales may, of course, be made at less than these ceiling prices. The manufacturer's prices listed below carry the following terms: 8 percent—10 days E. O. M.

Manufacturer's selling price (per dozen)	*Ceiling price at retail (per unit)*
$15.75	$1.98
18.75	2.50
22.50	2.98
25.50	3.50
30.00	3.98
36.00	4.98

2. Blouses having style number 136, in the manufacturer's application dated May 22, 1951, so long as they have a manufacturer's selling price of $18.00 per dozen, shall have a ceiling price at retail of $2.50 per unit. This price carries terms of 8 percent—10 days, E. O. M. Sales may, of course, be made at less than the ceiling price.

3. The retail ceiling price of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

4. On and after October 2, 1951, Susquehanna Waist Company must mark each article listed in paragraphs 1 and 2 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in paragraphs 1 and 2 of this special order or changes the retail ceiling price of a listed article, Susquehanna Waist Company must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

5. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraphs 1 and 2 of this special order. Copies shall be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of the special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. Within 15 days after the effective date of any subsequent amendment to the special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment.

6. Within 45 days of the expiration of the first 6 months' period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the manufacturer shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

7. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the seller is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

8. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

9. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9164; Filed, Aug. 3, 1951; 2:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 220]

McKETTRICK-WILLIAMS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, McKettrick-Williams, Inc., 1350 Broadway, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's, misses' and maternity dresses manufactured by McKettrick-Williams, Inc., 1350 Broadway, New York 18, New York, having the brand name(s) "McKettrick Classics" and "McKettrick Maternities," shall be the proposed retail ceiling prices listed by McKettrick-Williams, Inc., in its application dated June 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, McKettrick-Williams, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms{net. / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9165; Filed, Aug. 3, 1951; 2:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 221]

THE WOOSTER RUBBER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Wooster Rubber Company, Wooster, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judg-

ment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of rubber mats, trays, and rubber car rugs, scrapers, baskets, dust pans, dishes, holders, stoppers, pads, cutting boards, drainers sold through wholesalers and retailers and having the brand name(s) "Rubbermaid Kar-Rugs" and "Rubbermaid" shall be the proposed retail ceiling prices listed by The Wooster Rubber Company, Wooster, Ohio, hereinafter referred to as the "applicant" in its application dated May 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, The Wooster Rubber Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers):*

(1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9166; Filed, Aug. 3, 1951; 2:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 222]

VACHERON & CONSTANTIN-LE COULTRE WATCHES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Vacheron & Constantin-Le Coultre Watches, Inc., 580 Fifth Avenue, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of

its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of watches and clocks manufactured by Vacheron & Constantin-Le Coultre Watches, Inc. (a New York corporation), 580 Fifth Avenue, New York 19, New York, having the brand name(s) "Le Coultre," shall be the proposed retail ceiling prices listed by Vacheron & Constantin-Le Coultre Watches, Inc., in its application dated May 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Vacheron & Constantin-Le Coultre Watches, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9167; Filed, Aug. 3, 1951; 2:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 223]

THE UNITED STATES BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The United States Bedding Company, Wabash and Vandalia Street, St. Paul 4, Minnesota, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by The United States Bedding Company, Wabash and Vandalia Street, St. Paul 4, Minnesota, having the brand name(s) "King Koil" and "Baby King Koil," shall be the proposed retail ceiling prices listed by The United States Bedding Company in its application dated March 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, The United States Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9168; Filed, Aug. 3, 1951; 2:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 224]

SHANNON HOSIERY MILLS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Shannon Hosiery Mills, Inc., 1338 Talbotton Road, Columbus, Georgia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's hose manufactured by Shannon Hosiery Mills, Inc., 1338 Talbotton Road, Columbus, Georgia, having the brand name(s) "Shaleen," shall be the proposed retail ceiling prices listed by Shannon Hosiery Mills, Inc., in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and

after the date of receipt of a copy of this special order with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Shannon Hosiery Mills, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9169; Filed, Aug. 3, 1951; 2:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 225]

FORSTMANN WOOLEN CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Forstmann Woolen Co., Passaic, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued:

1. The ceiling prices for sales at retail of men's hosiery and sweaters manufactured by Forstmann Woolen Co., Passaic, New Jersey, having the brand name(s) "Forstmann," shall be the proposed retail ceiling prices listed by Forstmann Woolen Co., in its application dated July 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Forstmann Woolen Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating

the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9170; Filed, Aug. 3, 1951; 2:35 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 226]

FELIX TAUSEND & SONS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Felix Tausend & Sons, 114 Franklin Street, New York 13, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of damask table cloths and napkins manufactured by Felix Tausend & Sons, 114 Franklin Street, New York 13, New York, having the brand name(s) "Cel-o-sheen" and "Ni-lo-sheen" shall be the proposed retail ceiling prices listed by Felix Tausend & Sons in its application dated May 1, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Felix Tausend & Sons must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to

the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1950.

[F. R. Doc. 51-9171; Filed, Aug. 3, 1951; 2:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 227]

PHILIP FLORIN, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Philip Florin, Inc., 55–65 Gouverneur Street, Newark 4, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of billfolds sold through wholesalers and retailers and having the brand name(s) "Hopalong Cassidy" shall be the proposed retail ceiling prices listed by Philip Florin, Inc., 55–65 Gouverneur Street, Newark 4, New Jersey, hereinafter referred to as the "applicant" in its application dated June 15, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, Philip Florin, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price.

The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9172; Filed, Aug. 3, 1951; 2:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 228]

THE INTERNATIONAL SILVER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The International Silver Company, Meriden, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sterling hollow ware and sterling flatware sold through wholesalers and retailers and having the brand name(s) "International Sterling" and "Anchor Rogers Anchor," shall be the proposed retail ceiling prices listed by International Silver Company, Meriden, Connecticut, hereinafter referred to as the "applicant" in its application dated June 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, International Silver Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immedately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and

its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9173; Filed, Aug. 3, 1951; 2:36 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 229]

WESTINGHOUSE ELECTRIC CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westinghouse Electric Corporation, 653 Page Boulevard, Springfield 2, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fans sold through wholesalers and retailers and having the brand name(s) "Westinghouse" shall be the proposed retail ceiling prices listed by Westinghouse Electric Corporation, 653 Page Boulevard, Springfield 2, Massachusetts, hereinafter referred to as the "applicant" in its application dated June 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, Westinghouse Electric Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price.

The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9174; Filed, Aug. 3, 1951; 2:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 230]

THE INTERNATIONAL SILVER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The International Silver Company, Meriden, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of silverplated flatware and holloware sold through wholesalers and retailers and having the brand name(s) "Star Rogers & Bro.", "1847 Rogers Bros.", "Anchor Rogers Anchor", "Holmes & Edwards", "International Silver Co.", "Wilcox Silver Plate" and "E. G. Webster & Son", shall be the proposed retail ceiling prices listed by International Silver Company, Meriden, Connecticut, hereinafter referred to as the "applicant" in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, International Silver Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting, provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or

other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers.)* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment and appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9175; Filed, Aug. 3, 1951; 2:37 p. m.]

[Region XIV, Redelegation of Authority 1]

TERRITORIAL DIRECTORS

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of Region 14, Office of Price Stabilization by Office of Price Stabilization Delegation of Authority 14 (16 F. R. 7431), this delegation of authority is hereby issued.

1. Authority is hereby delegated to the Directors of the Territorial Offices of the Office of Price Stabilization to act on all applications for adjustment under the provisions of section 1 through 6, inclusive, of GCPR, SR-45, as amended.

This delegation of authority shall take effect on August 7, 1951.

J. HERBERT MEIGHAN,
Director, Region 14.

AUGUST 6, 1951.

[F. R. Doc. 51-9255; Filed, Aug. 6, 1951; 12:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2661]

MYSTIC POWER CO.

ORDER AUTHORIZING BANK BORROWINGS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of July A. D. 1951.

The Mystic Power Company ("Mystic"), a subsidiary company of New England Electric System ("NEES"), a registered holding company, having filed a declaration with this Commission, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act"), with respect to the following transactions:

Mystic proposes to issue, from time to time but not later than September 30, 1951, unsecured promissory notes in an aggregate face amount not in excess of $275,000. Such notes will be issued in the indicated amounts to the following banks:

Industrial Trust Co., Westerly Branch, Westerly, R. I.	$150,000
Washington Trust Co., Westerly, R. I.	100,000
The Phenix National Bank of Providence, Providence, R. I.	25,000

Each of the proposed notes will mature not later than six months after the issue date thereof and will bear interest at the prime rate of interest on such date. It is stated that the present prime interest rate for such notes is 2½ percent. If the prime interest rate for a note or notes proposed to be issued should exceed 2¾ percent at the time of said issuance, Mystic will file an amendment to its declaration setting forth therein the name of the bank or banks and the terms and provisions of the note or notes, including the interest rate, at least five days prior to the execution and delivery thereof. Mystic requests that such amendment become effective without further order of the Commission at the end of the five day period, unless, prior thereto, the Commission notifies it to the contrary.

Mystic presently has outstanding $50,000 face amount of unsecured short-term notes, and upon issuance of the proposed notes such indebtedness will aggregate $325,000. Mystic proposes to use the proceeds to be derived from the proposed notes to meet construction costs and to reimburse the treasury for prior construction expenditures.

The declaration states that Mystic expects that the proposed note indebtedness will be financed permanently through the issuance of common stock to NEES in the latter part of 1951 and has been advised that NEES expects to secure the necessary funds for such purpose from the proceeds derived from the slae of its interest in system gas properties located in Massachusetts.

The declaration further states that that there are no fees, commissions or other remuneration involved in connection with the proposed transactions except that Mystic requests authority to pay for incidental services performed by New England Power Service Company, an affiliated service company, at the actual cost thereof. Such cost is estimated not to exceed $500.

Mystic states that no regulatory authority, other than this Commission, has jurisdiction over the proposed transactions and requests that the Commission's order herein become effective upon the issuance thereof.

Said declaration having been filed on June 29, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the applicable provisions of the act and the rules and regulations thereunder have been satisfied, that there is no basis for adverse findings, that the expenses not in excess of the estimates set forth in the declaration are not unreasonable, and deeming it appropriate in the public interest and in the interest of investors or consumers to permit said declaration to become effective, and also deeming it appropriate to grant Mystic's request that the order herein become effective upon its issuance:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that said declaration be, and the same

hereby is, permitted to become effective, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That this order shall become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9022; Filed, Aug. 6, 1951; 8:46 a. m.]

[File No. 70-2666]

COLUMBIA GAS SYSTEM, INC.

ORDER AUTHORIZING CASH CONTRIBUTION BY PARENT TO SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of July A. D. 1951.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, having filed with this Commission a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder regarding the following transactions:

Columbia proposes to make a cash capital contribution to its subsidiary, United Fuel Gas Company ("United Fuel"), in the principal amount of $1,500,000, to be used by United Fuel to finance a part of its scheduled 1951 construction and gas storage program. Columbia proposes to increase its investment account relative to the common stock of United Fuel by $1,499,947.66 and to charge $52.34 (the amount of the contribution which is applicable to the minority interest) to operating expense.

Said declaration having been filed on July 10, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The declaration having represented that no regulatory body (Federal or State) has jurisdiction over the proposed capital contribution by Columbia, and the declarant having requested that the Commission's order herein with respect to said declaration be permitted to become effective forthwith; and

The Commission finding with respect to the declaration that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective forthwith, subject to the terms and conditions specified below:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935 that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9020; Filed, Aug. 6, 1951; 8:46 a. m.]

[File No. 70-2674]

GENERAL PUBLIC UTILITIES CORP.

NOTICE OF PROPOSED CAPITAL CONTRIBUTION BY HOLDING COMPANY TO SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of July A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the "act") by General Public Utilities Corporation ("GPU"), a registered holding company. Declarant has designated section 12 (b) of the act and Rules U-23 and U-45 thereunder as applicable to the proposed transaction.

All interested parties are referred to said declaration on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

GPU proposes to make a $300,000 cash capital contribution to its subsidiary, Northern Pennsylvania Power Company ("North Penn"), which contribution will be credited by North Penn to the stated capital applicable to its Common Stock. GPU will, by this cash contribution, assist North Penn with its construction program which is designed to insure that North Penn will continue to be in a position to meet the demands of its consuming public.

Declarant alleges that no State or other Federal commission has jurisdiction over the proposed transaction.

No special legal expenses of GPU are involved with respect to this matter.

Declarant requests that the order of the Commission herein be made effective immediately upon issuance.

Notice is further given that any interested person may, not later than August 13, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be allowed to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9021; Filed, Aug. 6, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18253]

WILLY AREND

In re: Debt owing to Willy Arend. F-28-31406.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Willy Arend, whose last known address is Graf Philippstrase 13, Saarbrucken, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, representing income from January 15, 1951 coupons detached from three Dominion of Canada 3¼ 1961 bonds numbered 12579/81, said bonds of $3,000.00 aggregate face value as described in subparagraph 2c of Vesting Order 17641, dated April 11, 1951, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Willy Arend, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 51-9005; Filed, Aug. 3, 1951; 8:50 a. m.]

MARIE RIDE RESTIVO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Marie Ride Restivo, Montalbano D'Elicona, Province of Messina, Italy; Claim No. 13681; $2,043.84 in the Treasury of the United States. All right, title, interest, and claim of any kind or character whatsoever of Marie Ride Restivo, in and to the estate of Antonio Ride, deceased.

Executed at Washington, D. C., on July 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9010; Filed, Aug. 3, 1951; 8:51 a. m.]

[Vesting Order 18251]

SHIZUE YAMAMOTO

In re: Real property and bank account owned by Shizue Yamamoto, also known as Shizue Sawano and as Mrs. Yoshisuke Sawano. F-39-7014-B-1; E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shizue Yamamoto, also known as Shizue Sawano and as Mrs. Yoshisuke Sawano, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property situated in the District of Hamakua County, and Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain debt or other obligation of Bank of Hawaii, Honolulu, County and Territory of Hawaii, arising out of a savings account, account number 14276, entitled Kango Yamato, Trustee for Shizue Yamamoto, maintained at the Hamakua branch office of the aforesaid bank located at Honokaa, County and Territory of Hawaii, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Parcel 1. Lot No. 42 beginning at a pipe at the South corner of this lot and the East corner of Lot 43 and on the West side of a 30 foot road reserve, the coordinates of said point referred to Government Survey Trig. Station "Kaao" being 3609.2 feet South and 586.5 feet West, as shown on Government Survey Registered Map No. 2548, and running by true azimuths:

1. 114° 58' 572.0 feet along Lot 43 to a stake;
2. 243° 19' 154.8 feet along East side of ditch along road to a stake;
3. 227° 32' 201.5 feet along East side of ditch along road to a stake;
4. 211° 20' 192.3 feet along East side of ditch along road to a stake;
5. 196° 05' 136.2 feet along East side of ditch along road to a stake;
6. 162° 41' 130.3 feet along East side of ditch along road to a stake;
7. 146° 26' 154.8 feet along East side of ditch along road to a stake;
8. 26° 39' 27.5 feet across ditch to fence at present road;
9. 141° 45' 48.5 feet along fence along present road;
10. 190° 50' 79.0 feet along fence along present road;
11. 203° 53' 291.0 feet along fence along present road;
12. 213° 49' 96.8 feet along road and across ditch to a stake;
13. 213° 49' 137.4 feet along ditch along road to a stake at junction of roads;
14. 324° 23' 649.0 feet along the Southwest side of road to a stake;
15. 15° 57' 423.2 feet along West side of road to a stake;
16. 23° 20' 667.0 feet along West side of road to the point of beginning;

Total area 14.30 acres.

Excepting and reserving therefrom a right-of-way 10 feet wide across this lot for the ditch, said right-of-way containing an area of $1^{0}/_{100}$ acre, leaving a net area of $14^{29}/_{100}$ acres.

Parcel 2. Lot No. 43 beginning at a pipe at the East corner of this lot and the South corner of Lot 42 and on the West side of 30 foot road reserve, the coordinates of said point referred to Government Survey Trig. Station "Kaao" being 3609.2 feet South and 586.5 feet West, as shown on Government Survey Registered Map No. 2548, and running by true azimuths:

1. 23° 20' 252.0 feet along West side of road to a stake;
2. 39° 24' 544.5 feet along West side of road to a stake;
3. 99° 40' 269.0 feet along Grant 3157 to T. M. V. Hart to a pipe;
4. 197° 35' 342.0 feet to a pipe;
5. 156° 05' 508.0 feet to a pipe at the head of the land of Paalaea 3d in the middle of the junctions of two small gulches;
6. 235° 55' 148.5 feet along the land of Paalaea 3d to a stake;
7. 278° 20' 173.5 feet along road to a stake;
8. 294° 58' 572.0 feet along Lot 42 to the point of beginning.

Total area $9^{85}/_{100}$ acres.

Excepting and reserving therefrom a right-of-way 10 feet wide across this lot for the ditch, said right-of-way containing an area of $2^{0}/_{100}$; leaving a net area of $9^{65}/_{00}$ acres.

Excepting and reserving the streams and all riparian and other rights in or to these streams and the waters thereof.

Total area of two lots 23.85 acres.

[F. R. Doc. 51-9003; Filed, Aug. 3, 1951; 8:50 a. m.]

[Vesting Order 18200]

UNIVERSUM-FILM A. G. ET AL.

In re: Rights in motion pictures owned by Universum-Film A. G. and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) whose names and last known addresses are set forth in Column 2 of Exhibit A attached hereto and made a part thereof, are residents of, or are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in, Germany and are nationals of a designated enemy country (Germany);

2. That the property described as follows:

(a) All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, in, to and under the following:

(1) The motion pictures listed in said Exhibit A, including, but not limited to, the exclusive right to exhibit same in whole or in part by any means within the United States, all rights to arrange, adapt, revise, translate, and duplicate said motion pictures in whole or in part, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said motion pictures.

(2) The screen plays, scenarios, and shooting scripts upon which said motion pictures are based, including, but not limited to, all motion picture and television rights therein, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said screen plays, scenarios, and shooting scripts.

(3) The rights to dramatize, perform, represent, and reproduce on motion picture film those portions of the published and unpublished works subject to copyright, other than the above mentioned screen plays, scenarios, and shooting scripts, which underlie or are embodied in said motion pictures and to exhibit such film by any means in the United States.

(b) All right, title, interest, and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the persons referred to in Column 2 of said Exhibit A and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who are citizens and residents of, or which are organized under the laws of or have their principal places of business in, Germany and are nationals of such designated enemy country, in, to and under the following:

(1) All prints in the United States of the motion pictures listed in said Exhibit A.

(2) All arrangements, adaptations, revisions, dramatizations, translations, and versions of the motion pictures listed in said Exhibit A.

(3) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the property described in subparagraphs 2 (a), 2 (b) (1) and 2 (b) (2) of this Vesting Order.

(c) All monies and amounts, and all rights to receive monies and amounts, by way of damages, royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the property described in subparagraphs 2 (a) and 2 (b), of this Vesting Order, and

(d) All causes of action accrued or to accrue at law or in equity with respect to the property described in subparagraphs 2 (a), 2 (b), and 2 (c) hereof, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law and by statute for the infringement of any copyright, for the violation of any right and for the breach of any obligation described in or affecting the aforesaid property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons referred to in subparagraphs 1 and 2 (b) hereof, the aforesaid nationals of a designated enemy country (Germany) and is property of, or is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interest therein held by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on July 20, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 *Titles (original or alternate) of motion pictures*	Column 2 *Producers or distributors*
Der Abwehrkamp im Winter	Heeresfilmstelle, Berlin, Germany.
Das alte Rechte	Andersen Film-Produktion, Berlin, Germany.
Arbeitskameraden-Sportkameraden	Propaganda-amt/-Abteilung Film, Berlin, Germany.
Aufklaerende Artillerie	Oberkommando des Heeres, Berlin, Germany.
Asse zur See	Oberkommando des Heeres and Oberkommando der Kriegsmarine, Berlin, Germany.
Der Aussenseiter	Bavaria-Film A. G., Munich, Germany.
Bau behelfsmaessiger Schlitten	Heeresfilmstelle, Berlin, Germany.
Bau behelfsmaessiger Unterkuenfte bei der finnischen Wehrmacht.	Heeresfilmstelle, Berlin, Germany.
Bau einer Feldsauna	Heeresfilmstelle, Berlin, Germany.
Behelfsmassnahmen zum Kaelteschutz	Heeresfilmstelle, Berlin, Germany.
Bergsommer Sven Hedin	Sven Hedin Institut Munich, Germany.
Biwak im Winter	Oberkommando des Heeres, Berlin, Germany.
Das bombenfeste Herz	Bavaria Filmkunst, G. m. b. H., Munich, Germany.
Blut und Boden	Reichsnaehrstand, Berlin, Germany.
Bronos Gieten	Kulturfilm Institut, Berlin, Germany.
Deutsche Soldaten in Afrika	Heeresfilmstelle, Berlin, Germany.
Duengung, Bedeutung und Nuetzung des Hoflandes.	Oberkommando des Heeres, Berlin, Germany.
Durchs Marschland zum Friesenstrand	Tobis-Melofilm, G. m. b. H., Berlin, Germany.
Feind· Malaria	Oberkommando des Heeres, Berlin, Germany.
Feindliche Ufer	Deutsche Filmherstallungs und Verwertigungs Gesellschaft, Berlin, Germany.
Flammen der Vorzeit	Reichspropaganda Leitung, Berlin, Germany.
Kraftfahrzeuge im Winter	Oberkommando des Heeres, Berlin, Germany.
Gebirgsjaeger in Kampf um eine Ortschaft	Heeresfilmstelle, Berlin, Germany.
Gebirgsmarsch und ueberwinden von Gelaendeschwierigkeiten.	Oberkommando des Heeres, Berlin, Germany.
Die Gefechtsausbildung der finnischen s. M. G.—Bedienung im Winter.	Oberkommando des Heeres, Berlin, Germany.
Geissel der Welt	Hispano-Film, Berlin, Germany.
Ein gewisser Herr Gran	Universum-Film, A. G., "Ufa" Berlin, Germany.
Glueck im Schloss	R. N.-Filmproduktions G. m. b. H., Berlin, Germany.
Das grosse Eis	Atelier Svend Noidan for Deutsche Forschungsgemeinschaft, Berlin, Germany.
Heeres-Unteroffizierschule	Oberkommando des Heeres, Berlin, Germany.
Heimabend	Reichspropaganda Leitung, Berlin, Germany.
Heimat im Werk	Propaganda Amt, Abteilung Film, Berlin, Germany.
Jahre der Entscheidung	Reichs Propaganda Leitung, Berlin, Germany.
Jugend der Welt	Reichspropaganda Leitung, Berlin, Germany.
Junges Europa	Reichspropaganda Leitung, Berlin, Germany.
Kampf um den Himalaya	Tobis-Melofilm G. m. b. H. for Deutsche Himalaya Stiftung, Berlin, Germany.
Kraftfahrt tut Not	Reichspropaganda Leitung, Berlin, Germany.
Nahkampf (Infanterie)	Oberkammando des Heeres, Berlin, Germany.
Nahkampf mit Waffen	Oberkommando des Heeres, Berlin, Germany.
Nahkampfschule	Heeresfilmstelle, Berlin, Germany.
Nebelverwendung im Infanteriekampf	Oberkommando des Heeres, Berlin, Germany.
Ostern Skitur in Tirol	Olympia Film, G. m. b. H., Berlin, Germany.
Oel	Heeresfilmstelle, Berlin, Germany.
Pionierdienst im Winter	Oberkommando des Heeres, Berlin, Germany.
Pioniere voran	Oberkommando des Heeres, Berlin, Germany.
Richtkreis Kolimator	Oberkommando des Heeres, Berlin, Germany.
Rund um Kairo	Monopol Film, Berlin, Germany.
Sanitaetsdienst in Fels und Firn	Oberkommando des Heeres, Berlin, Germany.
Schiessen mit Infanteriewaffen im Gebirge	Oberkommando des Heeres, Berlin, Germany.
Skijaeger klaeren auf	Heeresfilmstelle, Berlin, Germany.
Skijagdkommando	Heeresfilmstelle, Berlin, Germany.
Skilauf im Flachland	Oberkommando des Heeres, Berlin, Germany.
Der Stoerenfried	Bavaria Film, G. m. b. H., Munich, Germany.
U-Boote auf der Helling	Oberkommando der Kriegsmarine, Berlin, Germany.
Was Frauen Tracumen	Super-Film, G. m. b. H. Berlin, Germany.

[F. R. Doc. 51-8001; Filed, Aug. 8, 1951; 8:49 a. m.]

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VOLUME 16 NUMBER 153

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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 517—FRUITS AND BERRIES, FRESH

SUBPART—FRESH APPLE EXPORT PAYMENT PROGRAM (FISCAL YEAR 1952)

Sec.

517.250 General statement.
517.251 Approved countries.
517.252 Rate of payment.
517.253 Eligibility for payment.
517.254 Claims supported by evidence of compliance.
517.255 Records and accounts.
517.256 Amendment and termination.
517.257 Persons not eligible.
517.258 Set-off.
517.259 Assignment.
517.260 Definitions.

AUTHORITY: §§ 517.250 to 517.260 issued under sec. 32, 49 Stat. 774, as amended, sec. 112, 62 Stat. 146; 7 U. S. C. 612c, 22 U. S. C. Sup. 1510.

§ 517.250 *General statement.* (a) In order to encourage the exportation of fresh apples produced in the United States, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, and section 112 (f) of the Foreign Assistance Act of 1948, offers to make payments to U. S. exporters of fresh apples produced in the United States which are sold and exported to an approved country as designated in § 517.251, subject to the terms and conditions hereinafter set forth (§§ 517.251–517.260).

(b) Information pertaining to this offer and forms prescribed for use thereunder may be obtained from the following Representatives of the Secretary:

Harry J. Krade and W. B. Blackburn,
Fruit and Vegetable Branch,
PMA, U. S. Department of Agriculture,
921 Tenth Street,
Sacramento 14, Calif.

W. J. Broadhead and Robert H. Eaton,
Fruit and Vegetable Branch,
PMA, U. S. Department of Agriculture,
515 Southwest Tenth Avenue,
Portland 5, Oreg.

Norman F. Horsey and Granville B. Coffman,
Fruit and Vegetable Branch,
PMA, U. S. Department of Agriculture,
Washington 25, D. C.

§ 517.251 *Approved countries.* Approved countries include all foreign countries and their territories or dependent areas except Canada, Cuba, Mexico, and Venezuela, and except those countries and areas listed in Subgroup A of Group R of the Comprehensive Export Schedule, issued by the Office of International Trade, U. S. Department of Commerce.

§ 517.252 *Rate of payment.* The rate of payment shall be the lower of the following:

a. $1.25 per package, or
b. 50 percent of the f. a. s. sales price per package, or
c. 50 percent of the domestic market price at the time of sale and place of delivery, as determined by the Secretary.

The place of delivery, for the purpose of determining the domestic market price at the time of sale, shall be a United States port of export which is on the seaboard nearest the area of production from which the fruit originates. Packages shall be those listed in § 517.253 (f). The total amount, f. a. s. U. S. port, invoiced the foreign buyer and the Secretary shall not exceed the f. a. s. sales price.

§ 517.253 *Eligibility for payment*—(a) *Dates of sale and of export.* No payment hereunder will be made in connection with any sale for export unless the date of sale (see § 517.260 (d)) is on or after the effective date of this subpart, and the apples are exported on or after the date of such sale and prior to the date specified in paragraph (h) of this section, except that a sale made prior to

(Continued on p. 7763)

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FEDERAL REGISTER

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the effective date of this offer and expressly made contingent upon the Secretary's issuing this or a similar offer will be deemed to be a sale made after such effective date if after such effective date the parties to such contract make the sale binding unconditionally by confirmation or otherwise and if no exportations were made pursuant to such sale prior to such effective date. A sale made subject to the condition that the Representative of the Secretary will approve the Application for Export Payment (§ 517.253 (c)) will be deemed a sale pursuant to this program, and since available funds are limited, exporters may find it advisable to make their sales subject to this condition. The apples shall be deemed to have been exported when loaded on board the exporting carrier: *Provided,* Such apples are not thereafter unloaded from such carrier in the United States, its territories or possessions. The date of export of any lot shall be considered to be the date of loading on board the exporting carrier on which movement of such lot from the United States is effected. The date of the on-board bill of lading (or loading tally sheet, see § 517.254 (a) (3)) shall be considered to be the date the apples were loaded on board, unless an "on-board" date is shown.

(b) *Minimum size of lot.* No payment will be made hereunder for the exportation of any lot of less than one hundred (100) packages. A lot is that quantity of apples loaded to any one export carrier at any one departure consigned to any one destination under any one export sale.

(c) *Application for export payment.* No payment will be made under this subpart, unless the exporter files Form FV–461, "Application for Export Payment," with the designated Representative of the Secretary, as indicated in § 517.250 (b), nearest the principal office of the exporter, and unless such application is approved by the Representative of the Secretary. Form FV–461 must be prepared separately for each export sale and shall be mailed or delivered as promptly as possible after date of consummation of sale but in no event later than the date of export. No payment will be made if such form is mailed or delivered after such date of export unless the Secretary, upon written request by the exporter stating substantial reasons therefor, waives such delay. The Secretary will approve applications covering sales which meet the requirements of this program, so long as funds which have been allocated to this program are available, in the order in which the applications are received or on such other basis as he may determine to be equitable, will give written notice of approval or disapproval to the exporter, and will notify the exporter as promptly as possible after receipt of any executed Form FV–461 if any information shown in such form does not conform with the terms and conditions of this subpart. No payment will be made in excess of the sum indicated in the approved Form FV–461, unless the Secretary, upon written request by the exporter stating substantial reasons therefor, approves a larger amount.

(d) *Grades.* No payment will be made under this subpart unless the fresh apples exported under this program meet the requirements of U. S. No. 1 grade, or better, as defined in United States Standards for Apples, effective July 23, 1951, or, meet the requirements of State Fancy grade, or better, of the State of origin, as defined in the latest respective State standards for applies. In addition, all apples exported under this program must comply with the provisions of the Export Apple and Pear Act and meet the requirements of United States standards for export; except that apples which are packed in boxes or baskets shall be wrapped in oiled paper or a moderate amount of shredded oiled paper shall be scattered throughout the applies in the package, and apples which are tray packed shall have the trays properly treated with oil or the apples shall be wrapped in oiled paper.

(e) *Inspection.* Exporters shall furnish, at no expense to the Secretary, certificates of inspection for each lot of fresh apples exported pursuant to this subpart. Such certificates shall be issued by the Federal or Federal-State Inspection Service. The period from date of inspection for United States standards for export to date of exportation, both dates inclusive, must not exceed sixteen (16) days: *Provided,* That, upon request of the exporter indicating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time of such period.

(f) *Packaging.* All fresh apples to be exported under this program shall be suitably packed for export in new packages in a manner which shall reasonably assure their arrival in good condition in the country of destination. Export shipments shall be made in the following:

Standard eastern apple boxes (Freight Container Tariff container No. 5);

Standard Northwestern apple boxes (Freight Container Tariff container No. 10);

Tray-pack, wooden apple boxes (Freight Container Tariff container No. 45), or,

Standard export tub bushel baskets (Freight Container Tariff container No. 8050).

(g) *Re-entry or diversion.* The exporter shall undertake, as a part of his "Application for Export Payment," which is required in paragraph (c) of this section, that the apples exported under this program will thereafter not reenter the United States or its territories or possessions, or be diverted to other than an approved country as listed herein (§ 517.251), in fresh or processed form. In the event of such re-entry or diversion to other than an approved country, the exporter shall refund to the Secretary any export payment received under this offer with respect to the quantity so re-entered or diverted.

(h) *Final dates.* The final date for mailing or delivering Form FV–461, "Application for Export Payment," shall be 12 o'clock midnight June 30, 1952. The final date of export shall be 12 o'clock midnight June 30, 1952. The final date for filing claims for payment (§ 517.254) shall be 12 o'clock midnight July 31, 1952.

§ 517.254 *Claims supported by evidence of compliance.* (a) The exporter shall file claims for payment with the Representative of the Secretary with whom he filed Form FV–461, "Application for Export Payment," not later than the date specified in paragraph (h) of § 517.253: *Provided,* That, upon request of the exporter indicating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time for such filing. Each claim for payment shall be filed in an original and three copies on voucher Form FDA–564, "Public Voucher—Diversion Programs," and shall be supported by (1) two certified copies of the sales contract, (2) two certified copies of the sales invoice to the buyer showing the f. a. s. sales price less the payment to be made by the Secretary, (3) two copies of the on-board export bill of lading signed by an agent of the exporting carrier (except that where loss, destruction or damage occurs subsequent to loading on board exporting carrier but prior to issuance of on-board bill of lading, two copies of a loading tally sheet or similar document may be submitted in lieu of such bill of lading) and, in the case of exportation via Canada, two signed copies of the on-board bill of lading covering the movement from Canada, (4) the original (or a signed copy) and one copy of the inspection certificate(s) required in paragraph (e) of § 517.253, and (5) such other documents, if any, as may be required by the Secretary, evidencing purchase, sale and exportation of the commodity on which payment is claimed.

(b) The export bill of lading must show the quantity and description of the commodity in sufficient detail to relate the commodity loaded on board the export carrier to the commodity covered by the related inspection certificate, the date and place of loading, the fact that such commodity is on board, the destination of the commodity, and the name and address of both the exporter and consignee. If the shipper or consignor named in such bill of lading is other than the exporter (seller) named in Form FV–461, the exporter shall furnish with his claim a waiver by such shipper or consignor, in favor of such exporter, of any right to claim payment under this program for the commodity covered by such bill of lading.

(c) The foregoing required evidence will not be accepted as conclusive if the Secretary has reason to believe that exportation of all or any quantity of the apples was not actually accomplished or that there has not been compliance with other requirements of this subpart, and in any such instance the Secretary may require such additional evidence as he deems reasonable and pertinent.

§ 517.255 *Records and accounts.* The exporter shall maintain adequate records showing purchases, sales, and deliveries of fresh apples exported or to be exported in connection with this program. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved for at least two years after the effective date of this program.

§ 517.256 *Amendment and termination.* The Secretary may amend or terminate this program at any time upon public announcement thereof. Such amendment or termination, however, shall not apply to applications approved under the program prior to the effective time of such amendment or termination.

§ 517.257 *Persons not eligible.* No member of, or Delegate to, Congress or Resident Commissioner shall be admitted to any share or part of any contract made under this program or to any benefit that may arise therefrom, but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 517.258 *Set-off.* The Secretary may set off, against any amount owed to any exporter hereunder, any amount owed by such exporter to Commodity Credit Corporation, the United States Department of Agriculture, or any other agency of the United States.

§ 517.259 *Assignment.* No exporter shall, without the written consent of the Secretary, assign any claim of the exporter against the Secretary under this subpart or make a lienholder a joint payee with respect to any such claim. With such consent, an exporter may assign, in accordance with the provisions of the Assignment of Claims Act of 1940, any claim for payment hereunder, or make a lienholder a joint payee with respect to any such claim. In case of such assignment, the Secretary may set off any claim against the exporter arising out of the exportation on which the assigned claim is based, and may set off any other claim of the United States against the exporter based on facts existing at the time of receipt of notice of assignment.

§ 517.260 *Definitions.* As used in this subpart, the following terms have the following meanings:

(a) "Secretary" means the Secretary of the United States Department of Agriculture, or any authorized Representative of the Secretary.

(b) "Exporter" means any individual, corporation, partnership, association, or other business entity, engaged in the business of selling and exporting fresh apples, produced and packed in the continental United States.

(c) "Sales contract" may be in the form of offer and acceptance, confirmation of sale or purchase, or other documentary evidence of consummation of sale including contracts between exporter and buyer.

(d) "Date of sale" means the date on which both buyer and seller signed a written contract, or the date on which buyer accepts an offer of sale or confirms the purchase, or the date on which the seller accepts an offer to purchase or confirms the sale. In the absence of documentary evidence establishing the date of consummation of sale the date of loading on board an export carrier will be considered to be the date sale was consummated.

(e) "F. a. s." means free alongside ship or other export carrier.

(f) "On-board export bill of lading" includes any bill of lading covering the exportation of apples from the United States.

(g) "Public announcement" and "public notice" mean the issuance of a press release or the publication of a notice in the FEDERAL REGISTER.

(h) "Filed": Applications, claims and related documents are deemed to be filed when they are postmarked, if mailed, or when received by the Representative of the Secretary if otherwise delivered.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This offer shall be effective on August 7, 1951.

Dated this 2d day of August 1951.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 51-9142; Filed, Aug. 7, 1951; 8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5833]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MORRIS ROSEN ET AL.

Subpart—*Misbranding or mislabeling:* § 3.1190 *Composition: Wool Products Labeling Act;* § 3.1325 *Source or origin—Wool Products Labeling Act.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1845 *Composition—Wool Products Labeling Act;* § 3.1900 *Source or origin—Wool Products Labeling Act.* In connection with the introduction into commerce, or the sale, transportation, or distribution of products made in whole or in part of wool in commerce, misbranding products made in whole or in part of wool as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool", "reprocessed wool", or "reused wool", as those terms are defined in said Act, by failing to securely affix to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner, (A) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding 5 per centum of said total fiber weight, of (1) wool; (2) reprocessed wool; (3) reused wool; (4) each fiber other than wool where said percentage by weight of such fiber is 5 per centum or more; and (5) the aggregate of all other fibers; (B) the maximum percentage of the total weight of such wool product, of any nonfibrous loading, filling, or adulterating matter; (C) in the case of a wool product containing a fiber other than wool, the percentages by weight, in words and figures plainly legible, of the wool contents thereof; and (D) the name of the manufacturer of the wool product, or the name of one or more persons subject to section 3 of the Wool Products Labeling Act of 1939, or the registered identification number of such person or persons as provided in Rule 4 of the Regulations as amended; prohibited, subject to the provision, however, that the foregoing shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provision of said Act or the Rules and Regulations promulgated thereunder.

(Sec. 1, 48 Stat. 291; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, sec. 2, 54 Stat. 1128; 15 U. S. C. 45, 68) [Cease and desist order, Morris Rosen et al., Docket 5833, May 5, 1951]

This proceeding was heard by Webster Ballinger, trial examiner, upon the complaint of the Commission and respondents' joint answer in which they admitted all the material allegations of fact set forth in the complaint and waived all intervening procedure and further hearing as to said facts.

Thereafter the proceeding regularly came on for final hearing before the trial examiner upon the complaint and the joint admission of both respondents, and said trial examiner, having duly considered the record and found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom, and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly under the provision of said Rule XXII, became the decision of the Commission May 5, 1951.

The said order to cease and desist is as follows:

It is ordered, That respondents Morris Rosen, an individual, and Roseline Fabrics, Inc., a corporation, its officers, directors, representatives and agents, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, transportation, or distribution of products made in whole or in part of wool in commerce, as "commerce" is defined in the aforesaid Acts, do forthwith cease and desist from misbranding products made in whole or in part of wool as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said Act, by failing to securely affix to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(A) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding 5 per centum of said total fiber weight, of (1) wool; (2) reprocessed wool; (3) reused wool; (4) each fiber other than wool where said percentage by weight of such fiber is 5 per centum or more; and (5) the aggregate of all other fibers;

(B) The maximum percentage of the total weight of such wool product, of any non-fibrous loading, filling, or adulterating matter;

(C) In the case of a wool product containing a fiber other than wool, the percentages by weight, in words and figures plainly legible, of the wool contents thereof;

(D) The name of the manufacturer of the wool product, or the name of one or more persons subject to section 3 of the Wool Products Labeling Act of 1939, or the registered identification number of such person or persons as provided in Rule 4 of the Regulations as amended.

Provided, That the foregoing shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and *Provided further*, That nothing contained in this order shall be construed as limiting any applicable provision of said Act or the Rules and Regulations promulgated thereunder.

By "Decision of the Commission and order to file report of compliance," Docket 5833, May 5, 1951, which announced and decreed fruition of said initial decision, report of compliance with said order to cease and desist was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 4, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-9194; Filed, Aug. 7, 1951; 8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 578—DECORATIONS, MEDALS, RIBBONS, AND SIMILAR DEVICES

AWARDS OF DECORATIONS

In § 578.3, paragraph (b) (1) (i) is amended and paragraph (e) is added, as follows:

§ 578.3 *Awards of decorations.* * * *

(b) *By whom awarded.* * * *

(1) During a period * * * delegated as follows:

(i) The Distinguished Service Cross * * * of major general. Authority may be delegated to any commander in the grade of brigadier general while he is in command of a tactical unit and, as such, is occupying a T/O & E position vacancy of a major general. No award will be made under the provisions of this subparagraph to a member of the Navy or the Air Force without the concurrence of the respective senior Navy or Air Force commander present.

* * * * *

(e) Awards of military decorations for heroism will be restricted to specific acts or closely related series of acts performed within exceptional short periods of time. In no event will an award be made for heroism for an extended period of time or for any act in which outstanding heroism was not definitely displayed.

[C 3, AR 600-45, July 19, 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-9152; Filed, Aug. 7, 1951; 8:49 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 3, Direction 2 as Amended August 6, 1951]

CMP REG. 3—PREFERENCE STATUS OF DELIVERY ORDERS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 2—AUTOMATIC CONVERSION OF DELIVERY ORDERS BEARING CERTAIN RATINGS

This direction, as amended, under CMP Regulation No. 3 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Direction 2 to CMP Regulation No. 3 is amended to read as follows:

SECTION 1. Notwithstanding the provisions of section 4 (c) of CMP Regulation No. 3, any delivery order for controlled materials bearing a DO rating listed in Schedule I of this direction, calling for delivery in the third calendar quarter of 1951, which has been accepted by a supplier and scheduled for delivery in the third quarter of 1951, prior to July 3, 1951, shall have equal preferential status with authorized controlled material orders calling for delivery in that quarter.

SEC. 2. Notwithstanding the provisions of section 5 (c) of CMP Regulation No. 3, any delivery order for products or materials other than controlled materials bearing a DO rating listed in Schedule I of this direction and calling for delivery in the third calendar quarter of 1951 shall have equal preferential status with delivery orders bearing a DO rating with an allotment number or symbol calling for delivery in that quarter.

(Sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

This direction as amended shall take effect on August 6, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I

DO-22	DO-38P	DO-41	DO-45
DO-46	DO-47	DO-48	DO-49
DO-51	DO-62	DO-96	

[F. R. Doc. 51-9296; Filed, Aug. 6, 1951; 4:31 p. m.]

[NPA Order M-78]

M-78—MAINTENANCE, REPAIR, OPERATING SUPPLIES, AND CAPITAL ADDITIONS FOR MINING INDUSTRY

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.

1. What this order does.
2. Definitions.
3. How a person obtains controlled materials.
4. How a person obtains products and materials other than controlled materials.
5. Status or orders rated DO-48.
6. Materials for which allotment symbol and DO rating may not be applied or extended.
7. Quarterly MRO quotas.
8. Charges against quota.
9. Obligation to supply MRO under lease or other agreement.
10. Use of materials.
11. Restrictions on receipts and inventories.
12. Supplier receiving improperly rated orders.
13. Applications for adjustment or exception.
14. Certification.
15. Major capital additions.
16. Application by foreign producers.

Sec.
17. Records and reports.
18. Communications.
19. Violations.

AUTHORITY: Sections 1 to 19 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order provides a procedure for priorities assistance to certain producers in the mining industry (other than producers of solid fuel, petroleum, uranium, or natural gas) including those whose products are the subject of NPA Delegation No. 5. The procedure permits use of the allotment symbol "H–6" and the rating "DO–H–6" to obtain limited quantities of controlled material and products and materials other than controlled material for maintenance, repair, and operating supplies (hereinafter collectively referred to as "MRO"), and capital additions. Its provisions, in part, are applicable to foreign producers of metals and minerals.

SEC. 2. *Definitions.* For purposes of this order:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any Government agency or institution. If in the calendar year 1950, or in his last fiscal year ending prior to March 1, 1951, a person operated more than one plant, division, department, branch, or other unit, and maintained for any such unit separate records showing expenditures therefor for MRO, he may elect to treat any one or more of such units as a separate person for the purposes of determining the MRO quota and charges against such quota, or to treat his entire operation as a single person. In the absence of a contrary election, each such unit shall be treated for such purposes as if it were a separate person. An election so made may not thereafter be changed without prior written approval of the Defense Minerals Administration.

(b) "Maintenance" means the continuation of any plant, facility, or equipment in sound working condition, and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. Neither "maintenance" nor "repair" includes the replacement of any plant, facility, or equipment.

(c) "Operating supplies" means any kind of material carried by a producer as operating supplies according to its established accounting practices in effect on December 31, 1950. Materials incorporated in a product are operating supplies of a producer if, but only if, they were carried as operating supplies according to established accounting practice in effect on December 31, 1950.

(d) "MRO" means materials for maintenance, repair, and operating supplies. It does not include capital additions.

(e) "Minor capital addition" means any improvement, replacement, or addition of a kind carried by a producer as capital according to his established accounting practices in effect on December 31, 1950, the total cost of the materials or equipment for which, acquired by such producer, does not exceed $2,000. No capital addition may be subdivided for the purpose of bringing it, or any part of it, within this definition. In computing the cost of such improvement, replacement, or addition, for the purposes of this order, the cost of all materials obtained shall be included, whether or not acquired by use of an allotment symbol or rating, and shall be included even though the respective materials are ordered or delivered at different times and are obtained from different suppliers.

(f) "Materials" means any raw, in-process, or manufactured commodity, equipment, component, accessory, part, or product of any kind.

(g) "DMA" means the Defense Minerals Administration.

(h) "Producer" means any person actually engaged within the United States, its territories or possessions, in (1) the extraction by surface, open-pit, quarry, dredging, or underground methods or in the beneficiation, concentration, or preparation for shipment, of the products of mining activities; (2) the production of nonferrous metals by smelting and refining; or (3) the operation of any prospecting enterprise for the discovery, exploration, or development of new or additional mining projects (including the construction of access roads). This definition does not include operations relating to solid fuels, petroleum, uranium, or natural gas.

(i) "Major capital addition," for the purposes of this order, means machinery and equipment, costing over $2,000. This definition does not include machinery and equipment for use in connection with a construction project authorized pursuant to CMP Regulation No. 6.

(j) "Controlled materials" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(k) "Delivery order" means a delivery order as defined in CMP Regulation No. 1.

(l) "Foreign producer" means any person actually engaged, outside the United States, its territories and possessions, in the activities mentioned in paragraph (h) of this section, who is under the jurisdiction of the United States or any of its political subdivisions for the purposes of this order, and who has been assigned a serial number pursuant to the provisions of Mineral Order 7.

(m) "NPA" means the National Production Authority.

SEC. 3. *How a person obtains controlled materials.* Subject to the limitations and restrictions specified in subsequent sections of this order, every producer has the right to use the allotment symbol "H–6" on delivery orders for controlled materials for MRO and minor capital additions. The assignment of the right to use the allotment symbol "H–6" does not constitute the making of an allotment of controlled materials. The allotment symbol "H–6" may be used to acquire only that amount of controlled material actually needed for MRO and minor capital additions. A delivery order bearing the symbol "H–6," together with the certification provided for in section 14 of this order, shall constitute an authorized controlled material order (as defined by CMP Regulation No. 1).

SEC. 4. *How a person obtains products and materials other than controlled materials.* Subject to the limitations and restrictions specified in subsequent sections of this order, every producer has the right to use the rating DO–H–6 on delivery orders for products and materials other than controlled materials for MRO and minor capital additions. The rating DO–H–6 may be used to acquire such products and materials only up to that portion of the amount determined by section 7 of this order actually needed for purposes of MRO and minor capital additions. A delivery order bearing the rating DO–H–6, together with the certifications called for by section 14 of this order, shall constitute a rated order with an allotment symbol for the purpose of this order.

SEC. 5. *Status of orders rated DO–48.* Notwithstanding the provisions of section 4 (c) of CMP Regulation No. 3, any producer's delivery order for controlled materials calling for delivery in the third quarter and bearing the rating DO–48 shall be considered to be an authorized controlled material order for the purposes of this order and all CMP regulations. Notwithstanding the provisions of section 5 (c) of CMP Regulation No. 3, any producer's delivery order for products and materials other than controlled materials calling for delivery in the third quarter and bearing the rating DO–48 shall be considered to be an order bearing a DO rating with an allotment number or symbol for the purposes of this order and all CMP regulations.

SEC. 6. *Materials for which allotment symbol and DO rating may not be applied or extended.* (a) The allotment symbol "H–6" and the rating DO–H–6 may not be applied or extended by a producer to obtain any of the materials listed in Schedule I of CMP Regulation No. 5 as from time to time amended, except those products listed as items 1 and 10 of Schedule I of CMP Regulation No. 5, or list A of NPA Reg. 2.

(b) The allotment symbol "H–6" and the rating DO–H–6 shall not be applied by a producer to obtain in any quarter (calendar or fiscal) materials for minor capital additions exceeding in the aggregate 10 percent of his quarterly MRO quota or $2,000, whichever is greater.

(c) The allotment symbol H–6 to procure rails, and the DO–H–6 to procure track accessories and chemicals may not be used by any producer to obtain such items in an amount to exceed the ratio of consumption by weight of these items to his production by weight for the average of the years 1948, 1949, and 1950. The ratios shall be separately calculated for (1) rails, (2) track accessories, and (3) chemicals.

SEC. 7. *Quarterly MRO quotas.* (a) *Computing the quota base.* A producer who applies the allotment symbol "H–6"

to buy controlled materials or the rating DO–H–6 to buy products and materials other than controlled materials must establish his quarterly MRO quota. In calculating the MRO quota base a producer shall include all expenditures made by him in the base period for MRO except materials listed in List A of NPA Reg 2. Expenditures during the base period for capital additions may not be included in the compilation of the quota base.

(b) *Standard base period.* The standard base period is the calendar year 1950.

(c) *Fiscal year base period.* If a producer operated on a fiscal year basis prior to March 1, 1951, he may elect to take as his base period his last fiscal year ending prior to that date. After such election has been made it may not thereafter be changed without the prior written approval of DMA.

(d) *Standard quota.* The standard quarterly quota is one-fourth of 120 percent of the quota base.

(e) *Seasonal quota.* A producer may elect to establish seasonal quarterly quotas. An election so made may not be changed thereafter without the prior written approval of DMA. Such seasonal quota for any quarter shall be 120 percent of the expenditures by the producer for MRO (except materials listed in List A of NPA Reg. 2) in the corresponding quarter of his base period.

(f) *Producers not in operation throughout the base period.* A producer not in operation throughout his entire base period shall establish his quarterly MRO quota as follows:

(1) *Producers operating during part of the base period.* A producer who was in operation during a part but not all of the calendar year 1950 (or a part but not all of his last fiscal year ending prior to March 1, 1951) shall determine his quota base by computing the amount he would have spent for MRO (except materials listed in List A of NPA Reg. 2) in his base period had he continued to spend therefor through the year at the same rate as during the part of the year in which he was in operation, making necessary corrections to compensate for seasonal or other exceptional characteristics of the period in which he was in operation. Such producer's standard quarterly MRO quota shall be one-fourth of 120 percent of his quota base. If such producer elects to establish seasonal quarterly quotas, as above provided, he may divide 120 percent of his quota base into four quarterly MRO quotas in accordance with the seasonal demands of the activity in which he is engaged.

(2) *Producers not in operation during the base period.* If a producer was not in operation in any part of the calendar year 1950 (or of his last fiscal year ending prior to March 1, 1951), his quarterly MRO quota (standard or seasonal) shall be the amount he determines to be necessary for his operation. The quota of such producer may not, however, exceed $5,000 for any quarter without prior written approval of DMA.

(3) *Notice to DMA.* A producer who establishes a quarterly MRO quota in excess of $10,000 pursuant to this section shall, within 30 days after he first applies either the allotment symbol "H–6" or the rating DO–H–6, notify DMA in writing of the quota he has established, the base period he has used, the method he used in computing his quota, and the corrections he made for seasonal or other factors.

SEC. 8. *Charges against quota.* (a) *When to charge against quota.* A producer may elect to charge expenditures against his MRO quota for the quarter (calendar or fiscal) in which his purchase order specifies delivery is to be made (the delivery basis) or against his MRO quota for the quarter in which the materials are actually received (the receipts basis). Having elected to use one method, he may not thereafter change to the other without the prior written approval of DMA.

(b) *What to charge against quota.* A producer shall charge against his MRO quota in a quarter:

(1) All expenditures for materials for MRO (except materials in List A of NPA Reg. 2) ordered for delivery (or, if on the receipts basis, received) during the quarter whether or not obtained by use of the allotment symbol "H–6" or the rating DO–H–6, and

(2) All expenditures for minor capital additions ordered for delivery (or, if on the receipts basis, received) during the quarter if, but only if, obtained by the use of the allotment symbol "H–6" or the rating DO–H–6.

(c) *Exceeding quota.* No producer shall order for delivery in any quarter or receive in any quarter MRO and materials for minor capital additions in excess of his quarterly base quota, except:

(1) A producer may order for delivery in any quarter or receive in any quarter, through the use of the allotment symbol or DO rating, MRO and minor capital additions aggregating not more than $10,000 without regard to quota limitations.

(2) Any producer who uses the allotment symbol "H–6" or the rating DO–H–6 to order for delivery during any quarter (or, if on the receipts basis, to actually receive) materials which aggregate not more than 20 percent of his MRO quota for such quarter, may, in addition, order for delivery (or receive) in such quarter other material for MRO and minor capital additions without regard to quota limitations.

SEC. 9. *Obligation to supply MRO under lease or other agreement.* A person who is obligated to maintain, repair, or operate any plant, facilities, or equipment, under the terms of any lease or other agreement for the use of such property by a producer may apply the allotment symbol "H–6" or the rating DO–H–6 to obtain materials needed for such purposes. Expenditures for such materials shall be charged to the MRO quota of the person thus applying the allotment symbol or DO rating except that if his purchase is made on a reimbursable basis for the account of the producer using the property, the latter's MRO quota shall be charged.

SEC. 10. *Use of materials.* If a producer has obtained materials for MRO or minor capital additions by applying the allotment symbol "H–6" or DO–H–6 rating as the case may be, he may use them for a different purpose if, under an authorized production schedule or authorized construction schedule, he could have applied any other allotment symbol or DO rating to acquire them for such purpose. However, if he does use them for such other purpose, he may not use the allotment symbol "H–6" or the DO–H–6 rating to replace them in inventory. To replace such materials in inventory he may use only the allotment symbol or DO rating under such authorized production or construction schedule which he might have applied to obtain them for the purpose for which he used them. If he uses such materials obtained by applying the allotment symbol "H–6" or rating DO–H–6 for such other purpose, his records must be adequate to show that his purchases of material are substantially proportionate to his authorized production or construction schedules.

SEC. 11. *Restrictions on receipts and inventories.* No producer shall receive any delivery of MRO material under the provisions of this order which would increase his inventory of such MRO material to an amount greater than the minimum necessary to sustain his current level of operations; and the ratio of such inventory to current production shall in no event exceed the ratio of average inventory to average production for the years 1948, 1949, and 1950.

SEC. 12. *Supplier receiving improperly rated orders.* When a supplier has received a purchase order bearing the allotment symbol "H–6" or the rating DO–H–6, which symbol or rating he knows, or has reason to believe, has been applied or extended in violation of any regulation or order of the NPA, the supplier shall refuse to accept it as an authorized controlled material order or a rated order. In such event, the supplier shall advise the buyer of his reason for such refusal, and shall advise the Defense Minerals Administration of his receipt of the order, his refusal to accept it, and his reason for such action.

SEC. 13. *Applications for adjustment or exception.* (a) Any producer affected by any provision of this order may file a request for adjustment or exception on the ground that such provision works an undue or exceptional hardship upon such producer not suffered generally by other producers, or that its enforcement against such producer would not be in the interest of national defense or in the public interest. Each request shall be submitted on DMA Form MF–400. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the

nature of the relief sought, and the justification therefor.

(b) If a producer's quarterly MRO quota is increased by specific authorization of the Defense Minerals Administration, he may continue to operate with the increased quota as his standard quota unless the increase is granted on a temporary or seasonal basis or is otherwise restricted by the terms of the authorization, but any increase granted shall not be retroactive.

SEC. 14. *Certification.* (a) A producer placing a delivery order for controlled materials for MRO or minor capital additions shall indicate on such order, or on a separate paper attached thereto, the allotment symbol "H–6," together with the abbreviated designation of the calendar quarter and year for which the quota is valid, such as "H–6 4Q 51." Each delivery order shall bear the certification:

Certified under NPA Order M–78

Such an order shall constitute an authorized controlled material order when signed as provided in NPA Reg. 2. The certification shall serve as a representation to the supplier and to NPA and DMA that the producer is authorized under the provisions of this order to obtain the controlled materials covered by the authorized controlled material order.

(b) A producer placing a delivery order for products or materials other than controlled materials for MRO or minor capital additions shall indicate on each delivery order the rating and allotment symbol DO–H–6 together with the words:

Certified under NPA Order M–78

and shall sign the order as provided in NPA Reg. 2. Such certification shall constitute a representation to the supplier and to NPA and DMA that the producer is authorized under the provisions of this order to obtain the products or materials other than controlled materials indicated in the delivery order.

SEC. 15. *Major capital additions.* (a) For the present, priority assistance in obtaining major capital additions will be limited. However, a producer may apply to DMA for assistance in obtaining Class B products listed in the Official CMP Class B Product List consisting of machinery and equipment comprising major capital additions. Application shall be made by letter giving the following information:

(1) With respect to producers holding serial numbers assigned under Mineral Order 7: Give serial number and: (i) Description of machinery and equipment required; (ii) manufacturer, or supplier, model, purchase order number (if any), required delivery date, and approximate dollar value; (iii) need for machinery or equipment and expected results.

(2) With respect to producers not holding serial numbers: (i) The information under subparagraph (1) of this section; (ii) description of property (location, pertinent facts regarding ore body); and (iii) production in 1950 and current rate of production.

(b) Such an application, when approved by DMA and NPA, will authorize the producer to place on his delivery order therefor the rating and allotment symbol "DO–H–6," together with the words:

Certified under NPA Order M–78

Such certification shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA and DMA that the producer is authorized under the provisions of this order to obtain the major capital additions indicated in the delivery order.

SEC. 16. *Application by foreign producers.* (a) The provisions of this order include and apply to foreign producers as defined in this order (excepting producers in Canada who may obtain priorities assistance pursuant to other NPA regulations and orders). Producers whose operations are located in countries in which the Economic Cooperation Administration maintains a program shall file their application through the Economic Cooperation Administration. Producers whose operations are located in other countries (excepting Canada) shall file their application through the Office of International Trade. Nothing in this order shall be deemed to supersede any export licensing requirement of the Office of International Trade.

(b) Applications of foreign producers for MRO and minor capital additions shall be filed on DMA Form MF–400.

(c) The allotment symbol W–4 shall be used on all delivery orders for controlled material and the DO–W–4 rating shall be used on all delivery orders for products and materials other than controlled material placed pursuant to this order by foreign producers located in ECA countries; the allotment symbol W–2 shall be used on all delivery orders for controlled material, and the DO–W–2 rating shall be used on all delivery orders for products and materials other than controlled materials placed pursuant to this order by foreign producers located in other than ECA countries (except Canada).

In all cases the delivery order shall also contain the certification specified in section 14 of this order.

SEC. 17. *Records and reports.* (a) *Records to be kept.* Each producer who makes any use of the allotment symbol or the DO rating pursuant to this order shall make and preserve, for at least 2 years, accurate and complete records showing what his quarterly MRO quotas are; how he computed them; the factual justification for them and for corrections or revisions thereof; any elections made as to the use of seasonal quotas; methods of figuring quotas and charges against them, or other options exercised; all materials ordered or received for use as MRO or minor capital additions, whether or not by use of the allotment symbol or rating; and all other relevant data, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records disclose the above data and supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) *Inspection and audit.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) *Other records and reports.* Persons subject to this order shall make such further records and submit such further reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 18. *Communications.* Except as provided in section 16 of this order, all communications concerning this order, including applications for exceptions or quota adjustments, shall be addressed to Defense Minerals Administration, Department of the Interior, Washington 25, D. C.

SEC. 19. *Violations.* Any person who wilfully violates any provision of this order or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 6, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9295; Filed, Aug. 6, 1951; 4:31 p. m.]

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 2, Sub–Order 2, Amendment 1]

DFO 2—PROCESSED FRUITS AND VEGETABLES; SET ASIDE REQUIREMENTS

SO 2—CANNED FRUITS; SET ASIDE REQUIREMENTS

It is hereby found and determined that the provisions of this amendatory order are necessary and appropriate to promote the national defense; and it is, therefore, made effective pursuant to the Defense Production Act of 1950, as amended (Pub. Law 744, 81st Cong., approved September 8, 1950; Pub. Laws 69 and 96, 82d Cong.) and delegations of

authority thereunder.[1] In the formulation of this amendment there has been consultation with industry representatives, including trade association representatives, and consideration was given to their recommendations.

The purpose of this amendment is to modify the percentages of the base packs of canned fruits that are used in determining the quantities of such canned fruits to be set aside and reserved out of 1951 packs, for requirements of Government agencies. These modifications are made necessary by (1) significant variation in the sizes of base packs reported by processors as compared with sizes estimated prior to issuance of Sub-Order No. 2 (2) minor revisions in the requirements of Government agencies, and (3) shifts in requirements among the canned fruits covered by the set-aside order. Canned pineapple juice will no longer be subject to the set aside requirements of the sub-order, and any canners who may have set aside canned pineapple juice prior to the issuance of this amendment are released from the set aside reservation by this amendment.

These changes are accomplished by means of a revision of Column B of Table I; and for the purpose of ready reference the entire table is set forth reflecting these revisions.

Defense Food Order 2, Sub-Order 2 (16 F. R. 4931) is hereby amended by revising Table I, as set forth in section 4 *Table I—Canned Fruits: Set aside percentages and preferences with respect to style of pack, grade, and container sizes and types,* to read as follows:

SEC. 4. *Table I—Canned Fruits: Set aside percentages and preferences with respect to style of pack, grade, and container sizes and types*

Canned fruits (A)	Percentage of base pack (B)	Type—Style: Sequence denotes preference unless otherwise specified (C)	Grade preferences [1]: First (D)	Grade preferences [1]: Second (E)	Preferred container sizes and types [2] (F)
Apples	21	Sliced, heavy pack	U. S. Standard	U. S. Fancy	10's-2's.
Apricots	18	Halves, unpeeled	U. S. Choice	U. S. Fancy	10's-2½'s-8 oz.
Blackberries	28		[3]		10's-2's.
Blueberries	16		[4]		10's-2's.
Cherries, RSP	23	Water pack	U. S. Standard		10's-2's.
Cherries, Sweet	26	1. Dark, unpitted 2. Light, unpitted	U. S. Choice	U. S. Fancy	10's-2½'s-8 oz.
Figs, Kadota	36		U. S. Choice	U. S. Fancy	10's-2½'s-2's.
Fruit Cocktail	14		U. S. Choice	U. S. Fancy	10's-2½'s-8 oz.
Peaches	13	1. Yellow clingstone—1. Halves, 2. Slices, 3. Quarters 2. Yellow freestone—1. Halves, 2. Slices, 3. Quarters	U. S. Choice	U. S. Fancy	10's-2½'s-8 oz.
Pears, Bartlett	15	1. Halves 2. Quarters	U. S. Choice	U. S. Fancy	10's-2½'s-8 oz.
Pineapple	13	1. Sliced whole 2. Tidbits 3. Chunks 4. Crushed [5] (Sweetened or unsweetened)	U. S. Choice	U. S. Fancy	10's-2½'s.
Pineapple Juice	None	Unsweetened	U. S. Fancy		3 cyl's-10's.
Purple Plums	12	Whole, unpeeled, unpitted	U. S. Choice	U. S. Fancy	10's-2½'s-8 oz.

[1] Grades are those defined in applicable U. S. Standards.
[2] 75 percent of requirements are preferred in container size listed first.
[3] Federal Specification Z-B-421, grade D, water pack or pie.
[4] Federal Specification Z-B-491, a, grade C, water pack.
[5] Not more than 30 percent of requirement is preferred of crushed style.

This order shall become effective upon publication in the FEDERAL REGISTER. With respect to violations, rights accrued, liabilities incurred, or appeals taken with respect to said Defense Food Order 2, Sub-Order 2, prior to the effective time of the provisions hereof, all provisions of said Defense Food Order 2, Sub-Order 2, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal: *Provided,* That all canned pineapple juice heretofore set aside pursuant to said Defense Food Order 2, Sub-Order 2, is hereby released.

(Sec. 704, Pub. Law 744, 81st Cong., as amended)

Done at Washington, D. C., this 3d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9307; Filed, Aug. 7, 1951; 11:30 a. m.]

[1] Executive Order No. 10161 (15 F. R. 6105) Executive Order No. 10200 (16 F. R. 61), Defense Production Administration Delegation No. 1 (16 F. R. 738), and Defense Food Delegation No. 1 (15 F. R. 6424; 16 F. R. 2446, 3311, 3519).

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter A—General

[CGFR 51-31]

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

MISCELLANEOUS AMENDMENTS

By virtue of the authority contained in section 751 of Title 14 United States Code (63 Stat. 551) and the act approved June 29, 1948 (62 Stat. 1081), the following amendments are hereby prescribed and shall become effective upon publication in the FEDERAL REGISTER.

GENERAL—ADMINISTRATION AND ORGANIZATION POLICY

1. A new § 8.1109 is hereby added as follows:

§ 8.1109 *Strength of the Reserve.* The authorized strength of the Reserve, exclusive of the Retired Reserve, defined in § 8.1106, and exclusive of those officers of the Reserve whose names appear in the Register of the Commissioned and Warrant Officers and Cadets of the U. S. Coast Guard, shall be such number of officers and enlisted personnel as the Commandant determines is required to meet the base mobilization requirements of the Coast Guard. The officers so authorized shall be distributed in the various grades in approximately the same proportion as that in use for the active categories of the U. S. Naval Reserve. Within each grade the number of officers in each of the various fields of qualification shall be in conformance with the Commandant's determinations of the base mobilization requirements of the Coast Guard for officers having such qualifications. Enlisted personnel shall be distributed in the various authorized ratings and pay grades in such manner as the Commandant determines is required to meet the base mobilization requirements of the Coast Guard.

PRECEDENCE

2. Sections 8.1301, 8.1302, 8.1303, 8.1304, and 8.1305 are hereby issued in lieu of §§ 8.1301, 8.1302, and 8.1303.

§ 8.1301 *Precedence between officers of the Reserve.* Officers of the Reserve, exclusive of those whose names appear in the Register of the Commissioned and Warrant Officers and Cadets of the United States Coast Guard, shall have rank and take precedence in their respective grades and among themselves in the order in which listed in the Register of the Commissioned and Warrant Officers of the United States Coast Guard Reserve. Officers of the Reserve shall be

listed in such register in each grade according to the date of rank therein (as used in these regulations in this part, "date of rank" shall mean the date so assigned in the commission or warrant or amending letter thereto). When two or more reserve officers have the same date of rank in a grade, such officers, among themselves, shall be listed in an assigned order of precedence as approved by the Secretary of the Treasury.

§ 8.1302 *Precedence between officers of the Reserve and officers of the Coast Guard.* An officer of the Reserve shall, while performing active duty have rank and take precedence with officers of the Coast Guard of the same grade in accordance with their respective dates of rank in that grade. When an officer of the Coast Guard and an officer of the Reserve have the same date of rank in their current grade, their respective dates of rank in successively lower commissioned or warrant grades shall be compared to determine the highest such grade in which they held different dates of rank and the officer having the earliest of such dates shall be the senior. If there be no such grade in which both have served with different dates of rank then the following shall apply: (a) When the original appointments of both were in the same grade with identical dates of rank, the officer of the Coast Guard shall be senior, or, (b) when one was promoted from a lower to a higher grade and the other originally appointed in the higher grade, the officer so promoted shall be senior, or, (c) if both were promoted to a higher grade from different lower grades, the officer promoted from the higher ranking of such lower grades shall be the senior. Exceptions to the above rules for establishing seniority between officers having the same date of rank may be made in individual cases by the Secretary when he deems it necessary in order to avoid inconsistencies.

§ 8.1303 *Determination of running mate.* Each officer of the Reserve shall have a running mate who shall be the officer of the Coast Guard of the same grade, exclusive of extra numbers, who is next senior to him in precedence as determined in the manner prescribed in § 8.1302 unless there be none, in which case the running mate shall be the senior such officer of the Coast Guard in that grade.

§ 8.1304 *Redetermination of running mate.* New running mates shall be determined at times and in manner as follows:

(a) If a running mate is retired, dies, or otherwise is separated from the service, suffers loss of numbers, fails to qualify for promotion, or receives an out of line promotion, the new running mate shall be the officer of the Coast Guard of the same grade who was next senior to the old running mate, excluding extra numbers, or if there be none then the most senior such officer in the grade.

(b) If an officer of the Reserve suffers loss of numbers, the new running mate shall be the officer who is the running mate of the reserve officer who will be next senior to the officer concerned after the loss of numbers has been effected.

(c) If an officer of the Reserve fails to qualify for promotion when his running mate is promoted, the new running mate shall be the senior officer of the Coast Guard remaining in that grade, exclusive of extra numbers, who has not failed to qualify for promotion.

§ 8.1305 *Date of rank of former officers of Navy or Coast Guard appointed in the Reserve.* Former officers of the Navy or Coast Guard who are appointed in the Reserve in the same grades or ranks held in the Regular Navy or Coast Guard as a result of application therefor, made within one year from date of resignation from Navy or Coast Guard, shall be given the same date of rank as that held by them in the Navy or Coast Guard.

PROMOTION

3. The headnote preceding § 8.3101 now reading "General" is changed to read "Commissioned" Officers.

4. Sections 8.3101, 8.3102, 8.3103, 8.3104, 8.3105, 8.3106, 8.3107, 8.3108, 8.3109, 8.3110, 8.3111, 8.3112, and 8.3113 are hereby issued in lieu of §§ 8.3101, 8.3102, and 8.3103.

§ 8.3101 *Promotion zone.* The promotion zone for officers of the Reserve in each grade shall include all officers of the Reserve who are performing extended active duty or are in the Organized or Volunteer Reserve and whose running mates have been, or are scheduled to be, considered by a promotion board for officers of the Coast Guard.

§ 8.3102 *Convening of promotion boards.* Promotion boards shall be convened from time to time so that reserve officers in the promotion zone for a particular grade will receive consideration for promotion concurrently with, or as soon as practicable after, their running mates. Separate boards may be convened to consider officers in one or more grades; or one board may be convened to consider officers in all grades, whichever is most practicable.

§ 8.3103 *Membership of promotion boards.* Promotion boards for officers of the Reserve shall consist of 6 or more officers of the Coast Guard or Coast Guard Reserve, 50 percent being officers of the Reserve if practicable. All members of the board shall have permanent rank in the same grade as, or be in a grade higher than, that to which any officers considered by it are to be promoted.

§ 8.3104 *Procedures for promotion boards.* (a) Each member shall swear, or affirm, that he will perform the duties imposed upon him as herein provided, without prejudice or partiality and having in view both the special fitness of officers and the efficiency of the Coast Guard.

(b) The Commandant shall furnish the board with the names of all officers in the promotion zone or zones which it is to consider together with the service records and other information of official record concerning the officers so named.

(c) From those officers whose names are furnished to it and without regard to existing precedence or seniority, the board shall recommend for promotion those officers whom it considers qualified and best fitted in their fields of qualification for promotion to the next higher grade, in such numbers and fields as its precept may specify. However, in its report the board shall list the names of the officers so recommended in order of their existing precedence.

(d) The report of the board shall be signed by all members certifying that, in the opinion of at least a majority of the members, the officers therein recommended are selected as qualified and the best fitted to fulfill the active duty mobilization requirements of the Coast Guard in their fields of qualification in the next higher grade.

§ 8.3105 *Computation of number of officers to be recommended by a promotion board.* (a) The number of officers to be specified in a promotion board precept as the maximum number in a grade that the board may recommend for promotion shall be determined by the Commandant for each grade as follows. To the number of actual vacancies existing in the higher grade, calculated by comparing actual strength of the Reserve, exclusive of the Retired Reserve, and exclusive of those officers of the Reserve whose names appear in the Register of the Commissioned and Warrant Officers and Cadets of the U. S. Coast Guard, with the authorized strength as determined by application of § 8.1109, add the number of vacancies which it is estimated will occur prior to the convening of the next following promotion board, and add the estimated number of officers in each grade who are deemed by the Commandant to be permanently unusable for mobilization purposes. From such total, subtract the number of vacancies as may be planned to be filled through new appointments in the higher grade and such numbers as may be filled from an existing promotion list. The remainder is the number of potential vacancies to be filled through promotion from selections of the board and shall be the maximum number that the promotion board may select.

(b) In addition to the foregoing limitation on the total to be selected, the board may be required to maintain a balanced distribution of officers in each of the various fields of qualification among those selected through further limitation as to the maximum number or percentage which may be selected from each such category. These further limitations shall be based upon a determination by the Commandant of the need in the higher rank for additional officers of a particular category to maintain the distribution prescribed in § 8.1109.

§ 8.3106 *Approval of reports of promotion boards.* The report of each promotion board shall be submitted to the Commandant for review and transmission to the Secretary of the Treasury for approval. In case any officer or officers recommended by a board for promotion are not acceptable to the Secretary, the final action by the Secretary will disapprove their selection for promotion.

§ 8.3107 *Promotion lists.* The recommendations of promotion boards, as approved by the Secretary, will constitute promotion lists from which promotion of officers of the Reserve will be made, subject to establishment of physical qualification and verification that service subsequent to the convening of the promotion board has remained of satisfactory character. Officers on a promotion list will remain thereon until promoted unless removed by the Secretary for due cause. If an existing promotion list has not been exhausted by the time a later list has been approved, all remaining officers on the older list shall be tendered appointments before use of the later list is commenced.

§ 8.3108 *Procedures for effecting promotions.* (a) Officers of the Reserve shall not be promoted unless their names are on a promotion list, except in case of special action by the Secretary. An officer whose name is on a promotion list shall be tendered an appointment in the next higher grade at the same time, or as soon thereafter as practicable, as a similar appointment is tendered to his running mate.

(b) Such appointments shall be forwarded to the district commander who shall not effect delivery unless or until physical qualification has been established to the satisfaction of the Commandant. The district commander may otherwise withhold such appointments for due cause. If so withheld, or delivery for any reason cannot be effected, the district commander shall promptly report the full circumstances to the Commandant for further action.

§ 8.3109 *Promotion after failing of selection.* The name of an officer, who has been considered by one or more promotion boards without his being placed on any resulting promotion list, shall be submitted to succeeding promotion boards for so long as he remains on extended active duty or in the Organized or Volunteer Reserve. If he is recommended by any succeeding promotion board, and such recommendation is approved by the Secretary, he shall be tendered an appointment in the next higher grade as provided in § 8.3108.

§ 8.3110 *Types of promotion.* An officer of the Reserve shall be promoted for temporary service or promoted permanently dependent upon the character of the promotion extended to his running mate. Subject to satisfactory service under such appointment for temporary service the appointment of the officer of the Reserve will be made permanent when that of his running mate is made permanent.

§ 8.3111 *Reversion from temporary rank.* If officers of the Coast Guard with an appointment for temporary service resume their permanent rank and status because of reduction in the size of the service or otherwise for the convenience of the government, an officer of the Reserve with similar appointment shall likewise resume his permanent rank and status concurrently with his running mate.

§ 8.3112 *Date of rank upon promotion.* When an officer of the Reserve is appointed to the next higher grade under the provisions of § 8.3108, he shall be assigned the same date of rank as that assigned to his running mate. When a temporary appointment is made permanent, the date of rank assigned under the permanent appointment shall be the same as that assigned to his running mate.

§ 8.3113 *Promotion of certain officers on active duty.* (a) The regulations of this subpart are not applicable to those officers of the Reserve whose names appear in the Register of the Commissioned and Warrant Officers and Cadets of the U. S. Coast Guard. Such officers shall be considered for promotion under the regulations governing promotion of officers of the Coast Guard as though such officers were officers of the Coast Guard.

(b) While serving on extended active duty, an officer of the Reserve may be promoted for temporary service in the same manner as an officer of the Coast Guard. If so promoted by reason of being on active duty, the officer concerned will be considered an extra number in the higher grade of the Reserve and when released from such active duty shall resume his regular rank and status in the Reserve. Such officers shall also be considered by promotion boards for officers of the Reserve if they meet the requirement of § 8.3101 and may be promoted in the normal manner for Reserve officers if qualified under the provisions of § 8.3108.

(63 Stat. 551; 14 U. S. C. Sup., 751)

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

Concurred in: August 1, 1951.

DAN A. KIMBALL,
Secretary of the Navy.
JOHN F. FLOBERG,
Assistant Secretary of the Navy for Air.

[F. R. Doc. 51-9178; Filed, Aug. 7, 1951; 8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Posting Order 308, Amdt. 7]

PART 148—POSTING TARIFFS AT STATIONS

MODIFICATION OF PROVISIONS FOR POSTING FREIGHT OR PASSENGER TARIFFS

In the matter of modification of the provisions of section 6 of the act with regard to posting freight or passenger tariffs at stations.

Present: J. Haden Alldredge, Commissioner, to whom the above-entitled matter has been assigned for action thereon.

The modification of the posting requirements made by Posting Order No. 308, as amended, being under further consideration, and good cause appearing therefor;

It is ordered, That the list of points specifically named in the eighth paragraph (§ 148.8) of the Commission's order of October 12, 1915, as amended by Posting Order No. 308 of April 30, 1942, as amended, be, and it is hereby further amended by changing the said list of points, now reading:

The Chesapeake & Ohio Railway Co.: Richmond, Va.; Chicago, Ill.; Cincinnati, Ohio.
Pere Marquette Railway Co.: Chicago, Ill.; Detroit, Mich.

to read:

The Chesapeake & Ohio Railway Co.: Richmond, Va.; Cincinnati, Ohio; Detroit, Mich.

And it is further ordered, That this order shall continue in force until further order of the Commission.

Dated at Washington, D. C., this 1st day of August 1951.

By the Commission.

[SEAL] W. P. BARTEL,
Secretary.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 6, 24 Stat. 380, as amended; 49 U. S. C. 6)

[F. R. Doc. 51-9145; Filed, Aug. 7, 1951; 8:48 a. m.]

Subchapter B—Carriers by Motor Vehicle

PART 179—TRANSFERS OF OPERATING RIGHTS

TRANSFERS INVOLVING DUPLICATING OPERATING RIGHTS

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 20th day of July A. D. 1951.

A notice of proposed rule making was published in the FEDERAL REGISTER March 29, 1951 (16 F. R. 2768) regarding the proposed revision of the transfer rules and regulations (49 CFR, 1943 Supp. 179.0-179.6) to include a rule covering transfers involving duplicative operating rights.

No written data, views or arguments were submitted to the Commission in favor of or against the proposed rule, and revision thereof to the extent found justified having been made;

It is ordered, That § 179.1 be amended by adding thereto paragraph (e) to read as follows:

(e) (1) The Commission will not approve a transfer of operating rights to a person who controls, or who is controlled by, or who is under common control with another person who is the holder of operating rights which duplicate, in whole or in part, except to an immaterial extent, those proposed to be transferred.

(2) The Commission will not approve a transfer of operating rights for a limited period, whether by lease, operating contract, or otherwise, to a person who is the holder of operating rights which duplicate, in whole or in part, except to an immaterial extent, those proposed to be transferred.

(3) Operating rights which authorize the transportation of passengers or of the same commodities from and to, or between, the same points shall be regarded as duplicating.

(4) Where reference is made to control in this section, such reference shall be construed to have the same meaning as that contained in section 1 (3) (b) of the Interstate Commerce Act (49 U. S. C. 1 (3) (b)).

(5) The term "holder" as used in this section means the record holder of the operating rights, including a lessor.

(6) The term "person" as used in this section means a person as defined in section 203 (a) (1) of the Interstate Commerce Act (49 U. S. C. 303 (a) (1)).

(7) This section may be suspended, in the discretion of the Commission, with respect to transfers which are proposed because of conditions resulting from national emergency.

This order shall be effective September 7, 1951, and shall continue in effect until further order of the Commission; and

Notice shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 551, as amended, 552, as amended, 555, as amended; 49 U. S. C. 306, 309, 312)

By the Commission, Division 5.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9146; Filed, Aug. 7, 1951; 8:48 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 6]

WEEKS MUNICIPAL FIELD, FAIRBANKS, ALASKA

NOTICE OF THE PROPOSED REVOCATION OF THE DESIGNATION AS AN AIRPORT OF ENTRY

Notice is hereby given that, pursuant to authority contained in section 7 (b) of the Air Commerce Act of 1926, as amended (49 U. S. C. 177 (b)), it is proposed to revoke the designation of Weeks Municipal Field, Fairbanks, Alaska, as an airport of entry for civil aircraft and for merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of said act (49 U. S. C. 179 (b)); and it is further proposed to amend the list of airports of entry (international airports) in § 6.12, Customs Regulations of 1943 (19 CFR 6.12), by deleting the location and name of this airport.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003). Data, views, or arguments with respect to the proposed revocation of the designation of the above-mentioned airport as an airport of entry may be addressed to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., in writing. To assure consideration of such communications, they must be received in the Bureau of Customs not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER.

[SEAL] JOHN S. GRAHAM, *Acting Secretary of the Treasury.*

AUGUST 2, 1951.

[F. R. Doc. 51-9177; Filed, Aug. 7, 1951; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 965]

[Docket No. AO-166-A14]

HANDLING OF MILK IN THE CINCINNATI, OHIO, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, was conducted at Cincinnati, Ohio, on June 12, 1951, pursuant to notice thereof which was issued on June 4, 1951 (16 F. R. 5445).

The material issues of record related to:

1. The classification of concentrated milk,

2. Establishment of provisions to adjust automatically Class I and Class II prices in response to changes in the relationship between market supply and demand, and

3. The level of the Class III price during the months of October through February.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof.

1. Milk used in the manufacture of concentrated milk should be classified in Class I.

During recent months a product generally referred to as "concentrated milk" has been introduced in a number of markets. While its distribution has not yet been undertaken in the marketing area, it is anticipated that it may be introduced in the market in the near future. This product is not sterilized and is disposed of to consumers for consumption in fluid form by the addition of water, or it may be used in the concentrated form as a cream substitute in coffee or on cereals. While the local health authorities have not made a formal ruling as to the requirements for milk to be concentrated, the record indicates the necessity for the product to be made from milk meeting the same requirements as are applicable to fluid whole milk. Accordingly it is concluded that concentrated milk should properly be classified as Class I milk.

2. Provision should be made for automatically adjusting Class I and Class II prices in response to changes in the relationship between market supply and demand.

Although the present provisions for establishing Class I and Class II prices have usually resulted in appropriate prices, conditions have arisen in the past which necessitated hearings to amend such provisions in order to keep supply in proper alignment with demand. Such a procedure is time consuming and it is expected that the proposed amendment will tend toward the need for fewer hearings because of more prompt and timely automatic adjustments in these prices.

It is difficult to predict with accuracy whether the market will be adequately supplied with milk in the forthcoming fall and winter. If the market is adequately supplied, the proposed amendment will have little or no effect on Class I and Class II prices, but if the supply is short the proposed amendment will increase Class I and Class II prices and be an incentive for a larger supply. Assurance to producers that prices will be changed promptly in response to any change in the relationship between market supply and demand for milk should encourage them to continue to supply milk to the market.

It is concluded that the measure of the current relationship between market supply and market demand should be based on the ratio of gross Class I utilization to total receipts from producers in a two month period comprising the second and third months preceding the month for which a price is being computed. Many factors affect market supply and demand, but gross Class I utilization and total receipts from producers reflect the net effect of all these factors. Extension of recent changes appears to be the most accurate means of estimating current and prospective supply and demand conditions. Class II volume should not be used in conjunction with Class I as a measure of market demand because present Class II volume is not comparable with Class II volume prior to September 1950.

Use of a two month period is desirable in order to reflect quickly any changes in supply or demand. However, an adjustment based on a short period of this kind may to some extent reflect random changes in utilization which are not indicative of actual trends. It is necessary, therefore, to provide for some method of stabilizing this adjustment and of limiting it as to total magnitude. This has been accomplished by grouping the utilization percentages and setting limits on the amount of the adjustment. The percentage groups are in such intervals that no utilization adjustment occurs until utilization is 3 or 4 percentage points above or below the base period utilization. The next percentage group applies to utilization differences of 6 or 7 percent. In the case of any utilization difference falling between groups, the adjustment amount is determined by the adjacent group which is the same as or nearest to the percentage group used in the previous month. For example, a utilization difference of 5 percent from the base would call for use of the group which includes 3 or 4 percent if the adjustment during the previous month had been determined by that group or a lower one. On the other hand, a 5 percent utilization difference would call for an adjustment based on 6 or 7 percent if the adjustment during the previous month had been determined by the 6 and 7 percent group or a higher one. The maximum adjustments provided for are 25 cents, 38 cents and 50 cents per hundredweight.

Use of the second and third preceding months will permit announcement each month of the effect on Class I and Class II prices of these provisions prior to the beginning of the month. Thus handlers will know in advance how much prices will be changed each month by these provisions.

The provisions for adjusting Class I and Class II prices should be constructed in such a manner that no price adjustment results when market supply and demand are in proper balance—that is, when the market is adequately supplied. Review of market statistics indicates that such a balance existed during 1949. During that year receipts from producers were adequate to supply fully all of the requirements of the market for milk except in January when a negligible amount of milk (less than 0.1 percent of the total market supply from other sources was used.

The ratio of gross Class I utilization to total receipts from producers during each two month period of 1949 is as follows:

Two month periods of 1949	Ratio (percent)	Month during which such ratio would be used in computing prices
January and February	70	April.
February and March	63	May.
March and April	56	June.
April and May	47	July.
May and June	44	August.
June and July	45	September.
July and August	48	October.
August and September	54	November.
September and October	64	December.
October and November	73	January.
November and December	75	February.
December and January	74	March.

If the comparable ratio in the second and third months preceding the month for which prices are being computed varies from those shown above, the price should be adjusted in the same direction—upward if the current ratio exceeds the one shown above, and downward if the reverse is true. For each percentage point of variation, the Class I and Class II prices should change as follows: 2 cents upward and 4 cents downward during each of the months of April through July; 3 cents during each of the months of August, September, January, February and March; and 4 cents upward and 2 cents downward during each of the months of October through December. Analysis of Classes I and II prices and the ratio of gross Class I utilization to total receipts from producers shows that in recent years the proposed adjustment would have resulted in reasonable prices. It should continue to do so. Seasonally varying adjustments should give additional incentive toward reducing the seasonal variation in receipts from producers. In order to prevent the occurrence of a "counter-seasonal" variation in the adjusted Class I differential it should be provided that the adjusted Class I differential for the month of July shall not be more than the adjusted differential for the immediately preceding month of June and the adjusted Class I differential for each of the months of August and September shall not be more than the adjusted differential for the immediately preceding month of June plus 30 cents; and the adjusted Class I differential for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November.

3. No change should be made in the Class III pricing provisions. Handlers proposed that the differential of 30 cents per hundredweight which is added in the computation of the Class III price in each of the months of October through February be removed. Provision for this seasonally higher price in the fall and winter months was contained in an amendment to the order which became effective April 1, 1951. The extent to which such provisions will serve the purposes for which they were intended cannot yet be determined.

This seasonally higher Class III price in the October to February period was designed primarily to discourage handlers from using producer milk in Class III when outlets are available in a higher class. The record does not show that the need for such provisions has ceased to exist.

It is therefore concluded that no change should be made in the Class III pricing provisions.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Cincinnati Sales Association, Inc., certain handlers in the market, and the Consumers' Conference of Greater Cincinnati.

The briefs contained statements of fact, proposed findings and conclusions, and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended Marketing Agreement and Amendment to the Order

The following amendment to the order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order, as amended, and as hereby proposed to be further amended.

1. Amend § 965.41 (a) to read as follows:

(a) Class I milk shall be (1) all milk and skim milk disposed of in the form of milk and milk drinks; (2) all milk and skim milk used to produce concentrated milk (excluding those products commonly known as evaporated milk and condensed milk) for fluid consumption; (3) all milk and skim milk disposed of in the form of any product containing less than 8.0 percent of butterfat not specified in Class II milk, Class III milk, or Class IV milk; or (4) all shrinkage of butterfat in receipts of butterfat from producers and emergency milk in excess of 2.5 percent of such receipts.

2. Amend § 965.51 (a) and (b) to read as follows:

(a) The price for Class I milk shall be the basic formula price, plus $1.05 for the months of April through July and $1.35 for the months of August through March, plus or minus "a supply-demand adjustment" computed as follows:

(1) Divide the total gross volume of Class I milk (less interhandler trans-

fers) in the second and third months preceding by total receipts of producer milk for the same months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the Class I utilization percentage.

(2) Compute a "net utilization percentage" by subtracting the utilization percentage as computed in subparagraph (1) of this paragraph from the Class I utilization percentage shown below:

Month for which the price is being computed:	*Class I utilization percentage*
January	73
February	75
March	74
April	70
May	63
June	56
July	47
August	44
September	45
October	47
November	54
December	64

(3) Determine the amount of the supply-demand adjustment as follows:

If net utilization percentage is—	Supply-demand adjustment for specified months is—		
	Jan., Feb., Mar., Aug., and Sept.	April, May, June, July	Oct., Nov., and Dec.
	Cents	*Cents*	*Cents*
+12 or over	+38	+25	+50
+9 or +10	+28	+19	+38
+6 or +7	+20	+13	+26
+3 or +4	+10	+7	+14
+1 or −1	0	0	0
−3 or −4	−10	−14	−7
−6 or −7	−20	−26	−13
−9 or −10	−28	−38	−19
−12 or −13	−38	−50	−25
−15 or −16	−38	−50	−31
−18 or −19	−38	−50	−37
−21 or −22	−38	−50	−43
−24 or under	−38	−50	−50

When the difference from the base period Class I utilization percentage does not fall within the tabulated brackets the adjustment shall be determined by the adjacent bracket which is the same as or nearest to the bracket used in the previous month: *Provided*, That the Class I differential adjusted pursuant to this subparagraph for the month of July shall not be more than such adjusted differential for the immediately preceding month of June and for each of the months of August and September the Class I differential adjusted pursuant to this subparagraph shall not be more than such adjusted differential for the immediately preceding month of June plus 30 cents; and the Class I differential adjusted pursuant to this subparagraph for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November.

(b) The price for Class II milk shall be the price for Class I milk minus $0.45.

Filed at Washington, D. C., this 3d day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-9205; Filed, Aug. 7, 1951; 8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 205]

ANNUAL REPORTS OF CLASS I MOTOR CARRIERS OF PROPERTY

NOTICE OF PROPOSED RULE MAKING

AUGUST 1, 1951.

The Commission has given further consideration to its notice dated July 9, 1951, which was published July 18, 1951 (16 F. R. 6869), in the FEDERAL REGISTER, to the effect that a new schedule should be included in Motor Carrier Annual Report Form A to show information relating to truckload shipments by commodity groups. The notice stated that objections to such a schedule could be filed on or before August 15, 1951.

Representations have been made that sufficient time was not allowed for interested persons to prepare their views and arguments in this connection. The time limit has, therefore, been extended so that objections to the schedule of freight commodity statistics may be filed on or before September 15, 1951.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9147; Filed, Aug. 7, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 230]

NEWSPAPER PROSPECTUSES

PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal for the adoption of a rule under the Securities Act of 1933 with respect to newspaper prospectuses relating to securities issued by foreign national governments. The text of the proposed rule reads as follows:

§ 230.494 *Newspaper prospectuses.* (a) This section shall apply only to newspaper prospectuses relating to securities issued by a foreign national government with which the United States maintains diplomatic relations. The term "newspaper prospectus" means an advertisement of securities in newspapers, magazines or other periodicals which are admitted to the mails as second-class matter and which are not distributed by the advertiser. The terms does not include reprints, reproductions or detached copies of such advertisements. A newspaper prospectus shall not be deemed a prospectus meeting the requirements of section 10 for the purpose of section 2 (10) (a) or 5 (b) (2) of the act.

(b) All information included in a newspaper prospectus may be expressed in such condensed or summarized form as may be necessary in the light of the circumstances under which newspaper prospectuses are authorized to be used. The information need not follow in order in which the information is set forth in the registration statement or in the full prospectus. No information need be set forth in tabular form.

(c) The following statement shall be set forth at the head of every newspaper prospectus in conspicuous print:

These securities, though registered, have not been approved or disapproved by the Securities and Exchange Commission, which does not pass on the merits of any registered securities.

(d) There shall be set forth at the foot of every newspaper prospectus in conspicuous print a statement to the following effect:

Further information, particularly financial information, is contained in the registration statement filed with the Commission and in a more complete prospectus which must be furnished to each purchaser and is obtainable from the following persons: [Insert names.]

(e) If the registrant or any of the underwriters knows or has reasonable grounds to believe that it is intended to stabilize the price of any security to facilitate the offering of the registered security, there shall be placed in the newspaper prospectus, in capital letters, the statement required by § 230.426 to be included in the full prospectus.

(f) A newspaper prospectus shall contain the information specified below. All other information and documents contained in the registration statement may be omitted. The following information shall be included:

(1) The name of the borrowing government;

(2) A brief description of the securities to be offered;

(3) The price at which it is proposed to offer the security to the public in the United States;

(4) The purpose and approximate amounts to be devoted to such purposes, so far as determinable, for which the security to be offered is to supply funds; and if funds for such purposes are to be raised in part from other sources, the amounts and the sources thereof;

(5) A brief statement as to the amount of funded and floating debt outstanding and to be created, excluding inter-governmental debt;

(6) A condensed or summarized statement of receipts and expenditures for the last three fiscal years for which data are available;

(7) A condensed or summarized statement of the balance of international payments for the last three fiscal years for which data are available;

(8) If the issuer or its predecessor has defaulted on the principal or interest of any external debt, excluding intergovernmental debt, during the last twenty years, the date, amount and circumstances of such default and the general effect of any succeeding arrangement;

(9) The names and addresses of the underwriters and the underwriting discounts and commissions per unit and in the aggregate.

(g) A newspaper prospectus may also include, in condensed, summarized or graphic form, additional information the substance of which is contained in the full prospectus. A newspaper prospectus shall not contain any information the

substance of which is not set forth in the full prospectus.

(h) All information included in a newspaper prospectus shall be set forth in type at least as large as seven point modern type: *Provided, however,* That such information shall not be so arranged as to be misleading or obscure the information required to be included in such a prospectus.

(i) Five copies of every proposed newspaper prospectus, in the size and form in which it is intended to be published, shall be filed with the Commission at least three business days before definitive copies thereof are submitted to the newspaper, magazine or other periodical for publication. Within seven days after publication, five additional copies shall be filed in the exact form in which it was published and shall be accompanied by a statement of the date and manner of its publication.

All interested persons are invited to submit data, views and comments on the above-mentioned proposal, in writing, to the Securities and Exchange Commission at its principal office, 425 Second Street NW., Washington 25, D. C., on or before August 15, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 2, 1951.

[F. R. Doc. 51-9138; Filed, Aug. 7, 1951; 8:46 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Army

OFFICE OF THE CHIEF SIGNAL OFFICER

STATEMENT OF ORGANIZATION AND FUNCTIONS OF AGENCIES DEALING WITH THE PUBLIC

Paragraph (j) of section 2, statement of organization and functions, published in 15 F. R. 6178, September 14, 1950, is revised to read as follows:

SEC. 2. *Organization and functions of agencies dealing with the public.* * * *

(j) *Office of the Chief Signal Officer*—(1) *Mission.* Under the direction and control of the Assistant Chief of Staff, G-4, the Chief Signal Officer provides signal services for the Army Establishment and for other components of the Department of Defense as directed.

(2) *Origin.* The Signal Corps had its origin in the appointment of a surgeon in the Army as the Signal Officer of the Army, with the rank of major under authority of an act of Congress approved June 21, 1860 (12 Stat. 66).

(3) *History*—(i) *First assignment.* The first assignment of the Signal Officer of the Army was in operations against the Navajos. In May 1861 the Signal Officer returned to the War Department and set up facilities for training of signal officers. The headquarters office was established in the War Department in November 1861.

(ii) *Separate branch.* Visual and electric signals were used extensively in the Civil War and assumed such an important role in the operations that the Signal Corps was set up as a separate branch of the Army. The act of March 3, 1863 (12 Stat. 753) established a Signal Corps of the Army "during the present rebellion" and provided for a "Chief Signal Officer, a colonel, who shall be the Signal Officer of the Army," as well as a number of commissioned officers and enlisted men. This act also provided for an "office of the signal officer." The United States Army thus became the first army in the world to have a separate Signal Corps, a model for the creation of similar corps in the armies of other nations. At the close of the Civil War, the act of July 28, 1866 (14 Stat. 335) established and fixed the peacetime military establishment, including provision for a Chief Signal Officer of the Army and certain numbers of commissioned officers and enlisted men who were to be detailed to signal duty.

(iii) *Weather forecasting.* The Signal Corps was required by law in 1870 to provide a weather forecasting and storm warning service for the civilian population throughout the country. The act of October 1, 1890 (26 Stat. 653) reorganized the Signal Corps and provided for the transfer of its meteorological service to a Weather Bureau to be set up in the Department of Agriculture as of July 1, 1891. This act also provided for a Chief Signal Officer who would thereafter be charged with military signal duties.

(iv) *Act of 1894.* The act of August 6, 1894 (28 Stat. 234) reorganized the Signal Corps further and provided that upon the vacancy of the then incumbent, the grade of the Chief Signal Officer would be that of a colonel. The joint resolution of July 8, 1898 (30 Stat. 752) repealed the act of August 6, 1894 and also provided for an Assistant Chief Signal Officer with a grade of colonel.

(v) *Telephone and submarine cable.* The act of May 18, 1898 (30 Stat. 417) authorized the organization of a Volunteer Signal Corps to take part in the Spanish War. Signal operations were vastly expanded to meet the needs of the Army and the Signal Corps then used telephones and submarine cable for the first time on a large scale.

(vi) *Alaska communications.* The act of May 26, 1900 (31 Stat. 206) originally authorized commercial business to be done over military telegraph and cable lines in Alaska. Operations were started by the Signal Corps in 1901 and from then until 1936 the system was called "Washington-Alaska Military Cable and Telegraph System." It is now operated as the Alaska Communications System.

(vii) *1901 Reorganization Act.* The Reorganization Act of February 2, 1901 (31 Stat. 748) reorganized the Army of the United States, and provided for a Signal Corps composed of a Chief Signal Officer with the rank of brigadier general and stipulated numbers of commissioned officers and enlisted men.

(vii) *Aeronautics.* In 1892 the Signal Corps established a balloon section. An Aeronautical Division was set up in the office of the Chief Signal Officer in 1907 and a small dirigible was purchased in 1908. The Wright Brothers' airplane was accepted by the Signal Corps in 1909 and the first Army Aviation School was opened in 1911. The act of July 18, 1914 (38 Stat. 514) set up an aviation section in the Signal Corps which was continued in the National Defense Act of June 3, 1916 (39 Stat. 166, 174). The aviation section of the Signal Corps was responsible for the operation of military aircraft until a separate Air Corps was established in May 1918.

(ix) *Photography.* Photography in the Signal Corps dates back to 1881-1882 when a Signal Corps sergeant was assigned by General Greely to make a photographic record of his Arctic expedition. In 1894, photography was added as a course of study at the Signal School, Fort Riley, Kansas. In 1900, photography was added to the duties of signal companies in addition to their regular duties. In 1909, motion-picture cameras were used to record the flight of the Wright Brothers' airplane. In 1916, the first training film was made. In August 1917, a Photographic Division was set up in the office of the Chief Signal Officer and by the close of World War I three photographic training schools had been established. Aerial photography was transferred to the Air Corps in May 1918, when it was set up as a separate organization. The use of training films by the Army expanded to the point that in 1937 the Training Film Production Laboratory was set up at Fort Monmouth, New Jersey. Soon after entry of the United States into World War II the Signal Corps Photographic Center was established at Long Island City, New York.

(x) *Homing pigeons.* Communication by homing pigeons was successfully undertaken by the Signal Corps during the First World War.

(xi) *National Defense Act of 1916.* The act of June 4, 1920, amending and revising the National Defense Act of 1916 (41 Stat. 759, 768) among other things, provided for a Chief Signal Officer with the rank of major general and formally set up a separate air service.

(4) *Legal basis.* The authority for assignment of the general powers and duties to the Chief Signal Officer by these regulations is section 206 and 405 Public Law 581, 81st Congress (Army Organization Act of 1950).

(5) *Dual role of the Chief Signal Officer*—(i) *Staff Advice.* The Chief Signal Officer, by law, is a member of the Army Staff and, as such, serves as

technical staff adviser to the Secretary of the Army, the Under Secretary of the Army, the Chief of Staff, the General and Special Staffs, and all elements of the Army on matters pertaining to signal services.

(ii) *Command.* For the execution of the Signal Corps mission, the Chief Signal Officer commands all troops, activities, and installations assigned to his control.

(6) *Major functions*—(i) *Plans and programs.* Formulates and maintains Army-wide plans policies, programs, and doctrine pertaining to operation, utilization, research, development, design, type classification, procurement, storage, issue, maintenance, and disposition of signal equipment and supplies required by the Army, including communication (radio, wire, sound, light, visual, and pigeon), radar, meteorology, photography, television, electronic warfare, radiological instrumentation, guided missiles instrumentation, detection, and ranging, intercept, direction finding, and auxiliary equipment, unless otherwise specifically assigned.

(ii) *Signal communication equipment and systems.* Formulates and maintains policies and procedures relating to the operation, integration, and standardization of signal communication equipment and systems within the Army, and in coordination with the Department of the Air Force, the Department of the Navy, and friendly foreign governments.

(iii) *Signal Corps facilities.* Recommends, establishes, operates, and maintains Signal Corps class II installations, activities, and units including: Depots, laboratories, schools, communication centers, photographic centers, procurement agencies, supply and control points, and other facilities required in the execution of his responsibilities.

(iv) *Army Command and Administrative Network.* Engineers or supervises the engineering as appropriate, of the Army Command and Administrative Network, the Alaska Communications System Network, and other communication networks of designated responsibility. Develops and prescribes practices and procedures employed, and supervises the installation, operation, and maintenance of fixed signal communication equipment and facilities comprising the various wire and radio networks.

(v) *Joint agencies.* Provides representation for the Army on all joint and combined boards and committees dealing with signal communications matters and provides representation, when so directed, for the Department of the Army on interdepartmental and international boards and committees concerned with national and international telecommunications, radio frequency allocation, and radio wave propagation matters.

(vi) *Commercial communication contracts.* Negotiates, executes, and administers contracts for the procurement of commercial signal communications facilities and services used by the Department of the Army, with exception of those telephone communication facilities located at seat of government and under jurisdiction of the Director, Communications, Office Secretary of the Army.

(vii) *Alaska Communications System.* Operates the Alaska Communication System.

(viii) *Military Amateur Radio System.* Acts in joint capacity with the Department of the Air Force in establishing common policies and procedures in connection with the Military Amateur Radio System (MARS) and supervises the operation of the MARS as pertains to the Army Establishment.

(ix) *Call signs and frequencies.* Assigns call signs, radio and radar frequencies, routing indicators, and address groups for Army radio stations and fixed signal communications facilities.

(x) *Radio propagation.* Prepares and disseminates within the Army, information concerning radio propagation, and formulates plans for and directs programs on radio propagation research.

(xi) *Research and development.* Conducts research and development and performs related engineering services in the fields of thermionics, wire communications, radio communications, radar, television, direction finding, navigation aids, electronic warfare, radiological instrumentation, guided missiles instrumentation, sound and light, infrared, meteorology and ground photography, and ancillary devices pertaining to these major fields; and conducts and supports basic and applied research in the fields of electrical, magnetic, sonic, molecular, atomic, and nuclear physics, the fields of atmospheric physics, organic and physical chemistry, mineralogy, seismology, climatology, geomagnetism, electromagnetic theory and wave propagation, and mathematics.

(xii) *Armed Services Electro-Standards Agency.* Operates and administers, in coordination with the Navy and Air Force, the Armed Services Electro-Standards Agency and the Communications-Electronics Nomenclature System for signal communications equipment.

(xiii) *Procurement, storage, and issue.* Determines requirements and stock levels, procures, stores, issues, performs depot maintenance on and disposes of Signal Corps equipment and supplies for the Department of the Army, other agencies of the Department of Defense, and other Government agencies, as directed.

(xiv) *Industrial mobilization.* Formulates and maintains plans, policies, and programs for industrial mobilization of signal communications, electronic and photographic equipment, facilities, supplies, and resources in support of the over-all Department of the Army plan for industrial mobilization, and for other agencies of the Department of Defense as assigned.

(xv) *Training and inspections.* Advises Army Field Forces and recommends training plans, policies, programs, and doctrine for signal personnel and units; establishes and operates schools and facilities for training of signal specialists and units for the Department of the Army, and other services as assigned; conducts technical inspection of all Signal Corps units in the United States Army in coordination with the major commands concerned and makes appropriate recommendation to higher authority for corrective action where necessary.

(xvi) *Career management.* Advises the Army Staff and exercises supervision over the career development and guidance of Signal Corps military personnel.

(xvii) *Publications.* Prepares and revises Department of the Army directives, publications, instruction data covering general policies, procedures, standards, and methods of a technical nature pertaining to signal communications equipment, facilities, and supplies.

(xviii) *Homing pigeons.* Establishes and operates facilities for the breeding and training of homing pigeons for the Army.

(xix) *Photographic facilities.* Establishes and operates or supervises Signal Corps photographic centers, laboratories, libraries, depositories, and distribution facilities for the production, storage, and issue of still and motion pictures required by the Army establishment and other services in the Department of Defense.

(xx) *Electronic warfare.* Coordinates Army electronic warfare operational policy with the Navy and the Air Force and is responsible for electronic warfare including electronic countermeasures within the Department of the Army pertaining to preparation of methods, procedures, doctrine, tables of organization and equipment, and the training of electronic warfare units and personnel for which the Chief Signal Officer is responsible.

(xxi) *Intelligence.* In accordance with Department of the Army policies, produces and maintains intelligence concerning foreign signal and electronic research and development, organizations, material, and operations, except those matters which come under the responsibility of the Army Security Agency; prepares and maintains telecommunications sections of the Strategic Vulnerability Surveys; exercises technical supervision over the collection and exploitation of signal intelligence information in theaters of operations.

(xxii) *Funds.* Prepares and defends consolidated estimates for and exercises control over, Signal Service of the Army funds.

(7) *Organization*—(i) *Administrative Office.* (a) Prepares and/or edits for compliance with established policy and authenticates all orders, instructions, regulations, memorandums, and reports issued by order of the Chief Signal Officer or recommended for issuance by higher authority, and performs general office service functions.

(*b*) Directs action on correspondence and on directives received from higher authority.

(c) Studies, evaluates, and advises on the functions, organization, and administration of the Office of the Chief Signal Officer, investigating sources of difficulty and recommending corrective action.

(*d*) Maintains basic record files (except Top Secret and photographic), of the Office of the Chief Signal Officer, exercises staff supervision over records administration in the Office of the Chief Signal Officer and has staff responsi-

bility for development of disposition criteria for Signal Corps records.

(e) Supervises reports control program.

(f) Exercises staff supervision over utilization of electrical accounting machines in all activities under control of the Chief Signal Officer.

(g) Performs all public relations activities for the Chief Signal Officer and maintains liaison with public information officers at Signal Corps field installations and activities.

(h) Takes action on requests for general information submitted by the public to the Chief Signal Officer.

(i) Exercises staff supervision over security and counterintelligence activities, including foreign liaison, in the Office of the Chief Signal Officer and installations and activities under control of the Chief Signal Officer, including commercial facilities engaged on Signal Corps contracts.

(ii) *Signal Plans and Operations Division.* (a) Represents the Chief Signal Officer on and recommends signal communications and electronics policies to appropriate panels of the Joint Communications-Electronics Committee and combined boards, as appropriate; implements all decisions of the Joint Communications-Electronics Committee and combined boards which are referred to the Chief Signal Officer and exercises staff supervision over all matters referred to these agencies by the Chief Signal Officer.

(b) Furnished representatives to the Executive Council of the Central Radio Propagation Laboratory.

(c) Represents the Army in liaison with Government, national, and international agencies concerned with frequency allocation, call signs, radio interference, and radio propagation phenomena and on the Interdepartment Radio Advisory Committe and other boards and committees concerned with national and international radio frequency allocation and radio propagation matter.

(d) Collects, compiles, analyzes, and disseminates essential types of radio propagation information and noise data; and conducts operational research on radio propagation problems and insures coordination of research in this field.

(e) Exercises supervision over and assigns the mission of, the Radio Propagation Unit, Signal Corps Ionosphere Sounding Teams in the field of the Signal Corps Monitoring Station at Fort Riley.

(f) Participates in the negotiation and formulation of international telecommunications treaties, conventions, regulations, and executive agreements.

(g) Approves the technical characteristics of radio electronic equipment prior to initiation of development with respect to frequency range, location in the radio frequency spectrum, antenna radiation characteristics, emmission, and power.

(h) Assigns frequencies and call signs for Department of the Army activities.

(i) Assigns frequency tolerance limits for the production of electronic equipment, and processes Army applications thereon to the Frequency Allocation Panel, Joint Communications-Electronics Committee.

(j) Exercises staff supervision within the Office of the Chief Signal Officer over strategical, tactical, logistical, mobilization, demobilization, and national emergency plans, policies, and projects concerning signal communications and electronics portions of Department of the Army directives, predicts personnel and equipment requirements incident thereto, and advises in the development of over-all industrial mobilization policies and plans.

(k) Reviews and makes recommendations to the Department of the Army concerning organization and equipment tables for all Signal Corps, signal communications, electronics, and photographic units within the Army.

(l) Recommends and initiates action on the constitution, activation, organization, designation, allotment, movement, assignment, inactivation, disbandment, reorganization, and redesignation of units commanded by the Chief Signal Officer.

(m) Responsible for the preparation of troop bases, troop lists, troop deployments, tables of organization and equipment, equipment modification lists, and changes thereto, for those units assigned to the Chief Signal Officer as a table of organization and equipment responsibility; prepares tables of allowances assigned to the Chief Signal Officer and reviews signal portion of tables of organization and equipment, tables of allowances, etc., requested by other agencies.

(n) Reviews requests for and recommends authorization of signal supplies and equipment in excess of, or not included in, approved allowances.

(o) Reviews plans and projects for the installation, utilization, and disposition of signal communication facilities and systems for conformance with over-all policy.

(p) Maintains staff supervision over action taken on operational messages.

(q) Exercises staff supervision over the Signal Corps Board.

(r) Determines Army requirements for all joint and international communications publications adopted by the Army, the Navy, and the Air Force, and maintains appropriate master distribution lists therefor in coordination with The Adjutant General.

(s) Acts as custodian of all registered and cryptographic documents and as Control and Record Officer for all Top Secret and Restricted data, material, and correspondence moving within, into, or out of the Office of the Chief Signal Officer.

(t) Exercises staff supervision over Signal Corps participation in Armed Forces Special Weapons Project and Atomic Energy Commission activities.

(u) Exercises staff supervision over the electronic warfare responsibilities of the Chief Signal Officer which includes all operational phases of electronic countermeasures, coordinates Army electronic warfare operational policy with the Navy and the Air Force, and exercises staff supervision over the Signal Corps Electronic Warfare Center, Fort Monmouth, New Jersey.

(v) Formulates, reviews, and recommends tactical doctrines and techniques for the utilization of Signal Corps units and equipment under control of the Chief Signal Officer; reviews and recommends tactical doctrines and techniques for the employment of signal communications units and equipment assigned to Army Field Forces.

(w) Reviews and recommends job specifications of MOS's associated with Signal Corps, signal communications electronics, and photographic units.

(x) Exercises staff supervision over standardization of signal equipment and over procedures with foreign countries.

(y) Recommends release or nonrelease of critical signal equipment or supplies to foreign countries.

(z) Exercises staff supervision over Signal Corps technical intelligence, and assigns the mission of the Signal Corps Intelligence Agency.

(aa) Monitors objectives and plans adopted for current and future procurement, production, distribution, and maintenance of major or critical, standard, special, or new equipment, and supplies.

(bb) Prepares or reviews Department of the Army Regulations, Special Regulations, circulars, and memorandums and field manuals which concern the Signal Corps.

(iii) *Comptroller Division.* (a) Exercises staff supervision and control of all funds allocated or allotted to the Chief Signal Officer.

(b) Maintains centralized fiscal accounts.

(c) Develops, supervises, and inspects fiscal accounting, auditing, and vouchering procedures for the Signal Corps.

(d) Exercises technical supervision over financial, property, and payroll accounting records.

(e) Coordinates transfer of funds between the Signal Corps and other Department of the Army or governmental agencies.

(f) Reviews renegotiation agreements for the purpose of collecting moneys due the United States from contractors.

(g) Reviews Army Audit Agency "Certificates of Audit" on Signal Corps class II installations, processing for clearance of deficiencies and irregularities.

(h) Prepares and consolidates Signal Corps departmental and field budget estimates and justifications and is responsible for justification before all reviewing authorities.

(i) Prepares funding and expenditure programs, recommends allocations, and issues allotments of Signal Service of the Army, Alaska Communication System, and all other funds allocated to the Chief Signal Officer.

(j) Coordinates the preparation of drafts of bills covering proposed legislation affecting appropriations.

(k) Is responsible for analysis of procurement directives issued by the Office of the Chief Signal Officer as to propriety and cost.

(l) Represents the Chief Signal Officer in matters relating to construction, alteration, leasing and acquisition or disposition of land, and space control for the Signal Corps.

(m) Prepares and publishes equipment lists for and prescribes forms to

be used in connection with installed property accounts.

(n) Determines necessity for, and adequacy of, insurance required of Signal Corps contractors and sub-contractors.

(o) Studies and makes recommendations on management policies, programs, and methods (including, but not limited to, organization improvement, work programming and measurement, work simplification, cost accounting, cost analysis, manpower control, progress and statistics, and time and motion studies), and prepares appropriate instructions relating thereto.

(p) Administers Signal Corps cost and productivity analysis and the Signal Corps Management Program.

(q) Studies missions, functions, and organizational structure of all Signal Corps organizations; installations, and activities and recommends as to their establishment, elimination, transfer, or modification to effect improvements and economies.

(r) Reviews and coordinates program data for the Signal Corps.

(s) Reviews, consolidates, and justifies requirements for and recommends allotments of military and civilian personnel spaces for all activities under command of the Chief Signal Officer; conducts manpower surveys; furnishes secretariat for the Personnel Control Committee.

(iv) *Legal Division.* (a) Advises and represents the Chief Signal Officer on all legal, labor, and patent matters.

(b) Advises staff and operating divisions in legal aspects of their respective operations.

(c) Prepares, processes, and files applications for letters patent; handles patent infringement investigations and interference actions.

(d) Handles labor supply and labor relations matters including strikes.

(e) Processes and approves claims made by contractors and others against the Government arising out of Signal Corps operations, including the settlement of patent infringement claims.

(f) Acts for the Chief Signal Officer on all congressional inquiries and matters relating to congressional investigations.

(g) Reviews and advises the Chief Signal Officer on pending legislation; drafts, coordinates, and processes proposed legislation on matters affecting Signal Corps activities.

(h) Drafts, reviews, and publishes Signal Corps Procurement Instructions; advises and assists procurement personnel in negotiation of special contracts and contract clauses; and drafts forms of contracts and other legal documents.

(i) Reviews contracts for conformity with law, regulations, and directives, and obtains corrections of irregularities.

(j) Reviews renegotiation agreements for legal sufficiency and assists The Judge Advocate General and the Department of Justice in preparation of litigated cases involved in renegotiation proceedings.

(k) Reviews appeals to the Chief Signal Officer from findings and decisions of contracting officers; processes appeals to the Armed Forces Board of Contract Appeals and the Appeal Board of the Office of Contract Settlement; and assists The Judge Advocate General in preparation of defense of such appeals.

(l) Assists The Judge Advocate General and the Department of Justice in litigation related to Signal Corps contracts and other matters.

(m) Advises Signal Corps military personnel on personal legal matters.

(n) Directs the operation of Legal Division field offices and exercises staff supervision over legal functions of other Signal Corps field organizations.

(v) *Army Communications Service Division.* (a) Develops detailed engineering plans for and exercises staff supervision over the engineering, installation, operation, maintenance, consolidation, and disposition of Army fixed signal communication systems and facilities for which the Chief Signal Officer is responsible.

(b) Establishes and promulgates broad plans and recommends policies for the establishment, expansion, reduction, integration, utilization, and disposition of Army fixed signal communications systems and facilities.

(c) Engineers and supervises the engineering of designated Army communication networks, including the Army command and Administrative Network, the Alaska Communications System Network, and other radio and wire networks of designated responsibility.

(d) Supervises the activities of the Army Command and Administrative Communication Agency (including the Department of the Army Communication Center), the Alaska Communication System, and the Signal Corps Plant Engineering Agency.

(e) Supervises the negotiation and administration of contracts for procurement of commercial communication facilities and services used by the Army, and other elements of the Government as directed.

(f) Supervises the assignment and publication of routing indicators for all Army networks employing tape relay methods of operation, and the assignment and publication of address groups for Army stations and activities.

(g) Provides technical supervision over the installation, operation, and maintenance of fixed plant communication systems and facilities; provides staff review and coordination, and certain approvals, over major projects and construction programs concerning fixed signal communication systems and facilities.

(h) Supervises the organization and operation of the Military Amateur Radio System activities as pertains to the Department of the Army.

(i) Prepares, revises, and reviews, Army publications covering general policies, procedures, standards, and methods of a technical nature governing the operation of fixed plant communication systems and facilities.

(j) Develops program and budget data concerning the procurement, installation, maintenance, and operation of Army-owned fixed signal communication systems and for commercial communication facilities and services.

(k) Performs technical inspection of Army fixed signal communication systems and facilities.

(vi) *Army Pictorial Service Division.* (a) Exercises staff supervision over the production, procurement, distribution, storage, issue, exhibition, and utilization of motion pictures, film strips, and still pictures; and photographic coverage of terrain, objects, and events of a strategic, tactical, technical, or logistic nature which are necessary for operations, training, intelligence, public information, historical records, identification, and other purposes the photographing of which is a responsibility of the Chief Signal Officer.

(b) Exercises staff supervision over the Signal Corps Photographic Center and the Signal Corps Photographic Library and Laboratory.

(c) Authorizes the establishment, reclassification, or discontinuance of, and maintains technical control of the operation of, film libraries and photographic laboratories at class I and II installations and in oversea commands.

(d) Supervises custody, in collaboration with The Adjutant General, of the permanent motion picture, film strip, and still picture records of the Army for which the Chief Signal Officer is responsible.

(e) Prepares plans for photographic activities and organizations.

(f) Determines the need for photographic observers and photographic teams and coordinates photographic coverage and requirements for all special Department of the Army missions and task forces.

(g) Makes recommendations pertaining to photographic research and development, training of military and civilian personnel in photographic specialties, military occupational specialties, and career management planning in the photographic field.

(h) Takes action to insure supply of training films, film strips, and related materials required for foreign aid programs.

(i) Operates television studios and produces television programs.

(j) Develops program and budget data concerning motion and still picture requirements of the Army.

(vii) *Engineering and Technical Division.* (a) Exercises control and coordination of the Signal Corps research and development program; and supervises the Signal Corps Engineering Laboratories.

(b) Prepares and coordinates broad and long-range plans for research and development personnel, facilities, and activities; develops program and budget data concerning research, development, and related engineering services.

(c) Supervises and coordinates engineering services related to research and development including maintenance, procurement, production, and field engineering specifications and quality control.

(d) Furnishes secretariat for the Signal Corps Technical Committee.

(e) Assigns and reviews Signal Corps research and development priorities and project numbers and prepares and dis-

tributes reports on research and development program.

(f) Supervises the activities of the Signal Corps Engineering Laboratories Development Detachment, and new Equipment Introductory Teams.

(g) Represents the Chief Signal Officer and acts as agent for the Department of the Army in matters involving the activities of the Armed Services Electro-Standards Agency.

(h) Prepares modification work orders, maintenance parts catalog, parts control lists, and repair specifications.

(i) Analyzes "Unsatisfactory Equipment Reports" on items of signal equipment and takes corrective action to remedy deficiencies.

(j) Furnishes recommendations for tables of organization and equipment requirements and determines type classification of components upon reclassification of equipment by Signal Corps Technical Committee.

(k) Develops technical data for use in the preparation of tables of allowances and other requirements for expendable Signal Corps supplies.

(l) Develops parts requirements for Signal Corps tactical equipment.

(m) Exercises staff supervision over assignment of nomenclature for the Signal Corps and Communications-Electronics Nomenclature Systems.

(n) Assigns security classification on Signal Corps equipment, research reports, and patent applications; disseminates information on the security classification of all communications and electronic and associated equipment coming within the scope of Communications-Electronics Nomenclature and Signal Corps and Navy Systems.

(o) Supervises Signal Corps research and development projects pertaining to new equipment and systems, improvements and major changes in standard equipment, elimination of duplication in existing equipment, initiation of special investigations, arrangement for service test, dissemination of technical information on research and development projects, and implementation of approved recommendations of the Signal Corps Board.

(viii) *Personnel and Training Division.* (a) Plans, develops, and maintains a program of civilian personnel administration, affecting all employees of the Signal Corps, both departmental and field, including recruitment, hiring, in-service placement, oversea employment, veterans reemployment, reductions in force, employee utilization, training, safety, classification and wage administration, compilation and review of civilian tables of distribution, administration of personnel and leave records, efficiency ratings, suggestions, awards, and grievances; determines specific civilian personnel program objectives; formulates civilian personnel internal policies and operating practices and methods; evaluates civilian personnel programs throughout the Signal Corps and provides staff assistance and guidance.

(b) Represents the Chief Signal Officer in liaison activities with Civilian Personnel Division, Office of the Secretary of the Army, the Civil Service Commission, veterans' organizations, and labor union officials relating to civilian personnel.

(c) Supervises the training of units and individuals of the Signal Corps in signal communications, electronics, ground photography, supply and procurement; and supervises the Signal Schools, Training Centers, Unit Survey Agency, and the Pigeon Breeding and Training Center.

(d) Prepares and recommends plans, schedules, instructional material, and visual aids for signal training.

(e) Prepares and processes new or revised MOS's for Signal Corps personnel.

(f) Supervises the troop information and education program in the Office of the Chief Signal Officer, the Signal School, Signal Corps Center, Fort Monmouth, New Jersey.

(g) Assists in the preparation of tables of allowances for Signal Corps schools and training installations.

(h) Develops program and budget data concerning military training, pigeon activities, and printing and binding, and recommends the procurement of training aids, industrial training, technical representatives, and commercial publications.

(i) Develops and recommends requirements for admission of students to Signal Corps schools and training centers, and defines the purpose, scope, duration, and training procedures of courses.

(j) Exercises staff supervision over the Signal Corps Publications Agency and over the preparation and processing of publications initiated by the Chief Signal Officer.

(k) Plans and controls all procurement or production and disposition of Signal Corps training and technical literature.

(l) Performs printing control and forms standardization for the Signal Corps.

(m) Recommends policies and procedures and supervises the career guidance of Signal Corps enlisted personnel including the promotion of all Signal Corps enlisted personnel who have been classified into career fields monitored by the Chief Signal Officer.

(n) Recommends policies and procedures relating to the administration, classification, demotion, transfer, retirement, and discharge of Signal Corps officer and warrant officer personnel; processes promotions, appointments, and decorations of all officer and warrant officer personnel under the control of the Chief Signal Officer; handles matters pertaining to reclassification and disciplinary cases referred to the Chief Signal Officer for recommendation and/or action.

(o) Supervises the preparation of military tables of distribution and allocates military personnel grades for Signal Corps class II installations and activities.

(p) Surveys enlisted requirements of the oversea commands, continental army areas, and class II installations and activities and recommends the allocation of signal specialists to meet requirements and to maintain an equitable distribution of enlisted specialists in the continental armies and oversea commands.

(q) Processes applications for appointment of officers and warrant officers in the Regular Army (Signal Corps) and in the Signal Corps Section, Organized Reserve Corps.

(r) Maintains career management records together with copies of efficiency reports on all Signal Corps officers and warrant officers on active duty; performs functions of career management for Signal Corps officers (except general officers) and warrant officers to include the selection of Signal Corps officers for military and civilian schooling and the processing of all permanent changes of station for Signal Corps officers (except general officers) and warrant officers.

(s) Exercises staff supervision of Signal Corps participation in the Army Civilian Components Program; plans the selection of, and completes negotiations with, industrial concerns for the sponsorship of Signal Corps Organized Reserve Corps Affiliated Units and represents the Chief Signal Officer on matters related to the affiliation program.

(t) Prepares and maintains long-range training plans for the signal civilian components; maintains liaison with signal units and personnel of the Organized Reserve Corps and Reserve Officers Training Corps to determine the status of training, adequacy of programs of instruction, training procedures, and equipment; recommends action necessary to correct deficiencies; and reviews and recommends techniques for the training of signal units and personnel of the civilian components.

(u) Maintains records of the status of signal civilian components units; recommends addition, deletions, or changes to the Organized Reserve Corps troop basis; recommends revisions of tables of organization and equipment and tables of allowance applicable to signal units of the Organized Reserve Corps, reviews inspection reports of training activities of the Organized Reserve Corps; and recommends remedial action if required.

(ix) *Procurement and Distribution Division.* (a) Exercises staff supervision over signal supply control operations, including the establishment, development, and review of policies and procedures on the computation of requirements and allowances of signal supplies.

(b) Analyzes and interprets troop bases and directives pertaining thereto from the viewpoint of material requirements.

(c) Determines availability of Signal Corps equipment and supplies; implements instructions to the oversee commands authorizing the return or disposal of such equipment and supplies; computes, reviews, and revises replacement factors for Signal Corps equipment; and authorizes or obtains authorization for issue of Signal Corps equipment to Army, Navy, Air Force and other governmental agencies and to other governments.

(d) Prepares the Signal Corps portion of the Army Program of Procurement.

(e) Represents the Chief Signal Officer on the Procurement Assignment Board,

(*f*) Develops, prescribes, and reviews policies and procedures for, and supervises performance of stock accounting, stock control, distribution control, stock numbering, and cataloging operations of the Signal Corps.

(*g*) Establishes and prescribes implementation procedures for supply of Signal Corps portions of special projects and requisitions placed on the Signal Corps supply system at head of technical service level.

(*h*) Establishes requisitioning policies and procedures for Signal Corps matériel.

(*i*) Acts as liaison on supply matters with Departments of the Navy and Air Force, and other governmental agencies procuring matériel supplied by the Signal Corps.

(*j*) Monitors Signal Corps activities relating to the Munitions Board Cataloging Program and represents the Chief Signal Officer on related committees of technical service level.

(*k*) Exercises staff supervision over purchasing, pricing, production, inspection, and contract settlement activities of the Signal Corps and directs and supervises the procurement activities of the Signal Corps Procurement Agency and the Signal Corps Procurement Field Office for the Armed Forces Security Agency and the Army Security Agency.

(*l*) Requisitions departmental printing, binding, and blank book work for the Signal Corps.

(*m*) Makes emergency purchases and processes interbranch and interdepartmental procurement.

(*n*) Directs and supervises the Signal Corps Depot System including the exercise of staff supervision over the disposition of excess and surplus military property in the System.

(o) Supervises the preparation of and evaluates the Depot Master Plan.

(*p*) Exercises staff supervision over the reconditioning, repair, modification, and fabrication of Signal Corps property at Signal Corps depots and signal sections of general depots.

(*q*) Exercises staff supervision over industrial mobilization planning in the Signal Corps and directs and coordinates planning and preparatory action necessary to assure timely procurement, production, and distribution of Signal Corps matériel in an emergency.

(*r*) Coordinates all actions received in the Office of the Chief Signal Officer pertaining to Mutual Defense Assistance Program.

(*s*) Takes action to insure satisfactory implementation of all foreign aid programs, both military and civilian, as they pertain to the Signal Corps.

(*t*) Develops, recommends, and reviews foreign aid policies and procedures as pertain to Signal Corps supply matters.

(*u*) Exercises staff supervision over field and organizational maintenance activities in accordance with AR 750–5.

(*v*) Prepares recommendations pertaining to authorization of establishment, change of echelon, or discontinuance of field and/or depot maintenance facilities in the continental United States for Signal Corps equipment.

(*w*) Develops program and budget data concerning Signal Corps supply control, procurement, distribution, maintenance, cataloging, and industrial mobilization.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–9153; Filed, Aug. 7, 1951; 8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

DELEGATIONS OF AUTHORITY

SECTION 1. *Assistant Administrator.* The Assistant Administrator may:

(a) During the absence of the Administrator, perform the duties and exercise the powers of the Administrator;

(b) Execute power sales contracts, interchange contracts, transfer agreements, transmission agreements, and trust agreements.

SEC. 2. *Acting Administrator.* During the absence of the Administrator and the Assistant Administrator, such officer or employee who is designated as Acting Administrator by the Administrator or the Assistant Administrator, as the case may be, may perform the duties and exercise the powers of the Administrator; *Provided,* That the Acting Administrator may not execute power sales or interchange contracts which deviate from established policies, or declarations of taking, or system acquisition contracts.

SEC. 3. *Power Manager, Division of Power Operations.* The Power Manager, Division of Power Operations, may:

(a) Make interim and emergency arrangements not covered by formal contracts for the sale and delivery of power to customers, such action to be confirmed in writing and subsequently formalized by contracts executed by the Administrator, or Assistant Administrator;

(b) Make interim and emergency arrangements for the Government to use its transmission and other facilities or services, for the benefit of other utilities, and fix the charges applicable thereto, such action to be confirmed in writing and subsequently formalized by contracts executed by the Administrator, or Assistant Administrator;

(c) Make interim and emergency arrangements for the use of the facilities or services of other utilities for the benefit of the Government and agree upon the charges applicable thereto, such action to be confirmed in writing and subsequently formalized by contracts executed by the Administrator, or Assistant Administrator;

(d) Compromise and finally settle any claim for charges arising under any contract for power delivered or transferred to or for a customer.

SEC. 4. *Chief, Branch of Power Service, Division of Power Operations.* The Chief, Branch of Power Service, Division of Power Operations, may:

(a) Approve purchasers' resale rate schedules and any additions thereto or modifications thereof, pursuant to power contracts providing therefor, such approval to be in writing;

(b) Execute agreements with customers for the operation of their switches installed on premises in the possession of this Administration;

(c) Execute agreements for the operation by customers of switches of the Administrator;

(d) Make arrangements with customers to perform services and furnish materials for the Administrator when an outage or similar emergency requires the immediate performance of the services and the furnishing of materials.

SEC. 5. *Chief, Branch of Power Resources, Division of Power Operations.* The Chief, Branch of Power Resources, Division of Power Operations, may make agreements with customers which establish capabilities of their generating facilities for the purposes of applying the computed demand provision of rate schedules.

SEC. 6. *Chief, Branch of Power Requirements, Division of Power Operations.* The Chief, Branch of Power Requirements, Division of Power Operations, may negotiate and approve load estimates of utility customers for use in resale rate determinations and service planning.

SEC. 7. *Review Counsel (Claims), Office of the General Counsel.* The Review Counsel (Claims), Office of the General Counsel, is authorized to determine, compromise and settle any claims and demands of the United States for any losses, injuries, or damages to property under the Administrator's control against other persons or public or private corporations, and to execute necessary releases on behalf of the Government to effectuate such determination, compromise, or settlement.

SEC. 8. *Chief, Branch of Maintenance, Division of Engineering.* The Chief, Branch of Maintenance, Division of Engineering, may, during an outage, or similar emergency, purchase or hire such equipment, materials, and services as he may deem necessary, in order to correct the outage or similar emergency.

SEC. 9. *Director, Division of General Services.* The Director, Division of General Services, may execute contracts and amendments to contracts for construction or clearing and for construction materials or equipment without monetary limitation.

SEC. 10. *Chief, Branch of Supply, Division of General Services.* The Chief, Branch of Supply, Division of General Services, may:

(a) Execute contracts for construction or clearing and for construction materials or equipment when the amount involved does not exceed $50,000;

(b) Execute contracts for the sale of surplus personal property;

(c) Execute contracts for the purchase of supplies and services (excepting personal services and services in connection with the transfer or transmission of electric energy);

(d) Execute amendments to such contracts: *Provided, however,* That he may not execute amendments to contracts

pursuant to paragraph (a) of this section where the contract, including the amendments, would exceed $50,000.

SEC. 11. *Chief, Materials and Contracts Section, Branch of Supply, Division of General Services.* The Chief, Materials, and Contracts Section, Branch of Supply, Division of General Services, may:

(a) Execute contracts for construction or clearing and for construction materials or equipment when the amount involved is not in excess of $5,000;

(b) Execute contracts for the sale of surplus personal property when the amount involved is not in excess of $5000;

(c) Execute contracts for the purchase of supplies and services (excepting personal services and services in connection with the transfer or transmission of electric energy) when the amount involved is not in excess of $5,000;

(d) Execute amendments to such contracts: *Provided, however,* That he may not execute amendments to contracts pursuant to the above paragraph (a) of this section where the contract, including the amendments, would exceed $5,000.

SEC. 12. *Chief, Purchase and Stores Section, Branch of Supply, Division of General Services.* The Chief, Purchase and Stores Section, Branch of Supply, Division of General Services, may purchase supplies and services (other than personal) when the amount does not exceed $500.

SEC. 13. *Assistant to the Chief, Branch of Land, Division of General Services.* The Assistant to the Chief, Branch of Land, Division of General Services, may:

(a) Negotiate for purchase of all interests in real estate and other rights and privileges pertaining to real property necessary for the Administration's program;

(b) Accept options for the purchase of all interests in real estate;

(c) Accept and execute instruments, other than power sales and interchange contracts and conveyances, under which the Administration receives or grants rights or privileges pertaining to real property.

SEC. 14. *Chief, Disbursement Audit Section, Branch of Finance and Accounts, Division of Fiscal and Administrative Services.* The Chief, Disbursement Audit Section, Branch of Finance and Accounts, Division of Fiscal and Administrative Services, may compromise and finally settle any claim arising under any contract (except power sales and power transfer contracts).

SEC. 15. *General.* Delegated authority may be exercised by all the superiors of the delegatee, and during the absence of the delegatee, by the officer or employee performing the duties and exercising the functions of the delegatee. All delegated authority shall be exercised in accordance with applicable statutes, regulations, orders and instructions, and in accordance with such administrative policies as may be made from time to time by the Administrator, Assistant Administrator, or Acting Administrator.

SEC. 16. *Prior and Conflicting Delegations.* These delegations of authority supersede the delegations of authority published in the Notices Section of the FEDERAL REGISTER on December 14, 1949, 14 F. R. 7488, and all conflicting delegations are, to the extent of such conflict, withdrawn.

(50 Stat. 731, as amended, 16 U. S. C. 832; R. S. 161, 5 U. S. C. 22; sec. 3, 60 Stat. 238; 5 U. S. C. 1002; E. O. 8526, Aug. 26, 1940, 5 F. R. 3390)

Issued and to become effective July 27, 1951.

PAUL J. RAVER,
Administrator,
Bonneville Power Administration.

[F. R. Doc. 51-9130; Filed, Aug. 7, 1951; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14), are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Aromel, Inc., 324 Harrison Avenue, Boston, Mass., effective 7-30-51 to 1-29-52; 12 learners may be employed for expansion purposes only, (parka, shell).

Biltmore Manufacturing Co., Inc., Glendale Avenue, Biltmore, N. C., effective 7-30-51 to 1-29-52; 63 learners for expansion purposes (children's, misses', ladies' sportswear).

Carwood Manufacturing Co., Lavonia, Ga., effective 7-25-51 to 1-24-52; an additional 65 learners may be employed for expansion purposes only (pants, overalls, coveralls, work shirts).

H. L. Friedlen & Co., Plant No. 2, 325 West Sixteenth Street, Holland, Mich., effective 7-30-51 to 1-29-52; 20 learners may be employed for expansion purposes (cotton, unlined jackets).

Frances Gee Garment Co., Richmond, Mo., effective 7-30-51 to 7-29-52; 10 percent of total productive factory force for normal labor turnover (dresses).

Jonestown Manufacturing Co., Jonestown, Pa., effective 7-30-51 to 1-29-52; 12 learners may be employed for expansion purposes only (knitted blouses and polo shirts).

Richard Sutton Co., 1318 Milwaukee Avenue, Chicago, Ill., effective 7-30-51 to 7-29-52; for normal labor turnover, 10 percent of the productive factory workers or five learners, whichever is greater (men's and boys' clothing, boys' wear).

W. Shanhouse Sons, Inc., Magnolia, Ark., effective 8-1-51 to 1-31-52; 50 learners for expansion purposes (men's and boys' outerwear).

Sturgis Clothing Division of the Richmond Bros. Co., Sixth and Main Streets, Sturgis, Ky., effective 7-27-51 to 3-31-52; 10 learners for normal labor turnover purposes (replacement certificate) (single pants).

Wilson Sportswear, Inc., 219 East Barnes Street, Wilson, N. C., effective 7-30-51 to 1-29-52; 34 learners for expansion purposes (women's sportswear).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

The Boss Manufacturing Co., 811 West Fourth Street, Grand Island, Nebr., effective 7-25-51 to 7-24-52; 10 learners for normal labor turnover.

The Boss Manufacturing Co., 319 West Main Cross Street, Findlay, Ohio, effective 7-25-51 to 7-24-52; 10 percent of the total number of productive factory workers.

The Boss Manufacturing Co., 901 Hawley Street, Toledo, Ohio, effective 7-25-51 to 7-24-52; 10 percent of the total number of productive factory workers.

Picardy Mills, Inc., Dunmore, Pa., effective 8-14-51 to 8-13-52; 10 percent of the total number of productive factory workers.

St. Johnsbury Glovers, Inc., St. Johnsbury, Vt., effective 7-30-51 to 7-29-52; 10 percent of the total number of productive factory workers.

St. Johnsbury Glovers, Inc., St. Johnsbury, Vt., effective 7-30-51 to 1-29-52; 15 learners for expansion purposes (expansion certificate).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Samuel Briskin, Berks County, Mohnton, Pa., effective 7-30-51 to 7-29-52; five learners.

Elizabeth City Hosiery Mills, Elizabeth City, N. C., effective 7-27-51 to 3-26-52; six additional learners for expansion (supplemental certificate).

Hodges Knitting Mills, Inc., Milledgeville, Ga., effective 7-25-51 to 3-24-52; five additional learners for expansion purposes.

Lorimer Hosiery Mills, Inc., 120 North Broad Street, Burlington, N. C., effective 7-27-51 to 7-26-52; five learners.

Macon Hosiery Mills, Inc., Guy Paine Road., Macon, Ga., effective 7-31-51 to 3-30-52; five additional learners for expansion purposes only (expansion certificate).

Portage Hosiery Co., 107 East Mullett Street, Portage, Wis., effective 7-29-51 to 7-28-52; 5 percent of the total number of productive factory workers.

Tri-Kay Hosiery Co., Trumbauersville, Pa., effective 8-5-51 to 8-4-52; five learners.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

H. & D. Manufacturing Co., 6100 Robertson Road, Nashville, Tenn., effective 7-27-51 to 7-26-52; two learners.

Harvey Manufacturing Co., 811A Vine Street, Berwick, Pa., effective 7-27-51 to 1-26-52; 25 learners for expansion purposes (expansion certificate).

Marlann Mills, Spence Field, Moultrie, Ga., effective 8-16-51 to 8-15-52; five learners.

Stone Manufacturing Co., 5424 Main Street, Columbia, S. C., effective 7-27-51 to 7-26-52;

5 percent of the total number of productive factory workers.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Ames Safety Envelope Co., 21 Vine Street, Somerville, Mass., effective 8–2–51 to 2–1–52; five learners, hand and machine operations in making envelopes; 320 hours, 60 cents per hour for first 160 hours and 65 cents per hour for remaining 160 hours (specialty and expanding envelopes).

Grass Grossinger Co., 312 Penn Avenue, Scranton, Pa., effective 7–31–51 to 7–30–52; six learners for normal labor turnover; sewing machine operators; 240 hours at 65 cents per hour (caps).

Hampshire Handkerchief Works, Inc., Wight Street, Berlin, N. H., effective 7–27–51 to 1–26–52; 30 learners for expansion purposes; machine operating (except cutting), pressers, handsewers; 320 hours each at 60 cents per hour (expansion certificate) (handkerchiefs).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Clapp Shoe Co., Inc., Main Street, Naples, N. Y., effective 7–27–51 to 7–26–52; seven learners for normal labor turnover (replacement certificate).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 30th day of July 1951.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 51–9176; Filed, Aug. 7, 1951; 8:49 a. m.]

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214; as amended 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Boston Tuberculosis Association, 554 Columbus Avenue, Boston, Mass.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 25 cents per hour, whichever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 1, 1951, and expires June 30, 1952.

Community workshops of Rhode Island, Inc., 79–83 North Main Street, Providence,, R. I.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 1, 1951, and expires June 30, 1952.

Goodwill Industries of Philadelphia, Inc., 1705 West Allegheny Avenue, Philadelphia, Pa.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 1, 1951, and expires June 30, 1952.

Philadelphia Society for Crippled Children & Adults 2000 South College Avenue, Philadelphia, Pa.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 30 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1951, and expires July 31, 1952.

Goodwill Industries of Scranton, Inc., 334 Penn Avenue, Scranton, Pa.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher; certificate is effective July 17, 1951, and expires January 31, 1952.

Bethel Goodwill Industries, 621 Morton Drive, Ashtabula, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 15 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 1, 1951, and expires June 30, 1952.

The Columbus Goodwill Industries, 94 North Sixth Street, Columbus 15, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 20 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 25, 1951, and expires June 30, 1952.

Goodwill Union Mission & Industries, Inc., 713 East Tuscarawas, Canton, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1951, and expires July 31, 1952.

Calumet Goodwill Industries, Inc., 34 State Street, Hammond, Ind.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher; certificate is effective July 1, 1951, and expires June 30, 1952.

Nebraska Goodwill Industries, 1013 North Sixteenth Street, Omaha, Nebr.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1951, and expires July 31, 1952.

Goodwill Industries of El Paso, Inc., El Paso, Tex.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher, and a rate of not less than 40 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 15, 1951, and expires October 31, 1951.

Goodwill Industries of Central Calif., 707 Que Street, Sacramento 14, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 65 cents per hour, whichever is higher, and a rate of not less than 60 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 24, 1951, and expires July 23, 1952.

Seattle Goodwill Industries, 1400 Lane Street, Seattle 44, Wash.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 60 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 24, 1951, and expires July 23, 1952.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 30th day of July 1951.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[F. R. Doc. 51-9131; Filed, August 7, 1951; 8:45 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region VI, Redelegation of Authority No. 4]

DIRECTORS OF DISTRICT OFFICES, REGION VI

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. VI, pursuant to delegation of authority No. 14 (16 F. R. 7431) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Cincinnati, Ohio; Columbus, Ohio; Detroit, Michigan; Grand Rapids, Michigan; Louisville, Kentucky; and Toledo, Ohio District offices of the Office of Price Stabilization to act on all applications for adjustment under the provisions of section 1-6 inclusive of GCPR, G. R. 45, as amended.

This redelegation of authority shall take effect on August 6, 1951.

SYDNEY A. HESSE,
Director of Regional Office No. VI.

AUGUST 3, 1951.

[F. R. Doc. 51-9179; Filed, Aug. 3, 1951; 4:26 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 231]

C. F. HATHAWAY CO.,

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, C. F. Hathaway Co., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data submited by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order allows for establishment of a cost bracket to the retailer, which bracket applies to a specific retail price. The costs of the articles purchased by the retailer should, on the average, fall evenly between the polar ends of each cost bracket and will thus maintain the general historical markup pattern. The establishment of such cost brackets permits minor changes in costs without influencing the general level of retail prices of the articles in question.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the acompanying special order. The applicant is required to send purchasers of the articles a copy of this special order and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during that period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this Special Order is hereby issued.

1. The following ceiling prices are established for sales after the effective date of this special order by any seller at retail of men's dress and sport shirts manufactured by C. F. Hathaway Co., Waterville, Maine, having the brand name "Hathaway," and described in the manufacturer's application dated June 6, 1951. Sales may, of course, be made at less than these ceiling prices. The manufacturer's prices listed below carry the following terms: 3/10 E. O. M.

Manufacturer's selling price (per dozen):	*Ceiling price at retail (per unit)*
$28.26–$28.61	$3.95
$28.62–$28.97	4.00
$28.98–$29.33	4.05
$29.34–$29.69	4.10
$29.70–$30.05	4.15
$30.06–$30.41	4.20
$30.42–$30.77	4.25
$30.78–$31.13	4.30
$31.14–$31.49	4.35
$31.50–$31.85	4.40
$31.86–$32.21	4.45
$32.22–$32.57	4.50
$32.58–$32.93	4.55
$32.94–$33.29	4.60
$33.30–$33.65	4.65
$33.66–$34.01	4.70
$34.02–$34.37	4.75
$34.38–$34.73	4.80
$34.74–$35.09	4.85
$35.10–$35.45	4.90
$35.82–$36.18	4.95
$36.19–$36.42	5.00
$36.43–$36.66	5.05
$36.67–$36.90	5.10
$36.91–$37.14	5.15
$37.15–$37.38	5.20
$37.39–$37.62	5.25
$37.63–$37.86	5.30
$37.87–$38.22	5.35
$38.23–$38.58	5.40
$38.59–$38.88	5.45
$38.89–$39.18	5.50
$39.19–$39.54	5.55
$39.55–$39.90	5.60
$39.91–$40.26	5.65
$40.27–$40.62	5.70
$40.63–$40.98	5.75
$40.99–$41.34	5.80
$41.35–$41.58	5.85
$41.59–$41.82	5.90
$41.83–$42.18	5.95
$42.19–$42.72	6.00
$42.73–$43.14	6.05
$43.15–$43.61	6.10
$43.62–$44.21	6.15
$44.22–$44.81	6.20
$44.82–$45.17	6.25
$45.18–$45.47	6.30
$45.48–$46.01	6.35
$46.02–$46.37	6.40
$46.38–$46.85	6.45
$46.86–$47.21	6.50
$47.22–$27.57	6.55
$47.58–$47.93	6.60
$47.94–$48.29	6.65
$48.30–$48.65	6.70
$48.66–$49.01	6.75
$49.02–$49.37	6.80
$49.38–$49.61	6.85
$49.62–$49.85	6.90
$49.86–$50.21	6.95
$50.22–$50.57	7.00
$50.58–$50.93	7.05
$50.94–$51.29	7.10
$51.30–$51.65	7.15
$51.66–$52.01	7.20
$52.02–$52.37	7.25
$52.38–$52.73	7.30
$52.74–$53.09	7.35
$53.10–$53.45	7.40
$53.46–$58.81	7.45
$53.82–$54.17	7.50
$54.18–$54.53	7.55
$54.54–$54.80	7.60
$54.90–$55.25	7.65
$55.26–$55.61	7.70
$55.62–$55.97	7.75
$55.98–$56.33	7.80
$56.34–$56.57	7.85
$56.58–$56.81	7.90
$56.82–$57.17	7.95
$57.18–$57.53	8.00
$57.54–$57.89	8.05
$57.90–$58.25	8.10

Manufacturer's selling price (per dozen)—Continued	Ceiling price at retail (per unit)
$58.26–$58.61	$8.15
$58.62–$58.97	8.20
$58.98–$59.33	8.25
$59.34–$59.69	8.30
$59.70–$60.05	8.35
$60.06–$60.41	8.40
$60.42–$60.77	8.45
$60.78–$61.13	8.50
$61.14–$61.49	8.55
$61.50–$61.85	8.60
$61.86–$62.21	8.65
$62.22–$62–57	8.70
$62.58–$62.93	8.75
$62.94–$63.29	8.80
$63.30–$63.53	8.85
$63.54–$63.77	8.90
$63.78–$64.13	8.95
$64.14–$64.97	9.00
$64.98–$65.33	9.05
$65.34–$65.69	9.10
$65.70–$66.05	9.15
$66.06–$66.41	9.20
$86.42–$66.77	9.25
$66.78–$67.13	9.30
$67.14–$67.49	9.35
$67.50–$87.85	9.40
$67.86–$68.21	9.45
$68.22–$88.57	9.50
$68.58–$68.93	9.55
$68.94–$69.29	9.60
$69.30–$69.65	9.65
$69.66–$70.01	9.70
$70.02–$70.37	9.75
$70.38–$70.73	9.80
$70.74–$71.09	8.85
$71.10–$71.45	9.50
$71.46–$71.81	9.95
$71.82–$72.17	10.00
$72.18–$72.75	10.05
$72.76–$73.13	10.10
$73.14–$73.37	10.15
$73.38–$73.61	10.20
$73.62–$73.85	10.25
$73.86–$74.09	10.30
$74.10–$74.33	10.35
$74.34–$74.57	10.40
$74.58–$74.81	10.45
$74.82–$75.17	10.50
$75.18–$75.77	10.55
$75.78–$76.37	10.60
$76.38–$76.85	10.65
$76.86–$77.21	10.70
$77.22–$77.57	10.75
$77.58–$77.93	10.80
$77.94–$78.29	10.85
$78.30–$78.65	10.90
$78.66–$79.01	10.95
$79.02–$79.37	11.00
$79.38–$79.73	11.05
$79.74–$80.09	11.10
$80.10–$80.45	11.15
$80.46–$80.81	11.20
$80.82–$81.17	11.25
$81.18–$81.53	11.30
$81.54–$81.89	11.35
$81.90–$82.25	11.40
$82.26–$82.61	11.45
$82.62–$82.97	11.50
$82.98–$83.33	11.55
$83.34–$83.69	11.60
$83.70–$84.05	11.65
$84.06–$84.41	11.70
$84.42–$84.77	11.75
$84.78–$85.13	11.80
$85.14–$85.49	11.85
$85.50–$85.85	11.90
$85.86–$86.21	11.95
$86.22–$86.57	12.00
$85.58–$86.93	12.05
$86.94–$87.29	12.10
$87.30–$87.65	12.15
$87.66–$88.01	12.20
$88.02–$88.37	12.25
$88.38–$88.73	12.30
$88.74–$89.09	12.35
$89.10–$89.45	12.40
$89.46–$89.81	12.45
$89.82–$90.17	12.50
$90.18–$90.53	12.55
$90.54–$90.89	$12.60
$90.90–$91.25	12.65
$91.26–$91.61	12.70
$91.62–$91.97	12.75
$91.98–$92.33	12.80
$92.34–$92.69	12.85
$92.70–$93.05	12.90
$93.06–$93.41	12.95
$93.42–$93.65	13.00
$93.86–$93.89	13.05
$93.90–$94.13	13.10
$94.14–$94.37	13.15
$94.38–$94.61	13.20
$94.62–$94.85	13.25
$94.86–$95.09	13.30
$95.10–$95.33	13.35
$95.34–$95.57	13.40
$95.58–$95.81	13.45
$95.82–$96.17	13.50
$96.18–$96.77	13.55
$98.78–$97.37	13.60
$97.38–$97.97	13.65
$97.98–$98.57	13.70
$98.58–$99.17	13.75
$99.18–$99.53	13.80
$99.54–$99.89	13.85
$99.90–$100.25	13.90
$100.26–$100.61	13.95
$100.62–$100.97	14.00
$100.98–$101.35	14.05
$101.36–$101.69	14.10
$101.70–$102.05	14.15
$102.06–$102.41	14.20
$102.42–$102.77	14.25
$102.78–$103.13	14.30
$103.14–$103.49	14.35
$103.50–$103.85	14.40
$103.86–$104.21	14.45
$104.22–$104.57	14.50
$104.58–$104.93	14.55
$104.94–$105.29	14.60
$105.30–$105.65	14.65
$105.66–$106.01	14.70
$106.02–$106.37	14.75
$106.38–$106.73	14.80
$106.74–$107.09	14.85
$107.10–$107.45	14.90
$107.46–$107.81	14.95
$107.82–$108.17	15.00
$108.18–$108.53	15.05
$108.54–$108.89	15.10
$108.90–$109.25	15.15
$109.26–$109.61	15.20
$109.62–$109.97	15.25
$109.98–$110.33	15.30
$110.34–$110.69	15.35
$110.70–$111.05	15.40
$111.06–$111.41	15.45
$111.42–$111.77	15.50
$111.78–$112.13	15.55
$112.14–$112.49	15.80
$112.50–$112.85	15.65
$112.88–$113.21	15.70
$113.22–$113.57	15.75
$113.58–$113.93	15.80
$113.94–$114.29	15.85
$114.30–$114.65	15.90
$114.66–$115.01	15.95
$115.32–$115.37	16.00
$115.38–$115.73	16.05
$115.74–$118.09	16.10
$116.10–$116.45	16.15
$116.46–$116.81	16.20
$116.82–$117.41	16.25
$117.42–$118.01	16.30
$118.02–$118.61	18.35
$118.62–$119.01	16.40
$119.02–$119.81	16.45
$119.82–$120.17	16.50
$120.18–$120.41	16.55
$120.42–$120.65	16.60
$120.66–$120.89	16.65
$120.90–$121.13	16.70
$121.14–$121.37	16.75
$121.38–$121.61	16.80
$121.62–$121.85	16.85
$121.86–$122.09	18.90
$122.10–$122.33	16.95
$122.34–$122.57	$17.00
$122.58–$122.93	17.05
$122.94–$123.29	17.10
$123.30–$123.65	17.15
$123.66–$124.01	17.20
$124.02–$124.37	17.25
$124.38–$124.73	17.30
$124.74–$125.09	17.35
$125.10–$125.45	17.40
$125.46–$125.81	17.45
$125.82–$126.17	17.50
$126.18–$126.53	17.55
$126.54–$126.89	17.60
$126.90–$127.25	17.65
$127.26–$127.61	17.70
$127.62–$127.97	17.75
$127.98–$128.33	17.80
$128.34–$128.69	17.85
$128.70–$129.05	17.90
$129.06–$129.41	17.95
$129.42–$129.65	18.00
$129.66–$129.89	18.05
$129.90–$130.13	18.10
$130.14–$130.37	18.15
$130.38–$130.81	18.20
$130.82–$130.85	18.25
$130.86–$131.09	18.30
$131.10–$131.33	18.35
$131.37–$131.57	18.40
$131.58–$131.81	18.45
$131.82–$132.17	18.50
$132.18–$132.77	18.55
$132.78–$133.37	18.60
$133.38–$133.97	18.65
$133.98–$134.57	18.70
$134.58–$135.17	18.75
$135.18–$135.53	18.80
$135.54–$135.89	18.85
$135.90–$136.25	18.90
$136.26–$136.61	18.95
$136.62–$136.97	19.00
$136.98–$137.33	19.05
$137.34–$137.69	19.10
$137.70–$138.05	19.15
$138.06–$138.41	19.20
$138.42–$138.77	19.25
$138.78–$139.13	19.30
$139.14–$139.49	19.35
$139.50–$139.85	19.40
$139.86–$140.21	19.45
$140.22–$140.57	19.50
$140.58–$140.93	19.55
$140.94–$141.29	19.60
$141.30–$141.65	19.65
$141.68–$142.01	19.70
$142.02–$142.37	19.75
$142.38–$142.73	19.80
$142.74–$143.09	19.85
$143.10–$143.45	19.90
$143.46–$143.81	19.95
$143.82–$144.17	20.00
$144.18–$144.53	20.05
$144.54–$144.89	20.10
$144.90–$145.25	20.15
$145.26–$145.61	20.20
$145.62–$145.97	20.25
$145.98–$146.33	20.30
$146.34–$146.69	20.35
$146.70–$147.05	20.40
$147.06–$147.41	20.45
$147.42–$147.77	20.50
$147.78–$148.13	20.55
$148.14–$148.49	20.60
$148.50–$148.85	20.65
$148.86–$149.21	20.70
$149.22–$149.57	20.75
$149.58–$149.93	20.80
$149.94–$150.29	20.85
$150.30–$150.65	20.90
$150.66–$151.01	20.95
$151.02–$151.37	21.00
$151.38–$151.73	21.05
$151.74–$152.09	21.10
$152.10–$152.45	21.15
$152.46–$152.81	21.20
$152.82–$153.17	21.25
$153.18–$153.53	21.30
$153.54–$153.89	21.35
$153.90–$154.25	21.40

Manufacturer's selling price (per dozen)—Continued	Ceiling price at retail (per unit)
$154.26–$154.61	$21.45
$154.62–$154.97	21.50
$154.98–$155.33	21.55
$155.34–$155.69	21.60
$155.70–$155.93	21.65
$155.94–$156.17	21.70
$156.18–$156.41	21.75
$156.42–$156.65	21.80
$156.66–$156.89	21.85
$156.90–$157.13	21.90
$157.14–$157.37	21.95
$157.38–$157.61	22.00
$157.62–$157.85	22.05
$157.86–$158.09	22.10
$158.10–$158.33	22.15
$158.34–$158.57	22.20
$158.58–$158.81	22.25
$158.82–$159.05	22.30
$159.06–$159.29	22.35
$159.30–$159.53	22.40
$159.54–$159.78	22.45
$159.79–$160.14	22.50
$160.15–$160.74	22.55
$160.75–$161.34	22.60
$161.35–$161.94	22.65
$161.95–$162.54	22.70
$162.55–$163.14	22.75
$163.15–$163.74	22.80
$163.75–$164.34	22.85
$164.35–$164.94	22.90
$164.95–$165.54	22.95
$165.55–$165.78	23.00
$165.79–$166.14	23.05
$166.15–$166.50	23.10
$166.51–$166.86	23.15
$166.87–$167.22	23.20
$167.23–$167.58	23.25
$167.59–$167.94	23.30
$167.95–$168.30	23.35
$168.31–$168.66	23.40
$168.67–$169.02	23.45
$169.03–$169.38	23.50
$169.39–$169.74	23.55
$169.75–$170.10	23.60
$170.11–$170.46	23.65
$170.47–$170.82	23.70
$170.83–$171.18	23.75
$171.19–$171.54	23.80
$171.55–$171.90	23.85
$171.91–$172.26	23.90
$172.27–$172.62	23.95
$172.63–$173.03	24.00
$173.04–$173.39	24.05
$173.40–$173.75	24.10
$173.76–$174.11	24.15
$174.12–$174.47	24.20
$174.48–$174.83	24.25
$174.84–$175.19	24.30
$175.20–$175.55	24.35
$175.56–$175.91	24.40
$175.92–$176.27	24.45
$176.28–$176.63	24.50
$176.64–$176.99	24.55
$177.00–$177.35	24.60
$177.36–$177.71	24.65
$177.72–$178.07	24.70
$178.08–$178.43	24.75
$178.44–$178.79	24.80
$178.80–$179.15	24.85
$179.16–$179.51	24.90
$179.52–$179.87	24.95
$179.88–$180.23	25.00
$180.24–$180.59	25.05
$180.60–$180.95	25.10
$180.96–$181.31	25.15
$181.32–$181.67	25.20
$181.68–$182.03	25.25
$182.04–$182.39	25.30
$182.40–$182.75	25.35
$182.76–$183.11	25.40
$183.12–$183.47	25.45
$183.48–$183.83	25.50
$183.84–$184.19	25.55
$184.20–$184.55	25.60
$184.56–$184.91	25.65
$184.92–$185.27	25.70
$185.28–$185.63	25.75
$185.64–$185.99	25.80
$186.00–$186.35	$25.85
$186.36–$186.71	25.90
$186.72–$187.07	25.95
$187.08–$187.43	26.00
$187.44–$187.79	26.05
$187.80–$188.15	26.10
$188.16–$188.51	26.15
$188.52–$188.87	26.20
$188.88–$189.23	26.25
$189.24–$189.59	26.30
$189.60–$189.95	26.35
$189.96–$190.31	26.40
$190.32–$190.67	26.45
$190.68–$191.03	26.50
$191.04–$191.39	26.55
$191.40–$191.75	26.60
$191.76–$192.11	26.65
$192.12–$192.47	26.70
$192.48–$192.83	26.75
$192.84–$193.19	26.80
$193.20–$193.55	26.85
$193.56–$193.91	26.90
$193.92–$194.27	26.95
$194.28–$194.63	27.00
$194.64–$194.99	27.05
$195.00–$195.35	27.10
$195.36–$195.71	27.15
$195.72–$196.07	27.20
$196.08–$196.43	27.25
$196.44–$196.79	27.30
$196.80–$197.15	27.35
$197.16–$197.51	27.40
$197.52–$197.87	27.45
$197.88–$198.23	27.50
$198.24–$198.59	27.55
$198.60–$198.95	27.60
$198.96–$199.31	27.65
$199.32–$199.67	27.70
$199.68–$200.03	27.75
$200.04–$200.39	27.80
$200.40–$200.75	27.85
$200.76–$201.11	27.90
$201.12–$201.47	27.95
$201.48–$201.78	28.00
$201.79–$202.14	28.05
$202.15–$202.50	28.10
$202.51–$202.86	28.15
$202.87–$203.22	28.20
$203.23–$203.58	28.25
$203.59–$203.94	28.30
$203.95–$204.30	28.35
$204.31–$204.66	28.40
$204.67–$205.02	28.45
$205.03–$205.38	28.50
$205.39–$205.74	28.55
$205.75–$206.10	28.60
$206.11–$206.46	28.65
$206.47–$206.82	28.70
$206.83–$207.18	28.75
$207.19–$207.54	28.80
$207.55–$207.90	28.85
$207.91–$208.26	28.90
$208.27–$208.62	28.95
$208.63–$208.98	29.00
$208.99–$209.34	29.05
$209.35–$209.70	29.10
$209.71–$210.06	29.15
$210.07–$210.42	29.20
$210.43–$210.78	29.25
$210.79–$211.14	29.30
$211.15–$211.50	29.35
$211.51–$211.86	29.40
$211.87–$212.22	29.45
$212.23–$212.58	29.50
$212.59–$212.94	29.55
$212.95–$213.30	29.60
$213.31–$213.66	29.65
$213.67–$214.02	29.70
$214.03–$214.38	29.75
$214.39–$214.74	29.80
$214.75–$215.10	29.85
$215.11–$215.46	29.90
$215.47–$215.82	29.95
$215.83–$216.18	30.00
$216.19–$216.54	30.05
$216.55–$216.90	30.10
$216.91–$217.26	30.15
$217.27–$217.62	30.20
$217.63–$217.98	$30.25
$217.99–$218.34	30.30
$218.35–$218.70	30.35
$218.71–$219.06	30.40
$219.07–$219.42	30.45
$219.43–$219.78	30.50
$219.79–$220.14	30.55
$220.15–$220.50	30.60
$220.51–$220.86	30.65
$220.87–$221.22	30.70
$221.23–$221.58	30.75
$221.59–$221.94	30.80
$221.95–$222.30	30.85
$222.31–$222.66	30.90
$222.67–$223.02	30.95
$223.03–$223.38	31.00
$223.39–$223.74	31.05
$223.75–$224.10	31.10
$224.11–$224.46	31.15
$224.47–$224.82	31.20
$224.83–$225.18	31.25

2. The retail ceiling price of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, falling within the same bracket of selling price to the retailer, having the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, C. F. Hathaway Co., must mark each article listed in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in paragraph 1 of this special order or changes the retail ceiling price of a listed article, C. F. Hathaway Co. must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies

shall be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of the special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. Within 15 days after the effective date of any subsequent amendment to the special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the seller is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9180; Filed, Aug. 3, 1951; 4:26 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 232]

PROCTOR ELECTRIC CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Proctor Electric Company, Third Street and Hunting Park Avenue, Philadelphia 40, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of small electrical houseware appliances sold through wholesalers and retailers and having the brand name(s) "Proctor" and "Mary Proctor" shall be the proposed retail ceiling prices listed by Proctor Electric Company, Third Street and Hunting Park Avenue, Philadelphia 40, Pennsylvania, hereinafter referred to as the "applicant" in its application dated April 5, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, Proctor Electric Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than re-

tailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9181; Filed, Aug. 3, 1951; 4.27 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 233]

PETER PAN FOUNDATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Peter Pan Foundations, Inc., 312 Fifth Avenue, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant, has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres manufactured by Peter Pan Foundations, Inc., 312 Fifth Avenue, New York 1, New York, having the brand name(s) "Peter Pan", "Merry-Go-Round", "Hidden Treasure" shall be the proposed retail ceiling prices listed by Peter Pan Foundations, Inc., in its application dated May 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Peter Pan Foundations, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9182; Filed, Aug. 3, 1951; 4:27 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 234]

NAN BUNTLY, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Nan Buntly, Inc., 501 Seventh Avenue, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of lady's lined suit manufactured by Nan Buntly, Inc., 501 Seventh Avenue, New York, New York, having the brand name(s) "Nan Buntly" shall be the proposed retail ceiling prices listed by Nan Buntly, Inc., in its application dated June 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Nan Buntly, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any), issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9183; Filed, Aug. 3, 1951; 4:28 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 235]

WINER MANUFACTURING CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the

accompanying special order, Winer Manufacturing Co., Inc., 231 Condit Street, Hammond, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of all-weather jackets for men, boys and juniors manufactured by Winer Manufacturing Co., Inc., Hammond, Indiana, having the brand name(s) "Stratojac" shall be the proposed retail ceiling prices listed by Winer Manufacturing Co., Inc., in its application dated July 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Winer Manufacturing Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9184; Filed, Aug. 3, 1951; 4:28 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 236]

WORCESTER ROYAL PORCELAIN CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Worcester Royal Porcelain Co., Inc., 234 East Forty-sixth Street, New York 17, New York (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of bone china dinnerware sold at wholesale by The Worcester Royal Porcelain Co., Inc., 234 East Forty-sixth Street, New York 17, New York, having the brand name(s) "Royal Worcester" shall be the proposed retail ceiling prices listed by The Worcester Royal Porcelain Co., Inc., in its application dated July 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 2, 1951, The Worcester Royal Porcelain Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon isssuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9185; Filed, Aug. 3, 1951; 4:28 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 237]

DIVERSEY CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Diversey Corporation, 1820 Roscoe Street, Chicago 13, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of moth preventatives manufactured by The Diversey Corporation, 1820 Roscoe Street, Chicago 13, Illinois, having the brand name(s) "Enoz" shall be the proposed retail ceiling prices listed by The Diversey Corporation, in its application dated June 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon

as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, The Diversey Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9186; Filed, Aug. 3, 1951; 4:29 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 238]

PENDLETON WOOLEN MILLS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Pendleton Woolen Mills, 218 Southwest Jefferson Street, Portland 4, Oregon, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's shirts and lounging robes, women's jackets, skirts and slacks, weskits and shorts manufactured by Pendleton Woolen Mills, 218 Southwest Jefferson Street, Portland 4, Oregon, having the brand name(s) "Pendleton" shall be the proposed retail ceiling prices listed by Pendleton Woolen Mills, in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Pendleton Woolen Mills, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail

ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9187; Filed, Aug. 3, 1951; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 239]

RIVERSIDE BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Riverside Bedding Company, Eleventh Street SW., Moultrie, Georgia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses, box springs, pads, springs, pillows manufactured by Riverside Bedding Company, Eleventh Street SW., Moultrie, Georgia, having the brand name(s) "The Royal Line of Rest", and "Royal Line" shall be the proposed retail ceiling prices listed by Riverside Bedding Company in its application dated April 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Riverside Bedding Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9188; Filed, Aug. 3, 1951; 4:29 p. m.]

No. 153——5

[Ceiling Price Regulation 7, Section 43, Special Order 240]

AMERICAN MAID CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, American Maid Company, Inc., 847 West Jackson Boulevard, Chicago 7, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's and girls' underwear and sleepwear manufactured by American Maid Company, Inc., 847 West Jackson Boulevard, Chicago 7, Illinois, having the brand name(s) "American Maid", shall be the proposed retail ceiling prices listed by American Maid Company, Inc., in its application dated May 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, American Maid Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9189; Filed, Aug. 3, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 241]

FOREIGN ADVISORY SERVICE CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Foreign Advisory Service Corporation, Princess Anne, Maryland, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of pewter, dinnerware and pottery manufactured by Foreign Advisory Service Corporation, Princess Anne, Maryland, having the brand name(s) "Royal Holland", "Juliana", "Fris", shall be the proposed retail ceiling prices listed by Foreign Advisory Service Corporation in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Foreign Advisory Service Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order

which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9190; Filed, Aug. 3, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 242]

BALTIMORE LUGGAGE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Baltimore Luggage Company, 304 North Smallwood Street, Baltimore 23, Maryland, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies luggage manufactured by The Baltimore Luggage Company, 304 North Smallwood Street, Baltimore 23, Maryland, having the brand name(s) "Lady Baltimore" shall be the proposed retail ceiling prices listed by The Baltimore Luggage Company in its application dated May 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, The Baltimore Luggage Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9191; Filed, Aug. 3, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 243]

SANTA ANITA POTTERIES

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Santa Anita Potteries, 3117 San Fernando Road, Los Angeles 65, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued:

1. The ceiling prices for sales at retail of dinnerware (earthenware, pottery) manufactured by Santa Anita Potteries, 3117 San Fernando Road, Los Angeles 65, California, having the brand name(s) "Flowers of Hawaii", "California Modern", "California Carmel", "Modern Susie", "Santa Anita Ware", "Luau", "California Lazy Susans", and "Vreniware", shall be the proposed retail ceiling prices listed by Santa Anita Potteries in its application dated May 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Santa Anita Potteries must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9192; Filed, Aug. 3, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 244]

LEE-ROWAN CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lee-Rowan Company, 6301 Etzel Avenue, St. Louis 14, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that

the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of clothes racks and hangers, creasers and dryers manufactured by Lee-Rowan Company, 6301 Etzel Avenue, St. Louis 14, Mo., having the brand name(s) "Lee-Rowan" shall be the proposed retail ceiling prices listed by Lee-Rowan Company in its application dated May 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended by manufacturers application dated June 18, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Lee-Rowan Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9193; Filed, Aug. 8, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43. Special Order 247]

DEWITT-SEITZ CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, DeWitt Seitz Company, 394 Lake Avenue South, Duluth, Minnesota, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the pro-

visions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by DeWitt-Seitz Company, 394 Lake Avenue South, Duluth, Minnesota, having the brand name(s) "Sanomade" shall be the proposed retail ceiling prices listed by DeWitt-Seitz Company in its application dated April 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, DeWitt-Seitz Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9208; Filed, Aug. 3, 1951; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 248]

ONONDAGA POTTERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Onondaga Pottery Company, Syracuse, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of vitrified china dinnerware sold through wholesalers and retailers and having the brand name(s) "Syracuse China", and sold in that area of continental United States lying east of the eastern boundaries of the states of Montana, Wyoming, Colorado and New Mexico, which area shall include the whole of the State of Texas shall be the proposed retail ceiling prices listed by Onondaga Pottery Company, hereinafter referred to as the "applicant" in its application dated April 23, 1951, and

filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, Onondaga Pottery Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9209; Filed, Aug. 3, 1951; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 249]

HOFFMAN RADIO CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hoffman Radio Corporation, 3761 South Hill Street, Los Angeles 7, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of television receivers (table models, consoles, combinations and bases) sold through wholesalers and retailers and having the brand name(s) "Hoffman" shall be the proposed retail ceiling prices listed by Hoffman Radio

Corporation, 3761 South Hill Street, Los Angeles 7, California, hereinafter referred to as the "applicant" in its application dated June 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 11, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, Hoffman Radio Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9210; Filed, Aug. 3, 1951; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 250]

SOUTHERN SPRING BED CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Southern Spring Bed Company, 290 Hunter Street SE., Atlanta 1, Georgia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Southern Spring Bed Company, 290 Hunter Street SE., Atlanta 1, Georgia, having the brand name(s) "Red Cross" and "Southern Cross" "Southern Cross Firm-O-Matt," "Southern Cross Resstar," "Southern Cross Quilted," "Southern Cross Supreme," "Southern Cross Tuftless," "Southern Cross Rubberair,"

"Southern Cross King Size," "Blue Ribbon Tuftless" shall be the proposed retail ceiling prices listed by Southern Spring Bed Company in its application dated April 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Southern Spring Bed Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms{net. percent EOM. etc. $----------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9211; Filed, Aug. 3, 1951; 4:58 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 251]

WM. SCHWARTZ & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wm. Schwartz & Co., Inc., Twenty-second and Lehigh Avenue, Philadelphia, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of boys' juvenile clothing and outerwear manufactured by Wm. Schwartz & Co., Inc., Twenty-second and Lehigh Avenue, Philadelphia, Pennsylvania, having the brand name(s) "Chips" and "Twigs" shall be the proposed retail ceiling prices listed by Wm. Schwartz & Co., Inc., in its application dated June 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order

shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Wm. Schwartz & Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. dozen. etc.} Terms {net. percent EOM. etc.}

$------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9212; Filed, Aug. 3, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 255]

LEVI STRAUSS & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Levi Strauss & Company, 98 Battery Street, San Francisco, Calif., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's, women's, youths' and boys' overalls and jackets manufactured by Levi Strauss & Company, 98 Battery Street, San Francisco, California, having the brand name(s) "Levi's" shall be the proposed retail ceiling prices listed by Levi Strauss & Company in its application dated June 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Levi Strauss & Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$..... per .....{unit. dozen. etc.	Terms {net. percent EOM. etc. $.....

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9213; Filed, Aug. 3, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 256]

BENDIX AVIATION CORP., BENDIX RADIO DIVISION

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bendix Aviation Corporation, Bendix Radio Division, Baltimore 4, Maryland, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of television receivers and radio-phonograph combination manufactured by Bendix Aviation Corporation, Bendix Radio Division, Baltimore 4, Maryland, having the brand name(s) "Bendix Television" and "Bendix Radio, a product of Bendix Aviation Corporation" shall be the proposed retail ceiling prices listed by Bendix Aviation Corporation, Bendix Radio Division, in its application dated June 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 13, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Bendix Aviation Corporation, Bendix Radio Division, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $.....

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9214; Filed, Aug. 3, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 254]

F. C. HUYCK & SONS (KENWOOD MILLS)

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, F. C. Huyck & Sons (Kenwood Mills), Rensselaer, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of woven, woolen bed blankets manufactured by F. C. Huyck & Sons (Kenwood Mills), Rensselaer, New York, having the brand name(s) "Kenwood Famous," "Kenwood Reverie," "Kenwood Sundown," "Kenwood Remembrance," and "Kenwood Petite" shall be the proposed retail ceiling prices listed by F. C. Huyck & Sons in its application dated June 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, F. C. Huyck & Sons (Kenwood Mills), must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9215; Filed, Aug. 3, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 245]

PORTIS STYLE INDUSTRIES INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Portis Style Industries Inc., 320 West Ohio Street, Chicago 10, Illinois (hereafter called manufacturer and/or wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's hats, men's and boy's caps and gloves manufactured and/or sold at wholesale by Portis Style Industries, Inc., 320 West Ohio Street, Chicago 10, Illinois, having the brand name(s) "Portis Crest", "Portis Breeze", "Portis Supreme", "Portis Super-Lux", "Portis Super-Breeze", "Portis Tissue Weight", "Portis Sterling", "Portis Breeze-Lux", "Portis Beaver-Blend", "Portis Tissue Light", "Portis Beaver-Lux", "Portis Velvet-Tex," "Hugger", "Hopaling Cassidy", shall be the proposed retail ceiling prices listed by Portis Style Industries, Inc., in its three applications dated June 13, 1951, June 19, 1951, and July 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer and/or wholesaler after the effective date of this special order.

3. On and after October 2, 1951, Portis Style Industries, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's and/or wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer and/or wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer and/or wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer and/or wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer and/or wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer and/or wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer and/or wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following

the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer and/or wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9216; Filed, Aug. 3, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 246]

CAPITAL BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Capital Bedding Company, Fourteenth and Howard Streets, Harrisburg, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Capital Bedding Company, Fourteenth and Howard Streets, Harrisburg, Pennsylvania, having the brand name(s) "Serta Serta-foam", "Serta Serta-rest", "Serta Restal Knight", "Serta Perfect Sleeper", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper DeLuxe", and "Serta Perfect Sleeper Supreme" shall be the proposed retail ceiling prices listed by Capital Bedding Company in its application dated March 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Capital Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9217; Filed, Aug. 3, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 252]

NORTHERN ELECTRIC CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Northern Electric Company, 5224 North Kedzie Avenue, Chicago 25, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric blankets sold through wholesalers and retailers and having the brand name(s) "Northern" shall be th proposed retail ceiling prices listed by Northern Electric Company, 5224 North Kedzie Avenue, Chicago 25, Illinois, hereinafter referred to as the "applicant" in its application dated June 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 2, 1951, Northern Electric Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9218; Filed, Aug. 3, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 253]

SERTA OF CHICAGO, DIVISION OF SCHULTZ & HIRSCH CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Serta of Chicago, Division of Schultz & Hirsch Company, 1300 West Fulton Street, Chicago, 7, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also required applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses, box springs manufactured by Serta of Chicago, Division of Schultz & Hirsch Company, 1300 West Fulton Street, Chicago 7, Illinois, having the brand name(s) "Tiny Perfect Sleeper", "Sertarest", "Sertarest Deluxe", "Coilux", "Perfect Sleeper", "Perfect Sleeper Deluxe", "Perfect Sleeper Peerless", "Perfect Sleeper Orthopedic", "Perfect Sleeper Supreme", "Serta-foam", "Theralator", "Serta-Pedic" shall be the proposed retail ceiling prices listed by Serta of Chicago, Division of Schultz & Hirsch Company in its application dated March 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 2, 1951, Serta of Chicago, Division of Schultz & Hirsch Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 2, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 2, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}
$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-9219; Filed, Aug. 3, 1951; 5:01 p. m.]

FEDERAL POWER COMMISSION

[Project No. 739]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF CONTINUANCE OF HEARING

AUGUST 1, 1951.

Upon consideration of request by Counsel for Appalachian Electric Power

Company, filed July 23, 1951, for continuance of the hearing now scheduled for August 20, 1951, in the above-designated matter;

Notice is hereby given that the hearing in the above-designated matter be and it is hereby continued to October 8, 1951, at 10:00 a. m., in the Commission's Hearing Room, at 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-9132; Filed, Aug. 7, 1951; 8:45 a. m.]

[Project No. 1997]

ELIAS BUSHATI

NOTICE OF ORDER REGARDING CONSTRUCTION

AUGUST 2, 1951.

Notice is hereby given that, on August 2, 1951, the Federal Power Commission issued its order entered July 31, 1951, extending time for commencement and completion of construction in the above-entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-9133; Filed, Aug. 7, 1951; 8:45 a. m.]

[Docket No. G-1443]

OHIO FUEL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 2, 1951.

Notice is hereby given that, on July 31, 1951, the Federal Power Commission issued its order entered July 31, 1951, modifying its order of October 20, 1950, published in the FEDERAL REGISTER October 28, 1950 (15 F. R. 7281), issuing certificate of public convenience and necessity in the above entitled matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-9134; Filed, Aug. 7, 1951; 8:45 a. m.]

[Docket No. G-1688]

WEST TEXAS GAS CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 2, 1951.

Notice is hereby given that, on August 1, 1951, the Federal Power Commission issued its findings and order entered July 31, 1951, issuing a certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-9135; Filed, Aug. 7, 1951; 8:46 a. m.]

[Docket No. G-1750]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

AUGUST 2, 1951.

Take notice that United Gas Pipe Line Company (applicant), a Delaware corporation, of Shreveport, Louisiana, filed on July 18, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing Applicant to transport for the account of Southern Natural Gas Company natural gas through Applicant's "Carthage-Sterlington pipe-line" extending from the Carthage gas field in Texas to Applicant's Sterlington Compressor Station in Louisiana.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before August 22, 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-9144; Filed, Aug. 7, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26300]

MOTOR-RAIL-MOTOR RATES BETWEEN CERTAIN NEW ENGLAND POINTS AND HARLEM RIVER, N. Y.

APPLICATION FOR RELIEF

AUGUST 3, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The New York, New Haven and Hartford Railroad Company and Hartford Transportation Co., Inc.

Commodities involved: All commodities.

Between: Boston, Mass., New London, Conn., and Providence, R. I., on the one hand, and Harlem River, N. Y., on the other.

Grounds for relief: Competition with motor carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9148; Filed, Aug. 7, 1951; 8:48 a. m.]

[4th Sec. Application 26301]

PRINTING AND WRAPPING PAPER FROM NORTH CAROLINA AND TENNESSEE TO KANSAS CITY, MO.-KANS.

APPLICATION FOR RELIEF

AUGUST 3, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1201.

Commodities involved: Paper, printing or wrapping, carloads.

From: Canton, N. C., Holston and Kingsport, Tenn.

To: Kansas City, Mo.-Kans.

Grounds for relief: Competition with rail carriers.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1201, Supp. 38.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9149; Filed, Aug. 7, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2640]

REPUBLIC LIGHT, HEAT AND POWER CO., INC.

ORDER AUTHORIZING ISSUANCE AND SALE OF NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 2d day of August A. D. 1951.

Republic Light, Heat and Power Company, Inc. ("Republic"), a public utility

subsidiary of Cities Service Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, with respect to the following transactions:

Republic has made a loan agreement dated April 30, 1951 (hereinafter called the "Loan Agreement"), with Manufacturers and Traders Trust Company (hereinafter called "Trust Company"), Buffalo, New York, pursuant to which the Trust Company has agreed to lend to Republic such sum or sums of money as Republic may from time to time request of it on or before October 1, 1954, up to, but not exceeding, the total amount of $1,500,000. The amounts borrowed under the Loan Agreement from time to time are to be evidenced by promissory notes of Republic. All Notes shall be dated as of the date of the borrowing they respectively evidence and shall mature on October 1, 1954. Each Note issued during the period from April 30, 1951, through October 31, 1952, shall bear interest at the rate of the greater of 3 percent per annum or 1¼ percent above the discount rate of the Federal Reserve Bank of New York in effect at the date thereof to Member Banks for the discount of eligible commercial paper. Each Note issued during the period from November 1, 1952, to September 30, 1954, shall bear interest at the rate of the greater of 3 percent per annum or 1 percent above the discount rate of the Federal Reserve Bank of New York in effect at the date thereof to Member Banks for the discount of eligible commercial paper. However, in no event shall any Note bear interest at a rate greater than 3½ percent per annum. Interest on all Notes shall be payable quarterly on the first day of January, April, July, and October in each year. It is proposed to apply the proceeds of such borrowings to the payment of construction expenditures.

The Notes are to be subject to prepayment by Republic, in whole or in part, at any time or from time to time. No premium is to be payable upon such prepayment except in the event that the funds used for any such prepayment are borrowed by Republic from any bank other than the Trust Company, in which event a premium will be payable equivalent to ¼ of 1 percent per annum upon the amount of such prepayment from the date thereof to October 1, 1954: *Provided, however,* That no premium will be payable in any event in the case of any prepayment made within twelve months of October 1, 1954.

As consideration for the Trust Company's commitment to make loans under the Loan Agreement, Republic will pay to the Trust Company on July 1, 1951, for the two-months' period ending on that date, and quarterly thereafter for each preceding quarter-annual period, a commitment fee computed at the rate of ¼ percent per annum on the balance of funds available to it under said Loan Agreement from time to time unused during such period. Republic may cancel any unused credit available to it by giving three days written notice of such cancellation to the Trust Company, whereupon Republic's obligation to pay the commitment fee, except such fee as shall have accrued to the date of such cancellation, shall cease.

The said application having been filed on May 24, 1951 and the last amendment thereto containing a copy of the order of the Public Service Commission of the State of New York having been filed on July 30, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application within the period of time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing that the issue and sale of the Notes have been expressly authorized by the Public Service Commission of the State of New York, the State Commission of the state in which Republic is organized and doing business; and

The Commission finding that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, that no adverse findings are necessary thereunder, that no basis appears for imposing any terms and conditions in connection with our order other than those specified by Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the application, as amended; and

It appearing that the estimated fees and expenses, aggregating $11,100, including counsel fees of $4,500 to Frueauff, Burns, Ruch & Farrell and $1,500 to Raichle, Tucker and Moore are not unreasonable and should be approved:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application, as amended, be, and it hereby is, granted, subject to the terms and conditions prescribed by Rule U-24, and that this order shall become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9139; Filed, Aug. 7, 1951; 8:47 a. m.]

[File No. 70-2655]

CENTRAL VERMONT PUBLIC SERVICE CORP.

SUPPLEMENTAL ORDER AUTHORIZING THE SALE OF BONDS, NOTES, AND RELEASING JURISDICTION OVER FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of August A. D. 1951.

Central Vermont Public Service Corporation ("Central Vermont"), a public utility subsidiary of New England Public Service Company, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act"), and Rule U-50 promulgated thereunder, regarding the issuance and sale, at competitive bidding, of $2,000,000 principal amount of First Mortgage __ percent Bonds, Series G, due 1981, and the issuance or renewal after the sale of the bonds, until December 31, 1951, of short-term notes up to the maximum amount of $1,600,000; and

The Commission having, by order dated July 19, 1951, approved said application, as amended, subject to the condition that the proposed transactions should not be consummated until the results of competitive bidding on said bonds, pursuant to Rule U-50, and a final order of the Public Service Commission of Vermont approving same, should have been made a matter of record in this proceeding and a further order should have been entered by this Commission in the light of the record so completed; and subject further to the reservation of jurisdiction with respect to the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions; and

Central Vermont having, on August 1, 1951, filed a further amendment to its application setting forth the action taken by it to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids with respect to the bonds, the following bids were received:

Bidder	Annual interest rate (percent)	Price to company[1] (percent of principal)	Annual cost to company (percent)
Halsey, Stuart & Co., Inc.	3¼	101.27	3.4319
Lehman Bros.	3¼	101.175	3.4069
Kidder, Peabody & Co.	3¼	100.70	3.4023
Coffin & Burr, Inc., and The First Boston Corp.	3¼	100.289	3.4844
R. W. Pressprich & Co., and Equitable Securities Corp.	3⅜	101.8099	3.5267
Union Securities Corp.	3⅜	101.09	3.5655

[1] Exclusive of accrued interest from Aug. 1, 1951.

The amendment further stating that Central Vermont has accepted the bid of Halsey, Stuart & Co., Inc. for the bonds, as set forth above, and that the bonds will be offered for sale to the public at a price of 102.346 percent of their principal amount, plus accrued interest from August 1, 1951, resulting in an underwriter's spread of 1.076 percent of the principal amount of the bonds, or an aggregate of $21,520; and

The amendment also including a copy of the final order of the Public Service Commission of Vermont authorizing the issuance and sale of the bonds at the price and interest rate set forth above; and

The record having been completed with respect to the estimated fees and expenses incurred or to be incurred in connection with the proposed transactions in an aggregate amount of $31,820, including the following fees and expenses: $3,500 to Peat, Marwick, Mitchell & Co., for accounting services; $5,750 to Ropes Gray, Best, Coolidge & Rugg, $550 to Lawrence & O'Brien, $335 to Sulloway

Piper Jones Hollis & Godfrey, and $935 to E. H. Maxcy and N. W. Wilson, as counsel for, and to be paid by, Central Vermont; and $2,750 to Choate, Hall & Stewart, as counsel for, and to be paid by, the underwriters; and

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said bonds, the interest rate thereon, the redemption prices thereof, or the underwriter's spread; and also finding that the estimated fees and expenses incurred or to be incurred in connection with the proposed transactions are not unreasonable; and it appearing to the Commission that jurisdiction heretofore reserved over the transactions until the results of competitive bidding on the bonds and a final order of the Public Service Commission of Vermont approving same, had been made a matter of record in this proceeding, and over all fees and expenses should be released:

It is ordered, That the jurisdiction heretofore reserved over the proposed transactions until the results of competitive bidding on the bonds and a final order of the Public Service Commission of Vermont approving same, had been made a matter of record in this proceeding, be, and the same hereby is, released, and that said application, as further amended, be, and the same hereby is, granted, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction heretofore reserved over the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions be, and the same hereby is, released.

It is further ordered, That this order shall become effective upon its issuance.

By the Commission:

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9140; Filed, Aug. 7, 1951; 8:47 a. m.]

DEPARTMENT OF JUSTICE

[Order 4185]

ADMINISTRATIVE ASSISTANT ATTORNEY GENERAL AND DEPUTY ADMINISTRATIVE ASSISTANT ATTORNEY GENERAL

DECLARATION OF VESTING AND DELEGATION OF AUTHORITY CONCERNING ABANDONED AND UNCLAIMED PROPERTY

1. Pursuant to the delegation of authority dated July 21, 1951, from the Administrator of the General Services Administration (16 F. R. 7335) the title to all unclaimed and abandoned privately owned personal property of an estimated value of $100.00 or less which is now or may hereafter come into the official custody of any officer, employee, bureau, or other subdivision of this Department and remain unclaimed for a period of six months, shall, after the expiration of such period, vest in the United States.

2. I hereby delegate to the Administrative Assistant Attorney General and the Deputy Administrative Assistant Attorney General the authority to exercise all the other powers given me by the above-cited delegation concerning such property.

3. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

Dated: August 3, 1951.

J. HOWARD MCGRATH,
Attorney General.

[F. R. Doc. 51-9137; Filed, Aug. 7, 1951; 9:45 a. m.]

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18258]

WILLIAM HAISCH

In re: Rights of William Haisch under insurance contracts. Files Nos. F-28-30631-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That William Haisch whose last know address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 92527755 and 96698812 issued by The Prudential Insurance Company of America, Newark, New Jersey to William Haisch, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, William Haisch, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9195; Filed, Aug. 7, 1951; 8:51 a. m.]

[Vesting Order 18259]

ALBERT AND LIESEL HEID

In re: Rights of Albert Heid and Liesel Heid under insurance contract. File No. F-28-31495-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Albert Heid and Liesel Heid, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 6 701 833-A issued by the Metropolitan Life Insurance Company, New York, New York, to Albert Heid, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Metropolitan Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Albert Heid or Liesel Heid, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9196; Filed, Aug. 7, 1951; 8:51 a. m.]

[Vesting Order 18260]

BERNHARD ANTON FRIEDRICH ROWOLDT AND SCHARF AND KAYSER

In re: Rights of Bernhard Anton Friedrich Rowoldt and of Scharf and Kayser, trustee under insurance contract. File No. F-28-31372-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bernhard Anton Friedrich Rowoldt and Scharf and Kayser, Trustee, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 202119 issued by the West Coast Life Insurance Company, San Francisco, California, to Bernhard Anton Friedrich Rowoldt, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid West Coast Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Bernhard Anton Friedrich Rowoldt or Scharf and Kayser, Trustee, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9197; Filed, Aug. 7, 1951; 8:51 a. m.]

[Vesting Order 18261]

TOKUE WAKIDA

In re: Guardianship of Tokue Wakida. File No. F-39-1553.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tokue Wakida, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the sum of $1265.92 deposited with the Clerk of The Circuit Court of the Third Circuit, Hilo, Territory of Hawaii, pursuant to order of The Circuit Court of the Third Circuit, Hilo, Territory of Hawaii, in the matter of the guardianship of Tokue Wakida, dated February 18, 1942, together with any and all accruals thereto, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Japan);

3. That such property is in the process of administration by the Clerk of The Circuit Court of the Third Circuit, Hilo, Territory of Hawaii, as depositary, acting under the judicial supervision of The Circuit Court of the Third Circuit, Hilo, Territory of Hawaii;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General.
Director, Office of Alien Property.

[F. R. Doc. 51-9198; Filed, Aug. 7, 1951; 8:51 a. m.]

[Vesting Order 18262]

MRS. ELISABETH ALBRECHT ET AL.

In re: Securities owned by Mrs. Elisabeth Albrecht and others. F-28-4377; D-28-11147-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are as follows:

Name and Last Known Address

Mrs. Elisabeth Albrecht, 36 Wannenstrasse, Stuttgart, Germany.

Klara Bach, Kissingen, Germany.

Mrs. Anna Fleckstein also known as Anna Bach Fleckstein, 69 Roettingen (Mainfranken), Germany.

Klara Klinger also known as Klara Kuehner and as Clara Kuehner, Haus Friede, Unterschefflenz, Mosbach, Germany.

Mrs. Louise Ziegler also known as Mrs. Louise Carrie and as Luise Ziegler, 59 Hochstrasse, Andernach, Germany.

Gustav Repp also known as Gus Repp, Steinheim, near Hungen, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That the Firm of J. Bielefeldt, the last known address of which is Muehlenstrasse, Elmshorn, Germany, is a corporation, partnership, association or other business organization organized under the laws of Germany, and which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business at Elmshorn, Germany, and is a national of a designated enemy country (Germany);

3. That the personal representatives, heirs, next of kin, legatees and distributees of each of the following named deceased persons:

Name of decedent:
Jakob W. F. Ickrath.
Mrs. Franz Weyell.
Henry Mauer.

who there is reasonable cause to believe are residents of Germany, and nationals of a designated enemy country (Germany);

4. That the owner of the property described in subparagraph 11 hereof, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany);

5. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by the bonds described in Exhibit A, set forth below and by reference made a part hereof, owned by the persons named in said Exhibit A, in the face amounts set forth opposite each name, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

6. That the property described as follows: All rights and interests in and under two Fractional Scrip Certificates for Denver and Rio Grande Western Railroad Company General Mortgage Sinking Fund 5 percent Gold Bonds, due 1955, said certificates numbered L 508 and X 126 of $50.00 and $12.50 face value respectively, owned by the Firm of J. Bielefeldt,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the Firm of J. Bielefeldt, the aforesaid national of a designated enemy country (Germany);

7. That the property described as follows: Those certain debts or other obligation, matured or unmatured, evidenced by the bonds described in Exhibit B, set forth below and by reference made a part hereof, owned by the persons referred to in the aforesaid Exhibit B and of the face amounts set forth opposite thereto, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Jakob W. F. Ickrath, deceased, of Mrs. Franz Weyell, deceased, and of Henry Mauer, deceased, the aforesaid nationals of a designated enemy country (Germany);

8. That the property described as follows: Those shares of stock evidenced by the certificates described in Exhibit C, set forth below and by reference made a part hereof, owned by the persons named in said Exhibit C, in the amounts and bearing the certificates numbers set forth opposite each name, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

9. That the property described as follows: All rights and interest in, to and under that certain Fractional Scrip Certificate for Reorganized Denver and Rio Grande Western Railroad Company General Mortgage Sinking Fund 5 percent Gold Bonds, due 1955, said certificate numbered L 648 of $50.00 face value and owned by the personal representatives, heirs, next of kin, legatees and distributees of Jakob W. F. Ickrath, deceased,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Jakob W. F. Ickrath, deceased, the aforesaid nationals of a designated enemy country (Germany);

10. That the property described as follows: All rights and interest in, to and under those certain coupons detached from Northern Pacific Railway Company General Lien and Land Grant Series D, 1896 issue 3 percent Bonds, bond numbered 2195, said coupons of $67.50 face value and due February 1, 1940 to August 1, 1944, owned by the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Franz Weyell, deceased,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Mrs. Franz Weyell, deceased, the aforesaid nationals of a designated enemy country (Germany);

11. That the property described as follows: That certain debt or other obligation, matured or unmatured, evidenced by one (1) St. Louis Southwestern Railway Company, Second Mortgage 4 percent Gold Bond of $500 face value, due 1989, bearing the number 36, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with any and all rights in, to and under said bond,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the person referred to in subparagraph 4 hereof, the aforesaid national of a designated enemy country (Germany); and

12. That the property described as follows: That certain debt or other obligation of Continental Illinois National Bank and Trust Company of Chicago, Illinois, arising out of funds allocable to Gus Repp, representing accumulated cash dividends on preferred stock of Interstate Bakeries Corp., owned by said Gus Repp, as described in the above referred to Exhibit C, said funds on deposit in an account, entitled "Dividend Account, Interstate Bakeries Corporation Preferred Stock", maintained with the aforesaid bank, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account, of, or owing to, or which is evidence of ownership or control by, Gustav Repp, also known as Gus Repp, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

13. That to the extent that the persons named in subparagraphs 1 and 2 hereof, that the personal representatives, heirs, next of kin, legatees and distributees of Jakob W. F. Ickrath, deceased, of Mrs. Franz Weyell, deceased, and of Henry Mauer, deceased, and the person referred to in subparagraph 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Description of bonds	Bond No.	Face value	Owner	OAP File No.
St. Louis-San Francisco Ry. Co., prior lien Series A mortgage 4 percent bonds, due 1950.	AY 696	$250.00	Mrs. Elisabeth Albrecht	F-28-31575.
	AC 432	100.00		
	AC 433	100.00		
	AC 434	100.00		
	AC 435	100.00		
	AC 436	100.00		
Denver & Rio Grande Western R. R. Co., general mortgage sinking fund 5 percent gold bonds, due 1955.	TC 4192	100.00	Firm of J. Bielefeldt	F-28-31576.
	TC 4193	100.00		
	TC 4194	100.00		
St. Louis-San Francisco Ry. Co., prior lien Series A mortgage 4 percent bonds, due 1950.	Y 8853	250.00	Klara Bach Kissingen and Mrs. Anna Fleckstein also known as Anna Bach Fleckstein.	F-28-31574.
United States of America, adjusted service 3 percent bonds of 1936, due 1945.	35200066	50.00	Mrs. Louise Ziegler, also known as Mrs. Louise Carrie and as Luise Ziegler.	F-28-31582.

EXHIBIT B

Description of bonds	Bond No.	Face value	Owner	OAP File No.
Reorganized Denver & Rio Grande Western R. R. Co., general mortgage sinking fund 5 percent gold bonds, due 1955.	C 6317	$100.00	The personal representatives, heirs, next of kin, legatees, and distributees of Jakob W. F. Ickrath, deceased.	F-28-31571.
	C 6318	100.00		
	C 6319	100.00		
	C 6320	100.00		
Rock Island Arkansas & Louisiana R. R. first mortgage 4½ percent gold bonds.	D 4246	500.00	do	F-28-31571.
	D 4247	500.00		
Northern Pacific Ry. Co., general lien and land grant series D, 1896 issue 3 percent bond.	2195	500.00	The personal representatives, heirs, next of kin, legatees and distributees of Mrs. Franz Weyell, deceased.	F-28-31572.
Third United States Liberty Loan, 4¼ percent bond of 1918, due 1928.	4369332	100.00	The personal representatives, heirs, next of kin, legatees and distributees of Henry Mauer, deceased.	F-28-17615.
Fourth United States Liberty Loan, 4¼ percent bonds of 1918, due 1938.	B2884432	50.00	do	F-28-17615.
	B2884433	50.00		

EXHIBIT C

Name of issuer	Owner	Class of stock	Certificate No.	Number of shares	OAP File No.
North Shore Gas Co.	Klara Klinger, also known as Klara Kuehner and as Clara Kuehner.	7 percent preferred.	5959 6407	10 1	F-28-31573.
Associated Gas & Electric Co.	Gustav Repp, also known as Gus Repp.	Series A, capital.	NYO-B48362	5	D-28-11147.
Interstate Bakeries Corp.	do	Cumulative preferred.	CPO 585	5	D-28-11147.

[F. R. Doc. 51-9199; Filed, Aug. 7, 1951; 8:52 a. m.]

[Vesting Order 18263]

CENTRAL CHINESE TELEGRAPH CO., LTD.

In re: Debt owing to Central Chinese Telegraph Co., Ltd. F-39-3032-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Central Chinese Telegraph Co., Ltd., is a corporation organized under the laws of China, whose principal place of business is located at Shanghai, China, and is, or on or since the effective date of Executive Order 8389, as amended, has been controlled by a designated enemy country (Japan), and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of Mackay Radio and Telegraph Co., Inc., 67 Broad Street, New York, New York, arising out of an open account due on the books of said Mackay Radio and Telegraph Co., Inc., in the name of Central Chinese Telegraph Co., Ltd., in the amount of $21,329.38 as of December 31, 1945, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That Central Chinese Telegraph Co., Ltd., is controlled by, or acting for or on behalf of a designated enemy country (Japan), or persons within such country and is a national of a designated enemy country (Japan);

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9200; Filed, Aug. 7, 1951; 8:52 a. m.]

[Vesting Order 18264]

NIHEI MIYAMOTO

In re: Bank account owned by Nihei Miyamoto. D-39-12.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nihei Miyamoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of the Bank of Hawaii, Honolulu, Territory of Hawaii, arising out of a savings account, account number 168143, maintained with the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Nihei Miyamoto, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9201; Filed, Aug. 7, 1951; 8:52 a. m.]

[Vesting Order 18265]

ANTON REICHE A. G.

In re: Securities owned by and debt owing to Anton Reiche A. G. F-28-8808.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anton Reiche A. G., the last known address of which is Dresden, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Dresden, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Ten (10) shares of $100.00 par value common stock of T. C. Weygandt Company, 165 Duane Street, New York 13, New York, evidenced by a certificate numbered 69, registered in the name of Anton Reiche A. G., together with all declared and unpaid dividends thereon, and

b. That certain debt or other obligation owing to Anton Reiche A. G. by T. C. Weygandt Company, 165 Duane Street, New York 13, New York, arising out of an account payable on the books of the aforesaid T. C. Weygandt Company, in the name of Anton Reiche A. G., together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9202; Filed, Aug. 7, 1951; 8:52 a. m.]

[Vesting Order 18041, Amdt.]

KENICK NISHII

In re: Debt owing to Kenick Nishii. D-39-19313-E-1.

Vesting Order 18041, dated June 12, 1951, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2 of the aforesaid Vesting Order 18041, the number "15076" and substituting therefor the number "15392".

All other provisions of said Vesting Order 18041 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9203; Filed, Aug. 7, 1951; 8:52 a. m.]

WILLEM JOHAN BERNARD JANSEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Willem Johan Bernard Jansen, Haarlem, Netherlands; Claim No. 41862; $48,874.51 in the Treasury of the United States. Property described in Vesting Order No. 3319 (9 F. R. 3669, April 5, 1944), relating to an undivided ¼ part of all right, title and interest in and to United States Letters Patent Nos. 1,970,219; 2,006,434; 2,112,555; 2,117,287; 2,133,888; 2,177,799; 2,284,082; 2,316,391. One-fourth of the interests and rights (including all royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Franz Georg Bloch, Friedrich Fuchs and Karl Fuchs, and each of them, by virtue of an agreement dated April 29, 1935 (including all modifications thereof or supplements thereto, including, but without limitation, supplements dated April 29, 1935, June 29, 1942 and March 29, 1943) by and between Franz Georg Bloch, Karl Fuchs, Friedrich Fuchs and Weston Electrical Instrument Corporation, relating, among others, to patent No. 1,970,219, to the extent that the said one-fourth was owned by Willem Johan Bernard Jansen immediately prior to vesting by Vesting Order 3319.

Executed at Washington, D. C., on August 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9204; Filed, Aug. 7, 1951; 8:52 a. m.]

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TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 998—HANDLING OF IRISH POTATOES GROWN IN NEW JERSEY

APPROVAL OF BUDGET OF EXPENSES AND FIXING RATE OF ASSESSMENT

Notice of proposed rule making regarding rules and regulations relative to a proposed budget and rate of assessment, to be made effective under Marketing Agreement No. 116 and Order No. 98 (7 CFR Part 998), regulating the handling of Irish potatoes grown in New Jersey was published in the FEDERAL REGISTER (16 F. R. 6692). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the New Jersey Potato Marketing Committee (established pursuant to said agreement and order), the following rules and regulations are hereby approved.

§ 998.202 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the New Jersey Potato Marketing Committee, established pursuant to Marketing Agreement No. 116 and Order No. 98, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid marketing agreement and order during the fiscal year ending April 30, 1952, will amount to $18,750.00;

(b) The rate of assessments to be paid by each handler who first ships potatoes shall be one-half of one cent ($0.005) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal year; and

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 116 and Order No. 98 (7 CFR Part 998).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 3d day of August 1951, to become effective 30 days after publication hereof in the FEDERAL REGISTER.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-9240; Filed, Aug. 8, 1951; 8:50 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 151—DEPORTATION PROCEEDINGS: HEARING AND ADJUDICATION

HEARING OFFICER'S DUTIES; CONTENTS OF RECORD

JUNE 27, 1951.

The following amendments to Part 151 of Chapter I, Title 8 of the Code of Federal Regulations, are hereby prescribed:

1. Paragraph (b) of § 151.2, *Conduct of hearing,* is amended to read as follows:

(b) *Hearing officer; general duties.* The hearing officer shall conduct a fair and impartial hearing. He shall use his independent judgment in rendering his decision and shall not perform any duties inconsistent with the duties and responsibilities of an adjudicating officer, except as provided in this part. He shall exclude from the record any evidence that is irrelevant, immaterial, or unduly repetitious. He may, within his discretion, exclude from the record any arguments in support of objections, but, in such event, the alien or his counsel or representative may submit argument in the form of a brief to accompany the record. If the testimony at a hearing is transcribed, the hearing officer shall certify that to the best of his knowledge and belief the transcript is a true report of everything that was stated dur-

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FEDERAL REGISTER

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ing the course of the hearing, including oaths administered and the rulings on objections, except statements made off the record.

2. Paragraph (a) of § 151.3, *Contents of record; evidence,* is amended to read as follows:

(a) *Record.* The testimony and exhibits, together with all written motions and other papers and requests filed in the proceeding, shall constitute the record in the case.

(Sec. 23, 39 Stat. 892, as amended, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

ARGYLE R. MACKEY,
Commissioner,
Immigration and Naturalization.

Approved: August 3, 1951.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 51–9258; Filed, Aug. 8, 1951; 8:52 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

[Docket No. FDC–7–C–1]

PART 18—MILK AND CREAM; DEFINITIONS AND STANDARDS OF IDENTITY

EVAPORATED MILK

In the matter of amending the definition and standard of identity for evaporated milk:

By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371) and upon the basis of substantial evidence received at the public hearing held pursuant to a notice published in the FEDERAL REGISTER on January 26, 1951 (16 F. R. 731), no exceptions having been filed to the tentative order published in the FEDERAL REGISTER on June 21, 1951 (16 F. R. 5903), the following order is hereby promulgated.

Findings of fact.[1] 1. The definition and standard of identity for evaporated milk (21 CFR 18.520), which was promulgated by an order published in the FEDERAL REGISTER of July 2, 1940 (5 F. R. 2443), recognizes added vitamin D as a permitted optional ingredient and requires that its presence be declared on the label. The standard fixes the minimum level for vitamin D, when this optional ingredient is used, at 7.5 U. S. P. units per avoirdupois ounce of the finished evaporated milk, and prescribes that vitamin D be determined by the method prescribed in "The Second Supplement of the Pharmacopoeia of the United States of America Eleventh Decennial Revision." (R. Ex. 3)

2. The method prescribed for determining vitamin D requires, among other things, that "U. S. P. 'Reference Cod Liver Oil'" be used as the vitamin D standard. The organization of the Pharmacopeia has only a small quantity of U. S. P. "Reference Cod Liver Oil" remaining, and the supply will not be renewed because by the revision of the United States Pharmacopeia which became official November 1, 1950, the vitamin D standard was changed from U. S. P. "Reference Cod Liver Oil" to U. S. P. Vitamin D. Reference Standard. A method specially adapted to the determination of U. S. P. units of vitamin D in evaporated milk is given in "Official Methods of Analysis of the Association of Official Agricultural Chemists," Seventh Edition, 1950, beginning on page 788, under the heading "Vitamin D in Milk—Official." This method is commonly known as the A. O. A. C. method. It ultilizes the new U. S. P. Vitamin D Reference Standard, which is readily available. The A. O. A. C. method is the preferred method of a number of laboratories making determinations of vitamin D in evaporated milk. (R. 6–11, 20–23)

3. Although the minimum level for vitamin D prescribed by the standard is 7.5 U. S. P. units per avoirdupois ounce, it has become the general commercial practice of manufacturers to increase the vitamin D content to not less than 25 U. S. P. units per fluid ounce. It has been possible for consumers to note that vitamin D has been increased to this level from label statements on vitamin D increased evaporated milks made in compliance with regulations prescribing label statements relating to vitamins in foods for special dietary uses (21 CFR 125.3). It is reasonable to raise the minimum level for vitamin D specified in the standard for evaporated milk to not less than 25 U. S. P. units per fluid ounce of the vitamin D increased evaporated milk so that this food will contain not less vitamin D than consumers have been receiving in vitamin D increased evaporated milk for the past several years. (R. 12–14, 16–17, 21–22, 23–24, 27, 33–35)

Conclusions. It is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the definition and standard of identity for evaporated milk so that as amended it will read as hereinafter set forth:

Therefore, it is ordered, That Part 18 be amended by deleting therefrom the definition and standard of identity for evaporated milk as set forth in § 18.520 and substituting in place thereof a new definition and standard of identity for evaporated milk, as follows:

§ 18.520 *Evaporated milk; identity; label statement of optional ingredients.* (a) Evaporated milk is the liquid food made by evaporating sweet milk to such point that it contains not less than 7.9 percent of milk fat and not less than 25.9 percent of total milk solids. It may contain one or both of the following optional ingredients:

(1) Disodium phosphate or sodium citrate or both, or calcium chloride, added in a total quantity of not more than .01 percent by weight of the finished evaporated milk.

(2) Vitamin D in such quantity as to increase the total vitamin D content to

[1] The citations following each finding of fact refer to the pages of the transcript of the testimony and the exhibits received in evidence at the hearing.

not less than 25 U. S. P. units per fluid ounce of the finished evaporated milk. It may be homogenized. It is sealed in a container and so processed by heat as to prevent spoilage.

(b) When optional ingredient (a) (2) is present, the label shall bear the statement "with increased vitamin D content" or "vitamin D content increased." Such statement shall immediately and conspicuously precede or follow the name "Evaporated Milk," without intervening written, printed, or graphic matter, wherever such name appears on the label so conspicuously as to be easily seen under customary conditions of purchase.

(c) For the purpose of this section:

(1) The word "milk" means cow's milk.

(2) Such milk may be adjusted, before or after evaporation, by the addition or abstraction of cream or sweet skim milk, or by the addition of concentrated sweet skim milk.

(3) The quantity of milk fat is determined by the method prescribed under "Fat—Official" on page 249 and the quantity of total milk solids is determined by the method prescribed under "Total Solids—Official" on page 248 of "Official Methods of Analysis of the Association of Official Agricultural Chemists," Seventh Edition, 1950.

(4) Vitamin D content may be increased by the application of radiant energy or by the addition of a concentrate of vitamin D (with any accompanying vitamin A when such vitamin D in such concentrate is obtained from natural sources) dissolved in a food oil; but if such oil is not milk fat the quantity thereof added is not more than 0.01 percent of the weight of the finished evaporated milk.

(5) The quantity of vitamin D is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Agricultural Chemists," Seventh Edition, 1950, page 788 et seq., under the heading "Vitamin D in Milk—Official."

Effective date. This regulation shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055; 21 U. S. C. 341, 371)

Dated: August 3, 1951.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 51-9239; Filed, Aug. 8, 1951; 8:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[Regulations 129]

PART 24—CONSOLIDATED INCOME AND EXCESS PROFITS TAX RETURNS

Correction

In Federal Register Document 51-7499, published at page 6276 of the issue for Friday, June 29, 1951, the following changes should be made:

1. In the 21st and 22d lines of § 24.2 (b) (1) "section 27" should read "section 207".

2. In § 24.31 (b), subparagraph (5) (middle column, page 6294) should read as follows:

(5) *Limitation on absorption of net operating loss carry-overs.* In the computation of the consolidated net operating loss deduction for the taxable year, if there is involved a net operating loss sustained in a prior year by a corporation filing a separate return for such prior year, or joining in a consolidated return for such prior year filed by another affiliated group, together with a consolidated net operating loss, or, if there are involved net operating losses of two or more members of the group so separately sustained, no portion of the dated return period of the group intervening between the year of the loss and the taxable year shall be taken into account more than once in giving effect to the provisions of paragraph (a) (3) (ii) of this section, relating to the computation of the consolidated net operating loss carry-overs originating in separate return years.

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs. Amdt. 68 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 381—ENFORCEMENT PROVISIONS

MISCELLANEOUS AMENDMENTS

1. Section 373.17 *Special provisions for cotton mill waste,* is amended by deleting therefrom paragraph (b) *Additional provisions for soft cotton waste* and redesignating paragraph (c) as paragraph (b) *Additional provisions for cotton hard wastes.*

This part of the amendment shall become effective as of August 2, 1951.

2. Section 373.51 *Supplement 1: Time schedules for submission of applications for licenses to export certain Positive List commodities,* is amended in the following particulars:

Dept. of Commerce Schedule B No.	Commodity	Submission dates	
		Third quarter	Fourth quarter
	Hides and skins, raw, except furs		
020104	Cattle hides, wet	The first and second months of the current calendar quarter.	The first month of the current calendar quarter.
020602	Calf skins, dry [1]		
020604	Calf skins, wet (include slunk skins)		
020702	Kip skins, dry [1]		
020704	Kip skins, wet		
025098	Buffalo hides		

[1] Applications covering calf and kip skins, dry, imported, filed in accordance with § 373.6 (a), may be submitted at any time.

This part of the amendment shall become effective as of August 2, 1951.

3. Part 381, *Enforcement provisions,* is amended by adding thereto a new section (§ 381.5) to read as follows:

§ 381.5 *Return or unloading of cargo at direction of Department of Commerce*—(a) *Exporting carriers.* (1) Any exporting carrier which has departed from the United States with any commodity on board which has not been cleared for export in accordance with the provisions of § 379.1 (a) (1) of this chapter, or with any commodity on board as to which any other violation of export control regulations (Parts 370 through 399 of this chapter) has occurred, and which is in possession or control of such commodity, shall, as may be directed by the Office of International Trade, either (i) return such commodity to the United States or cause such commodity to be so returned, or (ii) unload such commodity at a port of call and take steps to assure that such commodity is placed in custody under bond or other guaranty not to enter the commerce of any foreign country without prior approval of the Office of International Trade.

(2) The provisions of § 381.4 (f) relating to reporting, notification to the Office of International Trade, and the prohibition against unauthorized delivery or entry of the commodity into a foreign country, shall apply also to commodities directed to be unloaded at a port of call, as provided in this section.

(b) *Agents of the carrier or vessel.* The agent of the carrier or vessel having such commodity aboard or which is in possession or control of such commodity, as provided in paragraph (a) of this section, shall notify the master of the vessel immediately upon discovery of such export control violation.

NOTE: This section in no wise relieves exporting carriers of their responsibilities under regulations of the Bureau of Customs (particularly under U. S. Code, title 46, sections 91 and 92).

Commodities returned to the United States pursuant to this section are required by customs regulations to be removed from the dock or pier where deposited within 48 hours, or the commodities will be placed in storage with charges leviable against the commodities.

This part of the amendment shall become effective as of August 2, 1951.

(Sec. 3, 63 Stat. 7, Pub. Law 33, 82d Cong.; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-9234; Filed, Aug. 8, 1951; 8:49 a. m.]

[1] This amendment was published in Current Export Bulletin No. 632, dated August 2, 1951.

[5th Gen. Rev. of Export Regs., Amdt. P. L. 57 [1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Druggists' nonproprietary preparations:				
	Elixirs, tinctures, fluid extracts, and similar liquid solutions:				
812400	Alkaloids of cinchona bark, their salts, derivatives and preparations, in dosage form (report solid dosage forms in 812790, and bulk medicinals in 813587–813588).	----------	DRUG	25	RO
	Tablets, pills, capsules, powders, ointments, extracts and similar manufactures, in dosage form, n. e. s.:				
812700	Alkaloids of cinchona bark, their salts, derivatives and preparations, in dosage form (report liquid dosage forms in 812400, and bulk medicinals in 813587–813588).	----------	DRUG	25	RO
	Medicinal chemicals, U. S. P. and N. F. included (bulk); dosage forms excluded except as indicated:				
	Alkaloids of cinchona bark, their salts, derivatives and preparations, bulk (report liquid dosage forms in 812400, and solid dosage forms in 812790):				
813587	Quinine sulfate and quinine hydrochloride	----------	DRUG	25	RO
813588	Other (specify by name) [1]	----------	DRUG	25	RO
	Proprietary medicinal preparations for human use:				
815700	Malaria, chill, and fever remedies	----------	DRUG	25	RO

[1] This entry is substituted for the entry on the Positive List under Schedule B No. 813588. The effect of this amendment is to add to the Positive List bulk forms of alkaloids of cinchona bark, their salts, derivatives and preparations, other than quinidine alkaloid and quinidine salts and compounds which are presently on the Positive List under this number.

This part of the amendment shall become effective as of 12:01 a. m., August 7, 1951.

2. Certain commodities are changed from R to RO commodities as follows:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Aluminum and aluminum-base alloys:				
630998	Matrices and matrix material, chief value aluminum	----------	NONF	250	RO

This part of the amendment shall become effective as of August 7, 1951.

3. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
080905	Sperm oil.[1]

[1] All whale oils may now be exported under general license to all destinations other than Subgroup A, Hong Kong, and Macao.

This part of the amendment shall become effective as of August 2, 1951.

[1] This amendment was published in Current Export Bulletin No. 632, dated August 2, 1951.

4. The following entries are substituted for the present entries on the Positive List for Schedule B Nos. 663900, 731150, and 734240. These revisions are made to conform to Public Bulletins P. B. 190B–I and II, issued by the Bureau of the Census.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
663900	Tungsten carbide tool blanks, tips, and inserts (specify item and tungsten content).	Lb------	TOOL	25	RO
663900	Tungsten carbide, except tool blanks, tips, and inserts (specify item and tungsten content).	Lb------	NONF	None	RO
663900	Other tungsten metal, stellite, wire, shapes, and alloys (specify item and tungsten content).	Lb------	NONF	None	RO
	Mining and quarrying machinery:				
731150	Rock drill bits, detachable (including reamers), when containing diamonds (see §§ 373.1, 373.9).	No------	MINE	None	RO
731150	Rock drill bits, detachable (including reamers), tungsten carbide.	No------	MINE	None	RO
731150	Other rock drill bits, deachable (including reamers) for oil and gas well drilling (formerly 734240).	No------	MINE	None	RO
	Petroleum field and refining equipment, and parts:				
734240	Oil and gas well drilling equipment, tools, and parts (report rock drill bits and reamers under 731150).	----------	CONS	None	RO

This part of the amendment shall become effective as of August 7, 1951.

5. The entry on the Positive List for "Sodium bismuthate," Schedule B. No. 837990 is deleted. This is not a substantive change, but conforms to revision made by the Bureau of the Census. Sodium bismuthate used as a reagent is included on the Positive List under Schedule B No. 814500, and sodium bismuthate for medicinal use is included on the Positive List under Schedule B No. 813583, "Bismuth salts and compounds."

This part of the amendment shall become effective as of August 2, 1951.

6. The "GLV dollar-value limit" set forth opposite the Positive List entry Schedule B No. 814500 "Sodium bismuthate" is changed from "$500" to "None".

This part of the amendment shall become effective as of 12:01 a. m., August 7, 1951.

Section 399.3 *Appendix C—Commodity Processing Codes* is amended in the following particulars:

The processing codes for certain commodities are amended to read as set forth below.

Dept. of Commerce Schedule B No.	Commodity	Processing code
220919–220939	Pyrethrum; and rotenone-bearing roots, crude, ground, or powdered	AGCH
837990	Sodium nitrate	FERT
838500	Ammonium sulfate; and urea [1]	FERT

[1] In the Commodity Processing Code list the ammonium compounds classified under Schedule B No. 838500 except ammonium sulfate and urea retain the processing code SALT. The entry on the Positive List of Commodities (§ 399.1) for urea, Schedule B No. 838500 is also revised to reflect this change in processing code.

This part of the amendment shall become effective as of August 7, 1951.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, or whose GLV dollar-value limits were reduced, as a result of changes set forth in Parts 1, 2, and 6 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., August 7, 1951, may be exported under the previous general license pro-

visions up to and including September 1, 1951. Any such shipment not laden aboard the exporting carrier on or before September 1, 1951, requires a validated license for export.

(Sec. 3, 63 Stat. 7, Pub. Law 33, 82d Cong.; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-9235; Filed, Aug. 8, 1851; 8:49 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Housing Rent Reg., Amdt. 393]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 387]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

IOWA, LOUISIANA, NEW JERSEY AND OHIO

Amendment 393 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 387 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 89, is amended to describe the counties in the Defense-Rental Area as follows:

Rock Island County, except the Cities of Moline and Rock Island, and all unincorporated localities.

Scott County, except the Cities of Bettendorf and Davenport, the Towns of Buffalo, Le Claire, Long Grove, Princeton and Walcott, and all unincorporated localities.

This decontrols the City of Bettendorf in Scott County, Iowa, a portion of the Quad Cities, Illinois, Defense-Rental Area.

2. Schedule A, Item 133, is amended to describe the counties in the Defense-Rental Area as follows:

Ouachita Parish.

This decontrols the Town of Bastrop in Morehouse Parish, Louisiana, a portion of the Monroe-Bastrop, Louisiana, Defense-Rental Area.

3. Schedule A, Item 191, is amended to describe the counties in the Defense-Rental Area as follows:

Warren County, except the Borough of Washington, the Town of Belvidere, and the Townships of Franklin, Mansfield, Oxford, Pahaquarry, Pohatcong, Hardwick, Frelinghausen and White.

The Counties of Hunterdon and Mercer.

This decontrols the Township of White in Warren County, New Jersey, a portion of the Trenton, New Jersey, Defense-Rental Area.

4. Schedule A, Item 226, is amended to describe the counties in the Defense-Rental Area as follows:

Stark County, except the City of Massillon, the Villages of Canal Fulton, Louisville and North Canton and that portion of the Village of Minerva located in Stark County.

Tuscarawas County, except the Townships of Auburn, Bucks, Clay, Fairfield, Jefferson, Perry, Rush, Salem, Warren, Washington, Union, and York.

This decontrols that portion of the Village of Minerva located in Stark County, Ohio, a portion of the Canton, Ohio, Defense-Rental Area.

All decontrols effected by this amendment are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall be effective August 9, 1951.

Issued this 6th day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-9284; Filed, Aug. 6, 1951; 4:24 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 536—CLAIMS AGAINST THE UNITED STATES

MISCELLANEOUS AMENDMENTS

Rescind §§ 536.12, 536.18, 536.22, 536.23, and 536.26 and substitute the following in lieu thereof:

§ 536.12 *Claims under the Military Claims Act*—(a) *General.* Claims, arising on or after May 27, 1941, except claims arising from negligent or wrongful acts or omissions accruing on or after January 1, 1945 and cognizable under the Federal Tort Claims Act (§ 536.29), for damage to or loss or destruction of real or personal property, or for reasonable medical, hospital, or burial expenses actually incurred on account of personal injury or death, caused by military personnel or civilian employees of the Department of the Army or of the Army while acting within the scope of their employment, or otherwise incident to noncombat activities of the Department of the Army or of the Army, including claims for damage to or loss or destruction of registered or insured mail while in the possession of the military authorities even though resulting from criminal acts, claims for damage to or loss or destruction of personal property bailed to the Government, claims for damage to real property incident to the use and occupancy thereof under a lease, express or implied, or otherwise, and claims of the foregoing categories arising out of civil works, are payable under the provisions of this section provided they do not exceed $1,000.

(b) *Claims payable under prior regulations payable hereunder.* Any claim, not cognizable under the Federal Tort Claims Act, arising on or after May 27, 1941, formerly payable under provisions of law and regulations now superseded is payable under the provisions of §§ 536.12–536.23.

(c) *Claims accruing prior to May 27, 1941.* Claims arising out of accidents or incidents occurring prior to May 27, 1941, but otherwise within §§ 536.12–536.23, will be forwarded with related files and recommendations in triplicate by or through the commanding general of the army or comparable command, or the command claims service to The Judge Advocate General. The forwarding authority will retain only a card record of the claim.

§ 536.18 *Depredation.* Claims for damage to or loss or destruction of property caused by members of the armed forces resulting from riotous, violent, or disorderly conduct, or acts of depredation, willful misconduct, or such reckless disregard of property rights as to carry an implication of guilty intent, and payable under the Uniform Code of Military Justice, Article 139 (§ 536.25), are not payable under the provisions of §§ 536.12–536 23.

§ 536.22 *Claims of subrogees.* Settlement will be made solely with the insured, rather with the insurer or with both the insured and insurer, in cases of damage, loss, destruction, injury, or death covered by insurance. No inquiry will be made into, nor determination made of, the relative interests of the insured and insurer. The entire claim, including any portion thereof insured against, will be filed by or on behalf of the insured and payment of the entire amount approved will be made in the name of the insured. Authority to file a claim on behalf of the insured may be established by a power of attorney, insurance policy provision, or other documentary evidence satisfactory to the approving authority. Claims by subrogees in their own right in cases not involving insurance are similarly not within the provisions of §§ 536.12–536.23.

§ 536.23 *Procedure*—(a) *Sections 536.1–536.8 applicable.* So far as not inconsistent with these regulations (§§ 536.12–536.23), the procedure set forth in §§ 536.1–536.8 will be followed as to claims within these regulations.

(b) *Conditions of payment.* Prior to payment of any claim under the provisions of §§ 536.12–536.23, each of the following conditions must be fulfilled:

(1) The amount of the damage, loss, or destruction, or the amount payable on account of personal injury or death, must be determined.

(2) The payment must not exceed $1,000 but meritorious claims in excess of that amount may be reported to Congress for consideration.

(3) The claim of a subrogee will not be recognized except as an element of the subrogor's claim.

(4) The claim must normally be presented within 1 year after the occurrence of the accident or incident out of which the claim arises.

(5) Negligence or wrongful act of the claimant, in whole or in part the proximate cause of the accident or incident, bars recovery.

(6) The claim must be approved in accordance with prescribed procedures,

or, on appeal, by the Secretary of the Army.

(7) The claimant must accept, in full satisfaction and final settlement, the amount approved, if less than the full amount claimed.

(8) Claims of military personnel or civilian employees of the Department of the Army or the Army for personal injury or death incident to their service are not payable under these regulations.

(9) Claims payable under the provisions of §§ 536.25, 536.26, 536.27 or 536.29 are not payable under the provisions of §§ 536.12–536.23.

§ 536.26 *Claims under the Foreign Claims Act*—(a) *Scope.* Claims for damage to or loss or destruction of real or personal property, and for personal injury or death, caused by Army forces, or individual members (whether military personnel or civilian employees) thereof, or otherwise incident to noncombat activities of such forces in a foreign country, to public property located therein or to privately owned property, or to the inhabitants of such country are within the Foreign Claims Act (55 Stat. 880, as amended; 31 U. S. C. 224d). The word "claims" as used in this section refers to those demands for payment submitted by individuals, partnerships, associations, or corporations, including foreign countries, and states, territories, and other political subdivisions of such countries, other than such demands for payment as arise under ordinary obligations incurred by the Department of the Army or the Army in the procurement of services or supplies.

(b) *Preemptive of other claims regulations.* Claims within the scope of this section and which but for the existence of the Foreign Claims Act would be within the provisions of §§ 536.12–536.23 or 536.25 will be settled under the provisions of this section which are preemptive of such other claims regulations.

(c) *Territorial application.* The provisions of the regulations in this section are applicable to claims arising out of incidents or accidents occurring in foreign countries, including territorial waters thereof. Claims arising at a place, within a foreign country, under the temporary or permanent jurisdiction of the United States may be approved hereunder if the claims are otherwise within the provisions of this section.

(d) *Bailed personal property.* Claims for damage to or loss or destruction of personal property loaned, rented, or otherwise bailed to the Government under an agreement, express or implied, are payable under the provisions of this section, even though legally enforceable against the Government as contract claims, unless by express agreement the bailor has assumed the risk of damage, loss, or destruction. Claims payable under this paragraph may, if deemed in the best interests of the Government, be processed as contract claims. Claims or rent, as such, of personal property, are not payable under the provisions of this section. However, an item of damage may be allowed for the use of the property (even though claimed as rent) where it arises out of a trespass or other tort.

(e) *Use and occupancy of real property.* Claims for damage to real property incident to the use and occupancy thereof by the Government under a lease, express or implied, or otherwise, are payable under the provisions of this section even though legally enforceable against the Government, as contract claims; payment may, however, be precluded by paragraph (k) of this section. Claims payable under this paragraph may, if deemed in the best interests of the Government, be processed as contract claims. Claims for rent, as such, of real property are not payable under the provisions of this section. However, an item of damage may be allowed for the use and occupancy of the property (even though claimed as rent) when it arises out of a trespass or other tort.

(f) *Other noncombat activities.* Claims for damage to or loss or destruction of property, or for personal injury or death, though not caused by acts or omissions of military personnel or civilian employees of the Department of the Army or of the Army, are payable under this paragraph if otherwise incident to the noncombat activities of the Department of the Army or of the Army. In general, claims within the above category are those arising out of authorized activities which are peculiarly Army activities having little parallel in civilian pursuits and situations which historically have been considered as furnishing a proper basis for the payment of claims. Examples of claims in this category are claims for property damage and personal injury arising out of, and which are the natural or probable results or incidents of maneuvers and special field exercises, the practice firing of heavy guns, practice bombings, the operation of aircraft, the use of barrage balloons, the escape of horses, the use of instrumentalities having latent mechanical defects and the movement of combat or other vehicles designed especially for military use; as well as claims arising out of the use and occupancy of real estate.

(g) *Elements of damage in case of personal injury and death.* Actual and reasonable medical and hospital expenses, reasonable compensation for physical pain and suffering and disability, and loss of earning capacity may be included as elements of damage in cases of personal injury. If death results, actual and reasonable burial expenses and reasonable compensation for loss of life may also be included. In computing the amount of damages in cases of personal injury or death, local standards will be taken into consideration. Local laws relating to torts, damages and the payment of workmen's compensation may be considered as indicia of such local standards. In case of death, only one claim arises; the amount approved therefor will, to the extent found practicable or feasible, be apportioned among the beneficiaries, and in the proportions, prescribed by the law or custom of the place in which the accident or incident resulting in death occurs.

(h) *Persons excluded as claimants.* The following classes of claimants are among those excluded:

(1) Persons not inhabitants of the country in which the accident or incident resulting in the claim occurs. The word "inhabitant" as used in this section refers only to those who at the time of the occurrence dwell or reside in the country in which the accident or incident occurs. Citizenship of, or legal domicile in, such country is not required; transients having no abode or dwelling place in such country are not included. An inhabitant of any dominion, state, province, colony, territory, or possession constituting a part of a foreign country will be deemed an inhabitant of such foreign country within the meaning of this section as to any claim arising out of an accident or incident occurring in any part of such country. The status of the decedent will control in cases of claims based on death.

(2) Member of the Armed Forces of the United States.

(3) Nationals of a country at war with the United States, or of any ally of such an enemy country, except as the foreign claims commission considering the claim, or the local military commander, shall determine that the claimant is friendly to the United States.

(4) United States citizens not inhabitants of the country in which the accident or incident occurs.

(i) *Claims excluded.* The following classes of claims are excluded: Claims purely contractual in character; private contractual and domestic obligations of individual military personnel or civilian employees; claims based solely on compassionate grounds; bastardy claims; claims for patent infringement; and workmen's compensation claims. No workmen's compensation claim as such is payable under the provisions of this section. If the claim is within any provision made for the payment of workmen's compensation claims (Federal Employees' Compensation Act of September 7, 1916 (39 Stat. 742 as amended; 5 U. S. C. 751–801) or Longshoremen's and Harborworkers' Compensation Act (44 Stat. 1424; 33 U. S. C. 901), or local law or custom), such specific remedy is exclusive; if, however, there is no compensation provision, or if the claim is not within any such provision, such claim may be considered under the provisions of this section.

(j) *Contributory negligence.* No claim will be approved where the damage, loss, destruction, injury, or death is proximately caused in whole or in part by negligence or wrongful act of the claimant, or his agent or employee acting within the scope of his employment, unless, under the law or custom of the place where the accident or incident resulting in the claim occurs, such negligence or wrongful act is not recognized generally as a bar to recovery on tort claims, in which case such local law or custom will be applied so far as practicable in determining the effect of such negligence or wrongful act. Such local law or custom will normally be followed in determining whether contributory negligence, if pertinent, is present.

(k) *Combat activities.* Claims for damage to or loss or destruction of property, or for personal injury or death, resulting from action by the enemy, or resulting directly or indirectly from any act by the Armed Forces engaged in

combat, are not payable under the Foreign Claims Act.

(l) *Claims of subrogees.* Settlement will be made solely with the insured, rather than with the insurer or with both the insured and the insurer, in cases of damage, loss, destruction, injury, or death covered by insurance. No inquiry will be made into, nor determination made of, the relative interests of the insured and insurer. The entire claim, including any portion thereof insured against, will be filed by or on behalf of the insured and payment of the entire amount approved will be made in the name of the insured. Authority to file a claim on behalf of the insured may be established by a power of attorney, insurance policy provision, or other documentary evidence satisfactory to the foreign claims commission. Claims by subrogees in their own right in cases not involving insurance are similarly not within the provisions of this section.

(m) *Claims within other regulations*—(1) *Claimants not inhabitants.* Claims for damage to or loss or destruction of property, or for personal injury or death, arising out of accidents or incidents occurring in foreign countries but not within the provisions of this section for the reason that the claimant is not an inhabitant of the country in which the accident or incident occurred or for any other reason may be processed under the Personnel Claims Act (§ 536.27), or the Military Claims Act (§§ 536.12–536.23) or Uniform Code of Military Justice, Article 139 (§ 536.25), if applicable.

(2) *Civilian employees.* Claims of civilian employees of the Department of the Army or the Army cognizable under § 536.27 will be considered under the provisions of this section.

(n) *Statute of limitations.* No claim may be considered by a foreign claims commission under the Foreign Claims Act unless presented within 1 year after the occurrence of the accident or incident out of which such claim arises.

(o) *Foreign claims commissions.* It is the policy of the Department of the Army to provide one or more foreign claims commissions for each foreign theater of operations, base, or comparable command in which claims against the Government within this section may arise. A sufficient number of commissions will be appointed to permit the prompt and final settlement of claims within practicable contact with the points whcre the claims originate. Commissions will be appointed by the Secretary of the Army or any other officer to whom appointing authority has been delegated.

(p) *Investigation procedure; §§ 536.1–536.8 generally applicable.* Investigation of accidents and incidents occurring in foreign countries which may give rise to claims, whether within the Foreign Claims Act, or apparently within other regulations (§§ 536.12–536.23, 536.25, and 536.27), or the payment of which is not provided for by any statute or regulation, will be conducted in the manner prescribed in §§ 536.1–536.8, and will be of the scope, completeness, and character directed therein to the extent that the exigencies of the service will permit. Direct correspondence within the command claims service, and between officers of the command claims service and other personnel within the command, is authorized. Any claim will be considered if it states substantially the material facts with such definiteness as to give reasonable notice of the time, place, and nature of the accident or incident out of which the claim arose and an estimate or statement of the amount claimed for property damage, loss, or destruction, and/or for personal injury or death. The claim will be presented in triplicate and be signed by or on behalf of the claimant and should, if practicable be under oath.

(q) *Conditions of payment.* Prior to payment of any claim within the Foreign Claims Act, each of the following conditions must be fulfilled:

(1) The amount of the damage, loss, or destruction, or the amount payable on account of personal injury or death, must be determined.

(2) The payment must not exceed $5,000, but claims in excess of that amount may be reported to Congress for consideration.

(3) Claims by subrogees will not be recognized except as an element of the subrogor's claim.

(4) The claim must be presented within 1 year after the occurrence of the accident or incident out of which the claim arises.

(5) Negligence or wrongful act of the claimant, in whole or in part the proximate cause, bars recovery unless not a bar to recovery on tort claims under local law or custom.

(6) The damage, loss, destruction, injury, or death must not have resulted from action by the enemy or directly or indirectly from any act by United States Armed Forces engaged in combat.

(7) The property damaged, lost, or destroyed must belong to an inhabitant of the foreign country in which the accident or incident occurred, or belong to the country itself or a political subdivision thereof.

(8) The injury or death must be to an inhabitant of the foreign country where the accident or incident occurred.

(9) If the claimant is a national of a country at war with the United States, or of any ally of such an enemy country, there must be a determination by the foreign claims commission or by the local military commander that the claimant is friendly to the United States.

(10) The claim must be approved by a foreign claims commission and, if in excess of $2,500, must also be approved by the theater, base, or comparable commander or by the Judge Advocate General.

(11) The claimant must accept, in full satisfaction and final settlement, the amount approved if less than the full amount claimed.

[AR 25–90, 22 June 1951 and AR 25–25, 2 July 1951] (55 Stat. 880, as amended, 57 Stat. 372, as amended; 31 U. S. C. 223b, 224d)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–9228; Filed, Aug. 8, 1951; 8:47 a. m.]

Subchapter E—Organized Reserves

PART 561—OFFICERS' RESERVE CORPS

APPOINTMENTS

In § 561.15, paragraphs (c) (4) and (e) are amended, and paragraph (d) (3) added, as follows:

§ 561.15 *Appointment in Officers' Reserve Corps of warrant officers and enlisted personnel of Army of the United States.* * * *

(c) *Personnel eligible.* * * *

(4) Warrant officers and enlisted personnel of any component of the Army of the United States and former warrant officers and former enlisted personnel who have completed at least 1 year of honorable and creditable service on active duty in any of the Armed Forces of the United States between December 7, 1941, and June 30, 1947, and who have a degree from an accredited college or university.

* * * * *

(d) *Army Extension Courses.* * * *

(3) Successful completion of an authorized course of instruction at a Department of the Army approved State National Guard Officers' Candidate School for appropriate branch will be accepted as the equivalent of successful completion of an appropriate Army Extension Course 10-series.

* * * * *

(e) *Vacancies.* Appointment will be made only to fill vacancies in ORC troop program units of the proper branch (section) except for the following who may be appointed for assignment to the Volunteer Reserve:

(1) Personnel in the active military service of the Army.

(2) Personnel specified in paragraph (c) (1) and (2) of this section.

[C2, SR 140–105–3, July 18, 1951] (R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 37, 39 Stat. 189 as amended; 10 U. S. C. 351–353)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–9257; Filed, Aug. 8, 1951; 8:52 a. m.]

Subchapter F—Personnel

PART 577—MEDICAL AND DENTAL ATTENDANCE

ARMY HOSPITAL REGULATIONS

Section 577.21 is rescinded and the following substituted therefor:

§ 577.21 *Admission and treatment of American Seamen in medical treatment facilities of Department of the Army outside continental United States, its territories, and its possessions*—(a) *General.* This section governs hospitalization and outpatient treatment of American seamen aboard ships of United States registry (hereinafter referred to as "seamen") in medical treatment facilities of the Department of the Army. The term "seamen" as used in this section includes both officers and members of the crew.

(b) *Application.* (1) This section is applicable to all medical treatment facilities of the Department of the Army out-

side the continental United States, its Territories, and its possessions.

(2) Paragraph (d) (4) of this section will be observed by all commands and medical treatment facilities of the Department of the Army within continental United States.

(c) *Authorization.* The following seamen are authorized to receive medical care and treatment as prescribed in §§ 577.15 and 577.18 of this part, when adequate facilities are available:

(1) Seamen aboard Department of Defense time-chartered vessels of commercial operators.

(2) In emergency, to save life or prevent undue suffering, seamen aboard time-chartered vessels other than those referred to in subparagraph (1) of this paragraph.

(3) Seamen on privately owned and operated vessels.

(d) *Medical and surgical treatment.* (1) Such medical and surgical care is authorized as is afforded by the facilities of the medical installation concerned, except as follows:

(i) No elective medical or surgical treatment is authorized.

(ii) No spectacles, artificial limbs, hearing aids, or artificial eyes will be provided.

(2) Seamen hospitalized under this section, whose condition would require retention in an Army hospital for a prolonged period of time, and when lack of transportation facilities prevents evacuation through their local ship's agent, may be evacuated through Army medical evacuation channels as soon as transfer without detriment to the patient is possible, provided that no seamen employed by a vessel of foreign registry will be evacuated to the continental United States.

(3) Seamen evacuated from overseas aboard Military Air Transport Service aircraft or aboard hospital ships or transports will not be considered to be in a hospital status while aboard and no per diem charge for medical care will be made.

(4) Continuation of hospitalization or out-patient treatment by Army medical treatment facilities in continental United States is not authorized. The commanding officer at the port of debarkation will, upon arrival of the seamen evacuated from overseas, effect disposition in accordance with applicable regulations.

(e) *Dental treatment.* Dental treatment will be limited to that necessary for the relief of pain or acute septic conditions, such as extractions and treatments, including temporary fillings. No permanent fillings or replacements will be provided.

(f) *Immunization and physical examination.* Immunizations and physical examinations of the personnel covered herein (excluding immunization and physical examination, which are an actual part of the in-patient or out-patient medical, surgical, or dental treatment authorized in paragraphs (d) and (e) of this section) may be furnished by the Department of the Army medical treatment facilities overseas, when adequate facilities are available.

(g) *Collection of charges.* The medical treatment facility concerned will collect from the patient or from the patient's local ship's agent, charges for medical services at rates applicable to the fiscal year concerned. Remittances from the patient or the ship's agent will be made to the medical treatment facility concerned by cash or certified check.

[SR 40–590–43, July 20, 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–9220; Filed, Aug. 8, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 46, Amdt. 1]

CPR 46—COPPER SCRAP AND COPPER ALLOY SCRAP

REDUCTIONS IN CEILING PRICES FOR CERTAIN GRADES OF COPPER ALLOY SCRAP AND OTHER CHANGES

Correction

In Federal Register Document 51–8938, published at page 7591 of the issue for Friday, August 3, 1951, the date "July 13, 1951", appearing in the third line from the end of the effective date paragraph at the end of the document, should read "July 31, 1951".

[General Interpretation 2]

GEN. INT. 2—DEPOSIT CHARGES FOR CONTAINERS

Inquiries have been received from sellers who wish to institute deposit charges for the return of containers or to increase the deposit charges which they had in effect during the base period. Such changes would vary the terms or conditions of sale, and would be considered to constitute violations of ceiling price regulations unless made in the manner set forth below, or unless authorized by the wording of a particular price regulation. However, this interpretation does not apply where an applicable ceiling price regulation provides otherwise.

1. *Institution of deposit charges.* (a) Where a seller during the applicable base period sold on a container-included basis, the container is considered part of the commodity being sold. Therefore, a seller who now requires the return of the container and wishes to charge, for the contents alone, the price which is his ceiling price for both the contents and container, would be charging a price above his ceiling price.

Such a seller may, however, change from a container-included basis to a returnable-container basis if he deducts from his ceiling price an amount at least equal to the present value of the container after emptying. The seller will be deemed to have deducted an amount equal to the present value of the container if he deducts an amount equal to the ceiling price for such container under a regulation establishing dollars and cents ceiling prices.

(b) Where a seller, during the applicable base period, sold on a returnable-container basis but made no deposit charge, he may now institute a deposit charge without making a deduction from his ceiling price.

2. *Amount of deposit charge.* The deposit charge must be a reasonable one under the circumstances, and, if reasonable, may exceed the seller's reduction in ceiling price for the contents. In determining whether a deposit charge is reasonable, factors such as the following must be considered:

(a) If the containers are easily broken or lost, such as milk bottles or soda bottles, or are readily replaceable, the replacement cost of the container would, generally, be the maximum deposit charge which would be considered reasonable.

(b) If the containers are in short supply *and* are not easily broken or lost, such as steel drums, the deposit charge may be considered reasonable in some cases even though it exceeds the replacement cost of the container.

3. *Evasion.* A deposit charge must be made in good faith solely for the purpose of obtaining the return of the container. It would constitute evasion of ceiling price regulations if instituted as an indirect method of obtaining a price higher than the seller's ceiling price. For example, a seller may not seek to increase his ceiling price by instituting a "deposit" charge with respect to a container which is of a kind not customarily returned or reused, or is customarily subject to excessive breakage or loss.

4. *Increase of deposit charge.* A deposit charge may be increased over the amount of such charge in effect during or after the base period, subject to paragraphs 2 and 3 above.

5. *Who may institute or increase deposit charges.* No seller may institute or increase a deposit charge unless he uses the container for packaging purposes; however, a seller may institute or increase a deposit charge not exceeding the amount by which his supplier has instituted or increased such a deposit charge pursuant to this interpretation.

(Sec. 704, Pub Law 774, 81st Cong., as amended)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51–9315; Filed, Aug. 7, 1951; 1:24 p. m.]

[General Overriding Regulation 6, Amendment 3)

GOR 6—EXEMPTIONS RELATING TO SPECIFIED NONPROFIT ORGANIZATIONS

SALES BY GOODWILL INDUSTRIES

Pursuant to the Defense Production Act of 1950 as amended by Defense Pro-

duction Act Amendments of 1951 (Pub. Law 774, 81st Cong.; Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 3 to General Overriding Regulation 6 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 6 adds certain sales to those exempted by the regulation from any price regulations issued by the Office of Price Stabilization. The sales here exempted are of used and waste goods by Goodwill Industries, a group of nonprofit organizations which are affiliated with Goodwill Industries of America, Inc., and which operate throughout the United States for the purpose of providing rehabilitation, training and sheltered employment for handicapped persons. These organizations receive donations from the public of various types of merchandise, such as apparel, furniture and household appliances, which are sold either in the condition received or as reconditioned by the beneficiaries of the program.

In general, the considerations stated in support of General Overriding Regulation 6 are likewise applicable to the sales here referred to. In the judgment of the Director of Price Stabilization, it is not necessary for ceilings to be applied to these transactions.

AMENDATORY PROVISIONS

General Overriding Regulation 6 is amended in the following respect: By adding the following new section numbered 7:

SEC. 7. *Sales by Goodwill Industries.* No price regulation issued by the Office of Price Stabilization applies to sales at retail by organizations known as Goodwill Industries which are affiliated with Goodwill Industries of America, Inc. of used and waste goods donated by members of the public to those organizations and sold in the condition received or as reconditioned by the organizations.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.)

Effective date. This amendment to General Overriding Regulation 6 shall become effective August 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9474; Filed, Aug. 8, 1951; 11:21 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-25 as amended July 1, 1951, Amendment 1]

M-25-CANS

This amendment of August 7, 1951, to NPA Order M-25, is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this amendment consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M-25, as amended July 1, 1951, by deleting the proviso from paragraph (e) of section 9 and substituting a revised proviso, so that paragraph (e) of section 9 shall read as follows:

(e) The use of cans for packing any product which is required to be packed in cans, set aside and reserved for purchase by any authorized Government agency, is exempt from the use limitations of this order, but not from the can material specifications in Schedule I of this order: *Provided, however,* That whenever the product so to be packed by a packer, set aside and reserved for purchase by any authorized Government agency, is any one of the following:

Beans, lima	Spinach.
Beans, string.	Sweetpotatoes.
Carrots.	Tomatoes.
Catsup.	Tomato juice.
Corn.	Tomato paste.
Peas.	Tomato puree.

then all or any No. 10 cans or larger, or any part or parts thereof, which the packer uses for packing that product, whether all or less than all of his pack in No. 10 cans or larger of that product is so set aside and reserved, may be made of 0.50 electroyltic tin plate instead of 0.25 electrolytic tin plate in any respect for which 0.25 electrolytic tin plate is prescribed by the applicable can material specifications in Schedule I.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101 E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950, Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.)

This amendment shall take effect on August 7, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9472; Filed, Aug. 8, 1951; 10:58 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 151—PROCEDURES BEFORE THE SOLICITOR

Correction

In Federal Register Document 51-7952, published in the FEDERAL REGISTER of Tuesday, July 10, 1951, at page 6682, the last paragraph of the document should read:

b. In Part 151—Procedures Before the Solicitor (39 CFR Part 151), Subpart A—Rules of Practice in Formal Proceedings Arising Under Postal Fraud, Lottery, and Fictitious Statutes, and §§ 151.1 to 151.29, are rescinded.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 740]

NEVADA

TRANSFER OF LANDS FROM THE TOIYABE NATIONAL FOREST TO THE HUMBOLDT NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473) and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Secretary of Agriculture, it is ordered as follows:

The following-described lands, comprising the Santa Rosa Division of the Toiyabe National Forest, are hereby transferred to the Humboldt National Forest, effective July 1, 1951:

MOUNT DIABLO MERIDIAN

T. 41 N., R. 38 E.,
Secs. 1 to 29, inclusive;
Sec. 30, lots 1 and 2, NE¼, and E½NW¼;
Secs. 32 to 35, inclusive.
T. 42 N., R. 38 E.,
Secs. 1 to 5, inclusive, secs. 8 to 17, inclusive, secs. 20 to 29 inclusive, and secs. 31 to 36, inclusive, unsurveyed.
T. 43 N., R. 38 E.,
Secs. 1 to 5, inclusive, and secs. 8 to 36, inclusive.
T. 44 N., R. 38 E.,
Sec. 1;
Secs. 11 to 14, inclusive, secs. 22 to 28, inclusive, and secs. 33 to 36, inclusive.
T. 41 N., R. 39 E.,
Sec. 6, lots 3, 4, and 5, SE¼NW¼.
T. 42 N., R. 39 E.,
Secs. 5 to 8, inclusive;
Sec. 17, W½;
Secs. 18, 19, 30, and 31.
T. 43 N., R. 39 E.,
Secs. 1 to 21, inclusive;
Secs. 29 and 30.
T. 44 N., R. 39 E.
T. 45 N., R. 39 E.,
Secs. 1 to 4, inclusive, secs. 9 to 16, inclusive, secs. 21 to 27, inclusive, and secs. 34 to 36, inclusive.
T. 46 N., R. 39 E.,
Secs. 1 to 4, inclusive, secs. 9 to 16, inclusive, and secs. 20 to 26, inclusive;
Sec. 27, N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 28, N½, SW¼, N½SE¼, and SW¼SE¼;
Sec. 29;
Sec. 32, SW¼SW¼;
Sec. 34, E½, E½NW¼, and SW¼;
Secs. 35 and 36.
T. 47 N., R. 39 E.,
Sec. 1, lots 1 and 2, E½ lot 5, lots 6 to 10, inclusive, S½;
Sec. 2, E½, lot 10, E½SE¼;
Sec. 10, S½;
Secs. 11 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
T. 43 N., R. 40 E.,
Secs. 1 to 12, inclusive, and secs. 15 to 22, inclusive;
Secs. 27 and 28;
Sec. 29, E½ and NW¼;
Sec. 30, NE¼.
Ts. 44 to 46 N., R. 40 E.

T. 47 N., R. 40 E.,
Sec. 3, NW¼SW¼, S½SW¼, and SW¼SE¼;
Sec. 4, W½, lots 8 and 10, lot 9, S½;
Sec. 5, lots 2 to 10, inclusive, S½;
Secs. 6 to 10, inclusive;
Sec. 11, NW¼NW¼, S½NW¼, and SW¼;
Sec. 13, NW¼NW¼, S½NW¼, SW¼ and SW¼SE¼;
Secs. 14 to 36, inclusive.
T. 44 N., R. 41 E.,
Secs. 5 to 8, inclusive.
T. 45 N., R. 41 E.,
Secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and secs. 28 to 32, inclusive.
T. 46 N., R. 41 E.,
Secs. 2 to 11, inclusive;
Sec. 12, W½;
Sec. 13, W½;
Secs. 14 to 23, inclusive;
Sec. 24, W½;
Sec. 25, W½;
Secs. 26 to 35, inclusive.
T. 47 N., R. 41 E.,
Sec. 19, lots 2, 3, and 4, E½SW¼, NW¼SE¼, and S½SE¼;
Sec. 20, SW¼SW¼;
Sec. 29, NW¼NW¼, S½NW¼, SW¼, NW¼SE¼, and S½SE¼;
Secs. 30 to 34, inclusive.

It is not intended by this order to give a national-forest status to any publicly owned lands which have not hitherto had such a status or to change the status of any publicly owned lands which have hitherto had national forest status.

R. D. Searles,
Acting Secretary of the Interior.

August 3, 1951.

[F. R. Doc. 51-9221; Filed, Aug. 8, 1951; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 7853]

Part 18—Industrial, Scientific and Medical Service

Welding Devices Using Radio Frequency Energy

In the matter of petitions filed by Joint Industry Committee on High Frequency Stabilized Arc Welders for amendment of Part 18 of the rules as applies to welding devices using radio frequency energy.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration, a petition filed by the Joint Industry Committee on High Frequency Stabilized Arc Welders, primarily requesting the suspension of the July 31, 1951, effective date of Part 18 of the Commission's rules insofar as such rules affect welding equipment using radio frequency energy, and secondarily proposing certain new rules and allocation of additional frequencies and requesting the initiation of new rule-making proceedings and certain other relief; and

It appearing that the effective date of Part 18 of the rules relating to radio frequency operated welding equipment has heretofore been suspended by Commission order until July 31, 1951, pending study and development of apparatus capable of conforming to the requirements of the rules; and

It further appearing, that additional time is necessary for the development, testing and evaluation of equipment capable of compliance with the technical standards of the rules in question; and

It further appearing, that further investigation and study of this matter would be in the public interest, and

It further appearing, that extensive research attempting to bring the welding equipment in question into compliance with the provisions of Part 18 of the rules has been undertaken by the petitioners and those whom they represent but has not yet proved wholly successful, and that full technical engineering data relative to the problem are not yet available; and

It further appearing, that the petitioners and those whom they represent have assured the Commission of their continued purpose to pursue their program of research and development in this field; and

It further appearing, that the contemplated program of continued research and development may result in the solution of the engineering problems involved and in the disclosure of other valuable information; and

It further appearing, that suspension of the July 31, 1951 effective date of Part 18 of the Commission's rules as concerns welding equipment using radio frequency energy is warranted to the extent indicated in the amendment of Part 18 hereinafter ordered; that because the previously fixed effective date of Part 18 for welding devices has already arrived, the notice and public procedure provided for by section 4 (a) of the Administrative Procedure Act are impracticable; that because the amendment grants an exemption, the notice and service requirements of section 4 (c) of the Administrative Procedure Act are inapplicable; and

It further appearing, that authority for the amendment herein ordered is contained in sections 4 (i), 301, 303, 303 (f) and (r) of the Communications Act of 1934, as amended:

It is ordered, That, effective July 31, 1951, the footnote to § 18.1 (a) be and the same is hereby amended as follows:

[1] The effective date of Part 18, with respect to electric welding devices using radio frequency energy, is suspended from July 31, 1951 until Jan. 31, 1952: *Provided, however,* That from and after July 31, 1951, the operation of such devices shall be subject to the condition that if such operation causes interference to any authorized radio service, steps to remedy such interference conditions shall be taken promptly by the person responsible for the operation of the electric welding devices involved: *Provided further, however,* That in any case where a proper showing is made to the Commission that the welding devices involved in fact meet the conditions set forth in Part 18 for type approval or certification of such devices by the Commission and are being operated in a manner that in fact complies with the provisions set forth in Part 18 as applicable to such devices, the person responsible for the operation of such devices may have the benefit of the provisions of footnote 5 to § 18.32 as set forth in Part 18 notwithstanding the fact that such footnote, as part of Part 18, shall not be in effect generally with respect to such welding devices prior to Jan. 31, 1952.

It is further ordered, That insofar as the mentioned petitions request relief other than the suspension of the effective date of Part 18 of the rules, action on such petitions be and the same is hereby deferred pending further study by the Commission of the various proposals submitted in such petitions and of the further related problems involved.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 303. Interprets or applies sec. 154, 48 Stat. 1082; 47 U. S. C. 303)

Federal Communications Commission,
[SEAL] T. J. Slowie,
Secretary.

[F. R. Doc. 51-9235; Filed, Aug. 8, 1951; 8:53 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

Part 7—List of Forms, Part II Interstate Commerce Act

Endorsement for Motor Carrier Policies of Insurance for Automobile Bodily Injury and Property Damage Liability

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 1st day of August A. D. 1951.

It appearing, that the Commission entered order of June 5, 1951 (16 F. R. 6754), prescribing Form BMC 80 (§ 7.80);

It further appearing, that there is need for amendment of Form BMC 80[1]—Endorsement for Motor Carrier Policies of Insurance for Automobile Bodily Injury and Property Damage Liability under section 215 of the Interstate Commerce Act, in order to clarify the phraseology of the sixth paragraph and the first sentence of the seventh paragraph thereof immediately preceding the colon;

It further appearing, that the proposed amendments involve only changes in language to make clear that the endorsement conforms to the findings of the Commission, Division 5, in Ex Parte No. MC-5 and Ex Parte No. 159 (16 F. R. 3587(3588) and that notice and public procedure thereon are unnecessary;

It is ordered, That the sixth paragraph and the first sentence of the seventh paragraph immediately preceding the colon, of Form BMC 80 (§ 7.80) be revoked and the following be substituted, in lieu thereof:

The limits of the Company's liability for the amounts provided in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the Company for the payment of final judgments resulting from any other accident.

The Company shall not be liable for amounts in excess of the following for each accident:

[1] Form filed as part of the original document.

This order shall be effective October 31, 1951, and shall continue in effect until the further order of the Commission.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Division of the Federal Register.

(56 Stat. 285; 49 U. S. C. 1003)

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9242; Filed, Aug. 8, 1951; 8:51 a. m.]

Subchapter D—Freight Forwarders

PART 405—SURETY BONDS AND POLICIES OF INSURANCE

ENDORSEMENT FOR FREIGHT FORWARDER POLICIES OF INSURANCE FOR AUTOMOBILE BODILY INJURY AND PROPERTY DAMAGE LIABILITY

At a session of the Interstate Commerce Commission, Division 5, held at its office in Washington, D. C., on the 1st day of August, A. D., 1951.

It appearing, that the Commission entered order of June 5, 1951 (16 F. R. 6754), prescribing Form FF. 40 (§ 405.8);

It further appearing, that there is need for amendment of Form FF. 40 [1]—Endorsement for Freight Forwarder Policies of Insurance for Automobile Bodily Injury and Property Damage Liability under section 403 (d) of the Interstate Commerce Act, in order to clarify the phraseology of the sixth paragraph thereof;

It further appearing, that the proposed amendment involves only changes in language to make clear that the endorsement conforms to the findings of the Commission, Division 5, in Ex Parte No. MC-5 and Ex Parte No. 159 (16 F. R. 3587, 3588), and that notice and public procedure thereon are unnecessary;

It is ordered, That the sixth paragraph of Form FF. 40 (§ 405.8) be revoked and the following paragraph be substituted in lieu thereof:

The limits of the Company's liability for the amounts provided in this endorsement apply separately to each accident and any payment under the policy because of any one accident shall not operate to reduce the liability of the Company with respect to the payment of final judgments resulting from any other accident, but the Company shall not be liable with respect to any one accident for an amount in excess of $10,000 for bodily injuries to or the death of one person; $20,000 for bodily injuries to or death of all persons injured or killed, subject to a maximum of $10,000 for bodily injuries to or death of one person; and $5,000 for loss of or damage to property.

This order shall be effective October 31, 1951, and shall continue in effect until the further order of the Commission.

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Division of the Federal Register.

(56 Stat. 285; 49 U. S. C. 1003)

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9241; Filed, Aug. 8, 1951; 8:51 a. m.]

[1] Form filed as part of the original document.

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 33—CENTRAL REGION

SUBPART—HORICON NATIONAL WILDLIFE REFUGE, WISCONSIN

HUNTING

Basis and purpose. On the basis of observation and reports of field representatives of the Fish and Wildlife Service and of Conservation Agents of the Wisconsin Conservation Department it has been determined that there is a general surplus of deer in certain areas of Wisconsin and that a reduction of the population can be facilitated by opening the Horicon National Wildlife Refuge to the public hunting of deer without interfering with the primary purpose of the refuge.

Inasmuch as the following regulation is a relaxation of the existing prohibition against hunting on the Horicon National Wildlife Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER the following subpart and §§ 33.81–33.83, inclusive, are added:

Sec.
33.81 Deer hunting permitted.
33.82 Entry.
33.83 State hunting laws.

AUTHORITY: §§ 33.81 to 33.83 issued under sec. 10, 45 Stat. 1224; 16 U. S. C. 7151.

§ 33.81 *Deer hunting permitted.* Deer may be taken in the daylight hours during the 1951 season on all of the lands of the United States within the Horicon National Wildlife Refuge, except within one-half mile of residences, as may be designated by suitable posting by the officer in charge, subject to the provisions, conditions, restrictions, and requirements of §§ 33.82 and 33.83. Hunting from boats or any floating devices is prohibited.

§ 33.82 *Entry.* Entry on and use of the Refuge are governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required. Hunters, when entering and leaving the public hunting area, must report to representatives of the Service or of the State at such checking stations as may be established for the purpose of regulating the hunt.

§ 33.83 *State hunting laws.* Strict compliance with all State laws and regulations is required and any person who hunts on the Refuge must have in his possession and exhibit at the request of any authorized Federal or State officer, a valid State hunting license for the taking of deer, if such is required by the State laws and regulations, which license shall serve as a Federal permit for the hunting of deer on the Refuge.

Dated: August 2, 1951.

O. H. JOHNSON, *Acting Director.*

[F. R. Doc. 51-9225; Filed, Aug. 8, 1951; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 423445]

UTAH

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM STRAWBERRY VALLEY PROJECT

AUGUST 3, 1951.

An order of the Bureau of Reclamation dated February 1, 1950, concurred in by the Associate Director, Bureau of Land Management, March 27, 1950, revoked the Departmental orders of January 30, 1906, February 29, 1912, March 16, 1912, April 16, 1913, May 2, 1914, January 6, 1923, and January 10, 1923, so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described lands in connection with the Strawberry Valley Project, Utah, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SALT LAKE MERIDIAN

T. 8 S., R. 1 E.,
Sec. 13, NW¼SW¼;
Sec. 15, W½E½, W½;
Sec. 21, E½, E½W½;
Sec. 22, lots 1, 2, 5, 6, 7, 8, W½E½, W½;
Sec. 27, lot 2, NW¼NE¼, S½NE¼, W½, SE¼;
Sec. 28, all;
Sec. 29, E½SE¼;
Sec. 33, all;
Sec. 34, all.
T. 9 S., R. 1 E.,
Sec. 3, all;
Sec. 4, all;
Sec. 5, lot 1, SE¼NE¼, NE¼SE¼, S½SE¼, E½E½SW¼.

Sec. 8, NE¼, NE¼NW¼, E½SE¼NW¼, N½NW¼SE¼, SE¼NW¼SE¼, NE¼SE¼, N½SE¼SE¼, SE¼SE¼SE¼;
Sec. 9, all;
Sec. 10, all;
Sec. 14, lot 2, W½SW¼, SE¼SW¼;
Sec. 15, W½, S½SE¼;
Sec. 22, NE¼, N½NW¼, NE¼SW¼NW¼, SE¼NW¼, NE¼NE¼SW¼, N½SE¼, E½SW¼SE¼, SE¼SE¼;
Sec. 23, NW¼, N½SW¼, SW¼SW¼;
Sec. 26, W½NW¼NW¼.

The above areas aggregate 8,698.44 acres.

The lands are chiefly valuable for grazing purposes.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m., on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one-day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Salt Lake City, Utah, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Salt Lake City, Utah.

WILLIAM ZIMMERMAN, Jr.,
Associate Director.

[F. R. Doc. 51-9222; Filed, Aug. 8, 1951; 8:46 a. m.]

NEVADA

CLASSIFICATION ORDER

JULY 20, 1951.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Nevada land district, embracing approximately 40 acres,

NEVADA SMALL TRACT CLASSIFICATION NO. 72

For lease and sale for homesites only:

T. 21 S., R. 61 E., M. D. M.,
Sec. 26, NE¼NW¼.

The lands are situated in Clark County, Neveda, a distance of approximately five miles from the City of Las Vegas, Nevada. The area is desert in character and is one that is considered ideal for health and recreational purposes. In Las Vegas there may be found all the usual community services. Water for domestic use may be obtained by sinking wells.

2. As to applications regularly filed prior to 10:00 a. m., July 25, 1949, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., September 21, 1951. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., September 21, 1951, to close of business on December 20, 1951.

(b) Advance period for veterans' simultaneous filings from 10:00 a. m., July 25, 1949, to 10:00 a. m., September 21, 1951.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., December 21, 1951.

(a) Advance period for simultaneous nonpreference filings from 10:00 a. m., July 25, 1949, to 10:00 a. m., December 21, 1951.

5. Applications filed within the periods mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one 5-acre tract in a 10-acre subdivision is embraced in a preference right application, an application for the remaining 5-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $10.00 per acre, application for which may be filed during the term of the

lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Manager, Nevada Land and Survey Office, Reno, Nevada.

L. T. HOFFMAN,
Regional Administrator, Region II.

[F. R. Doc. 51-9224; Filed, Aug. 8, 1951; 8:46 a. m.]

TOK TOWNSITE, ALASKA

NOTICE OF SALE

AUGUST 2, 1951.

Notice is hereby given that the lots listed below will be offered at public sale to the highest bidder at 1:00 p. m. on Tuesday, September 4, 1951, at the Customs House at Tok, Alaska.

No lot will be sold for less than the appraised price as shown below. Bids may be offered for all who may care to do so, except that no person shall acquire more than four lots. The successful bidder may make full payment at the time of sale or may pay one-third of the bid price down, with the remainder payable to the Manager of the U. S. Land Office at Fairbanks, Alaska, within 10 days from the date of sale. Down payment will be forfeited if the balance is not paid when due. Forfeited lots will be subject to private entry at reappraised prices.

The officer conducting the sale is authorized to reject any and all bids, to suspend, adjourn or postpone the sale of any lot or lots, and to reappraise lots at the time of sale or after the sale has been adjourned or closed. Patent for lots sold will be issued by the Bureau of Land Management, Washington, D. C., and will contain a reservation of fissionable materials. All persons are warned against violation of the provisions of 18 U. S. C. 1860 prohibiting unlawful combination or intimidation of bidders.

Following are the lots being offered for sale and the minimum acceptable bid price for each lot:

Block 2W: Lots 1–6	$125.00
Block 4W:	
Lots 1–8	100.00
Lots 9–13	75.00
Block 5W:	
Lots 1–8	100.00
Lots 9–13	75.00
Block 6W:	
Lots 1–5	100.00
Lots 6–10	75.00
Block 7W: Lots 1–10	75.00
Block 8W: Lots 1–10	75.00
Block 1E: Lots 1–7	150.00
Block 2E: Lots 1–6	125.00
Block 4E:	
Lots 5–8	100.00
Lots 9–10	75.00
Block 5E:	
Lots 1–8	100.00
Lots 9–13	75.00
Block 6E:	
Lots 1–5	100.00
Lots 6–10	75.00
Block 7E: Lots 1–10	75.00
Block 8E: Lots 1–10	75.00

LOWELL M. PUCKETT,
Regional Administrator, Region VII.

[F. R. Doc. 51-9223; Filed, Aug. 8, 1951; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Farm Credit Administration

[Farm Credit Administration Order No. 527]

COOPERATIVE BANK COMMISSIONER, DEPUTY COOPERATIVE BANK COMMISSIONER, ASSISTANT COOPERATIVE BANK COMMISSIONER, AND ASSISTANT DEPUTY COOPERATIVE BANK COMMISSIONER

DELEGATION OF AUTHORITY TO PERFORM CERTAIN FUNCTIONS, POWERS, AUTHORITY, AND DUTIES

The Cooperative Bank Commissioner shall, subject to the jurisdiction and control of the Governor of the Farm Credit Administration, execute and perform all functions, powers, authority, and duties pertaining to the administration of the provisions of law relative to the Central Bank for Cooperatives and the district banks for cooperatives.

B. F. Wiehmann, Deputy Cooperative Bank Commissioner, is hereby authorized and empowered to execute and perform the functions, powers, authority, and duties which the Cooperative Bank Commissioner is authorized and empowered to execute or perform in the event the Cooperative Bank Commissioner is absent or unable to serve for any reason.

S. Y. McConnell, Assistant Cooperative Bank Commissioner, is hereby authorized to execute and perform the functions, powers, authority, and duties which the Cooperative Bank Commissioner is authorized and empowered to execute or perform in the event the Cooperative Bank Commissioner and Deputy Cooperative Bank Commissioner are absent or unable to serve for any reason.

W. C. Frazee, Assistant Deputy Cooperative Bank Commissioner, is hereby authorized to execute and perform the functions, powers, authority, and duties of the Cooperative Bank Commissioner in the event the Cooperative Bank Commissioner, the Deputy Cooperative Bank Commissioner, and the Assistant Cooperative Bank Commissioner are absent or unable to serve for any reason.

The foregoing revokes Farm Credit Administration Order No. 488, dated July 26, 1948, 13 F. R. 4337.

[SEAL] I. W. DUGGAN,
Governor.

[F. R. Doc. 51-9303; Filed, Aug. 8, 1951; 8:55 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

DET FORENEDE DAMPSKIBS-SELSKAB AKTIESELSKAB ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 7828, between Det Forenede Dampskibs-Selskab Aktieselskab and Bull Insular Lines, Inc., covers transportation of general cargo under through bills of lading from Norway, Sweden, Finland, Denmark and Poland to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia.

Agreement No. 7754–1, between Hamburg-Amerika Linie and United States Navigation Co., Inc., modifies approved agreement 7754 to more clearly define the class, type and standard of service Hamburg-Amerika Linie intends operating under said agreement, which provides that upon establishment by Hamburg-Amerika Linie of a cargo berth service in the trade between European ports in the Antwerp-Stettin range and East Coast, St. Lawrence, Great Lakes and Gulf ports in the United States and/or eastern ports of Canada and that so long as United States Navigation Company shall act as general agents for Hamburg-Amerika Linie in North America for such service, United States Navigation Company shall not operate without the consent of Hamburg-Amerika Linie either as principal or agent, except for Norddeutscher Lloyd, any berth services between European ports in the Antwerp-Stettin range and U. S. Atlantic and Gulf ports excepting non-competitive full cargo ships and tankers; and provides that United States Navigation Company's berth services as to Baltic and Scandinavian ports may only be eastbound.

Agreement No. 7755–1A, between Norddeutscher Lloyd and United States Navigation Co., Inc., modifies approved agreement 7755 to more clearly define the class, type and standard of service Norddeutscher Lloyd intends operating under said agreement, which provides that upon establishment by Norddeutscher Lloyd of a cargo berth service in the trade between European ports in the Antwerp-Stettin range and East Coast St. Lawrence, Great Lakes and Gulf ports in the United States and/or eastern ports of Canada and that so long as United States Navigation Company shall act as general agents for Norddeutscher Lloyd in North America for such service, United States Navigation Company shall not operate without the consent of Norddeutscher Lloyd either as principal or as agent, except for Hamburg-Amerika Linie, any berth service between European ports in the Antwerp-Stettin range and U. S. Atlantic and Gulf ports excepting non-competitive full cargo ships and tankers; and provides that United States Navigation Company's berth services as to Baltic and Scandinavian ports may only be eastbound.

Agreement No. 7812–1, between Stockard Steamship Corporation, Atlantic Ocean Transport Corporation and North American Terminal Corporation, modifies the approved Levant Line Joint Service Agreement No. 7812 by adding a paragraph providing that the trade name "Levant Line" and the good will of the joint service shall be the sole property of the Atlantic Ocean Transport Corporation.

Agreement No. 7960–1, between the member lines of the Swiss/North Atlantic Freight Conference and the member lines of the Marseilles/North Atlantic U. S. A. Freight Conference, modifies approved agreement 7960 which provides for the observance by the member lines of the Marseilles/North Atlantic U. S. A. Freight Conference, and their Swiss agents, of rates and conditions established by the Swiss/North Atlantic Freight Conference, and the Swiss agents of that Conference on cargo originating in Switzerland moving via Marseilles to U. S. North Atlantic ports. The purpose of this modification is to bring the description in such agreement of the scope of the Swiss/North Atlantic Freight Conference in line with the presently effective scope of such Conference.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: August 6, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 51–9136; Filed, Aug. 8, 1951; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G–1710]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF CONTINUANCE OF HEARING

AUGUST 2, 1951.

Upon consideration of request by counsel for Transcontinental Gas Pipe Line Corporation, filed July 27, 1951, for continuance of the hearing now scheduled for August 6, 1951, in the above-designated matter;

Notice is hereby given that the hearing in the above-designated matter be and it is hereby continued to December 17, 1951, at 10:00 a. m., in the Commission's Hearing Room, at 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51–9226; Filed, Aug. 8, 1951; 8:47 a. m.]

[Docket No. G–1735]

NORTH PENN GAS CO. AND CRYSTAL CITY GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 3, 1951.

On July 6, 1951, North Penn Gas Company (North Penn), a Pennsylvania corporation having its principal place of business at Port Allegany, Pennsylvania, and its wholly-owned subsidiary, Crystal City Gas Company (Crystal City), a New York corporation having its principal place of business at Corning, New York (hereinafter sometimes referred to as Applicants), filed a joint application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas transmission loop pipe-line facilities, subject to the jurisdiction of the Commission, all as more fully described in the joint application on file with the Commission and open to public inspection.

The facilities which applicants propose to construct consist of a single continuous pipe line looping their existing facilities which is designed to transport additional volumes of natural gas into the systems of applicants. One of the principal functions of the proposed facilities will be to permit North Penn to make increased use of its Farmington Storage Area by providing a means whereby North Penn will be able to place greater volumes of natural gas into storage in the Farmington Area during the off peak months. Applicants have requested that their application be disposed of expeditiously so that, if granted, they will be able to install the proposed facilities prior to the coming winter season, and thus attain the maximum possible input into storage during the present off peak period.

Applicants have requested that their application be heard under the shortened procedure provided by § 1.32 (b) [18 CFR 1.32 (b)] of the Commission's rules of practice and procedure for noncontested proceedings, and this proceeding is a proper one for disposition under the aforementioned rule, no request to be heard, protest or petition raising an issue of substance having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 18, 1951 (16 F. R. 6889).

The Commission finds: It is reasonable and in the public interest and good cause exists for fixing the date of hearing in this proceeding less than 15 days after publication of this order in the FEDERAL REGISTER.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held on August 15, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by the joint application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 6, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51–9227; Filed, Aug. 8, 1951; 8:47 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO DISPOSAL OF TEMPORARY BARRACKS STRUCTURES

1. Pursuant to authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949, as amended (Public Laws 152 and 754, 81st Congress), authority is hereby delegated to the Secretary of Defense to dispose of, by competitive bids, 14 C. A. A. Barracks Buildings numbered T–1503 to T–1506, inclusive, and T–1508 to T–1517, inclusive, located on Tract 2, Washington National Airport, Gravelly Point, Virginia, GSA Control No. C–Va–412, and more specifically described in GSA Form 30 "Report of Excess Real Property", submitted to the General Services Administration by the Director, Washington National Airport, Civil Aeronautics Administration, Department of Commerce, Washington, D. C., under date of June 26, 1951.

2. The aforesaid property has been screened for the needs of the Department of Defense and other Federal agencies, and has been determined to be surplus property within the meaning of the aforesaid act.

3. The authority delegated herein may be redelegated to any officer or employee of the Department of Defense.

4. This delegation shall be effective as of the date hereof.

Dated: August 6, 1951.

RUSSELL FORBES, *Acting Administrator.*

[F. R. Doc. 51–9304; Filed, Aug. 8, 1951; 9:40 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26302]

COAL FROM ILLINOIS TO HUMBOLDT, IOWA

APPLICATION FOR RELIEF

AUGUST 6, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to Gulf, Mobile and Ohio Railroad Company tariffs I. C. C. Nos. 151 and 243.

Commodities involved: Soft coal or bituminous fine coal which has passed through a bar screen not exceeding 1½ inches between bars, or its equivalent, carloads.

From: Points in northern Illinois, Springfield and Belleville, Ill., groups.

To: Humboldt, Iowa.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates: GM&O RR. tariff I. C. C. No. 151, Supp. 62; GM&O RR. tariff I. C. C. No. 243 (Alton RR. series), Supp. 83.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9244; Filed, Aug. 8, 1951; 8:51 a. m.]

[4th Sec. Application 26303]

SUGAR FROM LOUISIANA AND TEXAS TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

AUGUST 6, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3662 and Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 380.

Commodities involved: Sugar, beet or cane, carloads.

From: Points in Louisiana and Texas.

To: Memphis, Tenn.

Grounds for relief: Circuitous routes, competition with rail carriers, and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3662, Supp. 86; W. P. Emerson, Jr.'s tariff I. C. C. No. 380, Supp. 112.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9243; Filed, Aug. 8, 1951; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2638]

SCRANTON-SPRING BROOK WATER SERVICE CO. ET AL.

ORDER AUTHORIZING PROPOSED MERGER

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 2d day of August A. D. 1951.

In the matter of Scranton-Spring Brook Water Service Company, Carbondale Gas Company, and Wyoming County Gas Company, File No. 70-2638.

Scranton-Spring Brook Water Service Company ("Scranton"), a gas utility and water company subsidiary of Federal Water and Gas Corporation, a registered holding company, and Carbondale Gas Company ("Carbondale") and Wyoming County Gas Company ("Wyoming"), gas utility subsidiaries of Scranton, having filed a joint application-declaration with this Commission, pursuant to sections 9 (b) (1) and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42 and U-43 promulgated thereunder, with respect to the following transactions:

Scranton, the owner of all the outstanding common stock (constituting all the outstanding securities) of Carbondale and Wyoming, proposes to acquire, by means of what is designated a "short-form" merger under Pennsylvania law, all of the property of Carbondale and Wyoming. In exchange for such property, Scranton is to assume all the liabilities of Carbondale and Wyoming and surrender for cancellation all of their outstanding common stocks. Upon consummation of said transactions, Carbondale and Wyoming will cease to exist and Scranton is to become vested with all of their property franchises and other rights.

Said joint application-declaration having been filed on May 22, 1951, and the last amendment thereto having been filed on July 26, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said joint application-declaration within the period of time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing that the proposed merger and transactions incident thereto have been expressly authorized by the Pennsylvania Public Utilities Commission, the State Commission of the state in which Scranton, Carbondale and Wyoming are organized and doing business; and

The Commission finding that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, that no adverse findings are necessary, that no basis appears for imposing any terms and conditions in connection with our order other than those specified by Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant and permit to become effective said joint application-declaration, as amended; and

It appearing that the estimated fees and expenses in the aggregate amount of $1,661.46, to be incurred and paid by Scranton in connection with the proposed transactions, are not unreasonable and should be approved:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said joint application-declaration be, and it hereby is, granted and permitted to become effective subject to the terms and conditions prescribed by Rule U-24, and that this order shall become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9229; Filed, Aug. 8, 1951; 8:47 a. m.]

[File No. 59-15]

NORTHERN NEW ENGLAND CO. AND NEW ENGLAND PUBLIC SERVICE CO., RESPONDENTS

NOTICE OF FILING OF PLAN FOR THE LIQUIDATION AND DISSOLUTION OF NEW ENGLAND PUBLIC SERVICE COMPANY AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 2d day of August A. D. 1951.

The Commission, on May 2, 1941, entered an order, pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 ("act"), directing New England Public Service Company ("NEPSCO"), a registered holding company and a subsidiary of Northern New England Company ("Northern"), also a registered holding company, to change its capitalization to one class of stock, namely, common stock, or in the alternative, at its election to liquidate its affairs and distribute its assets to its security holders. (See Northern New England Company et al., 9 S. E. C. 224 (1941).) Thereafter, NEPSCO elected to comply with the order by liquidation and filed a stipulation in these proceedings that it would undertake to liquidate

its affairs and distribute its assets to its security holders.

The Commission, from time to time since the issuance of its order, has approved various applications and declarations of NEPSCO providing, inter alia, for the merger of certain companies, the sale of its holdings in certain textile and other non-utility companies, and for the retirement of its Prior Lien Preferred Stock, as steps toward compliance with said order.

Notice is hereby given that NEPSCO has filed an application, pursuant to section 11 (e) of the act, for approval of a final plan providing for the distribution of its remaining assets to its security holders and for its liquidation and dissolution. The plan is submitted for the stated purpose of effectuating complete compliance with the Commission's order of May 2, 1941.

All interested persons are referred to said plan, which is on file in the office of this Commission, for a statement of the transactions and terms therein proposed, which are hereinafter summarized. At May 31, 1951, NEPSCO had outstanding $1,490,000 principal amount of bank loans due October 11, 1951, and the following classes of capital stock:

	Number of shares outstanding	Stated value or par value
Preferred stock cumulative, no par:		
$7 dividend series	48,411	$4,487,487
$6 dividend series	109,664	10,169,002
Adjustment series	7	525
$6 Convertible preferred stock, no par [1]	30	2,760
Common stock, $5 par value [2]	961,361-3/80	4,806,805

[1] Exchangeable share for share for $6 dividend series stock.

[2] Includes 309-3/80 shares represented by bearer scrip certificates.

As at May 31, 1951, dividend arrears on both the $7 Dividend Series and the Adjustment Series were $129.50 per share, aggregating $6,270,131; and on the $6 Dividend Series (including provision for the unexchanged shares of $6 Convertible Preferred Stock) $111 per share, aggregating $12,176,034. Dividend arrears on all series at the same date totaled $18,446,165. Current dividends are being paid on the three series of preferred stock.

The three series of preferred stock rank equally and are identical in all respects, except as to dividend rates, redemption prices and the extent of preference as to assets in the event of voluntary liquidation. On voluntary liquidation or call, the $7 Dividend Series and the Adjustment Series are both entitled to $120 per share, plus accrued dividends, and the $6 Dividend Series is entitled to $110 per share, plus accrued dividends. On involuntary liquidation, all three series of preferred stock are entitled to $100 per share, plus accrued dividends. Each share of Adjustment Series may be exchanged for one share of the $7 Dividend Series. The $6 Convertible Preferred Stock is not entitled to dividends nor to any rights whatsoever, except to exchange such shares on a share for share basis for the $6 Dividend Series, including the dividend arrears applicable thereto. The common stock has one vote per share and the preferred stock, because of the dividend arrears, is also entitled to one vote per share, resulting in a voting distribution of approximately 86 percent for the common stock and approximately 14 percent for the preferred stock.

NEPSCO is a subsidiary of Northern, General Electric Company ("General Electric"), and Manufacturers Trust Company ("Manufacturers"). Northern, a registered holding company, owns 312,193 shares (32.5 percent) of the common stock of NEPSCO; General Electric owns 307,004 shares (31.9 percent) and Manufacturers owns 248,481 shares (25.9 percent) of the common stock of NEPSCO; the last two named companies are not registered holding companies by reason of certain exemption orders heretofore issued by the Commission. The balance of 93,683 shares (9.7 percent) of the common stock is held by the public.

As at March 31, 1951, NEPSCO's portfolio consisted of the following shares of common stocks of three electric utility subsidiaries, namely, Central Maine Power Company ("Central Maine"), Central Vermont Public Service Corporation ("Central Vermont") and Public Service Company of New Hampshire ("New Hampshire");

Common stocks	Owned by NEPSCO		Publicly held	
	Number of shares	Percent	Number of shares	Percent
Central Maine	1,055,181	48.46	1,122,278	51.54
Central Vermont	231,668.5	35.46	421,731.5	64.54
New Hampshire	493,856.8	52.36	449,381.2	47.64

As at March 31, 1951, NEPSCO had current assets of $858,329 and current liabilities of $1,889,277, of which $1,490,000 was in the form of bank loans. Also, there are undetermined liabilities in connection with payment of fees and expenses of prior plans, this plan, and NEPSCO's ultimate liquidation and dissolution.

In brief, the plan provides for (a) the payment of outstanding bank loans from earnings, or by other appropriate means, (b) the distribution of portfolio stocks to the holders of preferred and common stocks, and (c) the liquidation and dissolution of NEPSCO. NEPSCO has requested that the Commission, in the event it approves the plan, apply to an appropriate District Court of the United States to enforce and carry out the terms and provisions thereof. The date of consummation of this plan will be determined by the court as the first date upon which consummation may be accomplished in an orderly manner.

The principal transactions proposed in the plan are as follows:

1. *Distribution of portfolio securities and any excess cash.* NEPSCO's portfolio will be distributed among its stockholders in the approximate proportion of 75 percent to the preferred stock and 25 percent to the common stock, subject to the payment, or adequate provision therefor, prior to the consummation date of the plan, of the bank loans and all other debts and liabilities. The holders of preferred stock will receive, upon surrender of their stock certificates, for each share thereof, the following shares of portfolio stocks, subject to the provisions as to fractions of a share hereinafter set forth:

	Shares of common stock		
	Central Maine	Central Vermont	New Hampshire
NEPSCO preferred stock:			
$7 dividend series	5.5	1.2	2.55
$6 dividend series	4.8	1.0	2.25
Adjustment series	5.5	1.2	2.55

Any remaining portfolio stocks will be distributed to the holders of common stock, pro rata, subject to the provisions as to fractions of a share hereinafter set forth. If, at the date of consummation of the plan, NEPSCO has cash in excess of an adequate cash reserve for fees and expenses in connection with this and prior plans and for all other liabilities, it will distribute such excess cash pro rata among the holders of its common stock.

2. *Cash deficiency.* In case NEPSCO does not have sufficient cash to pay its fees and expenses attributable to this and prior plans and all other liabilities, it will sell, subject to the approval of the Commission, such of its portfolio stocks as may be necessary. However, such sale will not reduce the specific distributions proposed to be made to the holders of preferred stock in paragraph 1 above.

3. *Deposit of stock certificates with liquidation trustee.* On or before the consummation date of the plan, NEPSCO will deposit with Old Colony Trust Company, Boston, Massachusetts, Liquidation Trustee, the certificates for the portfolio stocks and cash, if any, to be distributed under paragraph 1 above. On and after the consummation date, the holders of preferred and common stocks will be entitled to receive, upon surrender of their stock certificates, the distribution provided for in the plan. After the deposit of such stocks and cash, and notice given, the preferred and common stockholders of NEPSCO will, on the consummation date of the plan, have no rights other than to receive their distributions under the plan.

4. *Fractional interests.* No fractions of a share of the stock of Central Maine, Central Vermont or New Hampshire will be issued, but in each case the Liquidation Trustee will issue bearer scrip certificates which, when combined with other certificates aggregating at least one whole share, will entitle the holder, at any time during five years from the consummation date of the plan, to a certificate for the number of whole shares represented by scrip certificates sur-

rendered and a new scrip certificate for any remaining fractions.

5. *Time limitations and distribution of remaining assets.* Certificates for preferred and common stocks of NEPSCO may be surrendered and the distribution provided in the plan made at any time within five years from the consummation date of the plan. Upon the expiration of such five-year period, all rights of the holders of certificates for preferred and common stocks and of the holders of scrip certificates to receive the distribution provided for under the plan will cease. All unclaimed portfolio stocks will then be converted into cash by the Liquidation Trustee and promptly thereafter distributed, together with any dividends paid on the stocks (and any other cash available for distribution), pro rata among the former holders of common stock of NEPSCO who have theretofore surrendered their certificates. However, no such distribution will be made to any former holder in an amount of less than $5. Provision is made for yearly notice to be given by the Liquidation Trustee to the stockholders of NEPSCO who have not surrendered their certificates advising them of their rights under the plan.

6. *Election of directors of subsidiaries.* The directors of Central Maine, Central Vermont and New Hampshire at the consummation date of the plan will continue in office until their successors have been elected and qualified. Procedure for the nomination and election of new Boards of Directors for these companies is set forth in the plan.

7. *Service contracts.* Nepsco Services, Inc., whose outstanding securities are owned by Central Maine, Central Vermont, and New Hampshire, has contracts with each company for the performance of certain services at cost. Each such contract will continue in effect until the election of directors of said companies as provided in the plan and thereafter until terminated, extended or modified by the directors so elected.

8. *Fees and expenses.* NEPSCO will pay to the Liquidation Trustees sufficient cash to provide for the payment of its expenses in carrying out this plan and reasonable compensation for its services hereunder. It will also pay such other fees and expenses in connection with this plan as the Commission may award or allocate upon the petition of any interested person.

9. *Dissolution and distribution of any residual cash.* As soon as NEPSCO shall have made the securities and any cash available to its stockholders as above provided and shall have paid, or provided for the payment of, all fees and expenses and all other liabilities, it will initiate proceedings under Maine law for its dissolution. If immediately prior to its dissolution NEPSCO shall have any cash not required for fees and expenses and other liabilities, such cash will be distributed pro rata among its common stockholders.

10. *Cut-off date for certificates of former prior lien preferred stock.* NEPSCO proposes that its Amended Plan for the retirement of its Prior Lien Preferred Stock, dated March 8, 1947, as amended, heretofore approved by the Commission and enforced by the court, be further amended to provide a cut-off date of the rights of holders of unsurrendered shares of its Prior Lien Preferred Stock to receive the distributions provided under said Plan. It is proposed that, at the expiration of five years from January 29, 1951, all rights of holders of such unsurrendered shares of Prior Lien Preferred Stock to receive cash and Certificates of Contingent Interest under said Plan will cease. Any funds remaining in the hands of the Plan Trustee at the expiration of said period (including those payable to NEPSCO in accordance with the terms of the Escrow Agreement) will be transferred to the Liquidation Trustee and distributed by it to the common stockholders of NEPSCO who have surrendered their certificates. However, no such distribution will be made to any holder in an amount less than $5. NEPSCO, prior to its dissolution, and thereafter the Plan Trustee, prior to the expiration of said period, will make reasonable efforts to locate the holders of Certificates of Prior Lien Preferred Stock and of Certificates of Contingent Interest who have not surrendered their certificates.

NEPSCO requests that the order of the Commission approving the plan contain the recitals and other provisions of section 1808 (f) and Supplement R of the Internal Revenue Code, as amended.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan submitted thereunder to find after notice and opportunity for hearing that the plan, as submitted, or as modified, is necessary to effectuate the provisions of subsection (b) of section 11 of the act and is fair and equitable to the persons affected thereby; and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that notice be given and a hearing be held with respect to said plan to afford all interested persons an opportunity to be heard with respect thereto, and that said plan shall not become effective except pursuant to further order of the Commission; and

It further appearing to the Commission that it is appropriate that consideration be given at the outset of the hearing to the matters and questions presented by the amendment to NEPSCO's Amended Plan, dated March 8, 1947, relating to a cut-off date for surrendering certificates of its former Prior Lien Preferred Stock.

It is ordered, That a hearing on said plan, pursuant to the applicable provisions of the act and rules thereunder, be held on September 11, 1951, at 11:00 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on that day by the hearing room clerk in Room 193. In the event amendments are filed to said plan during the course of said proceeding, no notice of such amendments will be given unless specifically ordered by the Commission.

It is further ordered, That any person, other than those persons who previously have been granted participation in this proceeding, desiring to be heard in connection with this proceeding, or otherwise participate herein, shall file with the Secretary of the Commission on or before September 10, 1951, his request or application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That William W. Swift, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in the proceeding. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the matters and questions presented in the proceeding, at the outset of the hearing consideration be given to the matters and questions presented by NEPSCO's amendment to its amended plan, dated March 8, 1947, relating to a cut-off date for surrendering certificates of its former Prior Lien Preferred Stock.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the proposed cut-off date for surrendering certificates of NEPSCO's former Prior Lien Preferred Stock is fair and equitable to such security holders;

2. Whether the plan as submitted, or as it may hereafter be modified, is necessary to effectuate the provisions of section 11 (b) of the act and is in conformity with the requirements of the Commission's order of May 2, 1951, and is fair and equitable to the persons affected thereby;

3. Whether the allocation of NEPSCO's assets to the holders of its preferred and common stocks proposed in the plan is fair and equitable, or whether such allocation should be modified in any manner;

4. Whether the provision of the plan relating to the nomination and election of the initial Boards of Directors of Central Maine, Central Vermont, and New Hampshire upon consummation of the plan is fair and equitable and consistent with the objectives of section 11 (b);

5. Whether the service contracts of Central Maine, Central Vermont and New Hampshire with Nepsco Services, Inc., should be terminated upon consummation of the plan;

6. Whether the accounting entries in connection with the plan are proper and conform to sound accounting principles;

7. Whether the fees and expenses and other remuneration which may be claimed in connection with this plan and prior plans, and transactions incident thereto, are for necessary services and are reasonable in amount;

8. Whether the plan as submitted or as it may be modified, or a plan proposed by the Commission, or a plan filed by any person having a bona fide interest in the proceeding, should be approved by the

Commission for the purpose of section 11 (d) of the act, and, if proposed by the Commission or by a person having a bona fide interest, what the terms and provisions of such plan should be.

9. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and rules thereunder, and whether any modifications should be required to be made therein, and whether any terms and conditions should be imposed to satisfy the applicable statutory standards.

It is further ordered, That after consideration has been given to the matters and questions presented by the amendment to the Amended Plan, dated March 8, 1947, attention shall be directed at said hearing to the other foregoing issues and such other matters and questions as may be presented by this plan.

It is further ordered, That jurisdiction be reserved to separate, either for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters herein set forth, or which may arise in these proceedings, or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this notice and order by registered mail to New England Public Service Company, Northern New England Company, Central Maine Power Company, Central Vermont Public Service Corporation, Public Service Company of New Hampshire, The Federal Power Commission, Public Service Commission of New Hampshire, Public Service Commission of Vermont and Public Utilities Commission of Maine, and to all other persons previously granted participation in these proceedings; and that notice to all other persons shall be given by publication of this notice and order in the FEDERAL REGISTER and that a general release of this Commission with respect to this notice and order be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

It is further ordered, That New England Public Service Company give notice of this hearing to all record holders of its preferred and common stocks and to the record shareholders of Northern New England Company by mailing a copy of this notice and order and of the proposed plan to such security holders at least 20 days prior to the date set for hearing.

It is further ordered, That New England Public Service Company give notice of this hearing to the record holders of its former Prior Lien Preferred Stock who have not surrendered their certificates under the Amended Plan dated March 8, 1947, by appropriate letter mailed at least 20 days prior to the date set for hearing advising them of the date, time and place of the hearing and of the proposed amendment to its Amended Plan, dated March 8, 1947, establishing a cut-off date for surrendering certificates of Prior Lien Preferred Stock.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9230; Filed, Aug. 8, 1951; 8:47 a. m.]

[File No. 30-214]

LONG ISLAND LIGHTING CO.

NOTICE OF FILING OF APPLICATION FOR ORDER DECLARING THAT COMPANY HAS CEASED TO BE A HOLDING COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 2d day of August A. D. 1951.

Notice is hereby given that an application has been filed with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("act") by Long Island Lighting Company ("Long Island"), a registered holding company, for an order declaring that it has ceased to be a holding company.

All interested persons are referred to said application, which is on file in the offices of this Commission, for a complete statement of the matters therein set forth. A summarization of the basis for said application follows:

Long Island was formerly a holding company, having as public utility subsidiaries Queens Borough Gas and Electric Company, Nassau & Suffolk Lighting Company, Long Beach Gas Company, Inc., and Kings County Lighting Company. On March 27, 1936, Long Island was granted an exemption from the provisions of the act, on behalf of itself and its then subsidiaries, pursuant to section 3 (a) (1) of the act. The Commission's exemption order was subsequently modified, on April 21, 1945, with respect to certain provisions of the act (Holding Company Act Release No. 5746).

Long Island's former subsidiary, Kings County Lighting Company, was thereinafter recapitalized, as a result of which Long Island received 7.33 percent of the common stock of the recapitalized company. Long Island subsequently disposed of such stock.

Long Island and its former subsidiaries, Queens Borough Gas and Electric Company and Nassau & Suffolk Lighting Company, were subsequently consolidated pursuant to a section 11 (e) Plan of Long Island (Holding Company Act Release No. 9473). Pursuant to certain other proceedings under section 11 (e), Long Island's remaining public utility subsidiary, Long Beach Gas Company, Inc., was merged with Long Island (Holding Company Act Release No. 10315).

Long Island has represented that it has no remaining public utility subsidiaries. It has one non-utility subsidiary, Liland Corporation, which holds certain real estate.

Long Island has represented that, in accordance with its plan of consolidation approved under section 11 (e) of the act, it has exchanged its new securities for the previously outstanding securities of itself and its former subsidiaries, and has made diligent efforts to locate all of the security holders of the constituent corporations entitled to make such exchange. Long Island has represented that the number of shares of its new common stock which have not yet been distributed under the plan has been reduced, as of July 19, 1951, to 38,014, or 1.2 percent of the total outstanding. Long Island has made certain specific representations, set forth in the application, as to additional steps which it proposes to take to locate the holders of the remaining unexchanged shares.

Long Island has requested that the Commission reserve jurisdiction over fees and expenses in connection with its consolidation plan under section 11 (e) of the act.

Notice is further given that any interested person may, not later than August 17, 1951, request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by such application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 17, 1951, said application, as filed or as amended, may be granted, subject to such terms and conditions, if any, as the Commission may find and in such order prescribed as necessary for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9232; Filed, Aug. 8, 1951; 8:49 a. m.]

[File No. 70-2662]

COLUMBIA GAS SYSTEM, INC. AND CUMBERLAND AND ALLEGHENY GAS CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF 3¼ PERCENT NOTES TO PARENT COMPANY BY SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 2d day of August A. D 1951.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its wholly-owned subsidiary, Cumberland and Allegheny Gas Company ("Cumberland"), having filed with this Commission a joint application pursuant to sections 6 (b), 9 and 10 of the Public Utility Holding Company Act of 1935 regarding the following transaction:

Cumberland proposes to issue and sell and Columbia proposes to acquire, from time to time prior to March 31, 1952, not to exceed $675,000 principal amount of Cumberland's unsecured Installment Promissory Notes. Said notes will be registered and the principal amounts thereof are to be payable in twenty-five equal annual installments, on February 15th of each of the years 1953 to 1977,

inclusive. The unpaid principal amount of such notes will bear interest at the rate of 3¼ percent per annum, payable semi-annually on February 15th and August 15th of each year during the time the notes are outstanding. The proceeds from the sale of said 3¼ percent notes will be used by Cumberland for the purpose of financing a part of its proposed 1951 construction program.

Said joint application having been filed on June 29, 1951 and an amendment having been filed on July 30, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said joint application within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The application having represented that the only State Commission having jurisdiction over the proposed issuance and sale of the said notes by Cumberland is the Public Service Commission of West Virginia, and that Commission having authorized the issuance and sale of such notes, and the applicants having requested that the Commission's order herein with respect to said joint application be granted, effective forthwith; and

The Commission finding with respect to the joint application, as amended, that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application, as amended, be granted, effective forthwith, subject to the terms and conditions specified below:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935 that said joint application, as amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9233; Filed, Aug. 8, 1951; 8:49 a. m.]

[File No. 7-1319]

ALUMINUM CO. OF AMERICA

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 3d day of August A. D. 1951.

The Philadelphia - Baltimore Stock Exchange pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of Aluminum Company of America, a security listed and registered on The New York Stock Exchange. Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to August 24, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9231; Filed, Aug. 8, 1951; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 257]

AMERICAN WHOLESALERS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, American Wholesalers, Fifth and W Streets NE., Washington 2, D. C., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses, box springs, and studio couches manufactured by American Wholesalers, Fifth and W Streets NE., Washington 2, D. C. having the brand name(s) "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper Orthopedic Deluxe", "Serta Perfect Sleeper Supreme", "Serta Sertafoam Sleep Set", "Serta Restal Knight", "Serta Perfect Sleeper", "Serta Sertapedic", "Serta Perfect Sleeper Deluxe", "Serta Tiny Perfect Sleeper", "Serta Sertaflex", "Serta Sertarest", "Serta Theralator" shall be the proposed retail ceiling prices listed by American Wholesalers in its application dated April 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, American Wholesalers must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special or-

der must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9259; Filed, Aug. 6, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 258]

WESTMORELAND GLASS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westmoreland Glass Company, Grapeville, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of handmade glassware manufactured by Westmoreland Glass Company, Grapeville, Pennsylvania, having the brand name(s) "Westmoreland Glass" shall be the proposed retail ceiling prices listed by Westmoreland Glass Company, in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Westmoreland Glass Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto

(if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9260; Filed, Aug. 6, 1951; 3:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 259]

RAY THOMAS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Ray Thomas Company, 1601 South Hope Street, Los Angeles 15, California (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of television table models, television consoles, combination television and radio sets, combination phonograph and radio models sold at wholesale by Ray Thomas Company, 1601 South Hope Street, Los Angeles 15, California, having the brand name(s) "Capehart", shall be the proposed retail ceiling prices listed by Ray Thomas Company, in its application dated May 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 6, 1951, Ray Thomas Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon isssuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the

effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9261; Filed, Aug. 6, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 260]

LEVY BROS. & ADLER ROCHESTER, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Levy Bros. & Adler Rochester, Inc., 15 Hand Street, Rochester 2, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's topcoats manufactured by Levy Bros. & Adler Rochester, Inc., 15 Hand Street, Rochester 2, New York, having the brand name(s) "Mt. Rock" shall be the proposed retail ceiling prices listed by Levy Bros. & Adler Rochester, Inc., in its application dated March 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 1, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Levy Bros. & Adler Rochester, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is other-

wise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9262; Filed, Aug. 6, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 261]

R. WALLACE & SONS MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, R. Wallace & Sons Manufacturing Company, Wallingford, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of sterling flatware and plated hollow ware manufactured by R. Wallace & Sons Manufacturing Company, Wallingford, Connecticut, having the brand name(s) "Wallace Sterling" shall be the proposed retail ceiling prices listed by R. Wallace & Sons Manufacturing Company in its application dated April 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 7, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, R. Wallace & Sons Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms {net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9263; Filed, Aug. 6, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 262]

KEE ZIPPER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price

Regulation 7, the applicant named in the accompanying special order, Kee Zipper Company, 350 Fifth Avenue, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of zipper slide fastener manufactured by Kee Zipper Company, 350 Fifth Avenue, New York 1, New York, having the brand name(s) "Kee" shall be the proposed retail ceiling prices listed by Kee Zipper Company, 350 Fifth Avenue, New York 1, New York, in its application dated March 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Kee Zipper Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order established the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9264; Filed, Aug. 6, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 263]

AMITY LEATHER PRODUCTS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Amity Leather Products Company, West Bend, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this

special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and women's billfolds, and billfold sets, photo-folds, letter cases, key cases, tobacco pouches, travel kits, and ladies' handbags sold through wholesalers and retailers and having the brand name(s) "Amity", "Rolfs", "Rolfs Handbags", "Vanguard" shall be the proposed retail ceiling prices listed by Amity Leather Products Company hereinafter referred to as the "applicant" in its application dated March 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 6, 1951, Amity Leather Products Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers.)* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment and appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9265; Filed, Aug. 6, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 264]

GORDON CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Gordon Company, 1913 Arch Street, Philadelphia 3, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceil-

ing prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of denim sport coats manufactured by The Gordon Company, 1913 Arch Street, Philadelphia 3, Pennsylvania, having the brand name(s) "Tailored Softone Denim" shall be the proposed retail ceiling prices listed by The Gordon Company in its application dated March 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, The Gordon Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9266; Filed, Aug. 6, 1951; 3:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 265]

HOLLYWOOD MAXWELL CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hollywood Maxwell Company, 6773 Hollywood Boulevard, Hollywood 28, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres, garter belts, bust pads manufactured by Hollywood Maxwell Company, 6773 Hollywood Boulevard, Hollywood 28, California, having the brand name(s) "Whirlpool," "Nu-Vu," shall be the proposed retail ceiling prices listed by Hollywood Maxwell Company in its application dated March 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list

of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Hollywood Maxwell Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or tickct stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special ordcr shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9267; Filed, Aug. 6, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 266]

CAMEO CURTAINS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Cameo Curtains, Inc., 260 Fifth Avenue, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of curtains manufactured by Cameo Curtains, Inc., 260 Fifth Avenue, New York, New York, having the brand name(s) "Shir-Back" shall be the proposed retail ceiling prices listed by Cameo Curtains, Inc., in its application dated June 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Cameo Curtains, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article

a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9268; Filed, Aug. 6, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 267]

STYLEPARK HATS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Stylepark Hats, Inc., 2550 Reed Street, Philadelphia 46, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's trimmed fur felt hats manufactured by Stylepark Hats, Inc., 2550 Reed Street, Philadelphia, Pennsylvania, having the brand name(s) "Stylepark Templeform Hats" and "Glen Royal Headline Hats" shall be the proposed retail ceiling prices listed by Stylepark Hats, Inc., in its application dated April 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated April 12, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Stylepark Hats, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the

effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9269; Filed, Aug. 6, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 268]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sealy Mattress Company, 301–325, Southwest Eighth Street, Des Moines 8, Iowa, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Sealy Mattress Company, 301–325 Southwest Eighth Street, Des Moines 8, Iowa, having the brand name(s) "Sealy Firm-O-Rest Orthopedic", "Sealy Junior Posturepedic", "Sealy Sunspun", "Sealy Sealy Rest", "Sealy Sleep Joy", "Sealy Natural Rest", "Sealy Enchanted Nights", "Sealy Good Homekeeper", "Sealy Dreamer", "Sealy Sleep Charm", "Sealy Foamspun" shall be the proposed retail ceiling prices listed by Sealy Mattress Company in its application dated March 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Sealy Mattress Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order,

and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9270; Filed, Aug. 6, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 269]

HOMER LAUGHLIN CHINA CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Homer Laughlin China Company, Newell, West Virginia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of dinnerware manufactured by The Homer Laughlin China Company, Newell, West Virginia, having the brand name(s) "Fiesta", "Jubilee", "Skytone", "Suntone" shall be the proposed retail ceiling prices listed by The Homer Laughlin China Company in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, The Homer Laughlin China Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amend-

ment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9271; Filed, Aug. 6, 1951; 3:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 270]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sealy Mattress Company, 79 Benedict Street, Waterbury, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Sealy Mattress Company, 79 Benedict Street, Waterbury, Connecticut, having the brand name(s) "Sealy Sleep Charm," "Sealy Dreamer," "Sealy Park Lane," "Sealy Good Housekeeper," "Sealy Air Vent," "Sealy Natural Rest," "Sealy Rest," "Sealy Cotton Boll," "Sealy Sunspun," "Sealy Orthopedic Firm-o-Rest," "Sealy Supreme," "Sealy Foamspun," "Sealy Foamspun Deluxe," "Sealy Junior Posturpedic," "President," "Royal," "Sheridan," "Congress" shall be the proposed retail ceiling prices listed by Sealy Mattress Company in its application dated March 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Sealy Mattress Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order

which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9272; Filed, Aug. 6, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 271]

U. S. BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, U. S. Bedding Company, 1047 Florida Street, Memphis 2, Tennessee, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by U. S. Bedding Company, 1047 Florida Street, Memphis 2, Tennessee, having the brand name(s) "Sealy" shall be the proposed retail ceiling prices listed by U. S. Bedding Company in its application dated April 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, U. S. Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9273; Filed, Aug. 6, 1951; 3:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 272]

ADVANCE ALUMINUM CASTINGS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Advance Aluminum Castings Corp., 2742 West Thirty-sixth Place, Chicago 32, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of cookware manufactured by Advance Aluminum Castings Corp., 2742 West Thirty-sixth Place, Chicago 32, Illinois, having the brand name(s) "Miracle Maid" and "Minitmaid" shall be the proposed retail ceiling prices listed by Advance Aluminum Castings Corp. in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Advance Aluminum Castings Corp. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $-------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9274; Filed, Aug. 6, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 273]

DOULTON AND CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Doulton and Co., Inc., 11 East Twenty-sixth Street, New York 10, New York (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of imported chinaware, dinnerware, earthenware, figures and jugs sold at wholesale by Doulton and Co., Inc., 11 East Twenty-sixth Street, New York 10, New York, having the brand name(s) "Royal Doulton" shall be the proposed retail ceiling prices listed by Doulton and Co., Inc., in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the wholesaler's application dated July 20, 1951. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 6, 1951, Doulton and Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9275; Filed, Aug. 6, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 274]

DETECTO SCALES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Detecto Scales, Inc., 540 Park Avenue, Brooklyn 5, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of scales, brush holders and hampers,

scale beams manufactured by Detecto Scales, Inc., 540 Park Avenue, Brooklyn 5, New York, having the brand name(s) "Detecto" shall be the proposed retail ceiling prices listed by Detecto Scales, Inc., in its application dated April 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation having the same selling price and terms of sale to the retailer, same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Detecto Scales, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9276; Filed, Aug. 6, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 275]

DR. A. POSNER SHOES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Dr. A. Posner Shoes, Inc., 101 West Thirty-first Street, New York 1, New York (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of shoes sold at wholesale by Dr. A. Posner Shoes, Inc., 101 West Thirty-first Street, New York 1, New York, having the brand name(s) "Dr. Posner" shall be the proposed retail ceiling prices listed by Dr. A. Posner Shoes, Inc., in its application dated April 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appeidix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the

same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 6, 1951, Dr. A. Posner Shoes, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9277; Filed, Aug. 6, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 276]

LUCKY PLASTIC COMPANY, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lucky Plastic Company, Inc., 815 East Fourteenth Place, Los Angeles, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies' transparent rainboots manufactured by Lucky Plastic Company, Inc., 815 East Fourteenth Place, Los Angeles, California, having the brand name(s) "Rain Dears" shall be the proposed retail ceiling prices listed by Lucky Plastic Company, Inc., in its application dated April 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Lucky Plastic Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation

which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9278; Filed, Aug. 6, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 277]

AUGUSTA BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Augusta Bedding Company, 930 Eighth Street, Augusta, Georgia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses, box and coil springs manufactured by Augusta Bedding Company, 930 Eighth Street, Augusta, Georgia, having the brand name(s) "Serta Perfect Sleeper", "Sertaflex", "Sertafoam", "Serta Theralator", "Serta Tiny Perfect Sleeper", "Serta Restful", "Serta Aristocrat", "Coilux", "Relax", "Ajax", "Leader", "Rex", "Star", and "Atlas", "Sertarest" shall be the proposed retail ceiling prices listed by Augusta Bedding Company in its application dated March 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated April 18, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Augusta Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9279; Filed, Aug. 6, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 278]

SETH THOMAS CLOCKS, DIVISION OF GENERAL TIME CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Seth Thomas Clocks, Division of General Time Corporation, 135 South Main Street, Thomaston, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of clocks and watches sold through wholesalers and retailers and having the brand name(s) "Seth Thomas Clocks" and "Seth Thomas Watches" shall be the proposed retail ceiling prices listed by Seth Thomas Clocks, Division of General Time Corporation, 135 South Main Street, Thomaston, Connecticut, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated June 4, 1951 and July 13, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 6, 1951, Seth Thomas Clocks, Division of General Time Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9280; Filed, Aug. 6, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 279]

ABERLE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Aberle, Inc., 5807 Keystone Street, Philadelphia, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of hosiery manufactured by Aberle, Inc., 5807 Keystone Street, Philadelphia 24, Pennsylvania, having the brand name(s) "Aberle" shall be the proposed retail ceiling prices listed by Aberle, Inc., in its application dated May 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Aberle, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division,

Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9281; Filed, Aug. 6, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 280]

SPARKS-WITHINGTON CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Sparks-Withington Company, Jackson, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of radios, television manufactured by The Sparks-Withington Company, Jackson, Michigan, having the brand name(s) "Sparton" shall be the proposed retail ceiling prices listed by The Sparks-Withington Company in its application dated July 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same ceiling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, The Sparks-Withington Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9282; Filed, Aug. 6, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 281]

ALLIGATOR CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Alligator Company, 4153 Bingham Avenue, St. Louis 16, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of waterproof and water repellant apparel manufactured by The Alligator Company, 4153 Bingham Avenue, St. Louis 16, Missouri, having the brand name(s) "Alligator" shall be the proposed retail ceiling prices listed by The Alligator Company in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, The Alligator Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

CPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9283; Filed, Aug. 6, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 282]

HANES HOSIERY MILLS CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hanes Hosiery Mills Co., Winston-Salem, North

Carolina, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's hosiery sold through wholesalers and retailers and having the brand name(s) "Hanes" shall be the proposed retail ceiling prices listed by Hanes Hosiery Mills Co., Winston-Salem, North Carolina, hereinafter referred to as the "applicant" in its application dated May 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 6, 1951, Hanes Hosiery Mills Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9297; Filed, Aug. 6, 1951; 4:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 283]

ADAM WUEST, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Adam Wuest, Inc., 911-933 Evans Street, Cincinnati 4, Ohio, has applied to the Office

of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Adam Wuest, Inc. 911–933 Evans Street, Cincinnati 4, Ohio, having the brand name(s) "Serta Foam," "Serta Perfect Sleeper Supreme," "Serta Perfect Sleeper Imperial," "Serta Perfect Sleeper DeLuxe," "Serta Perfect Sleeper Orthopedic," "Serta Perfect Sleeper," "Serta Restal Knight," "Serta Sertarest," "Fairyland," "Serta Tiny Sleeper" shall be the proposed retail ceiling prices listed by Adam Wuest, Inc., in its application dated March 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Adam Wuest, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms {net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51–9298; Filed, Aug. 6, 1951; 4:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 284]

INTERNATIONAL SILVER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The International Silver Company, Meriden, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this

special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sterling and plated silver flatware sold through wholesalers and retailers and having the brand name(s) "1847 Rogers Bros.", "Wm. Rogers & Son," "Holmes & Edwards" and "International Sterling" shall be the proposed retail ceiling prices listed by The International Silver Company, Meriden, Connecticut, hereinafter referred to as the "applicant" in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 18, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 6, 1951, The International Silver Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
---------- ----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9299; Filed, Aug. 6, 1951; 4:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 285]

SPURGEON HOSIERY CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Spurgeon Hosiery Corporation, 100 Berkley Street, Philadelphia 44, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special

order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provision of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of hosiery manufactured by Spurgeon Hosiery Corporation, 100 Berkley Street, Philadelphia, Pennsylvania, having the brand name(s) "Dupliquette" shall be the proposed retail ceiling prices listed by Spurgeon Hosiery Corporation in its application dated July 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Spurgeon Hosiery Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51–9300; Filed, Aug. 6, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 286]

SOUTH BEND BAIT CO.

CEILING PRICES AT RETAIL

Statement of consideration. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, South Bend Bait Company, 1108 South High Street, South Bend 23, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of fishing equipment manufactured by the South Bend Bait Company, 1108 South High Street, South Bend 23, Indiana, having the brand name(s) "South Bend" shall be the proposed retail ceiling prices listed by South Bend Bait Company in its application dated May 31, 1951, and filed with the Office of

Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, South Bend Bait Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9301; Filed, Aug. 6, 1951; 4:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 287]

KENTUCKY SANITARY BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kentucky Sanitary Bedding Company, 1122 Rowan Street, Louisville, Kentucky, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and springs manufactured by Kentucky Sanitary Bedding Company, 1122 Rowan Street, Louisville, Kentucky, having the brand name(s) "Serta-foam", "Perfect Sleeper", "Perfect Sleeper Orthopedic", "Restal Knight", "Coilux", "Sertarest", "Sertaflex", "Smoothcrat", "Smoothmaster", "Smoothrest", "Sertapedic", "Tiny Perfect Sleeper", "Perfect Sleeper Studio Couch", "Theralator", shall be the proposed retail ceiling prices listed by Kentucky Sanitary Bedding Company in its application dated March 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 6, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 6, 1951, Kentucky Sanitary Bedding Company must

mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 5, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 5, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 7, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 6, 1951.

[F. R. Doc. 51-9302; Filed, Aug. 6, 1951; 4:48 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10006]

BRIDGEPORT BROADCASTING CO. (WLIZ)

ORDER CONTINUING HEARING

In re application of The Bridgeport Broadcasting Company (WLIZ), Bridgeport, Connecticut, for construction permit, Docket No. 10006, File No. BP-7958.

The Commission having under consideration a petition filed July 1, 1951, by The Bridgeport Broadcasting Company (WLIZ), Bridgeport, Connecticut, requesting a 60 days continuance of the hearing presently scheduled for August 13, 1951, at Washington, D. C., in the proceeding upon its above-entitled application for construction permit; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 27th day of July 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Friday, October 12, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9286; Filed, Aug. 8, 1951; 8:53 a. m.]

[Docket No. 9795]

MAGIC CITY BROADCASTING CO., INC. (WEDR)

ORDER CONTINUING HEARING

In re application of Magic City Broadcasting Co., Inc. (WEDR), Fairfield, Alabama, for construction permit, Docket No. 9795, File No. BP-7778.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration a petition filed by the above-entitled applicant requesting enlargement of the issues in this proceeding and further requesting that no change be made in the presently scheduled hearing date of July 26, 1951;

It appearing, that the Commission, on May 16, 1951, designated the above-entitled application for hearing on engineering issues only;

It is ordered, That the Commission's order of May 16, 1951, in this proceeding is amended to include the following as Issue No. 5:

To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9287; Filed, Aug. 8, 1951; 8:53 a. m.]

[Docket No 10023]

DESERT RADIO AND TELECASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Jobe L. Hamman, George W. Berger and Melvin Sullivan, d/b as Desert Radio and Telecasting Company, Palm Springs, California, for construction permit, Docket No. 10023, File No. BP-7847.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration the above-entitled application for a construction permit to construct a new standard broadcast station to be operated on the frequency 1230 kilocycles, with 250 watts power, unlimited time, in Palm Springs, California;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on September 6, 1951, at

Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station KXO, El Centro, California, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference to the coverage of the city of Palm Springs, California, and its business district.

It is further ordered, That Valradio, Incorporated, licensee of Station KXO, El Centro, California, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary,

[F. R. Doc. 51-9289; Filed, Aug. 8, 1951; 8:54 a. m.]

[Docket No. 10024]

JOHNNIE WESTON CRABTREE

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Johnnie Weston Crabtree, Oklahoma City, Oklahoma, for construction permit, Docket No. 10024, File No. BP-8007.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration the above-entitled application of Johnnie Weston Crabtree requesting a construction permit for a new standard broadcast station to operate on 1590 kc, with 500 w power, daytime only, at Oklahoma City, Oklahoma;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate the proposed station, but that the application may involve interference with one or more existing stations;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m. on September 11, 1951, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with station KWHP, Cushing, Oklahoma, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That William Howard Payne, tr/as Cimarron Broadcasters, permittee of Station KHWP, Cushing, Oklahoma, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9290; Filed, Aug. 8, 1951; 8:54 a. m.]

[Docket No. 10025]

QUEEN CITY BROADCASTING CO. (KIRO)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Queen City Broadcasting Company (KIRO), Seattle, Washington, for construction permit, Docket No. 10025, File No. BP-7831.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration the above-entitled application of Queen City Broadcasting Company to make certain changes in its directional antenna pattern;

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station KIRO as proposed, but that the application may involve interference with one or more existing stations;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing commencing at 10:00 a. m., on September 12, 1951, at Washington, D. C., upon the following issues:

(1) To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

(2) To determine whether the operation of the proposed station would involve objectionable interference with Station WOR, New York, New York, and other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

(3) To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

(4) To determine whether construction and operation of the proposed station would be in compliance with the Commission rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That General Teleradio, Inc., licensee of Station WOR, New York, New York, is made a party to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9291; Filed, Aug. 8, 1951; 8:54 a. m.]

[Docket No. 9552]

THEATRE TELEVISION SERVICE

ORDER CONTINUING HEARING

In the matter of allocation of frequencies and promulgation of rules and regulations for a theatre television service, Docket No. 9552.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration its Notice of Hearing Date herein adopted April 25, 1951, which schedules a hearing in the above-entitled proceeding before the Commission en banc commencing September 17, 1951;

It is ordered, That the hearing herein, now scheduled for September 17, 1951, is continued to November 26, 1951; and

It is further ordered, That the order of April 25, 1951, herein providing that parties should file statements with the Commission on or before August 15, 1951, is amended to extend the time within which such statements may be filed to specify October 26, 1951, in lieu of August 15, 1951.

Released: August 3, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9292; Filed, Aug. 8, 1951; 8:55 a. m.]

[Docket No. 9968, 9969, 9970]

BANKS INDEPENDENT BROADCASTING CO. (WINX)

ORDER SCHEDULING HEARING

In re applications of Banks Independent Broadcasting Co. Washington, D. C. (WINX), for renewal of licenses of synchronous amplifiers located at 8th and I Streets NW., Washington, D. C., and Rock Creek Park, near East-West Highway, Montgomery County, Maryland, and Developmental Broadcast Station KG2XCK, Docket No. 9968, File No. BR-1104, Docket No. 9969, File No. BREX-59; and for construction permit to change

Main Transmitter location of WINX from Garden City, Arlington, Virginia, to 8th and Eye Streets, NW., and establish synchronous amplifier in Rock Creek Park and abandon present synchronous amplifiers and Developmental Broadcast Station KG2XCK as presently operated, Docket No. 9970, File No. BP-7772.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration a petition filed May 11, 1951 by Banks Independent Broadcasting Company (WINX), Washington, D. C., requesting reconsideration of its above-entitled application (File No. BP-7772, Docket 9970) and grant without hearing of said application in so far as it seeks a change in location of the main transmitter for Station WINX from Arlington, Virginia, to Washington, D. C.;

It appearing, that on May 3, 1951, the said application (File No. BP-7772, Docket 9970) was designated for hearing in consolidation with the above-entitled applications of Banks Independent Broadcasting Company for renewal of licenses for synchronous amplifiers located at Eighth and Eye Streets NW., Washington, D. C. and Rock Creek Park, Montgomery County, Maryland, and Developmental Broadcast Station KG2XCK (File Nos. BR-1104 and BREX-59, and that hearing on said applications has been continued indefinitely; and

It further appearing, that a partial grant of the above-entitled application for construction permit (File No. BP-7772) as proposed by Petitioner would serve the public interest, convenience and necessity; and

It further appearing, that Petitioner alleges that upon grant of the instant petition, Petitioner can immediatey resume normal operation with one transmitter at Eighth and Eye Streets NW., Washington, D. C., discontinue the operation of its two synchronous amplifiers and dismiss the above-entitled applications for renewal of license (File Nos. BR-1104 and BREX-59);

It is ordered, That the said petition of Banks Independent Broadcasting Company is granted and that the above-entitled application for construction permit (File No. BP-7772) is granted in part in so far as it requests a change in main transmitter location subject to the following condition:

That within thirty days of the date of this order, operation of WINX synchronous amplifiers and Developmental Broadcast Station KG2XCK be discontinued, and that within the same period applicant file a petition for dismissal of its above-entitled applications for renewal of license (File Nos. BR-1104 and BREX-59).

It is further ordered, That the above-entitled application for construction permit (File No. BP-7772, in so far as it requests a construction permit for a new synchronous amplifier in Rock Creek Park is retained in hearing status and that the Commission Order of May 3, 1951, in the above-entitled proceeding is amended to delete all issues therein specified and to substitute in lieu thereof the following issues:

(1) To determine (a) the physical and electrical characteristics of the lines to be used to link the main transmitter with the proposed synchronous transmitter, (viz, type, length, noise level, cross-talk, transmission loss, frequency response, phase distortion, and the expected variation of these characteristics with temperature and humidity changes), (b) the responsibility for the maintenance of such lines, (c) the nature of the terminal equipment especially with respect to maintenance of excitation to the synchronous transmitter, and (e) whether the operation as proposed would comply with the technical requirements of the Commission rules and Standards of Good Engineering Practice.

(2) To determine whether the proposed operation of WINX complies with Commission's rules and Standards of Good Engineering Practice and International Agreements with particular reference to utilization of local channels.

(3) To determine the areas and populations which may be expected to gain or lose primary service from the combined main transmitter synchronous amplifier operation as proposed and the character of other broadcast service available to such areas and populations.

It is further ordered, That hearing in this proceeding is scheduled to commence at 10:00 a. m. on the 17th day of September 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9293; Filed, Aug. 8, 1951; 8:55 a. m.]

[Docket No. 9712]

CECIL W. ROBERTS (KREI)

ORDER SCHEDULING HEARING

In re application of Cecil W. Roberts (KREI), Farmington, Missouri, for construction permit, Docket No. 9712, File No. BP-7572.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951:

The Commission having under consideration a petition filed May 7, 1951, by Cecil W. Roberts, requesting reconsiderations and grant without hearing of the above-entitled application for a construction permit to change facilities of Station KREI, Farmington, Missouri, from 1350 kilocycles with power of 1 kilowatt, daytime only, to 800 kilocycles with power of 1 kilowatt, daytime only; and

It appearing, that the above-entitled application was designated for hearing on June 22, 1951; that by order of February 21, 1951, the Commission denied an earlier petition seeking reconsideration of the above-entitled application and amended the issues in the proceeding; and that hearing in this proceeding has been continued indefinitely; and

It further appearing, That in the instant petition it is alleged that the operation proposed in the above-entitled application will not result in interference to Station KXIC, Iowa City, Iowa; that this allegation is based in part upon field intensity measurements of the KXIC signal which were not made in accordance with the Commission's Standards of Good Engineering Practice in that they are not sufficiently complete to permit determination of the unattenuated field at 1 mile; that the Commission is of the opinion that the operation proposed in the above-entitled application may result in interference to Station KXIC; and that for this reason among others the Commission is unable to conclude that a grant of the above-entitled application would serve public interest, convenience and necessity;

It is ordered, That the said petition of Cecil W. Roberts seeking reconsideration and grant of the above-entitled application is denied;

It is further ordered, That the hearing in this proceeding is scheduled to commence at 10:00 a. m. on the 14th day of September 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9294; Filed, Aug. 8, 1951; 8:55 a. m.]

[Docket No. 9820]

EARL M. KEY (WKEY)

ORDER CONTINUING HEARING

In re application of Earl M. Key (WKEY), Covington, Virginia, for construction permit, Docket No. 9820, File No. BP-7828.

The Commission having under consideration a petition filed on July 25, 1951, by Rollins Broadcasting Inc. (WRAD), respondent in the instant proceeding, requesting that the hearing on the above entitled application of Earl M. Key (WKEY), Covington, Virginia, now scheduled to be held in Washington, D. C., on August 1, 1951, be continued until August 14, 1951; and

It appearing, That all of the parties to this proceeding have consented to a grant of the above petition and to a waiver of § 1.745 of the Commission's rules relating to the timely filing of motions;

It is ordered, This 30th day of July 1951, that the above petition be, and it is hereby, granted, and that the hearing on the above-entitled application is hereby continued until 10:00 a. m. Tuesday, August 14, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9237; Filed, Aug. 8, 1951; 8:50 a. m.]

[Docket No. 9961]

SPRINGFIELD BROADCASTING CO. (WJKO)

ORDER CONTINUING HEARING

In re application of Springfield Broadcasting Company (WJKO), Springfield, Massachusetts, for construction permit, Docket No. 9961, File No. BP-7878.

It is ordered, This first day of August 1951, that the hearing on the above-

entitled application now scheduled in Washington, D. C., for 10 o'clock a. m., August 27, 1951, is continued to 10 o'clock a. m., Wednesday, September 5, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9238; Filed, Aug. 8, 1951; 8:50 a. m.]

[Designation Order No. 60]

DESIGNATION OF MOTIONS COMMISSIONER FOR AUGUST 1951

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 25th day of July 1951;

It is ordered, Pursuant to section 0.111 of the Statement of Delegations of Authority, that Rosel H. Hyde, Commissioner, is hereby designated as Motions Commissioner for the month of August 1951.

It is further ordered, That in the event said Motions Commissioner is unable to act during any part of said period the Chairman or Acting Chairman will designate a substitute Motions Commissioner.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9236; Filed, Aug. 8, 1951; 8:50 a. m.]

[Docket Nos. 8736, 8975, 8976, 9175]

TELEVISION BROADCAST SERVICE

CLARIFICATION OF PROCEDURE

In the matters of amendment of §3.606 of the Commission's rules and regulations, Dockets Nos. 8736 and 8975; amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the Band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. The Commission has received numerous inquiries concerning the date for filing sworn statements and exhibits pursuant to paragraph 5 of the order of hearing procedure issued on July 25, 1951, in these proceedings. Parties are advised as follows in connection with the questions that have been raised:

a. In accordance with the above order, any statement or exhibit filed as part of the direct or affirmative case of any party whether such case relates to a counterproposal or opposition [1] must be filed on the dates specified for filing of material under paragraph 5 (*b*) of the order. In general, the direct or affirmative case constitutes the case that would have been presented on direct examination had the hearings in the above entitled matters been conducted orally. No direct or affirmative case may be made by documents filed pursuant to paragraph 5 (c) of the order of hearing procedure. Only evidence that would have been submitted at an oral hearing through cross-examination and rebuttal will be considered in those documents which are filed pursuant to paragraph 5 (c).

b. Where a party has filed both a comment and an opposition [1] and the comment and opposition are listed in different groups as provided for in the Notice of Order of Testimony (Mimeo. 66241) with the result that different filing dates are applicable with respect to such pleadings, that part of the affirmative case which is directly related to each separate pleading must be filed on the filing date specified for each such pleading. For example, where a party has filed an opposition listed in Group A and a counter proposal listed in Group Z, that part of its case which relates to the opposition must be filed on the date for filing documents with respect to pleadings listed in Group A. Statements and exhibits relating to the counterproposal itself, however, need not be filed until the date for filing with respect to pleadings listed in Group Z.

Released: August 3, 1951.

By Direction of the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9288; Filed, Aug. 8, 1951; 8:54 a. m.]

[1] The word "opposition" refers to any pleading listed in Mimeo. 66048 attached to the Notice of Order of Testimony (Mimeo. 66241) issued in the above entitled proceedings on July 18, 1951.

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934
VOLUME 16 NUMBER 155
Washington, Friday, August 10, 1951

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 1, Rice]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951-CROP RICE LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

Regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 16 F. R. 6907, and containing the requirements for the 1951-crop rice loan and purchase agreement program are hereby amended as follows:

Section 601.1008 *Support rates* is amended by including in the table in paragraph (a) *Basic rates,* the value factors for head and broken rice to be used in determining the basic support rates for the various classes of Rough Rice so that the amended section reads as follows:

§ 601.1008 *Support rates.* Loans will be made, and rice delivered under purchase agreements will be purchased at the support rates set forth in this section.

(a) *Basic rates.* The basic support rate for 100 pounds of rough rice in store in an approved warehouse and with all accrued charges paid through April 30, 1952, shall be computed as follows:

Multiply the yield (in pounds per hundredweight) of head rice by the applicable value factor for head rice (as shown in the table in this section according to class). Similarly, multiply the difference between the total yield and head rice yield (in pounds per hundredweight) by the applicable value factor for broken rice. Add the results of these two computations to obtain the basic loan or purchase rate per 100 pounds of rough rice and express such rate in dollars and cents, rounded to the nearest whole cent.

VALUE FACTORS FOR HEAD AND BROKEN RICE

Rough rice class	Head rice	Broken rice
Rexoro (including Rexark), Patna, Blue Bonnet and Nira	0.0967	0.0400
Fortuna, R. N., and Edith	.0897	.0400
Blue Rose (including Improved Blue Rose, Greater Blue Rose, Kamrose and Arkrose), Magnolia, Zenith, Prelude, and Lady Wright	.0822	.0400
Early Prolific, Pearl, Calady, Calrose, and other classes	.0736	.0400

(b) *Premiums and discounts.* The basic support rates, determined under paragraph (a) of this section, per 100 pounds of rough rice shall be adjusted by the following premium or discount for the grade applicable to an individual lot of rough rice:

Grade U. S. No. 1: Premium of 20 cents per 100 pounds.

Grade U. S. No. 2: Premium of 10 cents per 100 pounds.

Grade U. S. No. 3: Discount of 5 cents per 100 pounds.

Grade U. S. No. 4: Discount of 20 cents per 100 pounds.

Grade U. S. No. 5: Discount of 40 cents per 100 pounds.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat, 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 7th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9344; Filed, Aug. 9, 1951; 8:51 a. m.]

[1951 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Soybeans]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1951 CROP SOYBEANS LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

The 1951 C. C. C. Grain Price Support Bulletin 1 (16 F. R. 1987), issued by the

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Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1951, was supplemented by 1951 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Soybeans, 16 F. R. 4999, containing the specific requirements applicable to price support operations on soybeans of the 1951 crop. These regulations are further supplemented as follows:

§ 601.1161 *Support rates.* Basic support rates for soybeans placed under loan and for soybeans delivered under purchase agreements are as set forth in this section. Both farm-storage and warehouse-storage loans will be made at the support rate established for the county in which the soybeans are stored. County support rates per bushel for soybeans of the classes Green Soybeans and Yellow Soybeans grading No. 2 or better and containing 14 percent moisture are set forth below:

	Rate per bushel
Alabama	
All counties	$2.39
Arkansas	
All counties	$2.43
Delaware	
All counties	$2.39
Florida	
All counties	$2.39
Georgia	
All counties	$2.39

Illinois

County	Rate per bushel	County	Rate per bushel
Adams	$2.48	Lee	$2.48
Alexander	2.44	Livingston	2.49
Bond	2.47	Logan	2.48
Boone	2.48	McDonough	2.48
Brown	2.48	McHenry	2.49
Bureau	2.48	McLean	2.48
Calhoun	2.47	Macon	2.48
Carroll	2.48	Macoupin	2.48
Cass	2.48	Madison	2.47
Champaign	2.48	Marion	2.47
Christian	2.48	Marshall	2.48
Clark	2.47	Mason	2.48
Clay	2.47	Massac	2.45
Clinton	2.47	Menard	2.48
Coles	2.48	Mercer	2.47
Cook	2.50	Monroe	2.45
Crawford	2.47	Montgomery	2.48
Cumberland	2.48	Morgan	2.48
De Kalb	2.49	Moultrie	2.48
De Witt	2.48	Ogle	2.48
Douglas	2.48	Peoria	2.48
Du Page	2.50	Perry	2.45
Edgar	2.47	Piatt	2.48
Edwards	2.46	Pike	2.48
Effingham	2.48	Hope	2.45
Fayette	2.48	Palaski	2.44
Ford	2.49	Putnam	2.48
Franklin	2.45	Randolph	2.45
Fulton	2.48	Richland	2.47
Gallatin	2.45	Rock Island	2.48
Greene	2.48	Saline	2.45
Grundy	2.49	Sangamon	2.48
Hamilton	2.46	Schuyler	2.48
Hancock	2.48	Scott	2.48
Hardin	2.45	Shelby	2.48
Henderson	2.47	St. Clair	2.46
Henry	2.48	Stark	2.48
Iroquois	2.49	Stephenson	2.48
Jackson	2.45	Tazewell	2.48
Jasper	2.48	Union	2.44
Jefferson	2.46	Vermilion	2.48
Jersey	2.47	Wabash	2.46
Jo Daviess	2.48	Warren	2.48
Johnson	2.44	Washington	2.46
Kane	2.49	Wayne	2.46
Kankakee	2.50	White	2.45
Kendall	2.50	Whiteside	2.48
Knox	2.48	Will	2.50
Lake	2.50	Williamson	2.45
LaSalle	2.49	Winnebago	2.48
Lawrence	2.46	Woodford	2.48

Indiana

County	Rate per bushel	County	Rate per bushel
Adams	$2.44	Brown	$2.43
Allen	2.45	Carroll	2.45
Bartholomew	2.43	Cass	2.44
Benton	2.48	Clark	2.42
Blackford	2.43	Clay	2.45
Boone	2.45	Clinton	2.45
Crawford	2.42	Monroe	2.44
Daviess	2.44	Montgomery	2.46
Dearborn	2.42	Morgan	2.44
Decatur	2.43	Newton	2.48
De Kalb	2.45	Noble	2.45
Delaware	2.42	Ohio	2.42
Dubois	2.43	Orange	2.43
Elkhart	2.44	Owen	2.44
Fayette	2.42	Parke	2.46
Floyd	2.42	Perry	2.42
Fountain	2.47	Pike	2.44
Franklin	2.42	Porter	2.43
Fulton	2.44	Posey	2.44
Gibson	2.45	Pulaski	2.46
Grant	2.43	Putnam	2.45
Greene	2.45	Randolph	2.42
Hamilton	2.44	Ripley	2.42
Hancock	2.43	Rush	2.43
Harrison	2.42	St. Joseph	2.45
Hendricks	2.44	Scott	2.42
Henry	2.42	Shelby	2.43
Howard	2.44	Spencer	2.42
Huntington	2.44	Starke	2.46
Jackson	2.43	Steuben	2.45
Jasper	2.47	Sullivan	2.46
Jay	2.43	Switzerland	2.42
Jefferson	2.42	Tippecanoe	2.46
Jennings	2.42	Tipton	2.44
Johnson	2.43	Union	2.42
Knox	2.45	Vanderburgh	2.44
Kosciusko	2.44	Vermillion	2.47
Lagrange	2.45	Vigo	2.46
Lake	2.49	Wabash	2.43
La Porte	2.46	Warren	2.47
Lawrence	2.44	Warrick	2.43
Madison	2.43	Washington	2.42
Marion	2.44	Wayne	2.42
Marshall	2.45	Wells	2.44
Martin	2.44	White	2.46
Miami	2.43	Whitley	2.45

Iowa

County	Rate per bushel	County	Rate per bushel
Adair	$2.46	Ida	$2.45
Adams	2.46	Iowa	2.47
Allamakee	2.47	Jackson	2.48
Appanoose	2.46	Jasper	2.47
Audubon	2.46	Jefferson	2.47
Benton	2.47	Johnson	2.47
Black Hawk	2.47	Jones	2.48
Boone	2.47	Keokuk	2.47
Bremer	2.46	Kossuth	2.46
Buchanan	2.47	Lee	2.47
Buena Vista	2.46	Linn	2.47
Butler	2.46	Louisa	2.47
Calhoun	2.46	Lucas	2.46
Carroll	2.46	Lyon	2.44
Cass	2.46	Madison	2.46
Cedar	2.48	Mahaska	2.47
Cerro Gordo	2.46	Marion	2.47
Cherokee	2.45	Marshall	2.47
Chickasaw	2.46	Mills	2.45
Clarke	2.46	Mitchell	2.46
Clay	2.46	Monona	2.45
Clayton	2.47	Monroe	2.46
Clinton	2.48	Montgomery	2.46
Crawford	2.46	Muscatine	2.48
Dallas	2.47	O'Brien	2.45
Davis	2.47	Osceola	2.45
Decatur	2.46	Page	2.46
Delaware	2.47	Palo Alto	2.46
Des Moines	2.47	Plymouth	2.45
Dickinson	2.45	Pocahontas	2.46
Dubuque	2.48	Polk	2.47
Emmet	2.45	Pottawattamie	2.45
Fayette	2.47	Poweshiek	2.47
Floyd	2.46	Ringgold	2.46
Franklin	2.46	Sac	2.46
Fremont	2.45	Scott	2.48
Greene	2.46	Shelby	2.46
Grundy	2.47	Sioux	2.44
Guthrie	2.46	Story	2.47
Hamilton	2.47	Tama	2.47
Hancock	2.46	Taylor	2.46
Hardin	2.47	Union	2.46
Harrison	2.45	Van Buren	2.47
Henry	2.47	Wapello	2.47
Howard	2.46	Warren	2.47
Humboldt	2.46	Washington	2.47

Iowa—Continued

County	Rate per bushel	County	Rate per bushel
Wayne	$2.46	Woodbury	$2.45
Webster	2.47	Worth	2.46
Winnebago	2.46	Wright	2.46
Winneshiek	2.46		

Kansas

Allen	$2.43	Linn	$2.45
Anderson	2.44	Lyon	2.43
Atchison	2.47	McPherson	2.41
Barber	2.39	Marion	2.41
Barton	2.39	Marshall	2.44
Bourbon	2.44	Miami	2.46
Brown	2.46	Mitchell	2.41
Butler	2.41	Montgomery	2.40
Chase	2.42	Morris	2.43
Chautauqua	2.40	Nemaha	2.45
Cherokee	2.42	Neosho	2.42
Clay	2.43	Osage	2.44
Cloud	2.42	Osborne	2.40
Coffey	2.43	Ottawa	2.42
Cowley	2.40	Phillips	2.39
Crawford	2.43	Pottawatomie	2.45
Dickinson	2.42	Pratt	2.39
Doniphan	2.47	Reno	2.40
Douglas	2.46	Republic	2.42
Elk	2.41	Rice	2.40
Ellsworth	2.40	Riley	2.44
Franklin	2.45	Rooks	2.39
Geary	2.43	Russell	2.40
Greenwood	2.42	Saline	2.41
Harper	2.39	Sedgwick	2.40
Harvey	2.40	Shawnee	2.45
Jackson	2.46	Smith	2.40
Jefferson	2.46	Stafford	2.39
Jewell	2.41	Sumner	2.39
Johnson	2.47	Wabaunsee	2.44
Kingman	2.39	Washington	2.43
Labette	2.41	Wilson	2.41
Leavenworth	2.47	Woodson	2.42
Lincoln	2.41	Wyandotte	2.47

Kentucky

All counties $2.43

Louisiana

All counties $2.42

Maryland

All counties $2.39

Michigan

County	Rate per bushel	County	Rate per bushel
Allegan	$2.41	Lapeer	$2.41
Arenac	2.39	Lenawee	2.45
Barry	2.41	Livingston	2.43
Bay	2.39	Macomb	2.43
Berrien	2.44	Mecosta	2.39
Branch	2.44	Midland	2.39
Calhoun	2.43	Monroe	2.45
Cass	2.43	Montcalm	2.40
Clare	2.39	Muskegon	2.39
Clinton	2.41	Newaygo	2.39
Eaton	2.42	Oakland	2.43
Genesee	2.41	Oceana	2.39
Gladwin	2.39	Ottawa	2.40
Gratiot	2.40	Saginaw	2.40
Hillsdale	2.45	St. Clair	2.42
Huron	2.39	St. Joseph	2.43
Ingham	2.43	Sanilac	2.40
Ionia	2.41	Shiswassee	2.41
Isabella	2.39	Tuscola	2.40
Jackson	2.44	Van Buren	2.42
Kalamazoo	2.42	Washtenaw	2.44
Kent	2.40	Wayne	2.44

Minnesota

Anoka	$2.44	Dakota	$2.45
Becker	2.41	Dodge	2.46
Benton	2.42	Douglas	2.42
Big Stone	2.42	Faribault	2.45
Blue Earth	2.44	Fillmore	2.46
Brown	2.43	Freeborn	2.46
Carver	2.44	Goodhue	2.45
Chippewa	2.42	Grant	2.42
Chisago	2.44	Hennepin	2.45
Clay	2.41	Houston	2.46
Cottonwood	2.43	Isanti	2.44
Crow Wing	2.42	Jackson	2.44

Minnesota—Continued

County	Rate per bushel	County	Rate per bushel
Kanabec	$2.43	Redwood	$2.42
Kandiyohi	2.42	Renville	2.43
Lac Qui Parle	2.42	Rice	2.45
Le Sueur	2.45	Rock	2.43
Lincoln	2.42	Scott	2.45
Lyon	2.42	Sherburne	2.43
McLeod	2.43	Sibley	2.44
Mahnomen	2.41	Stearns	2.43
Martin	2.45	Steele	2.45
Meeker	2.43	Stevens	2.42
Mille Lacs	2.43	Swift	2.42
Morrison	2.42	Todd	2.42
Mower	2.46	Traverse	2.42
Murray	2.43	Wabasha	2.46
Nicollet	2.44	Wadena	2.42
Nobles	2.44	Waseca	2.45
Norman	2.41	Washington	2.45
Olmsted	2.46	Watonwan	2.44
Otter Tail	2.42	Wilkin	2.42
Pine	2.43	Winona	2.46
Pipestone	2.42	Wright	2.44
Polk	2.41	Yellow Medicine	2.42
Pope	2.42		
Ramsey	2.45		

Mississippi

All counties $2.41

Missouri

County	Rate per bushel	County	Rate per bushel
Adair	$2.47	Linn	$2.46
Andrew	2.47	Livingston	2.46
Atchison	2.46	McDonald	2.41
Audrain	2.47	Macon	2.47
Barry	2.41	Madison	2.42
Barton	2.44	Maries	2.44
Bates	2.46	Marion	2.48
Benton	2.46	Mercer	2.46
Bollinger	2.43	Miller	2.45
Boone	2.46	Mississippi	2.44
Buchanan	2.47	Moniteau	2.46
Butler	2.43	Monroe	2.48
Caldwell	2.47	Montgomery	2.46
Callaway	2.46	Morgan	2.46
Camden	2.45	New Madrid	2.44
Cape Girardeau	2.44	Newton	2.42
Carroll	2.47	Nodaway	2.46
Carter	2.42	Oregon	2.42
Cass	2.46	Osage	2.45
Cedar	2.44	Ozark	2.41
Chariton	2.47	Pemiscot	2.44
Christian	2.42	Perry	2.44
Clark	2.48	Pettis	2.47
Clay	2.47	Phelps	2.44
Clinton	2.47	Pike	2.47
Cole	2.46	Platte	2.47
Cooper	2.47	Polk	2.44
Crawford	2.43	Pulaski	2.44
Dade	2.43	Putnam	2.46
Dallas	2.44	Ralls	2.48
Daviess	2.46	Randolph	2.47
De Kalb	2.47	Ray	2.47
Dent	2.43	Reynolds	2.42
Douglas	2.42	Ripley	2.42
Dunklin	2.44	St. Charles	2.46
Franklin	2.44	St. Clair	2.45
Gasconade	2.44	St. Francois	2.43
Gentry	2.46	St. Louis	2.45
Greene	2.43	Ste. Genevieve	2.43
Grundy	2.46	Saline	2.47
Harrison	2.46	Schuyler	2.47
Henry	2.46	Scotland	2.47
Hickory	2.45	Scott	2.44
Holt	2.47	Shannon	2.42
Howard	2.47	Shelby	2.48
Howell	2.42	Stoddard	2.43
Iron	2.42	Stone	2.41
Jackson	2.47	Sullivan	2.46
Jasper	2.43	Taney	2.41
Jefferson	2.44	Texas	2.43
Johnson	2.47	Vernon	2.45
Knox	2.47	Warren	2.45
Laclede	2.44	Washington	2.43
Lafayette	2.47	Wayne	2.42
Lawrence	2.42	Webster	2.43
Lewis	2.48	Worth	2.46
Lincoln	2.47	Wright	2.43

Nebraska

County	Rate per bushel	County	Rate per bushel
Adams	$2.40	Lancaster	$2.44
Antelope	2.41	Madison	2.42
Boone	2.41	Merrick	2.41
Buffalo	2.39	Nance	2.41
Burt	2.44	Nemaha	2.45
Butler	2.43	Nuckolls	2.41
Cass	2.44	Otoe	2.44
Cedar	2.42	Pawnee	2.45
Clay	2.41	Pierce	2.42
Colfax	2.43	Platte	2.42
Cuming	2.44	Polk	2.42
Dakota	2.44	Richardson	2.46
Dixon	2.43	Saline	2.43
Dodge	2.44	Sarpy	2.44
Douglas	2.44	Saunders	2.44
Fillmore	2.42	Seward	2.43
Franklin	2.39	Stanton	2.43
Gage	2.44	Thayer	2.42
Hall	2.40	Thurston	2.44
Hamilton	2.41	Washington	2.44
Jefferson	2.43	Wayne	2.43
Johnson	2.44	Webster	2.40
Kearney	2.39	York	2.42
Knox	2.42		

New Jersey

All counties $2.41

New York

All counties $2.40

North Carolina

All counties $2.39

North Dakota

County	Rate per bushel	County	Rate per bushel
Barnes	$2.40	Ransom	$2.40
Cass	2.41	Richland	2.41
Grand Forks	2.41	Sargent	2.40
Griggs	2.39	Steele	2.40
Nelson	2.40	Traill	2.41

Ohio

Adams	$2.42	Licking	$2.44
Allen	2.44	Logan	2.44
Ashland	2.44	Lorain	2.45
Ashtabula	2.45	Lucas	2.46
Athens	2.43	Madison	2.43
Auglaize	2.44	Mahoning	2.44
Belmont	2.43	Marion	2.45
Brown	2.42	Medina	2.45
Butler	2.42	Meigs	2.42
Carroll	2.44	Mercer	2.43
Champaign	2.43	Miami	2.42
Clark	2.42	Monroe	2.42
Clermont	2.42	Montgomery	2.42
Clinton	2.42	Morgan	2.43
Columbiana	2.44	Morrow	2.45
Coshocton	2.44	Muskingum	2.44
Crawford	2.45	Noble	2.43
Cuyahoga	2.45	Ottawa	2.46
Darke	2.42	Paulding	2.45
Defiance	2.46	Perry	2.44
Delaware	2.44	Pickaway	2.43
Erie	2.46	Pike	2.42
Fairfield	2.44	Portage	2.45
Fayette	2.42	Preble	2.42
Franklin	2.44	Putnam	2.45
Fulton	2.46	Richland	2.45
Gallia	2.42	Ross	2.42
Geauga	2.45	Sandusky	2.46
Greene	2.42	Scioto	2.42
Guernsey	2.44	Seneca	2.46
Hamilton	2.42	Shelby	2.43
Hancock	2.45	Stark	2.44
Hardin	2.44	Summit	2.45
Harrison	2.44	Trumbull	2.45
Henry	2.46	Tuscarawas	2.44
Highland	2.42	Union	2.44
Hocking	2.43	Van Wert	2.44
Holmes	2.44	Vinton	2.43
Huron	2.45	Warren	2.42
Jackson	2.42	Washington	2.42
Jefferson	2.44	Wayne	2.44
Knox	2.44	Williams	2.46
Lake	2.45	Wood	2.46
Lawrence	2.42	Wyandot	2.45

Oklahoma

All counties $2.39

	Rate per bushel
PENNSYLVANIA	
All counties	$2.40
SOUTH CAROLINA	
All counties	$2.39
SOUTH DAKOTA	

County	Rate per bushel	County	Rate per bushel
Bon Homme	$2.42	Lake	$2.42
Brookings	2.42	Lincoln	2.43
Clark	2.40	McCook	2.41
Clay	2.43	Marshall	2.40
Codington	2.40	Miner	2.40
Day	2.40	Minnehaha	2.42
Deuel	2.42	Moody	2.42
Grant	2.41	Roberts	2.41
Hamlin	2.41	Turner	2.42
Hanson	2.40	Union	2.44
Hutchinson	2.41	Yankton	2.42
Kingsbury	2.41		

TENNESSEE	
All counties	$2.43
TEXAS	
All counties	$2.39
VIRGINIA	
All counties	$2.39
WEST VIRGINIA	
All counties	$2.39
WISCONSIN	

County	Rate per bushel	County	Rate per bushel
Adams	$2.45	Milwaukee	$2.48
Barron	2.43	Monroe	2.45
Brown	2.44	Oconto	2.43
Buffalo	2.45	Outagamie	2.44
Burnett	2.43	Czaukee	2.47
Calumet	2.45	Pepin	2.45
Chippewa	2.43	Pierce	2.45
Clark	2.43	Polk	2.44
Columbia	2.46	Portage	2.44
Crawford	2.47	Price	2.41
Dane	2.47	Racine	2.49
Dodge	2.47	Richland	2.46
Dunn	2.44	Rock	2.48
Eau Claire	2.44	Rusk	2.42
Fond du Lac	2.46	St. Croix	2.45
Grant	2.47	Sauk	2.46
Green	2.47	Shawano	2.43
Green Lake	2.45	Sheboygan	2.46
Iowa	2.47	Taylor	2.42
Jackson	2.44	Trempealeau	2.45
Jefferson	2.48	Vernon	2.46
Juneau	2.45	Walworth	2.49
Kenosha	2.49	Washburn	2.42
La Crosse	2.45	Washington	2.47
Lafayette	2.47	Waukesha	2.48
Lincoln	2.42	Waupaca	2.44
Manitowoc	2.45	Waushara	2.45
Marathon	2.43	Winnebago	2.45
Marquette	2.45	Wood	2.44

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs, 301, 401, 63 Stat. 1053; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1447, 1421)

Issued this 7th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9347; Filed, Aug. 9, 1951; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Pear Order 4]

PART 939—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 939.304 *Pear Order 4*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939; 15 F. R. 6071), regulating the handling of the Beurre D'Anjuo, Beurre Bosc, Winter Helis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations and information submitted by the Control Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of such pears, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 13, 1951. A reasonable determination as to the composition of the available supplies of such pears, and therefore the extent of grade and size regulation warranted, must await the development of the crop; recommendations as to the need for, and the extent of, regulation of shipments of such pears were made by said committee on July 19, 1951, after consideration of all information then available relative to the supply and demand conditions for such pears, at which time such recommendations and supporting information were submitted to the Department and notice thereof given to handlers and growers; necessary supplemental information was not available to the Department until July 31, 1951; shipments of the current crop of such pears are expected to begin on or about August 13, 1951, and this section should be applicable to all shipments of such pears in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., August 13, 1951, and ending at 12:01 a. m., P. s. t., July 1, 1952, no handler shall, except to the extent otherwise prescribed in this paragraph, ship:

(i) Any Beurre D'Anjou pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 195 size: *Provided,* That Beurre D'Anjou pears may be shipped to destinations other than export markets when bearing unhealed broken skins or skin punctures measuring not to exceed three-sixteenth of one inch in diameter or depth, as the case may be, if they otherwise meet the requirements of the U. S. Combination Grade and are of a size not smaller than the 165 size;

(ii) Any Winter Nelis pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 225 size;

(iii) Any Beurre Bosc or Doyenne du Comice pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 180 size; or

(iv) Any Beurre Easter or Beurre Clairgeau pears unless such pears grade at least U. S. No. 2 and are of a size not smaller than the 165 size.

(2) Pears grown in the Hood River-White Salmon-Underwood District which fail to meet the requirements with respect to shape specified in the U. S. No. 2 grade only because of frost injury may be shipped to destinations other than export markets: *Provided,* That such pears are not very seriously misshapen.

(3) Pears grown in the Wenatchee District, the Yakima District, or the Placerville District which fail to meet the requirements with respect to shape specified in the U. S. No. 2 grade only because of frost injury or healed hail marks may be shipped to destinations other than export markets: *Provided,* That such pears are not very seriously misshapen.

(4) As used in this section, "pears," "handler," "ship," "shipments" "shipped," "export markets," "Hood River-White Salmon-Underwood District," "Wenatchee District," "Yakima District," and "Placerville District" shall have the same meaning as when used in the aforesaid amended marketing agreement and order; "U. S. No. 2," "U. S. Combination Grade," "frost injury," and "hail marks" shall have the same meaning as when used in the United States Standards for Winter Pears such as Anjou, Bosc, Winter Nelis, Comice, and other similar varieties, issued by the United States Department of Agriculture, effective July 8, 1940 (14 F. R. 7415, 7479; 7 CFR 51.332); "very seriously misshapen" shall mean that the pear is excessively flattened or elongated for the variety, or is constricted or deformed so it will not cut one good half or two fairly uniform quarters; and "165 size," "180

size," "195 size," and "225 size" shall mean that the pears are of a size which, as indicated by the size number, will pack, in accordance with the sizing and packing specifications of a standard pack, as specified in said United States Standards, 165, 180, 195, or 225 pears, respectively, in a standard western pear box (inside dimensions, 18 inches long by 11½ inches wide by 8½ inches deep).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 7th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9306; Filed, Aug. 9, 1951; 8:45 a. m.]

PART 951—TOKAY GRAPES GROWN IN CALIFORNIA

MISCELLANEOUS AMENDMENTS

Notice was published in the FEDERAL REGISTER issue (15 F. R. 5536) of August 19, 1950, that the Department was giving consideration to the proposed revision of the rules and regulation (7 CFR 951.100 et seq.; subpart, rules and regulations) currently in effect pursuant to the amended marketing agreement and Order No. 51 (7 CFR Part 951), regulating the handling of Tokay grapes grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, (sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Industry Committee (established pursuant to said amended marketing agreement and order as the agency to administer the provisions thereof), it is hereby found and determined that the revision, as hereinafter set forth, of said rules and regulations is in accordance with the provisions of said amended marketing agreement and order and it is hereby approved:

1. In § 951.100 *General*, delete the address "1910 Eye Street, Sacramento 14, California" and substitute therefor the following: "P. O. Box 877, Lodi, California."

2. Revise § 951.101 *Definitions* in the following respects:

a. Revise the provisions of paragraph (a) to read as follows:

(a) "Standard package" means the standard grape lug No. 37G specified in section 528.53 of the Agricultural Code of California.

b. Revise the provisions of paragraph (f) by deleting "§ 951.5 (f) and section 5 of the marketing agreement" and substituting therefor the following: "§ 951.7 (f) and section 7 (f) of the marketing agreement, as amended."

c. Delete the last sentence in paragaph (g) and substitute therefor the following: "Grapes placed in cold storage shall not be shipped therefrom except as provided by §§ 951.7 and 951.8, as amended, and sections 7 and 8 of the marketing agreement, as amended."

3. Revise the heading of § 951.104 *Regulation by grades and sizes* together with the provisions in paragraphs (a) and (b) of such section to read as follows:

§ 951.104 *Notice of recommendations and regulations; exemption certificates*—(a) *Notice of recommendation.* Notice of each recommendation, made by the Industry Committee to the Secretary, with respect to regulation by grades and sizes, by minimum standards of quality and maturity, or of daily shipments, and of each such recommendation to modify, suspend, or terminate a regulation, shall be given by the Industry Committee by having a general statement of the contents of the recommendation published once as a news item in a newspaper of general circulation in the City of Lodi, California, and once in a newspaper of general circulation in the City of Sacramento, California.

(b) *Notice of regulation.* Notice of each regulation by grades and sizes, by minimum standards of quality and maturity, or of daily shipments, and of each modification, suspension, or termination of a regulation, shall be given by the Industry Committee by having a general statement of the contents of the regulation, or modification, suspension, or termination of a regulation, as the case may be, mailed to each handler whose name appears on the records of the Industry Committee for the current year, and by having a general statement of the contents of the regulation, or modification, suspension, or termination, published once as a news item in a newspaper of general circulation in the City of Lodi, California, and once in a newspaper of general circulation in the City of Sacramento, California.

4. In § 951.105 *Regulation of daily shipments*, redesignate paragraph (a) (2) as "(a) (3)" and add the following as a new paragraph (a) (2):

(2) The time that a car of grapes is held at a railroad assembly point, within the meaning of § 951.7 (f) (4), shall be computed from the time that said car could have departed from said assembly point under regular railroad freight schedules on the first day following the billing date of said car. No car of grapes eligible for release shall be held at a railroad assembly point longer than 72 hours.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 7th day of August 1951, to become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9349; Filed, Aug. 9, 1951; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 81]

PART 60—AIR TRAFFIC RULES

DANGER AREA ALTERATION

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

An Exercise Southern Pine, temporary area, over parts of North and South Carolina, is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
EXERCISE SOUTHERN PINE (Charlotte Chart).	Within a 60-mile radius of lat. 35°03'00" N., long. 79°15'00" W., excluding the portion overlapping Red Civil Airway No. 34.	Surface to 30,000 feet.	Continuous, Aug. 13, 1951, through Sept. 2, 1951.	Headquarters, Maneuver Director, Fort Bragg, N. C.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on August 13, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-9336; Filed, Aug. 9, 1951; 8:48 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 53]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army,

the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.216 *Red civil airway No. 16 (Tallahassee, Fla., to Florence, S. C.)* is amended after the portion which reads "to the Macon, Ga., radio range station" by adding the following: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

2. Section 600.230 *Red civil airway No. 30 (Shreveport, La., to Jacksonville, Fla.)* is amended by adding the following to present civil airway: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

3. Section 600.267 is amended to read:

§ 600.267 *Red civil airway No. 67 (Crestview, Fla., to Dothan, Ala.).* From the Crestview, Fla., radio range station to the Dothan, Ala., radio range station, excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise.

4. Section 600.603 *Blue civil airway No. 3 (Tallahassee, Fla., to Sault Ste. Marie, Mich.)* is amended after the portion which reads: "excluding that portion which lies more than 2 miles west of the northwest course of the Dothan, Ala., radio range between Lat. 31°20'00", Long. 85°34'00", and Lat. 31°34'00", Long. 85°42'00"" by adding the following: "and excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise;"

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. August 10, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-9337; Filed, Aug. 9, 1951; 8:49 a. m.]

[Amdt. 57]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.216 *Red civil airway No. 16 control areas (Tallahassee, Fla., to Florence, S. C.)* is amended after the portion which reads "from the Tallahassee, Fla., omnirange station to the Albany, Ga., omnirange station via the direct en route and 15° west altitude change radials" by adding the following "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise;"

2. Section 601.225 *Red civil airway No. 25 control areas (Tallahassee, Fla., to Miami, Fla.)* is amended after the portion which reads "from the Tallahassee, Fla., omnirange station to the Cross City, Fla., omnirange station via the direct en route and 15° southwest altitude change radials" by adding the following "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise;"

3. Section 601.230 *Red civil airway No. 30 control areas (Shreveport, La., to Jacksonville, Fla.)* is amended by adding the following to present control areas: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

4. Section 601.603 *Blue civil airway No. 3 control areas (Tallahassee, Fla., to Sault Ste. Marie, Mich.)* is amended by changing the first portion to read: "All of Blue civil airway No. 3 including all that area within 5 miles either side of the en route and altitude change radials and the area between the altitude change and en route radials from the Muscle Shoals, Ala., omnirange station to the Graham, Tenn., omnirange station via the direct en route and 15° west altitude change radials, including all that area bounded on the north by Green civil airway No. 5, on the east by Blue civil airway No. 3 and on the west by the Muscle Shoals-Graham direct en route radials and excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

5. Section 601.1125 *Control area extension (Tallahassee, Fla.)* is amended by adding the following to present control area extension: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

6. Section 601.1229 is amended to read:

§ 601.1229 *Control area extension (Tampa, Fla.).* All that area along a straight line between the Tampa, Fla., radio range station and the Tyndall AFB, Fla., radio range station, extending 5 miles either side of the line at the radio range stations thence diverging to 10 miles either side of the line at a point halfway between the radio range stations, excluding the portion which lies within the Tyndall AFB danger area (Area I), excluding the portions above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise, and excluding the portion below 2,000 feet which lies outside the continental limits of the United States.

7. Section 601.1221 *Control area extension (Dothan, Ala.)* is amended by adding the following to present control area extension: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

8. Section 601.2141 *Dothan, Ala., control zone* is amended by adding the following to present control zone: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

9. Section 601.2167 *Tallahassee, Fla., control zone* is amended by adding the following to the present control zone: "excluding the portion above 19,000 feet which lies within the Tyndall AFB danger area (Area II), between sunset and sunrise."

10. Section 601.4012 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)*, is amended after "Rochester, N. Y., radio range station;" by adding the following compulsory reporting point: "Syracuse, N. Y., radio range station;"

11. Section 601.4639 is amended to read:

§ 601.4639 *Blue civil airway No. 39 (Knoxville, Tenn., to U. S.-Canadian Border).* The intersection of the southeast course of the Pittsburgh, Pa., radio range and the northeast course of the Morgantown, W. Va., radio range.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. August 10, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-9338; Filed, Aug. 9, 1951; 8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5733]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HERBOLD LABORATORY, INC. AND MILTON HERBOLD

Subpart—*Advertising falsely or misleadingly:* § 3.90 *History of product or offering;* § 3.170 *Qualities or properties of product or service;* § 3.195 *Safety;* § 3.280 *Unique nature or advantages.* In connection with the offering for sale, sale and distribution in commerce of a cosmetic preparation designated as "Herbold Pomade", or any preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said preparation, which advertisements represent, directly or by im-

plication, (1) that said preparation will add color to, or color, the roots of the hair and prevent the hair from becoming gray; will impart the former natural shade or color to gray, streaked or faded hair; (2) will remove loose dandruff or will keep or help to keep the scalp clean or free from dandruff; (3) is safe or harmless; or (4) is a new, unique or revolutionary product; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Herbold Laboratory, Inc. et al., Docket 5733, May 7, 1951]

In the Matter of Herbold Laboratory, Inc., a Corporation, and Milton Herbold, Individually and as an Officer of Herbold Laboratory, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the respondents' answer thereto, and a stipulation as to the facts entered into by and between Daniel J. Murphy, Chief, Division of Litigation, of the Commission, and the respondents, in which stipulation the respondents waived all intervening procedure and further hearing as to said facts; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Herbold Laboratory, Inc., a corporation, its officers, and Milton Herbold, individually and as an officer of Herbold Laboratory, Inc., their representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution in commerce of a cosmetic preparation designated as "Herbold Pomade", or any preparation of substantially similar composition or possesing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That said preparation will add color to, or color, the roots of the hair and prevent the hair from becoming gray.

(b) That said preparation will impart the former natural shade or color to gray, streaked, or faded hair.

(c) That said preparation will remove loose dandruff or will keep or help to keep the scalp clean or free from dandruff.

(d) That said preparation is safe or harmless.

(e) That said preparation is a new, unique, or revolutionary product.

2. Disseminating, or causing to be disseminated by any means, for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparation, any advertisement which contains any of the representations prohibited in paragraph "1" of this order.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: May 7, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-9308; Filed, Aug. 9, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 6, Amendment 10]

CPR 6—FATS AND OILS

EXPORTS

Correction

In Federal Register Doc. 51-8947, published at page 7539 of the issue for Friday August 3, 1951, the reference in section 14 to "Ceiling Price Regulation 6" should read "Ceiling Price Regulation 61". The effective date reading "August 6, 1951" appearing at the end of the document, should read "August 26, 1951."

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 978]

[Docket No. AO-184-A7]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Correction

In Federal Register Doc. 51-9115, published at pages 7717-7724 of the issue for Tuesday, August 7, 1951, the last sentence should read: "Issued at Washington, D. C., this 2d day of August 1951".

[7 CFR Part 729]

PEANUTS

NOTICE OF INTENTION TO AMEND MARKETING QUOTA REGULATIONS FOR 1950 CROP

Pursuant to authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. and Sup. 1301, 1358-1359, 1372-1375) the Secretary of Agriculture is preparing to amend § 729.153 of the Marketing Quota Regulations for the 1950 crop of peanuts (15 F. R. 4739) by inserting therein a final date beyond which producers may not market their excess peanuts at oil value in lieu of paying the marketing quota penalty. The proposed amendment would provide that the first sentence of § 729.153 read as follows:

§ 729.153 *Extent to which marketings from a farm are subject to penalty.* The marketing of peanuts in excess of the farm marketing quota for any farm shall be subject to a penalty at the rate prescribed in § 729.155 and the penalty shall be paid on each lot of peanuts marketed from the farm in an amount equal to the converted penalty rate multiplied by the number of pounds in the lot, except that payment of the penalty will not be required on any excess peanuts produced on a farm eligible for an excess oil card, if, on or before August 31, 1951, such excess peanuts are delivered to or marketed through an agency designated by the Secretary. * * *

Prior to issuance of the proposed amendment, consideration will be given to any data, views, and recommendations relating thereto which are submitted in writing to the Director, Fats and Oils Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All submissions must be postmarked not later than 10 days from the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 7th day of August 1951.

[SEAL] HAROLD K. HILL, *Acting Administrator.*

[F. R. Doc. 51-9345; Filed, Aug. 9, 1951; 8:51 a. m.]

[7 CFR Part 910]

FRESH PEAS AND CAULIFLOWER GROWN IN THE COUNTIES OF ALAMOSA, RIO GRANDE, CONEJOS, COSTILLA, AND SAGUACHE IN THE STATE OF COLORADO

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO BUDGET OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951-52 FISCAL YEAR

Consideration is being given to the following proposals which were submitted by the Administrative Committee, established under the amended Marketing Agreement and Order (7 CFR Part 910)

regulating the handling of fresh peas and cauliflower grown in the Counties of Alamosa, Rio Grande Conejos, Costilla, and Saguache in the State of Colorado, as the agency to administer the terms and provisions thereof.

(a) That the Secretary of Agriculture find that expenses not to exceed $2,030.00 will be necessarily incurred during the fiscal year beginning June 1, 1951, and ending May 31, 1952, both dates inclusive, for the maintenance and functioning of the aforesaid Administrative Committee; and

(b) That the Secretary fix, as the prorata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order with respect to peas and cauliflower shipped by him during the aforesaid fiscal year, the rate of assessment at six-tenth cent ($0.006) per bushel of peas or per crate of cauliflower or the respective equivalent quantities thereof.

All persons who desire to submit written data, views or arguments in connection with the aforesaid proposals may do so by mailing the same to the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than midnight of the 10th day after publication of this notice in the FEDERAL REGISTER. All documents should be submitted in quadruplicate.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

(49 Stat. 31, as amended; 7 U. S. C. 601 et seq; 7 CFR Part 910)

Issued this 7th day of August 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51-9305; Filed, Aug. 9, 1951; 8:45 a. m.]

[7 CFR Part 978]

[Docket No. AO 184-A8]

HANDLING OF MILK IN THE NASHVILLE, TENN., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Davidson County Courthouse, Nashville, Tennessee, beginning at 10:00 a. m., e. s. t., August 23, 1951, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order, as amended, Nashville, Tennessee, marketing area.

regulating the handling of milk in the These proposed amendments have not received the approval of the Secretary of Agriculture.

Amendments to the order (No. 78) for the Nashville, Tennessee, marketing area have been proposed as follows:

By the Nashville Milk Producers, Inc.:

1. Amend Order No. 78 so as to eliminate the present fall season production incentive plan effective January 1, 1952, and to substitute therefor a Base Rating Plan as follows:

(a) Each year beginning in 1951 establish a base forming period of six months, September through February, and pay all producers a uniform or blend price during this period: *Provided,* That for the year 1951 such uniform or blend price shall be computed pursuant to present rules;

(b) Each year beginning in 1952 pay producers base and surplus prices for the six-month period of March through August. During the March–August period, the base price to be diluted by any amount of base milk used in Class II (present Class III) when Class I uses (present Classes I and II) are less than base deliveries and the surplus price to be inflated by any amount of surplus milk used in Class I when Class I uses exceed base deliveries.

(c) Computation of the daily average base for each producer. For the months of September through February of each year each handler shall compute, subject to verification by the market administrator, a daily average base for producers delivering to such handler by dividing the total pounds of milk received from each producer during the September–February period by the total number of days in such period, and notify each producer of his base on or before March 6th of each year. *Provided,* That if any producer is not permitted by the appropriate health department to deliver milk because of a quarantine, such quarantine period shall not be used in determining such producers base.

(d) The following rules shall apply in connection with the establishment of bases:

(1) A base shall apply to deliveries of milk by the producer for whose account that milk was delivered during the base forming period;

(2) Bases may be transferred by notifying the market administrator in writing before the last day of any month for which such base is to be transferred to the person named in such notice only as follows:

(i) In the event of the death, retirement, or entry into military service of a producer, the entire base may be transferred to a member(s) of such producer's immediate family who carries on the dairy operations.

(ii) If a base is held jointly and such joint holding is terminated, the entire base may be transferred to one of the joint holders.

(iii) Bases established from deliveries to more than one handler may be combined for delivery to one handler or a base may be divided between handlers at the request of the producer.

By Certain Nashville Handlers:

2. That any base-surplus plan incorporated in Order 78 include the following provisions:

(a) The base forming period shall be the months of October through February.

(b) The period during which base prices and excess prices are paid shall be the months of March through June.

(c) The uniform blend price shall be paid during the months of July through February.

(d) The base amounts for each producer to apply during the period of March through June shall be computed and announced by the Market Administrator.

(e) The amount of the individual producer base shall be determined by dividing the total pounds of milk received by a handler(s) from such producer during the months of October through February immediately preceding by the number of days from the first day of delivery by such producer during such months to the last day of February, inclusive, but not less than 90 days.

(f) With respect to any month immediately following a month wherein a handler receives an amount of producer milk less than 115 percent of his Class I and Class II sales, a producer without an established base shipping to such handler shall have a base for that month and the succeeding months of the base-excess paying period equivalent to 75 percent of his deliveries during the particular month, but in no event shall this percentage be greater than the percentage that total base milk is to total milk deliveries for all producers with bases established prior to the base surplus paying period.

(g) In the determination of the base price and the excess price the base price shall be diluted by any amount of base milk used in Class III when Class I and Class II uses are less than base deliveries, and the excess price shall be inflated by any amount of excess milk used in Class I and Class II when Class I and Class II uses exceed base deliveries.

3. Amend the order to provide that the payment of producers for their milk deliveries shall be accomplished as follows:

(a) On or before the 25th day of each month each handler shall pay to the market administrator the amount of money represented by at least the Class III price per hundredweight for the previous month applied to the total milk received from producers during the first 15 days of the current month.

(b) Two days prior to the date of payments direct to producers by the market administrator as hereafter in this paragraph provided, the market administrator shall pay to each cooperative association authorized to receive payments due producers who market their milk through such cooperative association, the aggregate of payments calculated pursuant to paragraph (a) above for all producers certified to the market administrator as having authorized such cooperative association to receive such payments. On or before the

last day of the current month the market administrator shall pay direct to each producer, who has not authorized a cooperative association to receive payment from the market administrator for such producer, the amount of the payment made to the market administrator by the handler for the individual producer pursuant to paragraph (a) above.

(c) On or before the 10th day after the end of each delivery period the market administrator shall compute and advise each handler of the total amount of money obligation of each handler to producers for producer milk received by the handler during that delivery period, according to the classification and pricing provisions of the order; and in the billing therefor to each handler shall properly credit the payment made to the market administrator by each handler according to paragraph (a) above, to arrive at the net obligation of each handler. On or before the 12th day after the end of such delivery period each handler shall pay to the market administrator his said net obligation less the deductions and charges authorized by each producer, which charges and deductions for the individual producers will be reported to the market administrator by the handler.

(d) Two days prior to the date of payment direct to producers by the market administrator as hereafter in this paragraph provided, the market administrator shall pay to each cooperative association authorized to receive payments due producers who market milk through such cooperative association, the aggregate of payments due to such producers by reason of the payment to the market administrator by the handlers, pursuant to (c) above, and the classification and pricing provisions of the order, for all producers certified to the market administrator as having authorized such cooperative association to receive such payments. On or before the 15th day after the end of the delivery period the market administrator shall pay direct to each producer, who has not authorized a cooperative association to receive payment from the market administrator for such producer, the amount of payment due to such producers by reason of the payment to the market administrator by the handlers pursuant to (c) above and the classification and pricing provisions of the order.

By the Dairy Branch, Production and Marketing Administration:

4. Make such other changes as may be required to make the entire marketing agreement and the order conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing and of the tentative marketing agreement, and the order now in effect, may be procured from the market administrator, 309 Presbyterian Building, Nashville 3, Tennessee, or from the Hearing Clerk, United States Department of Agriculture, Room 1353 South Building, Washington 25, D. C., or may be there inspected.

Filed at Washington, D. C., this 7th day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51–9348; Filed, Aug. 9, 1951; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 292]

[Draft Release 49]

ALASKAN PILOT-OWNERS

NOTICE OF PROPOSED RULE-MAKING

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of an amendment to Part 292 of the Economic Regulations, which would extend the existing exemption of Alaskan Pilot-Owners from sections 401 (a) and 404 (a) of the act to December 31, 1956. The existing exemption is due to expire on December 31, 1951, and this extension would allow Alaskan Pilot-Owners an added period of five years for engaging in limited air carrier operations.

The exemption in question was initially granted, and subsequently extended, for relatively short periods because of the Board's desire to keep these operations on a temporary experimental basis. Experience has shown that there is a need for the services which have been offered pursuant to this exemption. The Pilot-Owners have apparently kept their operations within the intended scope of the exemption, and nothing has come to the attention of the Board which would indicate any significant interference with or prejudice to any of the other forms of air transport services offered in the Territory of Alaska. In the absence of any showing to the contrary the Board is inclined to favor granting longer term authority for the conduct of these operations. However, it is believed unwise to grant authority for a longer period than five years, in view of the difficulty of predicting at this time the eventual air transportation needs of an area which is still in a vigorous stage of economic development.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate and addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All communications received on or before August 24, 1951, will be considered by the Board before taking further action upon the proposed rule. Copies of such communications will be available on or after August 29, 1951, for examination by interested persons in the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

In consideration of the foregoing, it is proposed to amend § 292.3 of the Economic Regulations as follows:

By changing the date appearing in the first sentence of paragraph (d) thereof from "December 31, 1951" to "December 31, 1956".

This amendment is proposed under the authority of sections 205 (a) and 416 of the Civil Aeronautics Act of 1938, as amended. The proposed amendment may be changed in the light of comments received in response to this notice of rule-making.

(Sec. 205, sec. 416; 52 Stat. 984 and 52 Stat. 1004; 49 U. S. C. 425 and 49 U. S. C. 496)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

AUGUST 7, 1951.

[F. R. Doc. 51–9359; Filed, Aug. 9, 1951; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 9]

[Docket No. 10004]

AERONAUTICAL NAVIGATIONAL AID RADIO STATIONS

FURTHER NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of the provisions of Part 9 of the Commission's rules which govern aeronautical navigational aid radio stations.

Further notice of proposed rule making is hereby given in the above-entitled matter.

On July 12, 1951, the Commission adopted a Notice of Proposed Rule Making in the above-entitled matter proposing rules to govern the granting of authority for unattended operation of certain domestic radio beacon stations. This notice contemplated that under certain conditions operators would be dispatched to the site of the station to place the station in an inoperative condition.

For purposes of national defense, it may be necessary for licensees of these stations to be able to place such stations in an inoperative condition upon very short notice and without opportunity for such delay as would be entailed if an operator were required to be dispatched to the station, some distance away, for this purpose. Certain changes in the original proposal are deemed necessary to achieve this national defense purpose.

The original proposal, as changed as above indicated, is set forth below in this Further Notice.

The authority for the proposed amendments is contained in sections 4 (i), 303 (a), (b), (c), (d), (e), (l) and (r), and 318 of the Communications Act of 1934, as amended.

Any interested persons may file with the Commission on or before August 17, 1951, a written statement or brief in support, opposition or for modification of the proposed amendments. Within 15 days from the last day for filing of the original comments or briefs, comments or briefs in reply thereto may be filed. The Commission will consider such comments before taking action in this matter. If any comments are received which would appear to warrant the holding of an oral argument or hear-

ing, notice of the time and place therefor will be given.

In accordance with the provisions of § 1.764 of the Commission's rules, original and 14 copies of all statements, briefs or comments shall be furnished to the Commission.

Adopted: August 1, 1951.

Released: August 1, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. It is proposed to amend § 9.511 by adding thereto the following:

(e) Radio Beacon Stations: 200–400 kc.

2. It is proposed to add the following new section:

§ 9.513 *Unattended operation of domestic radio beacon stations.* (a) Authority may be granted to operate, during the course of normal rendition of service, radio beacon stations which are located within the U. S., its territories or possessions without attendance of any person, in those cases where an adequate showing has been made to the Commission with respect to all of the following six conditions:

(1) The transmitter is crystal controlled and specifically designed for radio beacon service and capable of transmitting by self-actuating means;

(2) The emissions of the transmitter shall be continuously monitored by a licensed operator;

(3) If as a result of monitoring, it is observed that a deviation from the terms of the station license has occurred, a maintenance man will be dispatched immediately to the transmitter site and place the transmitter in an inoperative condition (the time, carefully estimated, required to effectuate this action shall be stated in this part of the showing);

(4) Inspections of the equipment shall be conducted at least every thirty days and a record of the results of such inspections shall be kept in the station log;

(5) The transmitter is so installed and protected that it is not accessible to, and may not be placed in operation by, other than duly authorized persons;

(6) The location of the transmitter is such that it is impracticable to require an operator to be on duty at the transmitter or other point at which the operation of the transmitter could be direcly controlled.

(b) Authority for unattended operation shall be expressly stated in the station authorization before such operation may be commenced.

(c) In any case in which authority for unattended operation has been granted the Commission may at any time, for purposes of national defense, without the necessity of any hearing, cancel the authority or modify it in such a manner as to require the provision of adequate means to permit the station to be placed in an inoperative condition promptly whenever notice to that effect is given.

[F. R. Doc. 51–9318; Filed, Aug. 9, 1951; 8:48 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

ORGANIZATION AND DELEGATIONS OF FINAL AUTHORITY

The statement of Organization and Delegations of Final Authority of the Office of Alien Property (13 F. R. 9605), as amended, are hereby amended to read as follows:

1. *Establishment.* The Office of Alien Property, Department of Justice, was established by the Attorney General to administer functions vested in him relating to the control or vesting of foreign owned property, the administration of property vested under the Trading With the Enemy Act, as amended, allowance and payment of claims asserted with respect thereto, and litigation connected with any of the foregoing functions or with the foreign assets control program of the Treasury Department.

2. *Direction.* The Office of Alien Property is under the supervision and direction of an Assistant Attorney General, who is Director of the Office of Alien Property and is responsible to the Attorney General. The Director acts for and on behalf of the Attorney General. All of the authority, rights, privileges, powers, duties, and functions of the Office of Alien Property may be exercised by the Director or by any agencies, instrumentalities, agents, delegates, assistants, or other personnel appointed or designated by him.

3. *Authority.* (a) Authority under the Trading With the Enemy Act, as amended, was delegated to the Alien Property Custodian by the President pursuant to the following Executive orders:

(1) Executive Order 9095 of March 11, 1942, 7 F. R. 1971, as amended by Executive Order 9193 of July 6, 1942, 7 F. R. 5205, and Executive Order 9567 of June 8, 1945, 10 F. R. 6917, and modified by Executive Order 9760 of July 23, 1946, 11 F. R. 7999, 3 CFR, 1943 Cum. Supp.

(2) Executive Order 9142 of April 21, 1942, 7 F. R. 2985, 3 CFR, 1943 Cum. Supp.

(3) Executive Order 9325 of April 7, 1943, 8 F. R. 1682, 3 CFR, 1943 Cum. Supp.

(4) Executive Order 9725 of May 16, 1946, 11 F. R. 5381, 3 CFR, 1943 Cum. Supp.

(b) The Office of Alien Property Custodian was terminated, and all powers and authority vested in or transferred to the Alien Property Custodian or the Office of Alien Property Custodian were transferred to or vested in the Attorney General, by Executive Order 9788 of October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.

(c) Jurisdiction formerly exercised by the Secretary of the Treasury under the Trading With the Enemy Act, as amended, over certain assets which were blocked by Executive Order 8389 of April 10, 1940, 5 F. R. 1400, as amended, 3 CFR, 1943, Cum. Supp., was transferred to the Attorney General by Executive Order 9989 of August 20, 1948, 13 F. R. 4891, 3 CFR, 1948 Supp.

(d) By Executive Order 10244 of May 17, 1951, 16 F. R. 4639, the President designated the Attorney General to exercise functions relating to the settlement of intercustodial disputes regarding enemy property conferred by the act of September 28, 1950 (64 Stat. 1079; 50 U. S. C. App. Supp. 40).

(e) Certain functions under the Trading With the Enemy Act, as amended, relating to the Philippines, which were conferred on the President by the Philippine Property Act of 1946, as amended, were delegated to the Philippine Alien Property Administration by the following orders:

(1) Executive Order 9789 of October 14, 1946, 11 F. R. 11981, 3 CFR, 1946 Supp.

(2) Executive Order 9818 of January 7, 1947, 12 F. R. 133, 3 CFR, 1947 Supp.

(3) Executive Order 9921 of January 10, 1948, 13 F. R. 171, 3 CFR, 1948 Supp.

(f) The Philippine Alien Property Administration was terminated by Executive Order 10254 of June 15, 1951 (16 F. R. 5289) and all powers and authority vested in or transferred to the Philippine Alien Property Administration or the Philippine Alien Property Administrator were transferred to or vested in the Attorney General.

(g) The Attorney General, by departmental order (16 F. R. 6895), has placed all of the foregoing powers and authority in the Office of Alien Property, Department of Justice.

4. *Organization.* The Office of Alien Property is composed of the following principal subdivisions, with functions and authority as indicated:

(a) *Office of the Director.* This Office consists of the Director, the Deputy Director, a Legal and Legislative Section, and the Hearing Examiners.

(1) The Director exercises the functions and authority noted in paragraph 3 of this notice.

(2) The Deputy Director may exercise any of the authority, rights, privileges, powers, duties, and functions of the Director in the absence of the Director or in the event of his inability to act, or at any other time, to the extent that such an authority may be lawfully delegated by the Director. The Deputy Director will act for and on behalf of the Attorney General.

(3) The Legal and Legislative Section, under the supervision of the Chief, Legal and Legislative Section, advises on all legislative matters concerning the Office of Alien Property and on compli-

cated legal matters involving the Office. It also handles matters relating to the liquidation of all banking, insurance, and other financial institutions under the control of the Office of Alien Property, and such other matters as may be assigned by the Director.

(i) The Chief, Legal and Legislative Section, may exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(ii) The Chief, Legal and Legislative Section, in the absence or inability to act of the Director and the Deputy Director, shall be Acting Director and exercise any of the authority, rights, privileges, powers, duties, and functions of the Director. In such event, the Chief, Legal and Legislative Section, will act for and on behalf of the Attorney General.

(4) The Hearing Examiners, consisting of a Chief Hearing Examiner for Title Claims, a Chief Hearing Examiner for Debt Claims, and such other hearing examiners as may from time to time be designated, hear and determine, subject to review by the Director, contested claims under sections 20, 32, and 34 of the Trading With the Enemy Act, as amended, and handle such other matters as may be assigned by the Director. The Hearing Examiners are hereby severally delegated authority to exercise the powers conferred upon hearing examiners by Part 502 of the regulations of the Office of Alien Property.

(b) *Litigation Branch.* Under the supervision of the Chief, Litigation Branch, this Branch handles all litigation matters concerning the Office, including litigation involving estates and trusts.

(1) The Chief, Litigation Branch, may exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(c) *Claims Branch.* Under the supervision of the Chief, Claims Branch, this Branch processes all claims under the Trading With the Enemy Act, as amended, for return of property or payment of debts of former owners of vested property and related attorney fee claims.

(1) The Chief, Claims Branch, may exercise such powers and authority as may be necessary and appropriate in the performance of his functions, including particularly the powers conferred upon him by Part 502 of the regulations of the Office of Alien Property.

(2) In the exercise of such authority, insofar as it relates to a position taken by the Claims Branch prior to allowance or final disallowance of a claim, the Chief, Claims Branch, shall sign in his own name and title.

(d) *Management and Liquidation Branch.* Under the supervision of the Chief, Management and Liquidation Branch, this Branch handles matters relating to the operation or liquidation of business enterprises which have been supervised or vested, or in which interests have been supervised or vested, and vested or supervised real and personal property. This Branch also is in charge of an integrated patent, trademark and copyright program, which includes identification of vestible interests therein and rights related thereto and administering the same.

(1) The Chief, Management and Liquidation Branch, may exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) With respect to patents, trademarks and copyrights, the Chief, Management and Liquidation Branch, particularly is authorized:

(i) To execute licenses under patents, applications for patents, copyrights and interests therein, and where appropriate to fix royalty schedules pertaining thereto;

(ii) To approve requests for loans of motion picture films and enter into agreements concerning the use thereof;

(iii) To make demand for and accept payment of royalties and other moneys due the Attorney General under patents, applications for patents, copyrights, trade-marks, films, licenses, and interests therein; and

(iv) To execute powers of attorney and sign all papers for the necessary conduct of the business of the Office of Alien Property before the United States Patent Office.

(e) *Intercustodial and Property Branch.* Under the supervision of the Chief, Intercustodial and Property Branch, this Branch is responsible for the processing of cases for vesting; for the administration of controls with respect to property over which jurisdiction was transferred by Executive Order 9989, and transactions relating to such property; for collection and custody matters, including the reduction to possession of vested securities and other personal property; for certain functions in effectuation of returns of vested property; and for the conduct of action of the Office involved in or related to participation in inter-departmental and international conferences, including negotiation of solutions of intercustodial conflicts.

(1) The Chief, Intercustodial and Property Branch, and within this Branch the Chief, Foreign Funds Section, and the Assistant Chief, Foreign Funds Section, are severally authorized to take final action with respect to specific licensing matters, by granting or denying applications for specific licenses, and by amending, modifying, renewing, or revoking existing specific licenses with respect to the property over which jurisdiction has been transferred by Executive Order 9989. In the exercise of the foregoing authority, such officials will act for and on behalf of the Director, and will sign in the following form:

Issued by direction and on behalf of the Director, Office of Alien Property:

By ----------
(Title)

(2) The Chief, Intercustodial and Property Branch, and within this Branch the Chief, Collection and Custody Section, and the Assistant Chief, Collection and Custody Section, are severally authorized:

(i) To issue any demand, direction, or instruction directed to any person, firm, or corporation, or take any other action necessary to effectuate a vesting order.

(ii) To take custody of any property or interest therein which is vested in, or is transferable or deliverable to, the Attorney General under the Trading With the Enemy Act, as amended; to accept payment, conveyance, transfer, assignment, or delivery made to or for the account of the Attorney General pursuant to said act; to deposit for collection with the Treasurer of the United States currency, checks, and drafts paid to the Office of Alien Property; to exercise any right of election to surrender or release any vested life insurance policy contract rights or interests therein against payment of cash surrender value; and, where necessary and appropriate in connection with the foregoing, to execute such documents as may be necessary to evidence any such action, including receipts, surrenders, releases, or other similar instruments.

(iii) To direct the execution and delivery of transfers of vested property.

(iv) To waive compliance with any vesting order which vests a debt in a specific amount to the extent of normal service charges not to exceed $250 asserted by a claimant who would be entitled, under the provisions of the Trading With the Enemy Act, as amended, to a return of the amount of such charges if the vesting order were enforced according to its terms.

(3) The Chief, Intercustodial and Property Branch, is authorized to exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(f) *Comptroller's Branch.* Under the supervision of the Chief, Comptroller's Branch, this Branch maintains accounting records regarding vested property; prepares financial reports of the Office of Alien Property; reviews financial data on business enterprises supervised by the Office of Alien Property or in which interests have been vested; deposits for collection with the Treasurer of the United States currency, checks, and drafts paid to or received by the Office of Alien Property in the New York Office; transfers the proceeds to the Secretary of the Treasury for the account of the Attorney General; and makes disbursements by the issuance of checks in payment of all expenses of and claims allowed by the Office of Alien Property.

(1) The Chief, Comptroller's Branch, is authorized:

(i) To issue any demand, direction, or instruction directed to any person, firm, or corporation, or take any other action necessary to effectuate a vesting order.

(ii) To take custody of any property or interest therein, which is vested in, or is transferable or deliverable to, the Attorney General under the Trading With the Enemy Act, as amended; to accept payment, conveyance, transfer, assignment, or delivery made to or for the account of the Attorney General pursuant to said act; and, where necessary and appropriate in connection with the foregoing, to execute such documents as may be necessary to evidence any such action, including receipts, surrenders, releases, or other similar instruments.

(iii) To waive compliance with any vesting order which vests a debt in a

specific amount to the extent of normal service charges not to exceed $250 asserted by a claimant who would be entitled to a return of the amount of such charges if the vesting order were enforced according to its terms.

(iv) To exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(2) The Disbursing Officer, within the Comptroller's Branch, is authorized to collect moneys for the Office of Alien Property; to deposit for collection with the Treasurer of the United States currency, checks, and drafts paid to the Office of Alien Property; to transfer the proceeds to the Secretary of the Treasury for the account of the Attorney General; and to make disbursements by the issuance of checks in payment of all necessary and proper expenses of the Office of Alien Property and duly allowed claims. In the exercise of such authority, he may act in his own name and title.

(g) *Administrative Branch.* Under the supervision of the Chief, Administrative Branch, this Branch handles internal administrative functions and maintains statistical records of the Office of Alien Property and prepares official reports.

(1) Within this Branch, the Records Officer and the Assistant to the Records Officer are severally authorized to authenticate, certify and attest copies of books, records, papers, and documents in the official custody of the Office of Alien Property; to subscribe the name of the Director, the Deputy Director, or the Acting Director to such certificates, and to affix the seal of the Office of Alien Property.

(2) The Chief, Administrative Branch, may exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(h) *New York Office.* Under the supervision of the Manager, New York Office, this Office is responsible for the coordination of the activities in New York of all branches of the Office of Alien Property, and for the personnel and service functions relating to the New York Office.

(1) The Manager, New York Office, and the License Examiner, New York Office, are severally authorized to take final action with respect to specific licensing matters by granting or denying applications for specific licenses and by amending, modifying, renewing, or revoking existing specific licenses with respect to the property over which jurisdiction has been transferred by Executive Order 9989. In the exercise of the foregoing authority, such officials will act for and on behalf of the Director, and will sign in the following form:

Issued by direction and on behalf of the Director, Office of Alien Property:

By ----------
(Title)

(2) The Manager, New York Office, is authorized:

(i) To issue any demand, direction, or instruction directed to any person, firm, or corporation, or to take any other action necessary in order to effectuate any vesting order.

(ii) To take custody of any property or interest therein, which is vested in, or is transferable or deliverable to, the Attorney General under the Trading With the Enemy Act, as amended; to accept payment, conveyance, transfer, assignment, or delivery made to or for the account of the Attorney General pursuant to said act; to make demand for and accept payment of royalties and other moneys due the Attorney General under patents, applications for patents, trade-marks, licenses, and interests therein; and, where necessary and appropriate in connection with the foregoing, to execute such documents as may be necessary to evidence any such action, including receipts, surrenders, releases, or other similar instruments.

(iii) To exercise such powers and authority as may be necessary and appropriate in the performance of his functions.

(i) *Philippine Office.* Under the supervision of the Manager, Philippine Office, this Office is responsible for the handling of matters in the Philippine Islands affecting the Office of Alien Property, including the coordination of the activities in the Philippines of all branches of the Office of Alien Property.

(1) The Manager, Philippine Office, is authorized to exercise any of the rights, privileges, powers, duties, and functions of the Office of Alien Property or of the Director, Office of Alien Property, with respect to property or interests located in the Philippines, or which, prior to vesting, were located in the Philippines, including particularly and without limitation:

(i) To collect all moneys for the Office of Alien Property in the Philippines; to make disbursements by issuance of checks for payments of expenses of the Manila office and claims against the Office of Alien Property.

(ii) To authenticate, certify, and attest copies of books, records, papers, and documents in the official custody of the Office of Alien Property, as successor to the Philippine Alien Property Administration.

(j) *San Francisco Office.* This office, under the Manager, San Francisco Office, coordinates activities in San Francisco of all branches of the Office of Alien Property and handles personnel and service functions in that office.

(k) *Hawaii Office.* This office, under the Manager, Hawaii Office, is responsible for the coordination of the activities in Hawaii of all Branches of the Office of Alien Property, and for the personnel and service functions relating to the Hawaii Office.

(l) *Overseas Branch.* This Branch, under the Chief, Overseas Branch, administers all European functions of the Office of Alien Property.

5. *Form of Signature.* Except for the Director, Deputy Director, and as otherwise indicated in paragraph 4 of this notice, the designated officials of the Office of Alien Property, in exercising authority conferred on them, will sign in the following form:

(Name)
Assistant Attorney General
Director, Office of Alien Property

By ----------
(Title)

6. *Location of Offices.* The Office of Alien Property maintains offices as follows:

(a) Washington 25, D. C.: Federal Home Loan Bank Building, 101 Indiana Avenue NW.
(b) New York 5, N. Y.: 120 Broadway.
(c) San Francisco 3, Calif.: 208 Federal Office Building.
(d) Manila, Philippine Islands: 5 Cortabitare Street.
(e) Honolulu, T. H.: Yokohama Specie Bank Building.
(f) Munich, Germany.

7. *Information*—(a) *General.* Requests for general information should be addressed to the Office of Alien Property, Department of Justice, Washington 25, D. C., unless the New York, San Francisco, Hawaii, Overseas, or Philippine Offices are nearer, in which event requests may be addressed to the Manager of the nearest office.

(b) *Sales.* Notices of sales of vested property are given by publication in appropriate newspapers and trade journals and by mail to persons on the mailing lists of the Office of Alien Property. The mailing lists are maintained by the Comptroller's Branch and names may be placed on such lists on request.

(c) *Patents and Copyrights Program.* Vested interests in certain properties of these types have been made available for use by the American public. Requests for information should be addressed to the Management and Liquidation Branch, Office of Alien Property, Washington 25, D. C.

Executed at Washington, D. C., on August 6, 1951.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9340; Filed, Aug. 9, 1951; 8:50 a. m.]

[Supplemental Vesting Order 18266]

HENRY TIETJEN AND MINNIE SPANUT

In re: Interest in real property owned by Henry Tietjen and Minnie Spanut. (File No. F-28-30149).

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Henry Tietjen and Minnie Spanut, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: An undivided 2/11ths interest in real property situated in the town of Hempstead, County of Nassau, State of New York, particularly described in Exhibit A, set forth below and by reference made a part hereof, together with all

hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All those certain lots, pieces or parcels of land, situate, lying and being at Rockville Centre Terrace, Town of Hempstead, County of Nassau and State of New York, known and designated as Lots Nos. 36 to 41 both inclusive in Block 18 on a certain map entitled "Map 'D' of property sections 1-2-3-4-5-6 and A. B. C. D. at Rockville Centre Terrace, Nassau Co. L. I. Windsor Land & Improvement Co., Metropolis Engineering Co. Civil Engineers & City Surveyors, Jamaica, N. Y., Sept. 1, 1909, section 6, Feb. 10th, 1910 and A. B. C. D. Jan. 30, 1911" and filed in the Office of the Clerk of the County of Nassau Mar. 2, 1911 as Old No. 47, New No. 347.

[F. R. Doc. 51-9339; Filed, Aug. 9, 1951; 8:49 a. m.]

DESCLEE & CIE AND ASSOCIATION DES AMIS DE LA THEOLOGIE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant and Property

Desclee & Cie., Societe St. Jean l'Evangellste, 13 Rue Barthelamy Frlson Tournal, Belgium; Claim No. 11355; property to the extent owned by Desclee & Cie, Societe St. Jean l'Evangellste, immedlately prlor to the vesting thereof by Vesting Orders Nos. 500 A-3 (11 F. R. 958, January 25, 1946) and 500 A-12 (9 F. R. 7881, July 14, 1944) relating to the following religious works: Synopsis theologiae. t. 1. (Para altera) ed. 20.; Synopsis theologlae moralis et pastoralis. t. 1. De paenitentia, de matrlmonlo et ordlne. ed. 10.; Brevior Synopsis Theologlae Dogmatlcae. Ed. Septima; Synopsis Theologlae Dogmaticae Fundamentalis. ed. 24; Synopsis Theologlae Dogmaticae. t. II. De Flde, De Deo Une et Trino, De Deo Creante et Elevante, De. Verbo Incarnate. ed. 20; Synopsis Theologlae Dogmaticae. t. III. ed 21; Brevior Synopsis Theologlae Moralis et Pastoralis. Ed. 8va. (No. 671); and Synopsis Theologlae Moralis et Pastoralis. t. 3.; together with $8,104.38 as royalties pertaining thereto.

Association des Amis de la Theologie, 6 Rue du Regard, Paris 6, France; Claim No. 11355; property to the extent owned by the Association des Amis de la Theologie immediately prior to the vesting thereof by Vesting Orders Nos. 500 A-3 and 500 A-12 relating to the religious works described above.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9341; Filed, Aug. 9, 1951; 8:50 a. m.]

MAURICE PERCHERON

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to § 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No. and Property

Maurice Percheron, Paris, France; Claim No. 35525; property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to United States Patent Application Serial No. 262,567 (now United States Letters Patent No. 2,350,811).

Executed at Washington, D. C., on August 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9342; Filed, Aug. 9, 1951; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

CHAIRMAN OF PMA COUNTY COMMITTEES

APPOINTMENT AS CONTRACTING OFFICERS AND DELEGATION OF AUTHORITY WITH RESPECT TO EXECUTION OF RELEASES

Pursuant to the authority conferred upon me, by the bylaws of Commodity Credit Corporation published in 14 F. R. 7689, I hereby appoint the Chairman of every Production and Marketing Administration county committee a contracting officer, within the county of his jurisdiction, for the purpose of executing, after a Farm-Storage Facility Loan has been paid, a release on behalf of Commodity Credit Corporation of any Severance Agreement executed in connection with such loan.

Issued this 7th day of August 1951.

[SEAL] HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

Attest:

LIONEL C. HOLM,
Secretary,
Commodity Credit Corporation.

[F. R. Doc. 51-9343; Filed, Aug. 9, 1951; 8:50 a. m.]

Production and Marketing Administration

PENALTY ON FARM MARKETING EXCESS OF 1950 COTTON CROP

In accordance with section 346 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1346), and the regulations issued thereunder by the Secretary of Agriculture (15 F. R. 4162), cotton produced in 1950 on a farm for which the penalty on the farm marketing excess of cotton has not been paid is subject to the penalty of 15.5 cents a pound, and until the penalty on the farm marketing excess is paid the entire crop of cotton produced on the farm in 1950 is subject to a lien in favor of the United States.

Cotton marketing cards issued with respect to the 1950 crop of cotton became void after July 31, 1951. After that date, a person buying cotton which was produced in 1950 should take proper precautionary measures to assure himself that such cotton is not subject to penalty and the lien thereon. He should ascertain from the Production and Marketing Administration County Committee for the county in which the cotton was produced whether the cotton is subject to penalty and, if so, the amounts of the penalty and interest which are required to be collected and remitted. A person buying cotton which was produced in 1950 may relieve himself of liability for any penalty due with respect to such cotton only by collecting the penalty from the producer on each pound purchased and remitting the amount collected to the appropriate PMA county committee.

Issued at Washington, D. C., this 7th day of August 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 51-9346; Filed, Aug. 9, 1951; 8:51 a. m.]

Rural Electrification Administration

[General Memorandum 66]

ALLOCATION OF FUNDS FOR LOANS

JUNE 11, 1951.

Fleming-Mason Rural Electric Cooperative Corporation has transferred certain of its properties and assets to Clark Rural Electric Cooperative Corporation and Grayson Rural Electric Cooperative Corporation, respectively, and Clark Rural Electric Cooperative Corporation and Grayson Rural Electric Cooperative Corporation have each assumed a certain part of the indebtedness of Fleming-Mason Rural Electric Cooperative Corporation to United States of America, arising out of an allocation made by Executive order pursuant to the Emergency Relief Appropriation Act of 1935. Inasmuch as Executive orders cannot be changed by Administrative Order, for purposes of our records the following changes in the allocation designation shall be made:

(a) Allocation designation in Executive order dated November 11, 1935, as changed by General Memorandum No. 62, dated September 24, 1948, is further changed by changing the designation appearing therein as "Kentucky 52 Fleming (Kentucky 1 K. R. E.)" in the amount of $59,751.49 to read "Kentucky 52 Fleming (Kentucky 1 K. R. E.)" in the amount of $34,838.70, "Kentucky 49 Clark (Kentucky 52 Fleming [Kentucky 1 K. R. E.])" in the amount of $9,340.95 and "Kentucky 61 Carter (Kentucky 52 Fleming [Kentucky 1 K. R. E.])" in the amount of $15,571.84.

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9360; Filed, Aug. 9, 1951; 8:45 a. m.]

[Administrative Order T-48]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 6, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Williston Telephone Co., South Carolina 508-A	$121,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-9361; Filed, Aug. 9, 1951; 8:45 a. m.]

[Administrative Order T-49]

PENNSYLVANIA

LOAN ANNOUNCEMENT

JUNE 11, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Franklin Telephone & Telegraph Co., Pennsylvania 504-A	$125,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9362; Filed, Aug. 9, 1951; 8:45 a. m.]

[Administrative Order T-50]

KANSAS

LOAN ANNOUNCEMENT

JUNE 12, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Pioneer Telephone Association, Inc., Kansas 543-A	$1,089,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9363; Filed, Aug. 9, 1951; 8:45 a. m.]

[Administrative Order T-51]

TEXAS

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Poka-Lambro Rural Telephone Cooperative, Inc., Texas 530-A	$1,837,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9364; Filed, Aug. 9, 1951; 8:45 a. m.]

[Administrative Order T-52]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Home Telephone Co., Mississippi 505-A	$244,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9365; Filed, Aug. 9, 1951; 8:45 a. m.]

[Administrative Order T-53]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 30, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Doniphan Telephone Co., Missouri 512-A	$332,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9366; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3330]

INDIANA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 27M Decatur	$165,000

Acting Administrator.
[SEAL] WM. C. WISE,

[F. R. Doc. 51-9367; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3331]

INDIANA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 52R Ripley	$430,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9368; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3332]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 458 Clarke-Lauderdale	$815,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9369; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3333]

MICHIGAN

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Michigan 40W Allegan	$345,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9370; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3334]

NEW MEXICO

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New Mexico 19G Colfax	$100,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9371; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3335]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 48H Mecklenburg	$500,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9372; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3336]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 28S Williamsburg	$245,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9373; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3337]

TENNESSEE

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Tennessee 24N Montgomery	$675,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9374; Filed, Aug. 9, 1951; 8:46 a. m.]

[Administrative Order 3338]

TEXAS

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 113H Dickens	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9375; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3339]

VERMONT

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Vermont 10M Windham	$10,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9376; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3340]

VIRGINIA

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 41U Prince William	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9377; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3341]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 14, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 41L Vernon	$360,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9378; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3342]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting

through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 36U Audrain	$391,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9379; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3343]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 24U Callaway	$350,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9380; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3344]

KENTUCKY

LOAN ANNOUNCEMENT

JUNE 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 50R Graves	$650,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9381; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3345]

INDIANA

LOAN ANNOUNCEMENT

JUNE 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 26L Daviess	$290,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9382; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3346]

KENTUCKY

LOAN ANNOUNCEMENT

JUNE 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 49H Clark	$605,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9383; Filed, Aug. 9, 1951; 8:47 a. m.]

[Administrative Order 3347]

OKLAHOMA

LOAN ANNOUNCEMENT

JUNE 21, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Oklahoma 35H Haskell	$890,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9384; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 3348]

INDIANA

LOAN ANNOUNCEMENT

JUNE 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 53R Steuben	$270,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9385; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 334

NEW YORK

LOAN ANNOUNCEMENT

JUNE 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
New York 19G Ostego	$65,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9386; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 3350]

NORTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting tnrough the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Dakota 29E McKenzie	$108,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9387; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 3351]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 54L Crawford	$1,300,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9388; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 3352]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 30AA Lawrence	$205,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9389; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 3353]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 22, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 49R Dunn	$190,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9390; Filed, Aug. 9, 1951; 8.48 a. m.]

[Administrative Order 3354]

ALABAMA

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 9T Clarke-Washington	$750,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9391; Filed, Aug. 9, 1951; 8:48 a. m.]

[Administrative Order 3355]

VIRGINIA

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 30V Bath	$100,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9392; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3356]

COLORADO

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Colorado 40F Rio Blanco	$50,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9393; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3357]

TENNESSEE

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Tennessee 51K Johnson	$560,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9394; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3358]

MINNESOTA

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 48U Anoka	$145.000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9395; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3359]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 23, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 56P Sullivan	$345.000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-9396; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3360]

TEXAS

LOAN ANNOUNCEMENT

JUNE 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 89R Houston	$215,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9397; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3361]

KANSAS

LOAN ANNOUNCEMENT

JUNE 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kansas 38K Chautauqua	$190,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9398; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3362]

IDAHO

LOAN ANNOUNCEMENT

JUNE 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan Designation:	*Amount*
Idaho 15K Idaho	$80,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9399; Filed, Aug. 9, 1951; 8:49 a. m.]

[Administrative Order 3363]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of

the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Missouri 33Z Butler	$65,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9400; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3364]

TENNESSEE

LOAN ANNOUNCEMENT

JUNE 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Tennessee 36D Scott	$520,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9401; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3365]

ALABAMA

LOAN ANNOUNCEMENT

JUNE 26, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 21L Cherokee	$200,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9402; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3366]

FLORIDA

LOAN ANNOUNCEMENT

JUNE 27, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Florida 22N Escambia	$390,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9403; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3367]

ALABAMA

LOAN ANNOUNCEMENT

JUNE 27, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alabama 35G Jackson	$425,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9404; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3368]

NORTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 27, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Dakota 25C Morton	$373,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9405; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3369]

IOWA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Iowa 5S Carroll	$310,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9406; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3370]

MINNESOTA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Minnesota 75L Red Lake	$210,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9407; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3371]

MONTANA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 5G Richland	$345,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9408; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3372]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 16R Edgecombe	$460,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9409; Filed, Aug. 9, 1951; 8:50 a. m.]

[Administrative Order 3373]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 47L Wake	$365,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9410; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3374]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 30L Colleton	$155,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9411; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3375]

WASHINGTON

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Washington 36H Adams	$540,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9412; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3376]

WASHINGTON

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Washington 41B Molson	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9413; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3377]

COLORADO

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Colorado 36G, H Routt	$2,900,000

[SEAL] WM C. WISE,
Acting Administrator.

[F. R. Doc. 51-9414; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3378]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
South Carolina 50B Santee	$1,404,500

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9415; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3379]

TEXAS

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Texas 119K Kimble	$56,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9416; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3380]

COLORADO

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Colorado 7S Mesa	$215,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9417; Filed, Aug. 9, 1951; 8:51 a. m.]

[Administrative Order 3381]

IOWA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Iowa 67H Sac	$178,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9418; Filed, Aug. 9, 1951; 8:52 a. m.]

[Administrative Order 3382]

NEBRASKA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Nebraska 80D Boyd	$1,400,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9419; Filed, Aug. 9, 1951; 8:52 a. m.]

[Administrative Order 3383]

IDAHO

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Idaho 17P Fremont	$360,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9420; Filed, Aug. 9, 1951; 8:53 a. m.]

[Administrative Order 3384]

LOUISIANA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Ad-

ministrator of the Rural Electrification Administration:

Loan designation:	Amount
Louisiana 13V East Baton Rouge	$370,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9421; Filed, Aug. 9, 1951; 8:53 a. m.]

[Administrative Order 3385]

MISSISSIPPI

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Mississippi 41U Pike	$495,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9422; Filed, Aug. 9, 1951; 8:53 a. m.]

[Administrative Order 3386]

MONTANA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Montana 27F Glasgow	$75,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9423; Filed, Aug. 9, 1951; 8:53 a. m.]

[Administrative Order 3387]

OHIO

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Ohio 50K Union	$70,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9424; Filed, Aug. 9, 1951; 8:54 a. m.]

[Administrative Order 3388]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Wisconsin 27H Buffalo	$133,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9425; Filed, Aug. 9, 1951; 8:54 a. m.]

[Administrative Order 3389]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Wisconsin 52L Crawford	$77,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9426; Filed, Aug. 9, 1951; 8:54 a. m.]

[Administrative Order 3390]

CALIFORNIA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
California 16N Plumas	$255,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9427; Filed, Aug. 9, 1951; 8:54 a. m.]

[Administrative Order 3391]

ILLINOIS

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Illinois 18AK Pike	$1,080,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 50-9428; Filed, Aug. 9, 1951; 8:54 a. m.]

[Administrative Order 3392]

INDIANA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Indiana 99M Spencer	$220,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9429; Filed, Aug. 9, 1951; 8:55 a. m.]

[Administrative Order 3393]

NEBRASKA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Nebraska 93E Valley	$454,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9430; Filed, Aug. 9, 1951; 8:55 a. m.]

[Administrative Order 3394]

NEW YORK

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
New York 24G Oneida	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9431; Filed, Aug. 9, 1951; 8:55 a. m.]

[Administrative Order 3395]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 33R Martin	$400,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9432; Filed, Aug. 9, 1951; 8:55 a. m.]

[Administrative Order 3396]

NORTH CAROLINA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 66E Chowan	$30,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9433; Filed, Aug. 9, 1951; 8:55 a. m.]

[Administrative Order 3397]

NORTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Dakota 35E Burleigh	$87,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9434; Filed, Aug. 9, 1951; 8:56 a. m.]

[Administrative Order 3398]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 37T Trempealeau	$111,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9435; Filed, Aug. 9, 1951; 8:56 a. m.]

[Administrative Order 3399]

WISCONSIN

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wisconsin 57T Rusk	$92,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9436; Filed, Aug. 9, 1951; 8:56 a. m.]

[Administrative Order 3400]

INDIANA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 74H Huntington	$110,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9437; Filed, Aug. 9, 1951; 8:56 a. m.]

[Administrative Order 3401]

VIRGINIA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Virginia 36L Prince George	$230,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9438; Filed, Aug. 9, 1951; 8:56 a. m.]

[Administrative Order 3402]

INDIANA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Indiana 46G Miami	$110,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9439; Filed, Aug. 9, 1951; 8:56 a. m.]

[Administrative Order 3403]

IDAHO

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Idaho 4X Bonner	$240,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9440; Filed, Aug. 9, 1951; 8:57 a. m.]

[Administrative Order 3404]

ARKANSAS

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Arkansas 22N Clay	$500,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9441; Filed, Aug. 9. 1951; 8:57 a. m.]

[Administrative Order 3405]

MISSOURI

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Ad-

ministrator of the Rural Electrification Administration:

Loan designation:	Amount
Missouri 18W Texas	$1,070,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9442; Filed, Aug. 9, 1951; 8:57 a. m.]

[Administrative Order 3406]

KENTUCKY

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Kentucky 37S Owen	$255,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9443; Filed, Aug. 9, 1951; 8:57 a. m.]

[Administrative Order 3407]

NORTH DAKOTA

LOAN ANNOUNCEMENT

JUNE 29, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
North Dakota 17P McHenry	$475,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9444; Filed, Aug. 9, 1951; 8:57 a. m.]

[Administrative Order 3408]

VERMONT

LOAN ANNOUNCEMENT

JUNE, 30, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Vermont 7W Orleans	$97,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9445; Filed, Aug. 9, 1951; 8:57 a. m.]

[Administrative Order 3409]

ILLINOIS

LOAN ANNOUNCEMENT

JUNE 30, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Illinois 37P Saline	$1,068,000

[SEAL] CHARLES U. SAMENOW,
Acting Administrator.

[F. R. Doc. 51-9446; Filed, Aug. 9, 1951; 8:58 a. m.]

[Administrative Order 3410]

WISCONSIN

LOAN ANNOUNCEMENT

JULY 10, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Wisconsin 51G St. Croix	$190,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9447; Filed, Aug. 9, 1951; 8:58 a. m.]

[Administrative Order 3411]

TEXAS

LOAN ANNOUNCEMENT

JULY 10, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 92N Bandera	$345,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9448; Filed, Aug. 9, 1951; 8:58 a. m.]

[Administrative Order 3412]

NEW MEXICO

LOAN ANNOUNCEMENT

JULY 16, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
New Mexico 28D Sandoval	$410,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9449; Filed, Aug. 9, 1951; 8:58 a. m.]

[Administrative Order 3413]

NEW MEXICO

LOAN ANNOUNCEMENT

JULY 16, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
New Mexico 15C Rio Arriba	$135,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9450; Filed, Aug. 9, 1951; 8:58 a. m.]

[Administrative Order 3414]

LOUISIANA

LOAN ANNOUNCEMENT

JULY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Louisiana 19L Jefferson Davis	$270,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9451; Filed, Aug. 9, 1951; 8:59 a. m.]

[Administrative Order 3415]

NEBRASKA

LOAN ANNOUNCEMENT

JULY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Nebraska 76AD Southern Nebraska District Public	$170,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9452; Filed, Aug. 9, 1951; 8:59 a. m.]

[Administrative Order 3416]

WISCONSIN

LOAN ANNOUNCEMENT

JULY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Wisconsin 47T Jackson	$100.000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9453; Filed, Aug. 9, 1951; 8:59 a. m.]

[Administrative Order 3417]

ARIZONA

LOAN ANNOUNCEMENT

JULY 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Arizona 14S Cochise	$50,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9454; Filed, Aug. 9, 1951; 8:59 a. m]

[Administrative Order 3418]

TEXAS

LOAN ANNOUNCEMENT

JULY 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 91N San Patricio	$272,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9455; Filed, Aug. 9, 1951; 8:59 a. m.]

[Administrative Order 3419]

LOUISIANA

LOAN ANNOUNCEMENT

JULY 21, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Louisiana 26D L. R. E. C	$1,242,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9456; Filed, Aug. 9, 1951; 8:59 a. m.]

[Administrative Order 3420]

VIRGINIA

LOAN ANNOUNCEMENT

JULY 21, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Virginia 29Y Nelson	$785,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9457; Filed, Aug. 9, 1951; 9:00 a. m.]

[Administrative Order 3421]

TEXAS

LOAN ANNOUNCEMENT

JULY 21, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 7S Bell	$283,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-9458; Filed, Aug. 9, 1951; 9:00 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. M-35]

LYKES BROS. STEAMSHIP CO., INC.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSELS FOR USE IN THE U. S. GULF/FAR EAST SERVICE

Pursuant to section 3, Pub. Law 591, 81st Cong., notice is hereby given that an informal public hearing will be held at Washington, D. C., on August 20, 1951, at 10 o'clock a. m., in Room 4823, Department of Commerce Building, before Examiner A. L. Jordan, upon the application of Lykes Bros. Steamship Co., Inc., to bareboat charter two Victory-type Government-owned, war-built, dry-cargo vessels for use in applicant's U. S. Gulf/Far East service (Line "D").

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and would not be adequately served without the use therein of such vessels, and with respect to the availability of privately-owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence offered with respect to any restrictions or conditions that may under the statute be included in the charter if the application should be granted also will be received.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days within which to file exceptions to, or memoranda in support of, the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: August 6, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-9516; Filed, Aug. 9, 1951; 8:47 a. m.]

Office of the Secretary

UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION

DELEGATION OF AUTHORITY WITH RESPECT TO ADMINISTRATION OF TRANSPORTATION ACTIVITIES

Paragraph 3 of the material appearing under the above heading (15 F. R. 8739, as amended by 16 F. R. 1130 and 16 F. R. 6404) is hereby further amended to read as follows:

3. *Delegation of authority.* (a) The Under Secretary of Commerce for Transportation shall perform the functions and exercise the powers, authority and discretion conferred on the Secretary of Commerce by Executive Orders 10161 and 10200 (and Defense Production Administration Delegation 1, as amended), and Executive Order 10219 with respect to air transportation, and intercoastal, coastwise and overseas shipping, including the use thereof.

(b) The authority hereby delegated to the Under Secretary of Commerce for Transportation under subsection (a) above, which he is hereafter authorized to redelegate, includes the authority vested in the Secretary of Commerce under sections 902 and 903 of Executive Order 10161 and section 6b of Executive Order 10200, including the authority with respect to subpoena.

(c) The Under Secretary of Commerce for Transportation also shall perform the functions and exercise the powers, authority and discretion vested directly in the Secretary of Commerce as a claimant under DPA Administration Order 1 of May 24, 1951, with respect to transportation programs, including re-

lated facilities, for which the Maritime Administration, the Bureau of Public Roads, the Civil Aeronautics Administration, and the Civil Aeronautics Board are responsible.

(d) The Under Secretary of Commerce for Transportation shall perform the functions with reference to processing of applications under NPA Order M–4 (Construction) as amended, and exercise the powers, authority and discretion vested in the Secretary of Commerce with reference to those functions as set forth in NPA Delegation No. 14, as amended July 11, 1951, but subject to all provisions and limitations of such authority contained in said delegation.

(e) The Under Secretary of Commerce for Transportation shall perform the functions with reference to authorizing construction schedules of prime contractors in accordance with the provisions of CMP Regulation 6, the making of allotments and the assignment of ratings and all other authority described in paragraph 5 of NPA Delegation No. 14, as amended July 11, 1951, and exercise the powers, authority and discretion vested in the Secretary of Commerce with reference to those functions as set forth in NPA Delegation No. 14, but subject to all provisions and limitations of such authority contained in said delegation.

(f) The functions and other authority delegated hereby may be redelegated by the Under Secretary of Commerce for Transportation to officers and agencies of the Department of Commerce, with or without authority for further redelegation.

(g) All orders, regulations, rulings, certificates, directives, and other actions hitherto issued or taken under 15 F. R. 8739, as amended and supplemented (16 F. R. 1130, 16 F. R. 2553 and 16 F. R. 6404 and 6405) shall remain in effect until hereafter amended or revoked under proper authority.

(h) *Effective date.* This notice is effective July 11, 1951.

[SEAL] THOMAS W. S. DAVIS,
Acting Secretary of Commerce.

[F. R. Doc. 51–9321; Filed, Aug. 9, 1951; 8:48 a. m.]

Office of Under Secretary of Commerce for Transportation

COMMISSIONER, BUREAU OF PUBLIC ROADS, ET AL.

REDELEGATIONS OF AUTHORITY WITH REFERENCE TO CMP REGULATION NO. 6

1. *Purpose and authority.* The purpose of this notice is to redelegate to certain officers of the Department of Commerce those functions of the Secretary of Commerce with reference to authorizing construction schedules of prime contractors in accordance with the provisions of CMP Regulation No. 6 and other authority described in paragraph 5 of NPA Delegation No. 14 as amended July 11, 1951, which were delegated by the Secretary of Commerce to the Under Secretary of Commerce for Transportation.

2. *Delegations of authority.* The functions, powers, authorities, and discretion of the Secretary of Commerce with reference to authorizing construction schedules of prime contractors in accordance with the provisions of CMP Regulation No. 6 and other authority described in paragraph 5 of NPA Delegation No. 14 as amended July 11, 1951, and delegated by the Secretary of Commerce to the Under Secretary of Commerce for Transportation, are hereby delegated to each of the officers hereinafter named, but subject to all provisions and limitations of such authority contained in said Delegation:

(a) The Commissioner, Bureau of Public Roads with respect to Bureau of Public Roads programs for highway construction and maintenance of all rural and urban highways, streets, highway equipment repair shops, bridges, tunnels, toll road facilities and appurtenant installations, regardless of financing;

(b) The Administrator, Civil Aeronautics Administration with respect to air navigation facilities and civil airports; and

(c) The Maritime Administrator with respect to shipyards.

Each of the officers delegated authority by this order may redelegate such authority or responsibilities thereunder to such persons or agencies as he may deem appropriate: *Provided,* That no such redelegation of authority may be made to persons or agencies outside his organization without the approval of the Secretary of Commerce.

3. *Effective date.* This notice is effective July 11, 1951.

[SEAL] DELOS W. RENTZEL,
Under Secretary of Commerce for Transportation.

[F. R. Doc. 51–9320; Filed, Aug. 9, 1951; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5043]

COMPAGNIE NATIONALE AIR FRANCE, PERMIT CASE

NOTICE OF HEARING

In the matter of the application of Compagnie Nationale Air France for a foreign air carrier permit and revision of a permit pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended, and the air transport services agreement between the United States and France, March 27, 1946, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of the said act, that a hearing in the above-entitled proceeding is assigned to be held on August 28, 1951, at 10:00 a. m., e. d. s. t., in Room E–214, Wing "C", Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW, Washington, D. C., before Examiner Walter W. Bryan.

The routes involved in the above proceeding are as follows:

1. Between France and Mexico and points beyond over the North Atlantic, via New York, N. Y., and Houston, Tex.

2. Martinique via Guadeloupe and via intermediate points to Puerto Rico and beyond via the Dominican Republic and Haiti to Miami, in both directions.

3. Martinique via Guadeloupe to New York; in both directions.

Without limiting the scope of the issues presented by the application in this proceeding, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest.

2. Whether applicant is fit, willing, and able to perform such transportation.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention, or agreement in force between the United States and France or any other foreign country.

4. Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding must file with the Board on or before August 28, 1951, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and the authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., August 7, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51–9317; Filed, Aug. 9, 1951; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26304]

CARRIERS, REFRIGERATING, RETURNED, FROM GALESBURG, ILL., TO INDIANA AND MICHIGAN

APPLICATION FOR RELIEF

AUGUST 7, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A–3723, pursuant to fourth-section order No. 9800.

Commodities involved: Carriers, steel refrigerator evaporators, iron or steel, returned, K. D.

From: Galesburg, Ill.

To: Bedford, Ind., and Tecumseh, Mich.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise

the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9309; Filed, Aug. 9, 1951; 8:46 a. m.]

[4th Sec. Application 26305]

CORN STEEP WATER FROM CHICAGO AND PEKIN, ILL., TO WILLOW ISLAND, W. VA.

APPLICATION FOR RELIEF

AUGUST 7, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L .C. Schuldt, Agent, for carriers parties to tariffs listed in the application, pursuant to fourth-section order No. 9800.

Commodities involved: Water, corn steep, carloads.

From: Chicago and Pekin, Ill.

To: Willow Island, W. Va.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9310; Filed, Aug. 9, 1951; 8:46 a. m.]

[4th Sec. Application 26306]

SODA ASH AND CAUSTIC SODA FROM LOUISIANA AND TEXAS POINTS TO ILLINOIS, INDIANA, AND WISCONSIN.

APPLICATION FOR RELIEF

AUGUST 7, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4-(1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3752 and 3906.

Commodities involved: Soda ash and caustic soda, carloads.

From: Lake Charles, La., Corpus Christi, Houston, and Velasco, Tex.

To: Specified points in Illinois and Indiana, also Madison, Wis.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3906, Supp. 64; D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9311; Filed, Aug. 9, 1951; 8:46 a. m.]

[4th Sec. Application 26307]

FORMALDEHYDE DRY, FROM BISHOP, TEX., AND TALLANT, OKLA., TO NEW JERSEY, MASSACHUSETTS, AND PENNSYLVANIA

APPLICATION FOR RELIEF

AUGUST 7, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3919 and 3967.

Commodities involved: Formaldehyde, dry, carloads.

From: Bishop, Tex., and Tallant, Okla.

To: Bound Brook, South Bound Brook, and Newark, N. J., Pittsfield, Mass., and Trafford, Pa.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3919. Supp. 50; D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 14.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9312; Filed, Aug. 9, 1951; 8:46 a. m.]

[4th Sec. Application 26308]

FERTILIZERS FROM NEW ORLEANS, LA., TO HATTIESBURG AND LAUREL, MISS.

APPLICATION FOR RELIEF

AUGUST 7, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Fernwood, Columbia & Gulf Railroad Company and Illinois Central Railroad Company.

Commodities involved: Fertilizer and fertilizer materials, carloads.

From: New Orleans, La.

To: Hattiesburg and Laurel, Miss.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 975, Supp. 176; C. A. Spaninger's tariff I. C. C. No. 1235, Supp. 4.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9313; Filed, Aug. 9, 1951; 8:46 a. m.]

[4th Sec. Application 26309]

PULPBOARD OR FIBREBOARD FROM MISSISSIPPI TO KANSAS CITY, MO., KANS.

APPLICATION FOR RELIEF

AUGUST 7, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent W. P. Emerson Jr.'s tariff I.C.C. No. 411.

Commodities involved: Pulpboard or fibreboard, carloads.

From: East Moss Point and Kreole, Miss.

To: Kansas City, Mo.-Kans.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates; W. P. Emerson Jr.'s tariff I. C. C. No. 411, Supp. 6.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9314; Filed, Aug. 9, 1951; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 288]

HANDMACHER-VOGEL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Handmacher-Vogel, Inc., 533 Seventh Avenue, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies suits and coats manufactured by Handmacher-Vogel, Inc., 533 Seventh Avenue, New York, New York, having the brand name(s) "Weathervane-tailored by handmacher", "The Suitmaker-tailored by handmacher" "tailored by handmacher" and "Sportleigh" shall be the proposed retail ceiling prices listed by Handmacher-Vogel, Inc., in its application dated July 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Handmacher-Vogel, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution

Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9322; Filed, Aug. 7, 1951; 3:43 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 289]

SIMON MATTRESS MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Simon Mattress Manufacturing Company, 1777 Yosemite Avenue, San Francisco 24, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Simon Mattress Manufacturing Company, 1777 Yosemite Avenue, San Francisco 24, California, having the brand name(s) "Serta Perfect Sleeper", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper Supreme", "Serta Restal Knight", "Serta Theralator", "Serta Supreme", "Serta Sertapedic", "Serta Super Sleeper", "Serta Sertarest", "Serta Serta-Foam", "Serta Tiny Perfect Sleeper", "Gold Medal De Luxe", shall be the proposed retail ceiling prices listed by Simon Mattress Manufacturing Company in its application dated March 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 20, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Simon Mattress Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9323; Filed, Aug. 7, 1951; 3:43 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 290]

KENTLEY CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kentley Corporation, 1425 Burlingame SW., Grand Rapids, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of trays, tumblers, coasterettes, folding tables and servettes manufactured by Kentley Corporation, 1425 Burlingame SW., Grand Rapids, Michigan, having the brand name(s) "Non-Skid Trays", "Sham Bottom Tumblers", "Folding Tray Tables", "Servettes", "Coasterettes" shall be the proposed retail ceiling prices listed by Kentley Corporation in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Kentley Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9324; Filed, Aug. 7, 1951; 3:43 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 291]

ALLEN INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Allen Industries, Inc., 1950 Leland Avenue, Detroit 7, Michigan, has applied to the Office of Price Stabilization for maxi-

mum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of rug and carpet cushions manufactured by Allen Industries, Inc., 1950 Leland Avenue, Detroit 7, Michigan, having the brand name(s) "Allen Rubber-Loc" shall be the proposed retail ceiling prices listed by Allen Industries, Inc., in its application dated May 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Allen Industries, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any), issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9325; Filed, Aug. 7, 1951; 8:44 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 292]

FASHIONCRAFT PRODUCTS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Fashioncraft Products, 4814 Fourth Avenue, Brooklyn 20, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered

by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of bottle holder and formula bag manufactured by Fashioncraft Products, 4814 Fourth Avenue, Brooklyn 20, New York, having the brand name(s) "Thermo-Craft" and "Thermo-tainer" shall be the proposed retail ceiling prices listed by Fashioncraft Products in its application dated April 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Fashioncraft Products must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.}	Terms{net, percent EOM, etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9326; Filed, Aug. 7, 1951; 3:44 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 293]

METLOX MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Metlox Manufacturing Company, 1200 Morningside Drive, Manhattan Beach, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of pottery dinnerware manufactured by Metlox Manufacturing Company, 1200 Morningside Drive, Manhattan Beach, California, having the brand name(s) "Poppytrail Pottery" shall be the proposed retail ceiling prices listed by Metlox Manufacturing Company in its application dated June 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy

of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Metlox Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9350; Filed, Aug. 7, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 294]

SWING-A-WAY MFG. CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Swing-A-Way Manufacturing Co., 4100 Beck Avenue, St. Louis 16, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of can openers, can and jar openers, knife sharpeners, ice crushers, utility racks and wall plates sold through wholesalers and retailers and having the brand name(s) "Swing-A-Way" shall be the proposed retail ceiling prices listed by Swing-A-Way Manufacturing Company, 4100 Beck Avenue, St. Louis 16, Missouri, hereinafter referred to as the "applicant" in its application dated June 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Swing-A-Way Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated

above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9351; Filed, Aug. 7, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 295]

PYRAMID RUBBER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Pyramid Rubber Company, 226 South Prospect Street, Ravenna, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of nursery units, nipples, bottles, caps and discs, cleanser, combination layette packages sold through wholesalers and retailers and having the brand name(s) "Evenflo" shall be the proposed retail ceiling prices listed by The Pyramid Rubber Company, 226 South Prospect Street, Ravenna, Ohio, hereinafter referred to as the "applicant" in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 8, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, The Pyramid Rubber Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9327; Filed, Aug. 7, 1951; 3:45 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 296]

O. A. SUTTON CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special orders, The O. A. Sutton Corporation, 1812 West Second Street, Wichita 1, Kansas, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric fans and electric circulators sold through wholesalers and retailers and having the brand name(s) "Vornado" shall be the proposed retail ceiling prices listed by The O. A. Sutton Corporation, 1812 West Second Street, Wichita 1, Kansas, hereinafter referred to as the "applicant" in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 14, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, The O. A. Sutton Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9328; Filed, Aug. 7, 1951; 8:45 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 297]

ADMIRAL CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Admiral Corporation, 3800 Cortland Street, Chicago 47, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of television sets, radios, and radio-phonographs, combinations sold through wholesalers and retailers and having the brand name(s) "Admiral" shall be the proposed retail ceiling prices listed by Admiral Corporation, 3800 Cortland Street, Chicago 47, Illinois, hereinafter referred to as the "applicant" in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Admiral Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951,

unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers.)* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9329; Filed, Aug. 7, 1951; 3:45 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 298]

PATENT WATCH CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Patent Watch Company, Inc., 31 West Forty-seventh Street, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of boys' and girls' wrist watches sold through wholesalers and retailers and having the brand name(s) "Howdy Doody" shall be the proposed retail ceiling prices listed by Patent Watch Company, Inc., 31 West Forty-seventh Street, New York 19, New York, hereinafter referred to as the "applicant" in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Patent Watch Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
------- ----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9330; Filed, Aug. 7, 1951; 3:46 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 299]

HARKER POTTERY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Harker Pottery Company, East Liverpool, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submited the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of pottery dinnerware sold through wholesalers and retailers and having the brand name(s) "Chesterton", "Corinthian", "Ivy", "Vintage", "Morning Glory", "Violet", "Bermuda", "Bouquet", "Bridal Rose", "Regal", "Oak Leaf" and "Sun Valley" shall be the proposed retail ceiling prices listed by The Harker Pottery Company, East Liverpool, Ohio, hereinafter referred to as the "applicant" in its application dated April 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, The Harker Pottery Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9331; Filed, Aug. 7, 1951; 3:46 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 300]

BUXBAUM CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompany special order, The Buxbaum Company, Canton 1, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of rubber mats, carpetreds and link mats sold through wholesalers and retailers and having the brand name(s) "AKRO" shall be the proposed retail ceiling prices listed by The Buxbaum Company, Canton 1, Ohio, hereinafter referred to as the "applicant" in its application dated June 13, 1951, and filed with the Office of Price Stabilzation, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, The Buxbaum Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, Amendment and notices to permit such purchases for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9332; Filed, Aug. 7, 1951; 3:46 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 301]

UNITED MILLS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, United Mills Corporation, Mount Gilead, North Carolina, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of bra-slips manufactured by United Mills Corporation, Mount Gilead, North Carolina, having the brand name(s) "Gilead" shall be the proposed retail ceiling prices listed by United Mills Corporation in its application dated May 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, United Mills Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9352; Filed, Aug. 7, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 302]

SHANNON MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Shannon Manufacturing Company, 426 South Spring Street, Los Angeles 13, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of garter belt manufactured by Shannon Manufacturing Company, 426 South Spring Street, Los Angeles 13, California, having the brand name(s) "Mary Jane" shall be the proposed retail ceiling prices listed by Shannon Manufacturing Company in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Shannon Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit, dozen, etc. Terms {net, percent EOM, etc.	$-----

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9353; Filed, Aug. 7, 1951; 5:03 p. m.]

No. 155——6

[Ceiling Price Regulation 7, Section 43, Special Order 303]

WEAVER PRES-KLOTH CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Weaver Pres-Kloth Company, 4426 Florence Boulevard, Omaha 11, Nebraska, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of chemically treated pressing cloths and pressing pads sold through wholesalers and retailers and having the brand name(s) "Pres-Kloth", "Pres-Mit", and "Pres-Mit Jr." shall be the proposed retail ceiling prices listed by Weaver Pres-Kloth Company, 4426 Florence Boulevard, Omaha 11, Nebraska, hereinafter referred to as the "applicant" in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Weaver Pres-Kloth Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $-------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9354; Filed, Aug. 7, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 304]

KORELL CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Korell Company, Mechanicsville, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's and misses' plus size dresses manufactured by Korell Company, Mechanicsville, New York, having the brand name(s) "Korell" shall be the proposed retail ceiling prices listed by Korell Company in its application dated June 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Korell Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit, dozen. etc.	Terms {net, percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this

notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9355; Filed, Aug. 7, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 305]

VASSAR CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Vassar Company, 2545 Diversey Avenue, Chicago 47, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's knitted panties manufactured by Vassar Company, 2545 Diversey Avenue, Chicago 47, Illinois, having the brand name(s) "Vassarette" shall be the proposed retail ceiling prices listed by Vassar Company in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Vassar Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit, dozen, etc.}	Terms {net, percent EOM, etc.} $----------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is other-

wise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9333; Filed, Aug. 7, 1951; 3:46 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 306]

SHELDON CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Sheldon Company, 2143 South Los Angeles Street, Los Angeles 11, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of coin purses, billfolds, billfold inserts, brushes, dusters, comb and file sets, cigarette cases, pouch and pipe cases, card cases, nail clippers w/case, knife w/case, key cases, secretaries, wallets, stud boxes, tie cases, trip kits, dressing sets and ladies' billfolds manufactured by The Sheldon Company, 2143 South Los Angeles Street, Los Angeles 11, California, having the brand name(s) "Sheldon" shall be the proposed retail ceiling prices listed by The Sheldon Company in its application dated May 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On an after October 8, 1951, the Sheldon Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per _____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}
$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9334; Filed, Aug. 7, 1951; 3:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 307]

BIENEN-DAVIS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bienen-Davis, Inc., 159 Madison Avenue, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's handbags manufactured by Bienen-Davis, Inc., 159 Madison Avenue, New York, New York, having the brand name(s) "Bienen-Davis" shall be the proposed retail ceiling prices listed by Bienen-Davis, Inc., in its application dated July 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Bienen-Davis, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9335; Filed, Aug. 7, 1951; 3:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 308]

J. A. DUBOW SPORTING GOODS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, J. A. Dubow Sporting Goods Corporation, 1907 Milwaukee Avenue, Chicago, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate

distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of golf balls sold through wholesalers and retailers and having the brand name(s) "Scot Flite" shall be the proposed retail ceiling prices listed by J. A. Dubow Sporting Goods Corporation hereinafter referred to as the "applicant" in its application dated July 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 7, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, J. A. Dubow Sporting Goods Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
---------- ----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9356; Filed, Aug. 7, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 309]

SPEIDEL CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Speidel Corporation, 70 Ship Street, Providence, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of watch bands sold through wholesalers and retailers and having the brand name(s) "Speidel" shall be the proposed retail ceiling prices listed by Speidel Corporation, 70 Ship Street, Providence, Rhode Island, hereinafter referred to as the "applicant" in its application dated July 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Speidel Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting, provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-------- ----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) a copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

[F. R. Doc. 51-9357; Filed, Aug. 7, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 310]

CENTRAL BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Central Bedding Company, 325 Oglethorpe Street, Macon, Georgia, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered

by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Central Bedding Company, 325 Oglethorpe Street, Macon, Georgia, having the brand name(s) "Spring-Air", "Karr" shall be the proposed retail ceiling prices listed by Central Bedding Company in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Central Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 6, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 6, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 8, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 7, 1951.

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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10278

WITHDRAWING FROM APPROPRIATION THE PHOSPHATE RESERVED TO THE UNITED STATES IN CERTAIN PATENTED LANDS AND TRANSFERRING THE USE, POSSESSION, AND CONTROL THEREOF TO THE TENNESSEE VALLEY AUTHORITY

FLORIDA

By virtue of the authority vested in me by section 7 of the act of May 18, 1933, 48 Stat. 63 (16 U. S. C. 831f), and as President of the United States, it is ordered as follows:

Subject to valid existing rights, the phosphate reserved to the United States in the following-described patented lands in Florida is hereby withdrawn from appropriation under the mineral-leasing laws, and the use, possession, and control thereof are transferred to the Tennessee Valley Authority for use in connection with its fertilizer research and development program:

TALLAHASSEE MERIDIAN

T. 32 S., R. 26 E.,
Sec. 9, SE¼SW¼;
Sec. 10, SW¼;
Sec. 19, lot 1 of SW¼, lot 3, and NW¼ SE¼;
Sec. 30, N½ of lot 1 of NW¼, lot 2 of NW¼, lot 1 of SW¼, and N½ of lot 2 of SW¼.

The areas described aggregate 599.68 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 9, 1951.

[F. R. Doc. 51-9581; Filed, Aug. 9, 1951; 3:57 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART A—GENERAL

Sections 311.1 through 311.7, Title 6, Code of Federal Regulations (13 F. R. 9378), are amended and republished to read as herein set forth in order (1) to prescribe the facilities and improvements which may be obtained with a Farm Ownership loan, (2) state the policy with respect to making Water Facilities loans and Farm Housing loans to Farm Ownership loan applicants or borrowers, and (3) to delete reference to Form FHA-362, as all borrowers whose loans were approved prior to June 19, 1948, have executed the supplementary agreement, Form FHA-362.

DERIVATION: §§ 311.1 to 311.5 contained in FHA Instruction 401.1. §§ 311.6 and 311.7 contained in Order, Sec. Agric., Jan. 31, 1942.

§ 311.1 *General.* (a) The word "farm" as used in procedure relating to Farm Ownership loans includes the land, buildings, fences, water appurtenances, and other improvement items generally considered a part of a farm. Funds for such items, as needed, should be provided in Farm Ownership loans. In some States, certain improvement items or appurtenances which ordinarily would be considered a part of the real estate may, by agreement between the owner of the land and the person furnishing or using such appurtenances, remain personal property. In some areas, facilities or improvement items not generally considered to be a part of the real estate do, however, ordinarily pass with the land when such a farm changes ownership. If it is administratively determined that certain such items do customarily pass with the land, Farm Ownership loan funds may be included for the purchase of such items necessary to the efficient operation of the farm. Where such facilities or improvement items do not commonly pass with the land when such a farm changes ownership, Farm Ownership loan funds will not be used for acquisition of the facilities even though such facilities may be necessary to the efficient operation of the farm.

(b) The term "mortgage" as used in procedure relating to Farm Ownership loans includes real estate mortgage, deed of trust, deed to secure debt, or other form of security instrument.

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(c) When a Farm Ownership applicant has funds of his own to apply toward the purchase, enlargement, or development of a farm, such funds will be deposited in a supervised bank account as soon as possible but not later than the time of loan closing. Such funds will not be held back for making additional and unapproved expenditures.

(d) Any existing liens on a farm which is to be enlarged or developed will be paid off with the proceeds of a Farm Enlargement or Farm Development loan, so that there will be no liens on the farm other than the first mortgage securing the loan.

(e) Except as otherwise authorized by the Administrator, arrangements will not be made with sellers to construct new or repair old buildings in order to comply with the anticipated needs of Farm Ownership applicants. Construction work will be financed with the proceeds of Farm Ownership loans and will be subject to established Farm Ownership regulations.

(f) Since provision of essential water facilities and the construction and repair of essential farm buildings is a proper element of farm development and thus may be provided with Farm Ownership funds, a Water Facilities loan to an individual or a Farm Housing loan will not be made in connection with the extension of an initial Farm Ownership loan. In special cases where funds are required by a Farm Ownership borrower for water facilities or essential farm buildings and the need cannot be met with a subsequent Farm Ownership loan, an exception may be made by the Administrator, upon proper justification, to permit making a Water Facilities or Farm Housing loan to a Farm Ownership borrower.

(g) Each Farm Ownership applicant will be advised that, if at any time it shall appear that he is able to refinance his loan with a responsible cooperative or private credit source at a rate of interest not in excess of five percent (5%) per annum, and on terms for loans for similar periods of time and purposes prevailing in the area in which the loan is to be made he must, upon request of the Government, apply for and accept such refinancing.

(h) There may be included in each Farm Ownership loan a service fee in an amount sufficient to pay for (1) recordation of the deed and mortgage, (2) any portion of the expense of title examination and title insurance chargeable to the borrower, (3) bank charges for handling deposits in connection with the loan, (4) an appraisal fee of twent dollars ($20) for an insured loan borrower, and (5) other expenses necessary in connection with the acquisition of the land and the closing of the loan. Approximately five dollars ($5) will be added to the sum of these charges to cover possible underestimates.

(i) Promptly after completion of the planned expenditures, any unexpended Farm Ownership balance in the supervised bank account will be applied on the borrower's Farm Ownership loan account as a refund.

(j) No Farm Ownership loan will be made unless it has been determined, after representation by the applicant on Form FHA-5, "Loan Voucher," for a direct loan, or on Form FHA-359, "Borrower-Insurer-Lender Triple Agreement," for an insured loan, and certification to such effect by the County Committee on Form FHA-491, "County Committee Certification," that credit sufficient in amount to finance the actual needs of the applicant is not available to him, at a rate of interest not exceeding five percent (5%) per annum and on terms prevailing in the community, in or near which the applicant resides, for loans of similar size and character from commercial banks, cooperative lending agencies, or from any other responsible source.

(Secs. 1, 3, 12, 44, 60 Stat. 1072, 1074, 1076, 1068, 1069; 7 U. S. C. 1001, 1003, 1005b, 1018)

§ 311.2 *Restrictions on loans.* Farm Ownership loans will not be made to: (a) Any corporation, partnership, or cooperative association.

(b) Carry on any operations in collective farming or cooperative farming.

(c) Carry on any Government land-purchase or land-leasing program, or to organize, promote, or manage homestead associations, land-purchasing associations, or cooperative land-purchasing for colonies of rehabilitants and tenant purchasers.

(d) Purchase or refinance indebtedness against machinery, tools, equipment, livestock, and similar items legally not considered a part of a farm. A Production and Subsistence loan will not be made to pay the principal or interest or a mortgage insurance charge on a Farm Ownership loan.

(e) Finance any farm development not located on the property covered by the mortgage.

(f) Pay real property insurance premiums.

(g) Pay mortgage insurance charges on insured loans.

(h). Purchase a building located on an outside tract to be moved to a Farm Ownership farm, unless an exception is made in a particular case by the State

Director. Such an exception will be granted by the State Director only upon condition that the building purchased is released properly from any liens or mortgages outstanding against the property on which it is located, and the further condition that it definitely is more advantageous to the borrower to purchase and move a building to a Farm Ownership farm than it is to construct or repair a building on the Farm Ownership farm.

(Secs. 1, 3, 44, 60 Stat. 1072, 1074, 1068, 1069; 7 U. S. C. 1001, 1003, 1018)

§ 311.3 *Disabled veterans.* No Farm Ownership loan will be made to a disabled veteran with a pensionable disability to enable him to acquire, enlarge, or improve a farm which is less than an efficient family-type farm unless the unit as acquired, enlarged, or improved is of sufficient size and character to meet the farming capabilities of such a veteran and will afford him an income which, together with his pension, will enable him to meet his living and operating expenses and repay the loan.

(Sec. 1, 60 Stat. 1073; 7 U. S. C. 1001)

§ 311.4 *Additional limitations for farm enlargement and farm development loans.* (a) No farm enlargement or farm development loan will be made if the indebtedness to be refinanced exceeds the maximum refinancing price as determined by the County Committee on Form FHA–493, "Equity Determination and Tract Valuation." No farm enlargement loan will be made if the price for any tract to be added exceeds the maximum purchase price as determined by the County Committee on Form FHA–493.

(b) With the exception of farm development loans to disabled veterans as provided in § 311.3, no farm development loan will be made except for improving a farm of such size that it can be developed into an efficient family-type farm and for refinancing such indebtedness as is necessary against such a farm.

(Secs. 1, 44, 60 Stat. 1072, 1073, 1069; 7 U. S. C. 1001, 1018)

§ 311.5 *Terms of loans*—(a) *Amortization period.* Farm Ownership loans will be amortized over a period not to exceed forty-years.

(b) *Interest rates.* (1) For direct Farm Ownership loans, the interest rates per annum on the unpaid principal are as follows:

(i) Three percent (3%) on loans approved prior to November 1, 1946.

(ii) Three and one-half percent (3½%) on loans approved subsequent to October 31, 1946, and prior to June 19, 1948.

(iii) Four percent (4%) on loans approved subsequent to June 18, 1948.

(2) For insured Farm Ownership loans, the interest rates per annum on the unpaid principal are as follows:

(i) Two and one-half percent (2½%) on loans approved prior to June 19, 1948.

(ii) Three percent (3%) on loans approved subsequent to June 18, 1948.

(c) *Mortgage insurance charge.* Each insured loan borrower will pay a mortgage insurance charge in addition to principal and interest payments on his loan.

(1) *Initial mortgage insurance charge.* Each insured loan borrower will pay on the date of loan closing an initial mortgage insurance charge, computed at the rate of one percent (1%) of the principal obligation of the mortgage, covering the period from the date of loan closing to the next March 31.

(2) *Annual mortgage insurance charge.* Each insured loan borrower will pay an annual mortgage insurance charge of one percent (1%) of the actual principal obligation remaining unpaid as of March 31 each year. The first annual mortgage insurance charge will be computed on the basis of the principal obligation remaining unpaid as of the March 31 on which the first installment on the note is due, and will be paid on or before the following March 31. Each succeeding annual mortgage insurance charge will be computed on the basis of the principal obligation remaining unpaid as of March 31 each year thereafter, and will be paid on or before the following March 31. Annual mortgage insurance charges will continue until the mortgage is paid in full or the mortgaged property is acquired by the Government, or until the contract of insurance is otherwise terminated.

(d) *Security instrument.* Farm Ownership loans will be secured by a first mortgage on the farm. The mortgage securing the debt will specify the terms and conditions under which the funds were advanced to the borrower. In addition, to the repayment period and the interest rate, as indicated, in paragraphs (a) and (b) of this section, such instruments will provide, among other conditions, that:

(1) The borrower will repay the unpaid balance of the loan, with interest, in installments based upon prescribed amortization schedules.

(2) The borrower will keep the property insured against loss by fire or other casualty, and will pay taxes, assessments, and other charges against the farm to the proper taxing authorities.

(3) The borrower personally and continuously will use the property as a farm and for no other purpose.

(4) The farm will be maintained in good condition; waste and exhaustion of the property will be prevented; required repairs will be made; and farming conservation practices as prescribed by the Secretary of Agriculture will be carried out.

(5) Final payment on the loan will not be accepted in less than five (5) years, without written consent of the Farmers Home Administration. If an insured loan is paid in full in less than five years, the borrower may be required to pay an additional charge equal to the annual mortgage insurance charge for the year in which the loan is repaid in full.

(6) The entire amount due on the loan, for violation of certain agreements, may be declared immediately due and payable. The Secretary of Agriculture may require assignment to the Government of the insured mortgage of a borrower who violates certain agreements.

(7) The borrower will apply for and accept a refinancing loan from a responsible cooperative or private credit source, if at any time it shall appear to the Secretary of Agriculture that the borrower is able to obtain such a loan at a rate of interest not in excess of five percent (5%) per annum and on terms for loans for similar periods of time and purposes prevailing in the area in which the loan is made.

(8) Each insured loan borrower will pay to the Farmers Home Administration, as collection agent for the mortgagee, amounts payable to the mortgagee under the mortgage.

(9) The holder of an insured mortgage will accept the benefits of the insurance furnished by the Government in lieu of any right of foreclosure which the mortgagee may have against the mortgaged property and any right to a deficiency judgment against the mortgagee on account of the mortgage.

(e) *Sale of nondelinquent insured mortgages to the Government.* Any holder of an insured mortgage may, at his option, within a period of one year beginning after the expiration of seven (7) years from the date of the mortgage, have the mortgage purchased by the Government even though the mortgage is not then in default. If the holder exercises such option, the Government will purchase the mortgage and pay the holder in cash an amount equal to the value of the mortgage. For such purpose, the value of the mortgage will be determined by adding to the then outstanding unpaid principal, the amount of any unpaid interest and the unpaid amount of any advances made by a holder for property insurance premiums, taxes, assessments, water charges, and other payments in discharge of liens which are prior to the mortgage. If the holder of the mortgage does not exercise the above-mentioned option, he may accept any new agreement which may be offered by the Government to purchase the mortgage, or the holder may retain the mortgage until it is paid in full, refinanced, or assigned to another lender.

(Sec. 3, 50 Stat. 523, secs. 3, 12, 13, 44, 60 Stat. 1074, 1076, 1078, 1069, secs. 1, 2, 3, 5, 62 Stat. 534, 535, 536; 7 U. S. C. 1003, 1005b, 1005c, 1018)

§ 311.6 *Side agreements prohibited.* The full purchase price of all farms purchased in connection with the Farm Ownership program must be named in the option between prospective borrowers and their vendors. Side agreements between prospective borrowers and their vendors upon a purchase price greater or less than the option price shall not be permitted. Agreements to give second mortgages, mortgages on chattels, mortgages on other property, or other liens, notes, or the payment of any cash consideration, other than the cash consideration named in the option price, are included within this prohibition, but it is not to be construed as limited to the side agreements herein specified. Such action shall be deemed grounds for the cancellation of the loan, or for declaring the amount unpaid immediately due and payable, or for the cancellation of the

side agreement, regardless of its nature, and for the return to the prospective borrower, by the vendor of any amount paid in pursuance to the side agreement. (See also § 321.24 of this chapter.)

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

§ 311.7 *Loan funds impressed with trust.* The proceeds of loans made pursuant to Title I of the Bankhead-Jones Farm Tenant Act, as amended, shall be impressed with a trust for the purposes for which loans may be made under that title, and may be used only for the purposes stated in the application therefor, and such trust shall continue, and the proceeds shall be free from garnishment, attachment, or the levy of an execution, until such proceeds have been used by the borrower for such purposes. Failure of the borrower to use the proceeds of such loans for such purposes, and in accordance with the purposes stated in the application therefor, shall be deemed grounds for the cancellation of the loan or for declaring the amount unpaid immediately due and payable.

(Sec. 44, 60 Stat. 1069; 7 U. S. C. 1018)

(Sec. 41, 60 Stat. 1066; 7 U. S. C. 1015. Statutory provisions interpreted or applied are cited to text in parentheses)

DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

[F. R. Doc. 51-9473; Filed, Aug. 10, 1951; 8:47 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1950 C. C. C. Grain Price Support Bulletin 1, Amdt. 1 to Supp. 2, Corn]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1950-CROP CORN RESEAL LOAN PROGRAM

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration, published in 16 F. R. 5917, and containing the requirements for the 1950-Crop Corn Reseal Loan Program are hereby amended as follows:

Under § 601.122 *Availability,* paragraph (b) *Time,* the date in the third sentence should be corrected to July 31, 1951.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1421, 1441)

Issued this 8th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9554; Filed, Aug. 10, 1951; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[1023 (Fire, Air, and Sun-52)-3]

PART 726—FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1952-53 MARKETING YEAR

GENERAL

Sec.
726.311 Basis and purpose.
726.312 Definitions.
726.313 Extent of calculations and rule of fractions.
726.314 Instructions and forms.
726.315 Applicability of §§ 726.311 to 726.329.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

726.316 Determination of 1952 preliminary acreage allotments for old farms.
726.317 1952 old farm tobacco acreage allotment.
726.318 Adjustment of acreage allotments for old farms.
726.319 Reduction of acreage allotments for violation of the marketing quota regulations for a prior marketing year.
726.320 Reallocation of allotments released from farms removed from agricultural production.
726.321 Farms divided or combined.
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ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

726.323 Determination of acreage allotments for new farms.
726.324 Time for filing application.
726.325 Determination of normal yields.

MISCELLANEOUS

726.326 Determination of acreage allotments and normal yields for farms returned to agricultural production.
726.327 Approval of determinations made under §§ 726.311 to 726.326.
726.328 Application for review.
726.329 Transfer of farm acreage allotments.

AUTHORITY: §§ 726.311 to 726.329 issued under sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply secs. 301, 313, 363, 52 Stat. 38, 47, 63, as amended; 7 U. S. C. 1301, 1313, 1363.

GENERAL

§ 726.311 *Basis and purpose.* The regulations contained in §§ 726.311 to 726.329, are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1952 farm acreage allotments and normal yields for fire-cured, dark air-cured, and Virginia sun-cured tobacco. The purpose of the regulations in §§ 726.311 to 726.329 is to provide the procedure for allocating, on an acreage basis, the national marketing quota for fire-cured, dark air-cured, and Virginia sun-cured tobacco for the 1952-53 marketing year among farms and for determining normal yields. Prior to preparing the regulations in §§ 726.311 to 726.329, public notice (16 F. R. 6625) (16 F. R. 6777) was given in accordance with the Administrative Procedure Act (60 Stat. 237). The data, views, and recommendations pertaining to the regulations in §§ 726.311 to 726.329 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 726.312 *Definitions.* As used in §§ 726.311 to 726.329, and in all instructions, forms, and documents in connection therewith the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) *Committees.* (1) "Community committee" means the group of persons elected within a community as the community committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration programs within the community.

(2) "County committee" means the group of persons elected within a county as the county committee of the Production and Marketing Administration to assist in administering the Production and Marketing Administration Programs within the county.

(3) "State committee" means the group of persons designated as the State committee of the Production and Marketing Administration, charged with the responsibility of administering Production and Marketing Administration programs within the State.

(b) *Farm.* "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator for Production, Production and Marketing Administration, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that of any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(c) *New farm.* "New farm" means a farm on which tobacco will be produced in 1952 for the first time since 1946.

(d) *Old farm.* "Old farm" means a farm on which tobacco was produced in one or more of the five years 1947 through 1951.

(e) *Cropland.* "Cropland" means farm land which in 1951 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind erosion hazard to the community.

(f) *Community cropland factor.* "Community cropland factor" means that percentage determined by dividing the total cropland for all old farms in the community in 1951 into the total of the 1951 tobacco acreage allotment for such old farms: *Provided,* That (1) if it

is determined that the cropland factors for all communities in the county are substantially the same, the county committee, with the approval of the State committee, may consider the entire county as one community, and (2) if there is only one farm in the county on which tobacco is grown, the community cropland factor of the nearest community in which tobacco is grown shall be used in determining the acreage indicated by cropland.

(g) *Acreage indicated by cropland.* "Acreage indicated by cropland" means that acreage determined by multiplying the number of acres of cropland in the farm by the community cropland factor.

(h) *Operator.* "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(i) *Person.* "Person" means an individual, partnership, association, corporation, estate or trust or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(j) *Tobacco.* "Tobacco" means each one of the kinds of tobacco listed below comprising the types specified, as classified in Service and Regulatory Announcements No. 118 (7 CFR Part 30) of the Bureau of Agricultural Economics of the United States Department of Agriculture:

Fire-cured tobacco, comprising types 21, 22, 23, and 24;

Dark air-cured tobacco, comprising types 35 and 36;

Virginia sun-cured tobacco, comprising type 37.

Any tobacco that has the same characteristics and corresponding qualities, colors, and lengths as either fire-cured, dark air-cured or Virginia sun-cured tobacco shall be considered respectively, either fire-cured, dark air-cured, or Virginia sun-cured tobacco regardless of any factors of historical or geographical nature which cannot be determined by examination of the tobacco.

§ 726.313 *Extent of calculations and rules of fractions.* All acreage allotments shall be rounded to the nearest one-tenth acre. Fractions of fifty-one thousandths of an acre or more shall be rounded upward, and fractions of five-hundredths of an acre or less shall be dropped. For example, 1.051 would be 1.1 and 1.050 would be 1.0.

§ 726.314 *Instructions and forms.* The Director, Tobacco Branch, Production and Marketing Administration, shall cause to be prepared and issued such forms as are necessary, and shall cause to be prepared such instructions as are necessary, for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Assistant Administrator for Production, Production and Marketing Administration.

§ 726.315 *Applicability of §§ 726.311 to 726.329.* Sections 726.311 to 726.329 shall govern the establishment of farm acreage allotments and normal yields for tobacco in connection with farm marketing quotas for the marketing year beginning October 1, 1952. The applicability of §§ 726.311 to 726.329 to fire-cured tobacco and dark air-cured tobacco is contingent upon the proclamation of national marketing quotas for such kinds of tobacco by the Secretary and the approval thereof by growers voting in referenda pursuant to section 312 of the Agricultural Adjustment Act of 1938, as amended.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR OLD FARMS

§ 726.316 *Determination of 1952 preliminary acreage allotments for old farms*—(a) *Fire-cured and dark air-cured tobacco.* The preliminary acreage allotment for an old farm shall be the 1951 allotment with the following exceptions:

(1) If the acreage of tobacco harvested on the farm in each of the three years 1949–51 was less than 75 percent of the farm acreage allotment for each of such years, the preliminary allotment shall be the larger of (i) the largest acreage of tobacco harvested on the farm in any one of such three years, or (ii) the average acreage of tobacco harvested on the farm in the five years 1947–51: *Provided,* That any such preliminary allotment shall not exceed the 1951 allotment for such farm or be less than 0.1 acre.

(2) If the county committee determines that failure to harvest as much as 75 percent of the acreage allotted to the farm during any one of the three years 1949–51 was due to service in the armed forces on the part of labor regularly engaged in producing tobacco on the farm prior to entry into the armed forces, the preliminary allotment for the farm shall be the 1951 allotment.

(3) If no 1951 allotment was established for the farm, the preliminary allotment shall be the smaller of (i) the average acreage of tobacco harvested on the farm in the five years 1947–51, or (ii) the acreage obtained by multiplying the farm's average acreage for the five years 1947–51 by the ratio of the farm's actual yield to the 1950 county average yield: *Provided,* That such preliminary allotment shall not be less than 0.1 acre.

(4) If the acreage of tobacco harvested on the farm in 1951 exceeded the 1951 allotment by more than 10 percent, the preliminary allotment shall be the 1951 allotment plus the smaller of (i) one-fifth of the excess acreage, or (ii) the acreage obtained by multiplying one-fifth of the excess acreage by the ratio of the farm's actual yield to the 1950 county average yield.

(5) The preliminary allotments determined under subparagraph (3) or (4) of this paragraph shall not exceed the smallest of (i) the acreage indicated by cropland, or (ii) the acreage capacity of curing barns located on the farm and suitable for curing tobacco: *Provided,* That no preliminary allotment shall be reduced below the 1951 allotment because of these factors or be less than 0.1 acre.

(6) The preliminary allotment shall not exceed 80 percent of the acreage of cropland on the farm.

(b) *Virginia sun-cured tobacco.* The preliminary acreage allotment for an old farm shall be the 1951 allotment with the following exceptions:

(1) If the acreage of tobacco harvested on the farm in each of the three years 1949–51 was less than 75 percent of the farm acreage allotment for the years 1950 and 1951, the preliminary allotment shall be the larger of (i) the largest acreage of tobacco harvested on the farm in any one of such three years, or (ii) the average acreage of tobacco harvested on the farm in the five years 1947–51: *Provided,* That any such preliminary allotment shall not exceed the 1951 allotment for such farm or be less than 0.1 acre.

(2) If the county committee determines that failure to harvest during any one of the three years 1949–51 as much as 75 percent of the acreage allotted to the farm for either 1950 or 1951 was due to service in the armed forces on the part of labor regularly engaged in producing tobacco on the farm prior to entry into the armed forces, the preliminary allotment for the farm shall be the 1951 allotment.

(3) If no 1951 allotment was established for the farm, the preliminary allotment shall be the smaller of (i) the average acreage of tobacco harvested on the farm in the five years 1947–51, or (ii) the acreage obtained by multiplying the farm's average acreage for the five years 1947–51 by the ratio of the farm's actual yield to the 1950 county average yield: *Provided,* That such preliminary allotment shall not be less than 0.1 acre.

(4) If the acreage of tobacco harvested on the farm in 1951 exceeded the 1951 allotment by more than 10 percent, the preliminary allotment shall be the 1951 allotment plus the smaller of (i) one-fifth of the excess acreage, or (ii) the acreage obtained by multiplying one-fifth of the excess acreage by the ratio of the farm's actual yield to the 1950 county average yield.

(5) The preliminary allotments determined under subparagraph (3) or (4) of this paragraph shall not exceed the smallest of (i) the acreage indicated by cropland, or (ii) the acreage capacity of curing barns located on the farm and suitable for curing tobacco: *Provided,* That no preliminary allotment shall be reduced below the 1951 allotment because of these factors or be less than 0.1 acre.

(6) The preliminary allotment shall not exceed 80 percent of the acreage of cropland on the farm.

§ 726.317 *1952 old farm tobacco acreage allotment.* The preliminary allotments calculated for all old farms in the State pursuant to § 726.316 shall be adjusted uniformly so that the total of such allotments plus the acreage available for adjusting acreage allotments for old farms pursuant to § 726.318 shall not exceed the State acreage allotment.

§ 726.318 *Adjustment of acreage allotments for old farms.* Notwithstanding the limitations contained in § 726.316, except paragraphs (a) (6) and (b) (6) thereof, the farm acreage allotment for an old farm may be increased if the community and county committees find that such increase is necessary to establish an allotment for such farm which is fair and equitable in relation to the allotments for other old farms in the com-

munity, on the basis of the past acreage of tobacco, making due allowances for drought, flood, hail, other abnormal weather conditions, plant bed, and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The acreage available for increasing allotments under this section shall not exceed one half of one percent of the total acreage allotted to all tobacco farms in the State for the 1951–52 marketing year in the case of fire-cured and dark air-cured tobacco, and two percent of the total acreage allotted to all tobacco farms in the State for the 1951–52 marketing year in the case of Virginia sun-cured tobacco.

§ 726.319 *Reduction of acreage allotment for violation of the marketing quota regulations for a prior marketing year.* (a) If tobacco was marketed or was permitted to be marketed in any marketing year as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments established for both such farms for 1952 shall be reduced, as hereinafter provided, except that such reduction for any such farm shall not be made if the county committee determines that no person connected with such farm caused, aided, or acquiesced in such marketing.

(b) The operator of the farm shall furnish complete and accurate proof of the disposition of all tobacco produced on the farm at such time and in such manner as will insure payment of the penalty due at the time the tobacco is marketed and, in the event of failure for any reason to furnish such proof, the acreage allotment for the farm shall be reduced, except that if the farm operator establishes to the satisfaction of the county and State committees that failure to furnish such proof of disposition was unintentional on his part and that he could not reasonably have been expected to furnish accurate proof of disposition, reduction of the allotment will not be required if the failure to furnish proof of disposition is corrected and payment of all additional penalty is made.

(c) Any such reduction shall be made with respect to the 1952 farm acreage allotment, provided it can be made at least 30 days prior to the beginning of the normal planting season for the county in which the farm is located as determined by the State committee. If the reduction cannot be so made effective with respect to the 1952 allotment, such reduction shall be made with respect to the farm acreage allotment next established for the farm where the reduction can be made within the time specified above. This section shall not apply if the allotment for any prior year was reduced on account of the same violation.

(d) The amount of reduction in the 1952 allotment shall be that percentage which the amount of tobacco involved in the violation is of the respective farm marketing quota for the farm for the year in which the violation occurred. Where the amount of such tobacco involved in the violation equals or exceeds the amount of the farm marketing quota the amount of reduction shall be 100 percent. The amount of tobacco determined by the county committee to have been falsely identified or for which satisfactory proof of disposition has not been furnished shall be considered the amount of tobacco involved in the violation. If the actual production of tobacco on the farm is not known, the county committee shall estimate such actual production taking into consideration the condition of the tobacco crop during production, if known, and the actual yield per acre of tobacco on other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar: *Provided*, That the estimate of such actual production of tobacco on the farm shall not exceed the harvested acreage of tobacco on the farm multiplied by the average actual yield on farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar. The actual yield of tobacco on the farm as so estimated by the county committee multiplied by the farm acreage allotment shall be considered the farm marketing quota for the purposes of this section. In determining the amount of tobacco for which satisfactory proof of disposition has not been shown in case the actual production of tobacco on the farm is not known, the amount of tobacco involved in the violation shall be deemed to be the actual production of tobacco on the farm, estimated as above, less the amount of tobacco for which satisfactory proof of disposition has been shown.

(e) If the farm involved in the violation is combined with another farm prior to the reduction, the reduction shall be applied to that portion of the allotment for which a reduction is required under paragraph (a) or (b) of this section.

(f) If the farm involved in the violation has been divided prior to the reduction, the reduction shall be applied to the allotments for the divided farms as required under paragraphs (a) and (b) of this section.

§ 726.320 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any land which is removed from agricultural production for any purpose because of acquisition by any Federal, State, or other agency having a right of eminent domain, shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or purchased by owners displaced because of acquisition of their farms by such agencies. Upon application to the county committee, within five years from the date of such acquisition of the farm, any owner so displaced shall be entitled to have an allotment for any other farm owned or purchased by him, equal to an allotment which would have been determined for such other farm plus the allotment which would have been determined for the farm so acquired: *Provided*, That such allotment shall not exceed 20 percent of the acreage of cropland on the farm.

The provisions of this section shall not be applicable if (a) there is any marketing quota penalty due with respect to the marketing of tobacco from the farm or by the owner of the farm at the time of its acquisition by the Federal, State, or other agency; (b) any tobacco produced on such farm has not been accounted for as required by the Secretary; or (c) the allotment next to be established for the farm acquired by the Federal, State, or other agency would have been reduced because of false or improper identification of tobacco produced on or marketed from such farm.

§ 726.321 *Farms divided or combined.* (a) If land operated as a single farm in 1951 will be operated in 1952 as two or more farms, the 1952 tobacco acreage allotment determined or which otherwise would have been determined for the entire farm shall be apportioned among the tracts in the same proportion as the acreage of cropland available for the production of tobacco in each such tract in such year bore to the total number of acres of cropland available for the production of tobacco on the entire farm in such year, except that, upon recommendation of the county committee and with State committee approval and agreement of the interested persons in writing, the tobacco acreage allotment determined or which otherwise would have been determined for the entire farm may, if the farm to be divided for 1952 consists of two or more tracts which were separate and distinct farms before being combined within the past five years (1947–51), be apportioned among the tracts in the same proportion that each contributed to the farm acreage allotment: *Provided*, That with the recommendation of the county committee and approval of the State committee, the tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-tenth acre or 10 percent of the 1952 acreage allotment determined for the entire farm with corresponding increases or decreases made in the acreage allotment apportioned to the other tract or tracts.

(b) If two or more farms operated separately in 1951 are combined and operated in 1952 as a single farm, the 1952 allotment shall be the sum of the 1952 allotments determined for each of the farms composing the combination.

(c) If a farm is to be divided in 1952 in settling an estate, the allotment may be divided among the various tracts in accordance with paragraph (a) of this section, or on such other basis as the State committee determines will result in equitable allotments.

§ 726.322 *Determination of normal yields.* The normal yield for any old farm shall be that yield which the county committee determines is normal for the farm taking into consideration (a) the yields obtained on the farm during the five years 1946–50, (b) the soil and other physical factors affecting the production of tobacco on the farm, and (c) the yields obtained on other farms in the locality which are similar with respect to such factors.

ACREAGE ALLOTMENTS AND NORMAL YIELDS FOR NEW FARMS

§ 726.323 *Determination of acreage allotments for new farms.* The acreage allotment, other than an allotment made under § 726.320, for a new farm shall be that acreage which the county committee determines is fair and reasonable for the farm taking into consideration the past tobacco experience of the farm operator; the land, labor, and equipment available for the production of tobacco; crop-rotation practices, and the soil and other physical factors affecting the production of tobacco: *Provided,* That the acreage allotment so determined shall not exceed 75 percent of the allotments for old tobacco farms which are similar with respect to land, labor and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

Notwithstanding any other provisions of this section a tobacco acreage allotment shall not be established for any new farm unless each of the following conditions has been met:

(a) The farm operator shall have had experience in growing the kind of tobacco for which an allotment is requested either as a share cropper, tenant, or as a farm operator during two of the past five years: *Provided, however,* That a farm operator who was in the armed services during World War II shall be deemed to have met the requirements hereof if he has had experience in growing the kind of tobacco for which an allotment is requested during one year either within the five years immediately prior to his entry into the armed services or since his discharge from the armed services.

(b) The farm operator shall live on and be largely dependent for his livelihood on the farm covered by the application.

(c) The farm covered by the application shall be the only farm owned or operated by the owner or farm operator for which a fire-cured, dark air-cured or Virginia sun-cured tobacco allotment is established for the 1952–53 marketing year.

The acreage allotments established as provided in this section shall be subject to such downward adjustment as is necessary to bring such allotments in line with the total acreage available for allotment to all new farms. One-half of one percent of the 1952 national marketing quota shall, when converted to an acreage allotment by the use of the national average yield, be available for establishing allotments for new farms. The national average yield shall be the average of the several State yields used in converting the State marketing quota into State acreage allotments.

§ 726.324 *Time for filing application.* An application for a new farm allotment shall be filed with the county committee prior to February 1, 1952, unless the farm operator was discharged from the armed services subsequent to December 31, 1951, in which case such application shall be filed within a reasonable period prior to planting tobacco on the farm.

§ 726.325 *Determination of normal yields.* The normal yield for a new farm shall be that yield per acre which the county committee determines is normal for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

MISCELLANEOUS

§ 726.326 *Determination of acreage allotments and normal yields for farms returned to agricultural production.* (a) Notwithstanding the foregoing provisions of §§ 726.311 to 726.325, the acreage allotment for any farm which was acquired by any Federal, State, or other agency having the right of eminent domain for any purpose and which is returned to agricultural production in 1952 or which was returned to agricultural production in 1951 too late for the 1951 allotment to be established, shall be determined by one of the following methods:

(1) If the land is acquired by the original owner, any part of the acreage allotment which was or could have been established for such farm prior to its retirement from agricultural production which remains in the State pool (adjusted to reflect the uniform increases and decreases in comparable old farm allotments since the farm was acquired) may be established as the 1952 allotment for such farm by transfer from the pool, and if any part of the allotment for such land was transferred by the original owner through the State pool to another farm now owned by him, such owner may elect to transfer all or any part of such allotment (as adjusted) to the farm which is returned to agricultural production.

(2) If the land is acquired by a person other than the original owner, or if all of the allotment was transferred through the State pools to another farm and the original owner does not now own the farm to which the allotment was transferred, the farm returned to agricultural production shall be regarded as a new farm.

(b) The normal yield for any such farm shall be that yield per acre which the county committee determines is reasonable for the farm as compared with yields for other farms in the locality on which the soil and other physical factors affecting the production of tobacco are similar.

§ 726.327 *Approval of determinations made under §§ 726.311 to 726.326.* The State committee will review all allotments and yields and may correct or require correction of any determinations made under §§ 726.311 to 726.326. All acreage allotments and yields shall be approved by the State committee and no official notice of acreage allotment shall be mailed to a grower until such allotment has been approved by the State committee.

§ 726.328 *Application for review.* Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm, may, within fifteen days after mailing of the official notice of the farm acreage allotment and marketing quota, file application with the county committee to have such allotment reviewed by a review committee. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (7 CFR Part 711) which are available at the office of the county committee.

§ 726.329 *Transfer of farm acreage allotments.* Notwithstanding the foregoing provisions of §§ 726.311 to 726.329 except § 726.327, the owner and operator of a farm for which both a fire-cured tobacco and a dark air-cured tobacco acreage allotment, or both a fire-cured tobacco and a Virginia sun-cured tobacco acreage allotment are established under §§ 726.311 to 726.329 may voluntarily and permanently surrender in writing to the county committee not later than March 31, 1952, either of such farm acreage allotments. The acreage surrendered for each kind of tobacco shall, upon request in writing to the county committee not later than March 31, 1952, and in the order requested, be used by the county committee for equivalent increases in the acreage allotments for other farms producing such kind of tobacco which surrendered acreage to the county committee under this section. Such increase in the acreage allotment for any farm shall not exceed the acreage surrendered from such farm to the county committee. Acreage surrendered under this section shall, to the extent that it is not transferred hereunder, be returned to the farms from which it was surrendered.

Done at Washington, D. C., this 8th day of August 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51–9555; Filed, Aug. 10, 1951; 8:52 a. m.]

[1026 (Peanuts–51)–1 Amdt. 1]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1951 CROP OF PEANUTS

Basis and purpose. Section 359 (a) of the Agricultural Adjustment Act of 1938, as amended, provides that the marketing of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal to 50 per centum of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1–July 31. When the Marketing Quota Regulations for the 1951 Crop of Peanuts were issued by the Secretary of Agriculture on June 12, 1951, the basic loan rate per pound of peanuts was not available and the exact rate of penalty could not be included in such regulations. Such

basic loan rate is now available and the purpose of the amendment contained herein is to establish and include in the regulations the exact rate of the penalty per pound of peanuts for the 1951 crop.

Peanuts are presently being harvested in the southwesterly areas of the United States and it is necessary that the amendment set forth herein be made effective at the earliest possible date in order that the exact rate of penalty may be made known to producers who desire to market peanuts, and to buyers who are charged in the regulations with the duty of collecting the penalty on peanuts marketed subject to the penalty. Accordingly, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of section 4 of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and contrary to the public interest, and the amendment contained herein shall be effective upon filing of this document with the Director, Division of the Federal Register.

Section 729.255 of the Marketing Quota Regulations for the 1951 Crop of Peanuts (16 F. R. 5672), is hereby changed to read as follows:

§ 729.255 *Rate of penalty.* The penalty per pound upon marketings of excess peanuts subject to penalty shall be 5.8 cents per pound.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. and Sup. 1375. Interprets or applies sec. 359, 55 Stat. 90, as amended; 7 U. S. C. and Sup. 1359)

Done at Washington, D. C., this 8th day of August 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-9553; Filed, Aug. 10, 1951; 8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 394, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (ii) of § 953.501 (Lemon Regulation 394, 16 F. R. 7689) are hereby amended to read as follows:

(ii) District 2: 500 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 9th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9603; Filed, Aug. 10, 1951; 9:23 a. m.]

[Lemon Reg. 395]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.502 *Lemon Regulation 395*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 8, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 12, 1951, and ending at 12:01 a. m., P. s. t., August 19, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 400 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 9th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. August 12, 1951, to 12:01 a. m. August 26, 1951]

District No. 2

Handler	*Prorate base (percent)*
Total	100.000
American Fruit Growers, Inc., Corona	.257
American Fruit Growers, Inc., Fullerton	.820
American Fruit Growers, Inc., Upland	.227
Eadington Fruit Co	.473
Hazeltine Packing Co	.315
Ventura Coastal Lemon Co	1.531

PRORATE BASE SCHEDULE—Continued

District No. 2—Continued

Handler	Prorate base (percent)
Ventura Pacific Co	2.130
Glendora Lemon Growers Association	1.823
La Verne Lemon Association	.799
La Habra Citrus Association	1.961
Yorba Linda Citrus Association, The	1.059
Escondido Lemon Association	2.765
Alta Loma Heights Citrus Association	.545
Etiwanda Citrus Fruit Association	.379
Mountain View Fruit Association	.337
Old Baldy Citrus Association	.830
San Dimas Lemon Association	1.632
Upland Lemon Growers Association	5.310
Central Lemon Association	1.195
Irvine Citrus Association, The	1.162
Placentia Mutual Orange Association	.799
Corona Citrus Association	.336
Corona Foothill Lemon Co	1.802
Jameson Co	.846
Arlington Heights Citrus Co	.731
College Heights Orange and Lemon Association	2.971
Chula Vista Citrus Association, The	1.069
El Cajon Valley Citrus Association	.048
Escondido Cooperative Citrus Association	.211
Fallbrook Citrus Association	1.733
Lemon Grove Citrus Association	.427
Carpinteria Lemon Association	2.231
Carpinteria Mutual Citrus Association	2.887
Goleta Lemon Association	4.748
Johnston Fruit Co	5.722
North Whittier Heights Citrus Association	.839
San Fernando Lemon Association	.696
Sierre Madre-Lamanda Citrus Association	.890
Briggs Lemon Association	2.646
Culbertson Lemon Association	2.056
Fillmore Lemon Association	1.355
Oxnard Citrus Association	5.423
Rancho Sespe	1.120
Santa Clara Lemon Association	3.419
Santa Paula Citrus Fruit Association	3.831
Saticoy Lemon Association	3.159
Seaboard Lemon Association	3.914
Somis Lemon Association	2.955
Ventura Citrus Association	1.054
Ventura County Citrus Association	.024
Limoneira Co	2.612
Teague-McKevett Association	.924
East Whittier Citrus Association	.750
Leffingwell Rancho Lemon Association	.974
Murphy Ranch Co	2.030
Chula Vista Mutual Lemon Association	.652
Index Mutual Association	.595
La Verne Cooperative Citrus Association	2.150
Orange Belt Fruit Distributors	.873
Ventura County Orange and Lemon Association	2.500
Whittier Mutual Orange and Lemon Association	.114
Cappos Bros. Produce	.002
Evans Bros. Packing Co	.001
Latimer, Harold	.024
MacDonald Fruit Co	.002
Mazomenos, William	.000
Paramount Citrus Association, Inc	.223
San Antonio Orchard Co	.000
Uyeji, Kikuo	.002

[F. R. Doc. 51-9602; Filed, Aug. 10, 1951; 9:22 a. m.]

[Orange Reg. 383, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

Findings. (1) Pursuant to the provisions of Order No. 66 (7 CFR Part 966) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

(b) *Order, as amended.* The provisions in paragraph (b) (1) (i) (*b*) of § 966.529 (Orange Regulation 383, 16 F. R. 7639) are hereby amended to read as follows:

(i) *Valencia oranges* * * *

(*b*) Prorate District No. 2; 1,250 carloads;

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9636; Filed, Aug. 10, 1951; 11:35 a. m.]

[Orange Reg. 384]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.530 *Orange Regulation 384*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on August 9, 1951; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order,* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., August 12, 1951, and ending at 12:01 a. m., P. s. t., August 19, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1,150 carloads;

(c) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: Unlimited movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: No movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 10th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. d. s. t., Aug. 12, 1951, to 12:01 a. m., P. d. s. t., Aug. 19, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0729
A. F. G. Corona	.0278
A. F. G. Fullerton	1.0835
A. F. G. Orange	.3651
A. F. G. Riverside	.1245
A. F. G. San Juan Capistrano	.5694
A. F. G. Santa Paula	.2910
Eadington Fruit Co., Inc	5.0970
Hazeltine Packing Co	.3143
Krinard Packing Co	.1497
Placentia Cooperative Orange Association	.6621
Placentia Pioneer Valencia Growers Association	.6617
Signal Fruit Association	.0957
Azusa Citrus Association	.4869
Covina Citrus Association	1.2285
Covina Orange Growers Association	.5272
Damerel-Allison Association	.6900
Glendora Citrus Association	.4128
Glendora Mutual Orange Association	.3378
Valencia Heights Orchard Association	.4828
Gold Buckle Association	.4337
La Verne Orange Association	.6360
Anaheim Valencia Orange Association	1.3462
Fullerton Mutual Orange Association	2.8006
La Habra Citrus Association	1.4383
Yorba Linda Citrus Association, The	1.1361
Escondido Orange Association	2.2347
Alta Loma Heights Citrus Association	.0574
Citrus Fruit Growers	.1365
Etiwanda Citrus Fruit Association	0.0306
Old Baldy Citrus Association	.0891
Rialto Heights Orange Growers	.0538
Upland Citrus Association	.3679
Upland Heights Orange Association	.1244
Consolidated Orange Growers	1.8343
Frances Citrus Association	1.3367
Garden Grove Citrus Association	2.2729
Goldenwest Citrus Association	1.9028
Irvine Valencia Growers	3.6112
Olive Heights Citrus Association	2.4461
Santa Ana-Tustin Mutual Citrus Association	1.0159
Santiago Orange Growers Association	4.4172
Tustin Hills Citrus Association	1.9243
Villa Park Orchards Association	2.3220
Bradford Brothers, Inc	.8762
Placentia Mutual Orange Association	3.6873
Placentia Orange Growers Association	3.5784
Yorba Orange Growers Association	.8939
Call Ranch	.0536
Corona Citrus Association	.4091
Jameson Co	.1251
Orange Heights Orange Association	.5636
Crafton Orange Growers Association	.2530
East Highlands Citrus Association	.0577
Redlands Heights Groves	.1886
Redlands Orangedale Association	.1572
Rialto-Fontana Citrus Association	.0992
Break & Son, Allen	.0440
Bryn Mawr Fruit Growers Association	.1006
Mission Citrus Association	.1407
Redlands Cooperative Fruit Association	.2493
Redlands Orange Growers Association	.1426
Redlands Select Groves	.2136
Rialto Orange Co	.1904
Southern Citrus Association	.1135
United Citrus Growers	.2128
Zilen Citrus Co	.0189
Arlington Heights Citrus Co	.1156
Brown Estate, L. V. W	.1002
Gavilan Citrus Association	.0708
Highgrove Fruit Association	.0265
McDermont Fruit Co	.0905
Monte Vista Citrus Association	.2111
National Orange Co	.0191
Riverside Citrus Association	.0074
Riverside Heights Orange Growers Association, The	.0312
Sierra Vista Packing Association	.0167
Victoria Avenue Citrus Association	.1731
Claremont Citrus Association	.1102
College Heights Orange & Lemon Association	.2744
Indian Hill Citrus Association	.2136
Pomona Fruit Growers Exchange	.3059
Walnut Fruit Growers Association	.5300
West Ontario Citrus Association	.1764
El Cajon Valley Citrus Association	.1935
Escondido Cooperative Citrus Association	.2784
San Dimas Orange Growers Association	.2662
Conago Citrus Association	.6898
North Whittier Heights Citrus Association	.8764
San Fernando Heights Orange Association	.5459
Sierra Madre-Lamanda Citrus Association	.3191
Camarillo Citrus Association	1.3118
Fillmore Citrus Association	2.9446
Mupu Citrus Association	1.8516
Ojai Orange Association	.4479
Piru Citrus Association	2.0389
Rancho Sespe	.7487
Santa Paula Orange Association	1.0113
Tapo Citrus Association	0.5616
Ventura County Citrus Association	.3998
Limoneira Co	.5419
East Whittier Citrus Association	.3466
Murphy Ranch Co	.7739
Anaheim Cooperative Orange Association	2.0967
Bryn Mawr Mutual Orange Association	.1332
Chula Vista Mutual Lemon Association	.0844
Euclid Avenue Orange Association	.4612
Foothill Citrus Union, Inc	.1183
Fullerton Cooperative Orange Association	.3996
Garden Grove Orange Cooperative, Inc	1.2805
Golden Orange Groves, Inc	.1737
Highland Mutual Groves, Inc	.0087
Index Mutual Association	.5501
La Verne Cooperative Citrus Association	1.6513
Olive Hillside Groves, Inc	.5961
Orange Cooperative Citrus Association	1.7621
Redlands Foothill Groves	.3945
Redlands Mutual Orange Association	.1433
Ventura County Orange & Lemon Association	1.1705
Whittier Mutual Orange & Lemon Association	.1480
Babijuice Corp. of California	.8368
Banks, L. M	.8153
Becker, Samuel Eugene	.0091
Bennett Fruit Co	.0863
Borden Fruit Co	.5535
Cappos Bros. Produce	.0071
Cherokee Citrus Co., Inc	.1045
Chess Co., Meyer W	.3975
Dozier, Paul M	.0122
Dunning Ranch	.0066
Evans Bros. Packing Co	.7717
Gold Banner Association	.1682
Granada Hill Packing Co	.0318
Granada Packing House	.7817
Hill Packing Co., Fred A	.0605
Knapp Packing Co., John C	.5558
L Bar S Ranch	.1026
Lawson, William J	.0066
Lima & Sons, Joe	.1233
Orange Belt Fruit Distributors	1.3198
Orange Hill Groves	.0088
Otte, Arnold	.0380
Panno Fruit Co., Carlo	.6734
Paramount Citrus Association	.7793
Patitucci, Frank L	.0088
Placentia Orchard Co	.5632
Prescott, John A	.0185
Redlands Fruit Association, Inc	.0143
Ronald, P. W	.0203
San Antonio Orchard Co	.2738
Stephens, T. F	.2399
Summit Citrus Packers	.0166
Treesweet Products Co	.2357
Wall, E. T., Grower-Shipper	.0850
Western Fruit Growers, Inc	.4570

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

[F. R. Doc. 51-9635; Filed, Aug. 10, 1951; 11:34 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5648]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL TEA CO. ET AL.

Subpart — *Discriminating in price under section 2, Clayton Act, as amended;*

Knowingly inducing or receiving discriminating price under 2 (f): § 3.850 *Inducing and receiving discriminations.* In or in connection with the purchase of food products or other items of merchandise in commerce, knowingly inducing or receiving from any manufacturer or seller, by or through means of any coupon or other similar device, any discount, rebate, or other allowance higher than, or any price lower than, that allowed by such manufacturer or seller to competitors of the respondent, when such coupon or other device results in a discrimination in favor of the respondent; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S .C. 13) [Modified cease and desist order, National Tea Co. et al., Docket 5648, May 8, 1951]

In the Matter of National Tea Company, a Corporation, and National Tea Company-Standard Grocery Division, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of the respondent, National Tea Company, in which answer said respondent admitted all of the material allegations of fact set forth in the complaint and waived all intervening procedure and further hearing as to said facts; and the Commission, having made its findings as to the facts and its conclusion that the respondent had violated subsection (f) of section 2 of an act of Congress entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by the Robinson-Patman Act, approved June 19, 1936 (15 U. S. C., sec. 13), on May 15, 1950, issued, and on May 22, 1950, served upon said respondent, its order to cease and desist. Thereafter, this matter came on for hearing before the Commission upon a petition, filed on behalf of the respondent, requesting certain modifications in the aforesaid order to cease and desist, and the answer to such petition, filed by counsel in support of the complaint, and the Commission, having entered its order granting the respondent's petition, now issues this its modified order to cease and desist.

It is ordered, That the respondent, National Tea Company, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in or in connection with the purchase of food products or other items of merchandise in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Knowingly inducing or receiving from any manufacturer or seller, by or through means of any coupon or other similar device, any discount, rebate, or other allowance higher than, or price lower than, that allowed by such manufacturer or seller to competitors of the respondent, when such coupon or other similar device results in a discrimination in favor of the respondent.

It is further ordered, For reasons appearing in the Commission's findings as to the facts in this proceeding, that the complaint herein be, and it hereby is, dismissed as to National Tea Company-Standard Grocery Division.

It is further ordered, That the respondent, National Tea Company, shall, within sixty (60) days after service upon it of a copy of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: May 8, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-9479; Filed, Aug. 10, 1951; 9:23 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—RULES AND REGULATIONS UNDER SECURITIES EXCHANGE ACT OF 1934

CORRECTION

In the reprint of the rules and regulations under the Securities Exchange Act of 1934, certified on December 15, 1948, and printed at 13 F. R. 8177 et seq., the headnote of § 240.10b-5 should be corrected to read *"Employment of manipulative and deceptive devices."*

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 6, 1951.

[F. R. Doc. 51-9471; Filed, Aug. 10, 1951; 8:47 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II — Federal Housing Administration, Housing and Home Finance Agency

Subchapter B—Property Improvement Loans

PART 203—TITLE I MORTGAGE INSURANCE; ELIGIBILITY REQUIREMENTS

INCREASED MORTGAGE AMOUNT AND TERM ON ACCOUNT OF MAJOR DISASTERS

Part 203 is hereby amended by adding the following new § 203.20c:

§ 203.20c *Increased mortgage amount and term on account of major disasters.* In any case where the mortgagor is the owner and occupant of a property upon which there is located a dwelling designed principally for a single-family residence, the construction or reconstruction of which was begun after April 20, 1950, and which was approved for mortgage insurance prior to beginning of construction or reconstruction, and the mortgagor establishes (to the satisfaction of the Commissioner) that his home, which he occupied as an owner or as a tenant, was destroyed or damaged to such an extent that reconstruction is required as a result of a flood, fire, earthquake, storm, or other catastrophe which the President, pursuant to section 2 (a) of Pub. Law 875, approved September 30, 1950, has determined to be a major disaster, and the application for insurance is filed within one year from the date of such determination, the mortgage may, notwithstanding any other provision of this part, involve a principal amount not to exceed $7,000, except that the Commissioner may increase this amount to not to exceed $8,000 in any geographical area where he finds that cost levels so require, and not to exceed 100 percent of the appraised value of the property, and may be for a term not in excess of 30 years.

(Sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. 1703. Interprets or applies sec. 102, Pub. Law 475, 81st Cong.)

Issued at Washington, D. C., August 7, 1951.

[SEAL] FRANKLIN D. RICHARDS, *Federal Housing Commissioner.*

[F. R. Doc. 51-9319; Filed, Aug. 10, 1951; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[Regulations 129]

PART 24—CONSOLIDATED INCOME AND EXCESS PROFITS TAX RETURNS

Correction

In Federal Register Document 51-7499, published at page 6276 of the issue for Friday, June 29, 1951, and corrected at 16 F. R. 7820, the following change should be made. In § 24.31 (b), subparagraph (5) (middle column, page 6294) should read as follows:

(5) *Limitation on absorption of net operating loss carry-overs.* In the computation of the consolidated net operating loss deduction for the taxable year, if there is involved a net operating loss sustained in a prior year by a corporation filing a separate return for such prior year, or joining in a consolidated return for such prior year filed by another affiliated group, together with a consolidated net operating loss, or, if there are involved net operating losses of two or more members of the group so separately sustained, no portion of the consolidated net income for a consolidated return period of the group intervening between the year of the loss and the taxable year shall be taken into account more than once in giving effect to the provisions of paragraph (a) (3) (ii) of this section, relating to the computation of the consolidated net operating loss carry-overs originating in separate return years.

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 577—MEDICAL AND DENTAL ATTENDANCE

MEDICAL CARE

Rescind §§ 577.1, 577.2 and 577.6-577.9, inclusive, and substitute the following §§ 577.1, 577.2 and 577.5 in lieu thereof.

§ 577.1 *Medical care; definition.* The term "medical care" embraces the medical examination and/or treatment of individuals by medical personnel of the Army, Navy, Air Force, other Federal agencies outside the Department of Defense, or by civilian physicians and civilian facilities. Such care may include the furnishing of hospitalization, nursing and ambulance service, physical examinations, immunizations, prophylactic treatments, medicines, biologicals, and other similar medical services. Prostheses, hearing aids, spectacles, orthopedic footwear, and similar adjuncts to medical care will be furnished only where such adjuncts are authorized by Department of the Army regulations.

§ 577.2 *For whom authorized and manner provided*—(a) *Persons entitled to medical care.* The following personnel are entitled to and will be provided medical care as defined in § 577.1 at the expense of Army Medical Service funds:

(1) Officers, warrant officers, and enlisted personnel of the Regular Army and cadets of the United States Military Academy.

(2) Officers, warrant officers, and enlisted personnel of the Organized Reserve Corps; the federally recognized National Guard of the several States, Territories, and the District of Columbia; the National Guard of the United States; and the Army without specification as to component when ordered into active Federal service or when ordered to active or inactive duty training (in this connection see section 5, act of April 3, 1939 (53 Stat. 557, as amended; 10 U. S. C. 456)).

(3) Members of the Reserve Officers' Training Corps en route to or from or during their attendance at camps of instruction under section 47a, National Defense Act (41 Stat. 778; 10 U. S. C. 441).

(4) Applicants for enlistment or reenlistment and inductees under Selective Service Act of 1948 (62 Stat. 604; 50 U. S. C. App. 451, et seq.) (limited to necessary physical and mental examination except as provided in subparagraph (5) of this paragraph).

(5) Applicants for entry into the Army or inductees while undergoing observation.

(6) Prisoners.

(7) Prisoners of war, persons interned by the Army, and other persons in military custody or confinement.

(8) Civilian seamen in the service of vessels operated by the Department of the Army.

(9) Civilian employees of the Army will be afforded "on-the-job" medical and surgical service through the Army Federal Civilian Employees' Health Service Program.

(b) *Priority of medical treatment facilities.* Medical care for persons enumerated in paragraph (a) of this section will be through the following means in order of the priority of the listings:

(1) Army medical treatment facilities.

(2) Medical treatment facilities of the Air Force or Navy where Army medical treatment facilities are not readily available or accessible.

(3) Medical treatment facilities of Federal agencies outside the Department of Defense where facilities in subparagraphs (1) and (2) of this paragraph are not readily available or accessible. (See § 577.4)

(4) Civilian medical treatment facilities including civilian physicians where facilities listed in subparagraphs (1), (2), and (3) of this paragraph are not available. (See § 577.3)

(c) *Additional persons who may be afforded medical care.* Persons in addition to those enumerated in paragraph (a) of this section may be afforded medical care in Army medical treatment facilities under terms and conditions as prescribed in §§ 577.15 and 577.18. Army Medical Service funds are not properly chargeable for any treatment rendered to such persons in other than Army medical treatment facilities.

§ 577.5 *Private medical practice of civilian physicians within a military installation.* (a) Installation commanders may authorize licensed civilian physicians (as distinguished from appointed civilian professional consultants and other physicians employed by the Army) to practice at the installation in order to make available to nonmilitary personnel (dependents, employees, etc.), at their own expense, medical service in such fields as pediatrics, obstetrics, geriatrics, etc. Such authorization will be governed by the following:

(1) The commanding officer will maintain a register of all such authorizations, to include name and address of physician, specialty, facts of state licensure, agreement to conform to established ethics of the civilian medical profession, and agreement to ascertain and observe current rules and regulations governing the health of the command. Until such agreements have been attested to, the physician will not be permitted to practice regularly within the installation.

(2) When a civilian physician, practicing within a military installation discovers a case of disease which is or may be communicable, he will promptly report the facts to the surgeon who will advise the commanding officer and will recommend proper measures for the protection of the command and other persons.

(3) Each civilian physician registered to practice within a military installation will be furnished with a copy of these regulations and also with a copy of any other rules and regulations in force relative to the protection of the command against communicable disease.

(4) Violation of the rules and regulations mentioned in subparagraph (3) of this paragraph by a civilian resident or a civilian physician will render him liable to exclusion from the installation, and violation by any member of the Armed Forces to appropriate disciplinary action.

(b) Medical services furnished by a civilian physician under authority of paragraph (a) of this section will be without cost to the Government. However, when considered as contributing to the accomplishment of the mission of the commander, space and facilities of an installation may be made temporarily available to such registered physician providing they are not used in competition with similar civilian medical facilities under §§ 552.12 and 552.15a (c) (3) of this chapter.

(c) In emergency, when such authorized civilian physician treats a member of the Army of the command:

(1) The patient or person acting in his behalf will promptly report the diagnosis and attending circumstances to his commanding officer, who will transmit the information to the surgeon of the command in order to:

(i) Complete the medical records and reports required by current directives.

(ii) Provide knowledge of communicable disease and possible epidemics.

(iii) Carry out the scheme of health conservation prescribed in AR 605–110 (Maintenance of, and Tests for, Physical Fitness).

(iv) Record such information as may be useful for promotion and physical evaluation boards and courts of inquiry.

The patient will not be relieved of the consequence of failure to make such reports unless same would tend to incriminate him.

(2) The surgeon will ascertain from the civilian physician, or by personal examination of the patient if deemed necessary, the nature of the disease and whether it is communicable or is a source of danger to others. Should he consider the disease communicable or a source of danger to others, he will notify the commanding officer and will exercise such supervision over the case as is necessary to prevent its spread.

(3) Reimbursement will be effected in accordance with SR 40–505–11 (Civilian Medical Care For Army Personnel).

[AR 40–505, July 12, 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51–9478; Filed, Aug. 10, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amendment 2 to Supplementary Regulation 6]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 6—CEILING PRICES FOR MANUFACTURERS FOR THE SALE OF PAINTS, VARNISHES, AND LACQUERS.

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 6 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The mandatory effective date of this supplementary regulation was last set at August 13, 1951. The Office of Price

Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, the Office of Price Stabilization is extending for an indefinite period the mandatory effective date of Ceiling Price Regulation 22 and Ceiling Price Regulation 30, the companion manufacturer's regulation, together with supplementary regulations thereto. Appropriate advance notice will be given of the date on which these regulations will be required to be put into effect.

In addition, a manufacturer still under the General Ceiling Price Regulation is permitted to elect to make either of these regulations effective as to him at any time prior to whatever mandatory effective date may later be prescribed. In the event a manufacturer so elects, the regulation becomes effective as to him, on the date he selects, for all of his commodities covered by the regulation, regardless of whether application of the regulation results in all rollforwards, all rollbacks, or a combination of both. Likewise, if a manufacturer has already exercised his option to make one of these regulations effective as to him it continues to remain in effect. Thus, if he sold some of his products at increased prices permitted by the regulation, he cannot drop any rollbacks which may be required on other products. Any waiting periods and filing requirements prescribed in either of these regulations before new ceilings can be put into effect, must, of course, be met.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Supplementary Regulation 6 to Ceiling Price Regulation 22 is amended by amending the last paragraph thereof to read as follows:

Effective date. The mandatory effective date of this supplementary regulation is postponed until further action by the Director of Price Stabilization. You may, however, elect to make this supplementary regulation effective as to you as of any date between June 21, 1951, and the date of such further action by the Director. If you select such an earlier effective date, this supplementary regulation becomes effective as to you upon that date for all of your commodities covered by this supplementary regulation.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment shall become effective August 13, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9609; Filed, Aug. 9, 1951; 5:08 p. m.]

[Ceiling Price Regulation 22, Amendment 2 to Supplementary Regulation 8]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 8—METHOD FOR DETERMINING CEILING PRICES FOR CERTAIN RUBBER PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to Supplementary Regulation 8 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is being issued to conform the effective date provision of SR 8 to the indefinite postponement of the mandatory effective date of CPR 22. It is therefore provided that this Supplementary Regulation becomes effective on the mandatory effective date of CPR 22 or on such earlier date as a manufacturer has elected to make CPR 22 effective as to him. Thus, if a manufacturer has previously elected to make CPR 22 effective as to him, both CPR 22 and SR 8 will be in effect insofar as he is concerned. If a manufacturer in the future selects an effective date for CPR 22 prior to the mandatory effective date, then SR 8 will become effective as to him on the same earlier date.

AMENDATORY PROVISIONS

The effective date provision of SR 8 to CPR 22 is amended to read as follows:

Effective date. This Supplementary Regulation and Amendment one thereto become effective on the mandatory effective date of CPR 22 or on such earlier date as you have elected to make CPR 22 effective as to you.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment shall become effective August 13, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9605; Filed, Aug. 9, 1951; 5:07 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 9, Amendment 2]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 9—RETURNABLE CONTAINER COST ADJUSTMENTS

REMOVAL OF TIME LIMITATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Supplementary Regulation 9 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment allows additional time for the calculation of returnable container cost adjustments by removing the time limitation for adding such adjustments. This action is necessary because of the indefinite postponement of the mandatory effective date of Ceiling Price Regulation 22.

AMENDATORY PROVISIONS

Paragraph (d) of section 2 of Supplementary Regulation 9 to Ceiling Price Regulation 22 is amended by deleting therefrom the third sentence which reads as follows: "You may not, however, use this section to add a returnable cost adjustment to your ceiling prices after September 4, 1951."

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment shall become effective August 13, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9610; Filed, Aug. 9, 1951; 5.08 p. m.]

[Ceiling Price Regulation 22, Amendment 1 to Supplementary Regulation 14]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 14—PRICING METHOD FOR CUSTOM MOLDED AND CUSTOM FABRICATED PLASTIC PRODUCTS

EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 1 to Supplementary Regulation 14 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Pending issuance of an appropriate regulation implementing section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950, the mandatory effective date of CPR 22 is being indefinitely extended. To conform with this action and for the reasons stated in the Statement of Considerations accompanying the contemporaneous amendment to CPR 22 the effective date of this supplementary regulation is similarly extended.

AMENDATORY PROVISION

1. The last paragraph of Supplementary Regulation 14 to Ceiling Price Regulation 22 is amended to read as follows:

Effective date. The mandatory effective date of this supplementary regulation is postponed until further action by the Director of Price Stabilization. You may, however, elect to make this supplementary regulation effective as to you as of any date between August 25, 1951 and the date of such further action by the Director. If you select such an earlier effective date, this regulation becomes effective as to you upon that date for all of your commodities covered by this supplementary regulation.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law. 96, 82d Cong.)

Effective date. This amendment to Supplementary Regulation 14 to Ceiling Price Regulation 22 shall become effective August 13, 1951.

HAROLD LEVENTHAL
Acting Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9607; Filed, Aug. 9, 1951; 5:08 p. m.]

[Ceiling Price Regulation 22, Amendment 21]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

The mandatory effective date of CPR 22 was last set at August 13, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, OPS is extending for an indefinite period the mandatory effective date of CPR 22 and the companion manufacturers' regulation, CPR 30, together with supplementary regulations thereto. Appropriate advance notice will be given of the date on which these regulations will be required to be put into effect.

In addition, a manufacturer still under the General Ceiling Price Regulation is permitted to elect to make either of these regulations effective as to him at any time prior to whatever mandatory effective date may later be prescribed. In the event a manufacturer so elects, the regulation becomes effective as to him, on the date he selects, for all of his commodities covered by the regulation, regardless of whether application of the regulation results in all rollforwards, all rollbacks, or a combination of both. Likewise, if a manufacturer has already exercised his option to make one of these regulations effective as to him it continues to remain in effect. Thus if he sold some of his products at increased prices permitted by the regulation he cannot drop any rollbacks which may be required on other products. Any waiting periods and filing requirements prescribed in either of these regulations before new ceilings can be put into effect must, of course, be met.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 22, as amended, is further amended in the following respects:

1. The last paragraph of the regulation is amended to read as follows:

Effective date. The mandatory effective date of this regulation is postponed until further action by the Director of Price Stabilization. You may, however, elect to make this regulation effective as to you as of any date between May 28, 1951 and the date of such further action by the Director. If you select such an earlier effective date, this regulation becomes effective as to you upon that date for all of your commodities covered by this regulation.

2. The subparagraph following the words "Who Must File" in Appendix D is amended so as to read as follows:

Every manufacturer subject to CPR 22 must file this report by the mandatory effective date of the regulation, or such earlier effective date on or after May 28, 1951 as he may select, as required by sections 46 and 48 of the regulation.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment shall become effective August 13, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9608; Filed, Aug. 9, 1951; 5:08 p. m.]

[Ceiling Price Regulation 30, Amendment 7]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

EXTENSION OF EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

The mandatory effective date of Ceiling Price Regulation 30 was last set at August 13, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, the Office of Price Stabilization is extending for an indefinite period the mandatory effective date of Ceiling Price Regulation 22 and this companion manufacturer's regulation, together with supplementary regulations thereto. Appropriate advance notice will be given of the date on which these regulations will be required to be put into effect.

In addition, a manufacturer still under the General Ceiling Price Regulation is permitted to elect to make either of these regulations effective as to him at any time prior to whatever mandatory effective date may later be prescribed. In the event a manufacturer so elects, the regulation becomes effective as to him, on the date he selects, for all of his commodities covered by the regulation, regardless of whether application of the regulation results in all rollforwards, all rollbacks, or a combination of both. Likewise, if a manufacturer has already exercised his option to make one of these regulations effective as to him it continues to remain in effect. Thus, if he sold some of his products at increased prices permitted by the regulation he cannot drop any rollbacks which may be required on other products. Any waiting periods and filing requirements prescribed in either of these regulations before new ceilings can be put into effect, must, of course, be met.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 30 is amended by amending the last paragraph thereof to read as follows:

Effective date. The mandatory effective date of this regulaton is postponed until further action by the Director of Price Stabilization. You may, however, elect to make this regulation effective as to you as of any date between May 28, 1951, and the date of such further action by the Director. If you select such an earlier effective date, this regulation becomes effective as to you upon that date for all of your commodities and services covered by this regulation.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment shall become effective August 13, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9606; Filed, Aug. 9, 1951; 5:08 p. m.]

[Ceiling Price Regulation 65, Corr.]

CPR 65—CEILING PRICES FOR CANNED SALMON

Correction

Clerical errors in listing prices of three items in section 4 (a) of Ceiling Price Regulation 65 (Ceiling Prices for Canned Salmon), as published at 16 F. R. 7668, are hereby corrected to read as follows:

Copper River Sockeye, ½ lb. Flat	$20.00
Puget Sound Sockeye, ½ lb. Flat	$21.00
C. R. Chinook Fancy, ½ lb. Flat	$22.00

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-79]

M-79—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES FOR EXPORT

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade

association representatives, and consideration has been given to their recommendations. However, because the order affects many exporters in a wide variety of industries, it has been impracticable to consult with representatives of all affected trades and industries.

Sec.
1. What this order does.
2. Items subject to this order.
3. Items excluded from this order.
4. Manufacturers' MRO export quotas.
5. Manufacturers' reports to OIT.
6. Availability of MRO for export.
7. Priorities assistance for nonmanufacturing exporters.
8. Manufacturers' quota not to be exceeded.
9. Rating of MRO export orders by manufacturers.
10. Limitations on use of rating.
11. Status of orders rated DO-97.
12. Exports requiring validated licenses.
13. Relation to other NPA orders and regulations.
14. Records and reports.
15. Applications for adjustment or exception.
16. Communications.
17. Violations.

AUTHORITY: Sections 1 to 17 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order sets up a procedure to meet essential foreign requirements for maintenance, repair, and operating supplies of specified types and in limited quantities. It provides quarterly MRO export quotas for manufacturers and explains how they and other exporters may draw on these quotas. It also makes provision whereby manufacturers may apply the DO-MRO rating to export orders and whereby nonmanufacturing exporters may secure the right to apply such rating to export orders.

SEC. 2. *Items subject to this order.* The only items to which this order applies, and the only items included in "MRO" as that term is used in this order, are the following:

(a) Replacement parts for machinery or equipment which is employed in other than personal or household uses; and

(b) The items listed below which are to be employed in other than personal or household uses:

Hand tools (including hand-operated appliances such as grease guns, jacks, pumps, et cetera).
Dies, jigs, tools, and fixtures for use with machine tools.
Electrodes and anodes.
Welding rods.
Rope, chain, and cable.
Abrasives.
Industrial belting.
Industrial hose.
Specialized industrial gloves.
Sizing.
Laboratory supplies, instruments, and equipment.

SEC. 3. *Items excluded from this order.* The following items are specifically excluded from the operation of this order:

(a) Materials included in List A of NPA Reg. 2, as such list may be amended or supplemented from time to time;

(b) Materials included in Schedule I of CMP Regulation No. 5, as such schedule may be amended or supplemented from time to time;

(c) Controlled materials as defined in section 2 (c) of CMP Regulation No. 1, as such regulation may be amended or supplemented from time to time;

(d) Farm equipment, including, but not limited to, the items included in Schedule I of NPA Order M-55A as issued May 11, 1951;

(e) Parts and accessories for aircraft or for ground equipment for servicing aircraft, and any component of either; and

(f) Repair and replacement parts for construction machinery included in List A of NPA Order M-43, as such list may be amended or supplemented from time to time.

SEC. 4. *Manufacturers' MRO export quotas.* Every manufacturer who, in the calendar year 1950 or in his fiscal year described in paragraph (b) of this section, delivered for export (i. e., exported directly or through others or delivered to others for export), to any country other than Canada and those countries in Subgroup A, as defined in the export control regulations issued by the Office of International Trade, a quantity of those items of his own manufacture which are subject to this order and had an aggregate export sales value in excess of $10,000, is hereby assigned, and is hereby directed to compute and establish (subject to revision in accordance with section 5 of this order), a quarterly MRO export quota as follows:

(a) Unless he otherwise elects, in accordance with the subsequent paragraphs of this section, each such manufacturer's standard quarterly MRO export quota is 30 percent of the aggregate export sales value of all such MRO items delivered by him for export in the calendar year 1950.

(b) Any manufacturer who operated on a fiscal year basis prior to March 1, 1951, may elect to compute his quarterly MRO export quota on the basis of his last fiscal year ending prior to that date instead of on a calendar year basis.

(c) Any manufacturer may elect to figure his quota on a seasonal basis. If he so elects, his quarterly MRO export quota for any quarter is 120 percent of the aggregate export sales value of all MRO items which he delivered for export in the corresponding quarter of the year 1950 (or of his fiscal year).

(d) A manufacturer may elect to figure export sales value on either an f. a. s. or on a c. i. f. basis, but he must figure all items on the same basis.

(e) A manufacturer who makes an election under paragraph (b), (c), or (d) of this section may not thereafter change his election without prior written approval of the Office of International Trade.

SEC. 5. *Manufacturers' reports to OIT.* On or before September 1, 1951, each manufacturer for whom a quarterly MRO export quota is established by section 4 of this order shall prepare and submit to the Office of International Trade a signed report in duplicate, on Form IT-833, showing the export sales value of all MRO items of his own manufacture which he delivered in his base year (1950 calendar or fiscal) for export (i. e., directly or through or to others) to countries other than Canada and Subgroup A countries, as defined in the export control regulations issued by the Office of International Trade. The report must be broken down into categories as specified on the form and must state whether the manufacturer is reporting on an f. a. s. or on a c. i. f. basis. In computing his 1950 deliveries for export pursuant to section 4 of this order, and in preparing his report pursuant to this section, the manufacturer must not (to the best of his information and belief) include any items delivered for use abroad for personal or household purposes or, insofar as replacement parts are concerned, any items delivered for use abroad for other than replacement purposes. Where precise knowledge as to foreign end use is lacking, estimates may be made, but in such cases the manufacturer must include in his report a statement showing what estimates he has made, what were his total sales for export of the category in question, and the basis upon which his estimates are made. The Office of International Trade, if it finds that any such estimates are unreasonable or that such report is erroneous in any respect, may reduce the manufacturer's quarterly MRO export quota as may be appropriate, and the manufacturer, upon being notified of any such reduction, shall adjust his quota accordingly.

SEC. 6. *Availability of MRO for export.* Each manufacturer for whom a quarterly MRO export quota is established by section 4 of this order shall make available for export (as required), during the 2-month combined period of August-September 1951, two-thirds of his quarterly MRO export quota, and, during each successive calendar quarter, the full amount of such quota, out of his production of such MRO items. The method by which he does this (e. g., whether by making direct export sales, by selling through one or more designated export sales representatives, by selling to nonmanufacturing exporters, or by combining two or more of these methods), is left to his own choice but subject to existing contracts. It is anticipated, however, that his customary pattern of distribution will be followed insofar as practicable. No such manufacturer need accept orders for delivery of MRO items for export in any one month aggregating more than 40 percent of his MRO export quota for that quarter.

SEC. 7. *Priorities assistance for nonmanufacturing exporters.* Any nonmanufacturing exporter who, having obtained an order from a foreign customer for an MRO item which is demonstrably needed for other than personal or household purposes, finds that he is unable without a rating to secure such item from sources available to him may apply to the Office of International Trade for priorities assistance. In proper cases such exporter will be assigned the right to apply the DO-MRO rating to obtain such item from his appropriate source of supply. In the event that such a right is granted, the rating shall be

applied by the exporter by placing on his order to his supplier, or on a separate paper attached to the order or clearly identifying it, the symbol "DO-MRO," together with the words:

Certified under NPA Order M-79

This certification shall be signed as provided in NPA Reg. 2 and shall constitute a representation to the supplier and to NPA that the purchaser is authorized to use the rating under the provisions of this order to obtain the materials ordered. The person upon whom such a rated order is served, or to whom the rating is extended, must accept the order, unless he is a manufacturer whose applicable MRO export quota has already been exhausted through acceptance of export orders calling for delivery in the applicable period or unless he is entitled to reject the order for other proper grounds as provided in NPA Reg. 2.

SEC. 8. *Manufacturers' quota not to be exceeded.* A manufacturer for whom an MRO export quota is established by section 4 of this order must charge against such quota, in the dollar amount of their export sales value, all MRO items of his own manufacture (which are chargeable against his quota) for which he accepts export orders for shipment to countries other than Canada and Subgroup A countries, as defined in the export control regulations issued by the Office of International Trade. He must charge all such items regardless of whether he rates the orders pursuant to section 9 of this order or whether they come to him as orders rated under section 7 of this order. He may not accept orders for delivery in any quarter (for items chargeable against his quota) having an aggregate export sales value in excess of his quota for that quarter. Charges are in all cases to be made against quotas for the quarter in which delivery is to be made by the manufacturer.

SEC. 9. *Rating of MRO export orders by manufacturers.* Any manufacturer who has filed his report as required by section 5 of this order may apply the DO-MRO rating to any MRO export order which he accepts, regardless of whether it comes to him directly from the foreign customer or from a person in this country. Any rating so applied shall have the same status and effect as a rating carried by a rated MRO export order placed with the manufacturer by a nonmanufacturing exporter. An order bearing the rating DO-MRO shall constitute a rated order with an allotment symbol for the purpose of all NPA regulations and orders.

SEC. 10. *Limitations on use of rating.* The rating DO-MRO may not be applied or extended by any person to obtain any of the materials described in section 3 of this order. No manufacturer may extend the DO-MRO rating to obtain any Class A or Class B product (as those products are defined in CMP Regulation No. 1) or any production material for the manufacture of any Class A or Class B product. Such products and materials must be obtained in accordance with CMP Regulations Nos. 1 and 3, as such regulations may be amended or supplemented from time to time. The DO-MRO rating may be extended by a manufacturer, however, to obtain other products and materials as provided in NPA Reg. 2. In extending the rating, the manufacturer must place on his order the words:

Certified under NPA Order M-79

This certification shall be signed as provided in NPA Reg. 2 and shall constitute a representation to the supplier and to NPA that the purchaser is authorized to use the rating under the provisions of this order to obtain the materials ordered.

SEC. 11. *Status of orders rated DO-97.* Any order rated DO-97 under Direction 2 to NPA Reg. 4, calling for delivery in the third quarter of 1951, is hereby converted into a DO-MRO rated order. Any such DO-97 rated order calling for delivery after the third quarter of 1951, must be converted into a DO-MRO rated order on or before September 1, 1951, by action of the person placing the order, or it will become an unrated order. Any MRO order rated DO-97 or DO-MRO under Direction 2 to NPA Reg. 4, calling for delivery after August 1, 1951, must be charged against the manufacturer's MRO export quota for the quarter in which delivery is ordered, regardless of whether converted or not.

SEC. 12. *Exports requiring validated licenses.* No person may apply the DO-MRO rating to an order for any item requiring a validated license for its export unless he has been granted and then holds an unexpired validated license for its export issued by the Office of International Trade or by the Atomic Energy Commission.

SEC. 13. *Relation to other NPA orders and regulations.* The provisions of all other NPA regulations and orders which are not in conflict with this order remain in full force and effect. Nothing in this order shall be construed as applicable to any material under allocation or as relieving any person from the obligation of complying with such limitations on acquisition or use of materials or such other provisions as may be contained in any applicable regulation or order of NPA or with any order of any other competent authority.

SEC. 14. *Records and reports.* (a) Every manufacturer and every nonmanufacturing exporter subject to this order shall make and preserve at his regular place of business for at least 2 years accurate and complete records showing, with respect to each manufacturer, what his MRO export quotas are, how he computed them, their factual justification, what revisions or adjustments he has made in them and for what reasons, any elections made as to use of seasonal quotas, methods of figuring quotas and charges against them, or other options exercised and, with respect to each manufacturer and each nonmanufacturing exporter, all receipts, deliveries, and inventories of MRO items for export, with or without rating, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This requirement does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records disclose the above data and supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall maintain such further records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 15. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be submitted in writing, in triplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 16. *Communications.* All communications concerning this order shall be addressed to the Office of International Trade, Washington 25, D. C., Ref: M-79.

SEC. 17. *Violations.* Any person who wilfully violates any provision of this order or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 9, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9583; Filed, Aug. 9, 1951; 4:24 p. m.]

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 3, Amdt. 1]

DFO 3—Agricultural Imports

The Secretary of Agriculture having determined[1] that the unrestricted importation of the commodities listed in Appendix A will have one or more of the effects specified in section 104 of the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., as amended), this order is made effective pursuant to said act, and delegations of authority thereunder. Consultation with industry representatives in the formulation of this order has been rendered impractical. Section 104 of the Defense Production Act of 1950 was added to the act on July 31, 1951. It makes import controls mandatory when the aforesaid determinations are made. Defense Food Order No. 3 as hereby amended imposes over the commodities covered by such determinations the import controls contemplated by section 104 and under that section must be made effective as soon as possible. This order affects numerous segments of the economy and time is not available to permit consultation with all affected segments. Accordingly, consultation with industry representatives has been omitted.

Defense Food Order No. 3 is hereby amended to read as follows:

Sec.

1. Definitions.
2. Prohibitions and restrictions on imports.
3. Authorizations.
4. Restrictions on financing.
5. Exceptions.
6. Restrictions after importation.
7. Changes of commodities listed in Appendix A, and designations thereof.
8. Standards and guides.
9. Records and reports.
10. Audits and inspections.
11. Communications.
12. Revocations.
13. Petitions for relief from hardship.
14. Delegation of authority.
15. Violations.
16. Effect on liability of removal of commodity from order, or change of designation.
17. Effective date.

Authority: Sections 1 to 17 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Laws 69 and 96, 82d Cong. Interpret or apply secs. 101 and 104, Pub. Law 774, 81st Cong., as amended; E. O. 10161, 15 F. R. 6105, 3 CFR, 1950 Supp.; E. O. 10200, 16 F. R. 61.

Section 1. *Definitions.* (a) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, and any other officer or employee of that Department authorized to act in his stead.

(b) "Director" means the Director of the Fats and Oils Branch, Production and Marketing Administration, United States Department of Agriculture, and any other officer or employee of that Department authorized to act in his stead.

(c) "Consignee" means the person to whom a commodity is consigned at the time of importation.

(d) "Commodity" means a commodity listed from time to time in Appendix A.

(e) "Appendix A" means Appendix A of this order as from time to time amended.

(f) "Governing date" means the date as shown in Appendix A when a commodity becomes subject to this order.

(g) "Import" means to transport in any manner into the continental United States, Puerto Rico, the Virgin Islands, or any territory or possession of the United States from any foreign country. It includes shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, Puerto Rico, or the Virgin Islands and shipments in bond into the continental United States, Puerto Rico, or the Virgin Islands for transshipment into Canada, Mexico, or any other foreign country.

(i) "In transit" means that a commodity (1) is afloat, (2) has had an onboard ocean bill of lading actually issued with respect to it, or (3) has actually been delivered to and accepted by a rail, truck, or air carrier, for transportation to a point within the continental United States, Puerto Rico, the Virgin Islands, or any territory or possession of the United States.

(j) "Owner" means any person who has any property interest in a commodity except a person whose interest is held solely as a security for the payment of money.

(k) "Person" includes any individual, corporation, partnership, association, or other organized group of persons, or legal successor or representative of the foregoing. It also includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

Sec. 2. *Prohibitions and restrictions on imports.* (a) No person shall, after the governing date for any commodity followed by the designation (A) in Appendix A, import, purchase for import, receive or offer to receive on consignment for import, or make any contract or other arrangement for the importing of such commodity except:

(1) As provided in section 5 or

(2) As authorized in writing by the Director in the case of

(i) Shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, Puerto Rico, or the Virgin Islands or in bond into the continental United States, Puerto Rico, or the Virgin Islands for transshipment into Canada, Mexico, or any other foreign country (except shipments under section 5 (a) (2)); or

(ii) Registered or certified flaxseed, peanuts and rice imported for planting purposes only and in accordance with all applicable laws and regulations; and

(iii) Flaxseed screenings, scalpings, chaff or scourings which are primarily for stock feed purposes and contain not more than 2 percent (by weight) of whole flax kernels, and not more than 15 percent (by weight) of whole and broken flax kernels.

(b) No person shall, after the governing date for any commodity followed by the designation (B) in Appendix A, import, purchase for import, receive or offer to receive on consignment for import, or make any contract or other arrangement for the importing of such commodity except:

(1) As provided in section 5, or

(2) As authorized in writing by the Director in the case of

(i) Shipments into a free port, free zone, or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States, Puerto Rico, or the Virgin Islands or in bond into the continental United States, Puerto Rico, or the Virgin Islands for transshipment into Canada, Mexico, or any other foreign country (except shipments under section 5 (a) (2)); or

(ii) Other shipments under such conditions and requirements as the Director may prescribe in published policy statements or supplemental orders.

(c) The foregoing provisions shall apply to the importation of commodities listed in Appendix A regardless of the existence on the governing date or thereafter of any contract or other arrangement for the importation of such commodities.

Sec. 3. *Authorizations.* (a) Any person desiring authorization, as provided in this order, for importation of a commodity listed in Appendix A, whether owner, purchaser, seller, or consignee of the commodity to be imported, or agent of any of them, may make application therefor by letter or telegram or on Form PMA–551, or such other form as may be issued for this purpose by the Director, addressed to the Fats and Oils Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., Ref: Defense Food Order No. 3 (Agricultural Imports). Unless otherwise expressly permitted, such authorization shall apply only to the particular commodity and shipment mentioned therein and to the persons and their agents concerned with such shipment. Such authorizations shall not be assignable or transferable either in whole or in part, except as authorized in writing by the Director. In the issuance or denial of authorizations for importation of commodities listed in Appendix A, the Director shall act in accordance with the standards and guides set forth in section 8. Authorization under this order for importation of any commodities does not relieve the importer from compliance with other applicable laws and regulations.

(b) The Director may impose such conditions and requirements as to the granting of authorizations hereunder and the handling and disposal of commodities to be imported hereunder as he may deem necessary or appropriate to effectuate the purposes of this order.

Sec. 4. *Restrictions on financing.* No bank or other person shall participate, by financing or otherwise, in any arrangement which such bank or person

[1] See F. R. Doc. 51-9634, *infra.*

knows or has reason to know involves the importation after the governing date of any commodity subject to this order, unless such bank or person either has received a copy of an authorization by the Director or is satisfied from known facts that the proposed transaction comes within the exceptions set forth in section 5.

SEC. 5. *Exceptions.* (a) Unless otherwise directed by the Director, and except as provided in section 9, the requirements of this order shall not apply to commodities listed in Appendix A which:

(1) Are owned, at the time of importation, by any United States Governmental department, agency, or corporation;

(2) Are shipped into the United States in transit from one point in Mexico to another point in Mexico or from one point in Canada to another point in Canada;

(3) Are inter-island shipments between Puerto Rico and the Virgin Islands;

(4) Are shipped from the continental United States into Puerto Rico, the Virgin Islands, or any territory or possession of the United States;

(5) Are covered by an authorization issued under the Agriculture-Import Order (14 F. R. 3701, 4660; 16 F. R. 1113) or DFO 3 as heretofore issued (16 F. R. 6389, 6622), provided such commodities are imported in strict compliance with such authorization; or

(6) Are commodities consigned or imported as samples or consigned as gifts or imported for personal use, where the value of each consignment or shipment is less than $25.00.

(b) This order shall not affect any other regulation now or hereafter issued by any Governmental authority covering shipments of commodities from the continental United States to Puerto Rico or the Virgin Islands, or any territory or possession of the United States.

SEC. 6. *Restrictions after importation.* No commodity listed in Appendix A which is imported under this order after the governing date shall be sold, delivered, processed, consumed, purchased, or received except in accordance with the conditions and requirements imposed in the authorization issued for its importation, or amendments thereof or otherwise imposed by the Director. Commodities so imported may otherwise be dealt with or disposed of without restriction under this order, but all such transactions shall be subject to all applicable provisions of any other regulations, orders, or directions of the United States Government which now or hereafter may be in effect with respect to such commodities.

SEC. 7. *Changes of commodities listed in Appendix A and designations thereof.* The Administrator will from time to time add commodities to or remove commodities from the list in Appendix A, and designate listed comodities by designation (A) or (B), in accordance with determinations by the Secretary of Agriculture under section 104 of the Defense Production Act, or his own determinations under section 101 of the act.

SEC. 8. *Standards and guides.* (a) In the issuance of authorizations for importation of commodities followed by designation (B) in Appendix A, the Director shall allocate the authorizations granted by him on a fair and equitable basis among different groups of applicants and among applicants within the same group, with due regard for the needs of small business enterprises.

(b) Statements of the policies followed by the Director in authorizing imports under (a) and of any changes in such policies, shall be currently published in the FEDERAL REGISTER.

SEC. 9. *Records and reports.* (a) No commodity which is imported after the governing date, including commodities imported under the provisions of section 5, shall be entered through the United States Bureau of Customs for any purpose, whether for consumption, for warehouse, in transit, in bond, for reexport, for appraisal, or otherwise, unless the person making the entry shall file in duplicate with the entry Form PMA–550, or such other form as may be issued for this purpose by the Director. The filing of such form a second time shall not be required upon any subsequent entry of such commodity in the same importation through the United States Bureau of Customs for any purpose; nor shall the filing of such form be required upon the withdrawal of any commodity from bonded custody of the United States Bureau of Customs, regardless of the date when such commodity was first transported into the continental United States. Both copies of such form shall be transmitted by the Collector of Customs to the Director, Fats and Oils Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., Ref: Defense Food Order No. 3 (Agricultural imports).

(b) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person as may be necessary or appropriate, in the Director's discretion, in the enforcement or administration of the provisions of this order.

SEC. 10. *Audits and inspections.* The Director shall be entitled to make such audit and inspection of the books, records, and other writings, premises, and stocks of imported commodities of any person, and to make such investigations as may be necessary or appropriate, in the Director's discretion, in the enforcement or administration of the provisions of this order.

SEC. 11. *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Fats and Oils Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., Ref.: Defense Food Order No. 3 (Agricultural Imports).

SEC. 12. *Revocations.* Any import authorization issued hereunder may be revoked at any time by the Director. Such revocation shall not affect commodities in transit at the time of revocation.

SEC. 13. *Petitions for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Director. Petitions shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor. The Director may take such action with reference to the petition as he deems appropriate. If the petitioner is dissatisfied with the action taken by the Director on the petition, he may appeal to the Production and Marketing Administration Defense Order Appeals Board, which may take such action as it deems appropriate. Such action shall be final. Procedure relating to hardship petitions is set forth in DFO–4 (16 F. R. 7568).

SEC. 14. *Delegation of authority.* The administration of this order and the powers vested in the Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate any or all of the authority vested in him by this order to any officer or employee of the United States Department of Agriculture.

SEC. 15. *Violations.* Any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order or requirement pursuant hereto. The Director may direct the disposition and use of any commodity which is imported contrary to this order.

SEC. 16. *Effect on liability of removal of a commodity from order or change of designation.* The removal of any commodity from Appendix A or change in the designation for any commodity listed in Appendix A shall not be construed to affect in any way any liability for violations of this order which accrued or were incurred prior to the date of such removal or change.

SEC. 17. *Effective date.* This order shall be effective August 9, 1951.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 9th day of August 1951.

[SEAL] G. F. GEISSLER,
Administrator, Production and Maketing Administration.

APPENDIX A.—ITEMS SUBJECT TO DEFENSE FOOD ORDER NO. 8

[The numbers listed after the following commodities are commodity numbers taken from Schedule A, Statistical Classification of Imports of the Department of Commerce (issue of Aug. 1, 1950). Commodities are included in the list to the extent that they are covered by the commodity numbers listed below. If no commodity number is listed, the description given shall control]

Commodity	Commerce Import Class No.	Governing date
Butter (A)	0044.000	Aug. 9, 1951
Butter oil (A)	1423.200	Do.
Casein or lactarine, and mixtuers in chief value thereof, n. s. p. f. (B)	0943.000	Do.
Cheese (B)	0045.100 to 0046.990, inclusive.	Do.
Flaxseed (linseed) (A)	2233.000	July 1, 1951
Flaxseed screenings, scalpings, chaff or scourings (A)	2945.000	Do.
Linseed oil, and combinations and mixtures, in chief value of such oil (A)	2254.000	Do.
Milk, skimmed, dried (nonfat dried milk solids) (A)	0041.100	Aug. 9, 1951
Peanuts, blanched, roasted, prepared or preserved (A)	1380.080	Do.
Peanut oil (ground nut oil) (A)	1427.000	Do.
Peanuts:		
Shelled (A)	1367.000	Do.
Not shelled (A)	1368.000	Do.
Rice:		
Paddy (A)	1051.000	July 1, 1951
Uncleaned or brown rice (A)	1051.100	Do.
Cleaned or milled rice (A)	1053.000	Do.
Patna rice, cleaned, for use in canned soups (A)	1054.000	Do.
Rice meal, flour, polish and bran (A)	1059.100	Do.
Broken rice (includes brewers rice) (B)	1059.200	Do.
Rice starch (B)	2815.100	Do.

[F. R. Doc. 51-9631; Filed, Aug. 10, 1951; 11:33 a. m.]

[Defense Food Order 3, Sub-Order 1]

DFO 3—AGRICULTURAL IMPORTS

SO 1—POLICY STATEMENT RE IMPORT AUTHORIZATIONS FOR BROKEN RICE AND RICE STARCH

This Sub-Order 1, containing a statement of the policies relating to issuance of import authorizations for broken rice and rice starch under Defense Food Order 3, as amended, is hereby issued pursuant to the authority vested in me by said Defense Food Order 3, as amended. Consultation with industry representatives in the formulation of this order has been rendered impractical. It is necessary to make the policies relating to issuance of authorizations under Defense Food Order 3, as amended, known to the public promptly to facilitate the proper operation of said Defense Food Order 3. The same reasons for omitting consultation with industry representatives with respect to said Order are applicable with respect to this Sub-Order. Accordingly, consultation with industry representatives has been omitted.

SECTION 1. *Policy statement re import authorizations for broken rice and rice starch.* Import authorizations will be issued under DFO 3, as amended, for broken rice and rice starch as follows:

(a) *Brewers rice.* Brewers rice shall be that broken rice which will pass readily through a metal sieve perforated with round holes five and one-half sixty-fourths of an inch in diameter. Authorizations will be granted for the importation thereof for domestic consumption upon the submission of evidence satisfactory to the Director that the applicant has a firm offer for the sale of a specified quantity of brewers rice for shipment to the United States within 90 days after the date of the offer. No authorization will be valid for more than 30 days after issuance unless during the period the license-holder submits evidence satisfactory to the Director that the brewers rice is under a firm purchase contract for shipment to the United States within 90 days after the date of the issuance of the license. No authorization will be issued for an amount in excess of the amount requested and actually covered by the firm offer and in no event in excess of 2,500 metric tons. Subsequent authorizations will be issued to the same applicant only after evidence satisfactory to the Director has been submitted to show that the previously authorized amount has been shipped.

(b) *Rice starch.* Authorizations will be granted for the importation of rice starch for domestic consumption for industrial use only. Authorizations for amounts not in excess of 50 tons each will be granted to applicants upon submission of evidence satisfactory to the Director that the applicant has a firm offer for sale of a specified quantity of rice starch for shipment to the United States States within 90 days after the date of the offer. Subsequent authorizations will be issued in amounts not in excess of 50 tons each and only upon the submission to the Director of evidence satisfactory to him that the previously authorized amount has been shipped. Not more than 500 metric tons will be licensed and imported during the period beginning with the effective date of this policy statement through June 30, 1952.

(c) *Filing of applications.* Applications for authorization to import brewers rice or rice starch hereunder should be filed with the Director, Fats and Oils Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Issued this 9th day of August 1951, effective August 9, 1951.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 69, 96, 82d Cong.)

[SEAL] GEORGE L. PRICHARD,
Director, Fats and Oils Branch, Production and Marketing Administration.

[F. R. Doc. 51-9632; Filed, Aug. 10, 1951; 11:33 a. m.]

[Defense Food Order 3, Sub-Order 2]

DFO 3—AGRICULTURAL IMPORTS

SO 2—POLICY STATEMENT RE IMPORT AUTHORIZATIONS FOR CERTAIN DAIRY PRODUCTS

This Sub-Order 2, containing a statement of the policies relating to the issuance of import authorizations for casein or lactarene, and mixtures in chief value thereof, n. s. p. f., and for cheese under Defense Food Order 3, as amended, is hereby issued pursuant to the authority vested in me by said Defense Food Order 3, as amended. Consultation with industry representatives in the formulation of this order has been rendered impractical. It is necessary to make the policies relating to issuance of authorizations under Defense Food Order 3, as amended, known to the public promptly to facilitate the proper operation of said Defense Food Order 3. The same reasons for omitting consultation with industry representatives with respect to said Order are applicable with respect to this Sub-Order. Accordingly, consultation with industry representatives has been omitted.

SECTION 1. *Policy statement re import authorizations for certain dairy products*—(a) *Casein or lactarene, and mixtures in chief value thereof, n. s. p. f.* Import authorizations will be issued for casein or lactarene, and mixtures in chief value thereof, n. s. p. f., as follows:

(1) Any importer who is desirous of securing import authorization for any such product and who imported such product during the base period July 1, 1950 through June 30, 1951, must submit documentary evidence satisfactory to the Director showing imports of such product through customs made in his own name as the importer of record during the specified base period. Authorizations will be issued to such an importer, limiting the quantity of the product to be imported during the period beginning with the effective date hereof through December 31, 1951, to an amount not in excess of five-twelfths of the quantity of such product he imported during the specified base period.

(2) Authorizations totaling not in excess of 100,000 pounds will be granted for importation of these products prior to December 31, 1951, to small business enterprises which are in the business of importing dairy products other than the one for which authorization is desired and which did not import such product during the specified base period. The amount authorized for any applicant under this paragraph will not exceed 1,000 pounds.

(3) Import authorizations for these products will be issued to small plants as required by section 714 of the Defense Production Act, as amended.

(4) Authorizations will be issued for the importation of these products which were in transit to the United States on the effective date of DFO-3, Amendment 1, but amounts so authorized for any importer shall be deducted from the amounts of such products authorized for such importer under paragraph (1) or (2).

(b) *Cheese.* Import authorizations will be issued for cheese as follows:

(1) Any importer who is desirous of securing import authorization for any type of cheese and who imported such cheese in the three-year base period January 1, 1948 through December 31, 1950, must submit documentary evidence satisfactory to the Director showing imports of such cheese through customs made in his own name as the importer of record during the specified base period. Authorizations will be issued to such an importer, limiting the quantity of the particular type of cheese to be imported during the period beginning with the effective date hereof through December 31, 1951, to an amount not in excess of five-twelfths of the annual average quantity of such type of cheese he actually imported during the specified base period.

(2) Authorizations totaling not in excess of 100,000 pounds will be granted for importation of cheese prior to December 31, 1951, to small business enterprises which are in the business of importing dairy products other than the particular type of cheese for which authorization is desired and which did not import such cheese during the specified base period. The amount authorized for any applicant under this paragraph will not exceed 1,000 pounds.

(3) Import authorizations for cheese will be issued to small plants as required by section 714 of the Defense Production Act, as amended.

(4) Authorizations will be issued for the importation of cheese which was in transit to the United States on the effective date of DFO–3, Amendment 1, but amounts so authorized for any importer shall be deducted from amounts of cheese authorized for such importer under paragraph (1) or (2).

(c) *Procedure re applications.* Applications for import authorizations for any of the products covered by this Suborder should be filed with the Director, Fats and Oils Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. The documentary evidence required by (a) (1) and (b) (1), respectively, for casein or lactarene, and mixtures in chief value thereof, and for cheese should be submitted as a part of applications for import authorization for such products under such paragraphs. The customs entry with receipt for duty paid will be accepted as satisfactory evidence. If the customs entry and receipt are unavailable, the applicant should submit the consular or commercial invoice, his copies of the letters of credit and bills of lading, and his cancelled checks covering payments for the products involved. These documents will be returned to the applicant. It is also necessary therefore that the applicant submit as a part of his application for authorization to import any of these products under (a) (1) or (b) (1), a summary statement of his importations, during the relevant base period specified in (a) (1) or (b) (1), of the particular product for which authorization is desired. This statement must show the following for each entry: the original Custom House entry number, port of entry, date of entry, name of steamer on arrival, and the quantity in net pounds, exclusive of the weight of the containers.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Laws 69, 96, 82d Cong.)

Issued this 9th day of August 1951, effective August 9, 1951.

[SEAL] GEORGE L. PRICHARD,
Director, Fats and Oils Branch, Production and Marketing Administration.

[F. R. Doc. 51–9630; Filed, Aug. 10, 1951; 11:33 a. m.]

[Import Determination re DFO 3]

DETERMINATION RELATING TO IMPORTS UNDER DEFENSE PRODUCTION ACT

Pursuant to the authority vested in me by section 104 of the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong. as amended), it is hereby determined that imports (other than by the Government of the United States) into the commerce of the United States of the commodities and products hereinafter listed, except as herein specified, would with respect to each such commodity or product (a) impair or reduce the domestic production of a commodity or product specified in said section 104 below present production levels, (b) interfere with the orderly domestic storing and marketing of a commodity or product specified in said section 104, or (c) result in an unnecessary burden or expenditure under a Government price support program.

Commodities and products subject to the foregoing determination are as follows:

Butter; [1]
Butter oil; [2]
Casein or lactarene, and mixtures in chief value thereof, n. s. p. f.; [3]
Cheese; [4]
Flaxseed (linseed); [5]
Flaxseed screenings, scalpings, chaff or scourings; [6]
Linseed oil, and combinations and mixtures, in chief value of such oil; [7]
Skimmed, dried milk (nonfat dried milk solids); [8]
Peanuts (blanched, roasted, prepared, preserved); [9]
Peanuts (shelled, not shelled); [10]
Peanut oil (ground nut oil); [11]
Paddy rice; [12]
Uncleaned or brown rice; [13]
Cleaned or milled rice; [14]
Cleaned Patna rice for use in canned soups; [15]
Rice meal, flour, polish and bran; [16]
Broken rice; [17] and
Rice starch.[18]

Importations of the listed commodities and products, subject to Government regulation under the following conditions, will not have any of the effects specified in section 104 of the Defense Production Act:

(a) imports of casein or lactarene and mixtures in chief value thereof, n. s. p. f., in a quantity not in excess of the quantity imported during the year July 1, 1950 through June 30, 1951;

(b) imports of any type of cheese in a quantity not in excess of the average annual imports of such type of cheese during the period January 1, 1948, through December 31, 1950;

(c) imports of registered or certified flaxseed, peanuts and rice for planting purposes only and in accordance with applicable laws and regulations;

(d) Imports of flaxseed screenings, scalpings, chaff or scourings primarily for stock feed purposes and containing not more than 2 percent (by weight) of whole flax kernels and not more than 15 percent (by weight) of whole and broken flax kernels;

(e) imports of not more than 500 metric tons of rice starch by June 30, 1952, for industrial use only, and imports of brewers rice;

(f) imports of the listed commodities and products under authorizations issued under the Agriculture-Import Order (14 F. R. 3701, 4660; 16 F. R. 1113) or Defense Food Order No. 3 as originally issued (16 F. R. 6389, 6622);

(g) imports of the listed commodities and products as samples or gifts or for personal use where the value of each consignment or shipment is less than $25.00;

(h) imports of such amounts of the listed commodities and products as may be required to avoid unnecessary or unreasonable hardship and as may be required to assure equitable treatment for small or new business.

(Sec. 704, Pub. Law 774, 81st Cong., as amended. Interprets or applies sec. 104, Pub. Law 774, 81st Cong., as amended)

Done at Washington, D. C., this 9th day of August 1951.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–9634; Filed, Aug. 10, 1951; 11:34 a. m.]

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[1] Commerce Import Class No. 0044.000.
[2] Commerce Import Class No. 1423.200.
[3] Commerce Import Class No. 0943.000.
[4] Commerce Import Class Nos. 0045.100 to 0046.990, inclusive.
[5] Commerce Import Class No. 2233.000.
[6] Commerce Import Class No. 2945.000.
[7] Commerce Import Class No. 2254.000.
[8] Commerce Import Class No. 0041.100.
[9] Commerce Import Class No. 1380.080.
[10] Commerce Import Class No. 1367.000, 1368.000.
[11] Commerce Import Class No. 1427.000.
[12] Commerce Import Class No. 1051.000.
[13] Commerce Import Class No. 1051.100.
[14] Commerce Import Class No. 1053.000.
[15] Commerce Import Class No. 1054.000.
[16] Commerce Import Class No. 1059.100.
[17] Commerce Import Class No. 1059.200.
[18] Commerce Import Class No. 2815.100.

Chapter XVII—Housing and Home Finance Agency

[CR 3]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP. 1—CRITICAL DEFENSE HOUSING AREAS

Appendix 1 to CR 3, Relaxation of Residential Credit Controls: Regulation

Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas, issued at 16 F. R. 7611 (August 3, 1951) is hereby amended to read as follows:

APPENDIX 1 TO CR 3 (AS AMENDED) CRITICAL DEFENSE HOUSING AREAS [1]

Critical defense housing area	State	Date designated
1. San Diego	California	May 2, 1951
2. Corona	do	May 8, 1951
3. Colorado Springs	Colorado	Do.
4. Star Lake	New York	May 23, 1951
5. Fort Leonard Wood Area.	Missouri	Do.
6. Camp Cooke Area.	California	June 8, 1951
7. Bremerton	Washington	Do.
8. San Marcos	Texas	Do.
9. Valdosta	Georgia	June 20, 1951
10. Tullahoma	Tennessee	Do.
11. Camp Pendleton Area.	California	Do.
12. Solano County	do	June 29, 1951
13. Quad Cities Area [2]	Iowa-Illinois	Do.
14. Hanford AEC Operations Area.	Washington	July 3, 1951
15. Barstow	California	Do.
16. Camp Roberts Area.	do	Do.
17. Brazoria County	Texas	Do.
18. Tooele	Utah	Do.
19. Dana	Indiana	July 13, 1951
20. El Centro-Imperial Area.	California	Do.
21. Borger	Texas	Do.
22. Huntsville	Alabama	Do.
23. Mineral Wells	Texas	July 17, 1951
24. Las Cruces	New Mexico	Do.
25. Alamagordo	do	Do.
26. Wichita	Kansas	July 25, 1951
27. Columbus	Indiana	Do.
28. Lone Star	Texas	Aug. 3, 1951
29. Camp Lejeune-Jacksonville Area.	North Carolina	Do.
30. Killeen-Fort Hood Area.	Texas	Do.
31. Dover	Delaware	Do.
32. Patuxtent	Maryland	Do.
33. Othello	Washington	Aug. 11, 1951
34. Sampson Air Force Base Area.	New York	Do.
35. Norfolk-Portsmouth Area.	Virginia	Do.
36. Wright-Patterson Air Force Baso Area.	Ohio	Do.
37. Lancaster-Palmdale-Mojave Area.	California	Do.

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[2] Area of Davenport, Iowa; and Moline, East Moline, and Rock Island, Illinois.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-9480; Filed, Aug. 10, 1951; 8:47 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter B—Hunting and Possession of Wildlife

PART 6—MIGRATORY BIRDS AND CERTAIN GAME MAMMALS

Correction

In Federal Register Doc. 51-8882, published at page 7513 of the issue for Wednesday, August 1, 1951, the following corrections should be made:

1. In the second sentence of § 6.4 (a) the word "announcement" should read "commencement."

2. In the fifth line of § 6.4 (b) the word "of" should be deleted.

3. Footnote 4 of the table in § 6.4 (e) (3) should read as follows:

[4] Texas: Mourning doves in Val Verde, Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, Williamson, Milam, Robertson, Leon, Houston, Cherokee, Nacogdoches, and Shelby Counties and all counties north and west thereof, Sept. 1 to Oct. 10 from 12 noon until sunset; in the rest of State (but not including Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Dimmit, La Salle, Jim Hogg, Brooks, Kenedy, and Willacy Counties), Nov. 15 to Dec. 24, from 12 noon until sunset; in these latter counties Sept. 14, 16, and 18 from 4 p. m. until sunset and from Nov. 15 to Dec. 21 from 12 noon until sunset.

4. In the ninth line of § 6.8 (a) the word "military" should read "millinery."

Subchapter C—Management of Wildlife Conservation Areas

PART 31—PACIFIC REGION

SUBPART—RED ROCK LAKES NATIONAL WILDLIFE REFUGE, MONTANA

FISHING

Basis and purpose. On the basis of observations and reports of officials of the Montana Fish and Game Commission and of the Fish and Wildlife Service it has been determined that the removal of trout and other game fish species from the waters of the Red Rock Lakes National Wildlife Refuge in accordance with the fishing laws of the State of Montana will facilitate recovery of the native grayling, presently threatened as a game species by the presence of competing species. The extension of the season presently in effect on certain refuge waters to coincide with the State fishing season will reduce the number of competing fish by permitting their capture during the fall spawning run, providing the grayling with ecological conditions more suitable for their increase. This action will not interfere with the primary purpose of the refuge.

Inasmuch as the following regulation is a relaxation of the existing regulations applicable to the Red Rock Lakes National Wildlife Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.)

Effective immediately upon publication in the FEDERAL REGISTER, § 31.287 is revised to read as follows:

§ 31.287 *Fishing permitted.* Sport fishing is permitted in accordance with State laws and regulations on those waters located within the boundaries of the Red Rock Lakes National Wildlife Refuge described specifically as follows: Culver Pond, Odell Creek, Red Rock Creek, Elk Springs Creek, and Culver Springs Creek, subject to the requirements and conditions of §§ 31.288 to 31.290, inclusive.

(Sec. 6, 45 Stat. 1223, as amended; 16 U. S. C. 715e. Interprets or applies sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: August 7, 1951.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 51-9459; Filed, Aug. 10, 1951; 8:45 a. m.]

PART 33—CENTRAL REGION

SUBPART—LOWER SOURIS NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

FISHING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that the use of boats in certain waters of the Lower Souris National Wildlife Refuge can be permitted without interfering with the primary purpose of the refuge.

Inasmuch as the following regulations are relaxations of the existing regulations regarding fishing and boating on the refuge, publication prior to the effective date is not required (60 Stat. 237, 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, §§ 33.101, 33.102, and 33.106 are revised to read as follows, and § 33.108 is added:

§ 33.101 *Fishing permitted.* Until further notice, in accordance with the provisions of Parts 18 and 21 of this chapter fishes may be taken for noncommercial purposes each day during the period May 16 to September 15, both dates inclusive, in any year, within certain waters of the Lower Souris National Wildlife Refuge, North Dakota, subject to conditions and restrictions specified in §§ 33.102 to 33.108, inclusive.

§ 33.102 *Waters open to fishing.* The following waters of the Lower Souris National Wildlife Refuge shall be open to fishing:

Area I: The south side of the Souris River from the Nelson Bridge in SE¼ sec. 14 T. 158 N., R. 76 W., west one-fourth (¼) mile, and both sides of the Souris River from the Nelson Bridge south to the refuge boundary.

Area II: three-eighths (⅜) mile of the south bank of the Souris River, east and south of the Johnson Bridge located in the SW¼NW¼ sec. 32 T. 159 N., R. 76 W. Fishing permitted on the above described bank and bridge only.

Area III: One-half (½) mile of the south bank of the Souris River from the Freeman Bridge west in the N½NW¼ sec. 17 T. 159 N., R. 77 W. No fishing permitted within 300 feet of the 320 dike water control structure.

Area IV: Waters of the refuge within the N½NE¼ sec. 17 T. 159 N., R. 77 W. This area lies south and west of the Icelandic Cemetery located in the NE corner of the NE¼NE¼ sec. 17 T. 159 N., R. 77 W. No fishing permitted within 300 feet of the 320 dike water control structure.

Area V: 150 feet north and south of the bridge known locally as "Cutbank Ditch" bridge on the North Dakota State Highway No. 14 located on section line common to sec. 3 and 4 T. 159 N., R. 78 W. Fishing permitted from the bridge and 150 feet of road right-of-way. Also the bridge on the same highway in the SE¼ sec. 34 T. 160 N., R. 78 W. and 100' of the north river bank on either side of the bridge.

Area VI: The east and west banks of the Souris River from the Soo Line Railroad bridge to the bridge on the Russell-Kramer Road, the area described as follows: SW¼ sec. 18 T. 160 N., R. 78 W. and NE¼SE¼ sec. 13 T. 160 N., R. 79 W.

Area VII: The waters of the Souris River at the Newburg Road bridge and ditches 100' on either side of the bridge along the road, located in NW corner NW¼NW¼ sec. 1, NE corner NE¼NE¼ sec. 2, T. 160 N., R 79 W., and SE¼SE¼ sec. 31 T. 161 N., R. 78 W. Fishing permitted from bridge and road right-of-way only.

Area VIII: Both sides of the Souris River Bridge on the section line road common to secs. 11 and 14 T. 161 N., R. 79 W. Fishing permitted from bridge and road right-of-way only.

Area IX: The Souris River at the bridge on North Dakota State Highway No. 5 in the SW¼SW¼ sec. 27 and NW¼NW¼ sec. 34 T. 162 N., R. 79 W. Fishing permitted from bridge and road right-of way only.

Area X: The Souris River and impoundment from the Westhope-Landa Road north approximately ½ mile to the old road dike located in SW¼ and SW¼SE¼ sec. 30 T. 163 N., R. 79 W. Fishing also permitted on both sides of the bridge and road right-of-way for a distance of 150 feet on either side of the bridge on the Westhope-Landa Road located on the section line common to secs. 30 and 31 T 163 N., R. 79 W.

§ 33.106 *Use of boats.* The use of motorboats, either inboard or outboard, is prohibited on all waters of the refuge except for official purposes. The use of boats without motors is permitted for fishing only in Areas IV, VI, and X. The use of boats, rafts, or other floating devices while fishing within all other waters of the refuge as designated in § 33.102 is prohibited.

§ 33.108 *Bait restrictions.* No person shall use live minnows or any other fish or any part thereof for bait while fishing in any of the waters of the refuge, and no one may have in his possession within the boundaries of the refuge any live minnows or any seine or net that may be used in capturing minnows.

(Sec. 6, 45 Stat. 1223, as amended; 16 U. S. C. 715e. Interpret or apply sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

O. H. JOHNSON,
Acting Director.

Date: August 6, 1951.

[F. R. Doc. 51-9460; Filed, Aug. 10, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Parts 14, 15]

ATTORNEYS AND AGENTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority contained in section 161 of the Revised Statutes (5 U. S. C. 22), section 2103 of the Revised Statutes (25 U. S. C. 81), and the act of June 18, 1934 (48 Stat. 984, 25 U. S. C. 461), as amended, notice is hereby given of intention to repeal Parts 14 and 15, consisting of §§ 14.1–14.2, and 15.1–15.25, Title 25, Code of Federal Regulations, dealing with attorneys and agents for Indian tribes, and to reissue Parts 14 and 15 in the form set forth below.

Interested persons are hereby invited to submit their views regarding this proposal in writing, to the Secretary of the Interior, Washington, D. C., within 30 days from the date of publication of this notice in the daily issue of the FEDERAL REGISTER.

The proposed form of Parts 14 and 15 is as follows:

PART 14—RECOGNITION OF ATTORNEYS AND AGENTS TO REPRESENT CLAIMANTS

§ 14.1 *Compliance with Departmental regulations on practitioners.* All attorneys and agents seeking approval of their employment by Indian tribes or tribal representatives or desiring to represent individual claimants before the Bureau of Indian Affairs shall comply with Departmental regulations governing practitioners before the Department of the Interior, 43 CFR 1.1 et seq., to the extent they are applicable.

PART 15—ATTORNEY CONTRACTS WITH INDIAN TRIBES

GENERAL

Sec.
15.1 Scope.
15.2 Negotiation of contracts.
15.3 Execution of contracts.
15.4 Suggested form of contract.
15.5 Solicitation.
15.6 Performance factors.
15.7 Appeal.

CONTRACTS FOR GENERAL COUNSEL OR SPECIAL SERVICES

Sec.
15.20 Separate contract.
15.21 Duties of attorney.
15.22 Fee.
15.23 Expenses.
15.24 Vouchers for payment.
15.25 Availability of funds.
15.26 Term.
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GENERAL

§ 15.1 *Scope.* The provisions of this part shall apply both to attorney contracts with Indian tribes that are organized under the act of June 18, 1934 (48 Stat. 984, 25 U. S. C. 461), as amended and supplemented, and to attorney contracts executed under section 2103 of the Revised Statutes (25 U. S. C. 81) with Indian tribes that are not organized under the act of June 18, 1934.

§ 15.2 *Negotiation of contracts.* Attorney contracts with Indian tribes shall be negotiated and executed in accordance with the requirements of applicable statutes and the provisions of the applicable tribal constitution, by-laws, and charter, if any. If the tribe has no effective constitution, the delegates to execute a contract shall be selected by a general council or meeting of the tribe, called by the superintendent of the reservation, unless an alternative method is authorized by statute (see section 10 of the act of August 13, 1946, 60 Stat. 1049, regarding contracts with representatives of tribes having no tribal organization with recognized authority to represent the tribe) or approved by the Commissioner of Indian Affairs. The action of the tribe shall be evidenced by appropriate resolutions and minutes, including, in the case of tribes organized under the act of June 18, 1934, a resolution appropriating tribal funds to pay fees and expenses as provided in the contract.

§ 15.3 *Execution of contracts.* Each contract shall be executed in sextuplicate. All copies shall be submitted to the superintendent, who shall transmit them through the Area Director to the Commissioner of Indian Affairs, together with a report and recommendation. The report shall cover, among other things, the need for retaining counsel, the tribal funds available for payment of fees and expenses, and the effect of such payment upon other budgeted expenses of the tribe. Upon approval of the contract, one copy will be transmitted to the attorney, and one copy will be transmitted to the superintendent for delivery to the tribe.

§ 15.4 *Suggested form of contract.* A tribe or an attorney may on request obtain from the Commissioner of Indian Affairs a suggested form of attorney contract.

§15.5 *Solicitation.* Reasonable cause for belief that an attorney contract has been solicited by an attorney either directly or through any organization or individual on his behalf shall be sufficient grounds for disapproval or termination of the contract and for disapproval of future tribal contracts to which the attorney is party.

§ 15.6 *Performance factors.* In the consideration of a contract submitted for approval, the following factors shall be taken into consideration: The total number of claims and general counsel contracts with the various Indian tribes held by the attorney, either directly or by assignment, the number of tribes and the number of Indians involved in such contracts, the size and type of claims, the extent of the attorney's interest in the contracts, and past performance under the contracts.

§ 15.7 *Appeal.* An appeal to the Secretary of the Interior from a decision of the Commissioner of Indian Affairs under this part pursuant to delegated authority shall be filed with the Commissioner within sixty days after notice of the decision and shall be accompanied by a brief setting forth fully the arguments upon which the appeal is based. The

notice of appeal, appellant's brief, and the complete record shall be transmitted promptly by the Commissioner to the Secretary.

CONTRACTS FOR GENERAL COUNSEL OR SPECIAL SERVICES

§ 15.20 *Separate contract.* A contract for general counsel services should ordinarily not be combined with a claims contract even though the same counsel may be retained for both purposes. If a contract covers both general counsel and claims duties, the provisions of the contract with respect to each type of duty shall be made severable.

§ 15.21 *Duties of attorney.* The contract shall contain a clear statement of the duties to be performed by the attorney. If the duties are not limited, they may be stated in general terms, such as the performance of general legal services of the character usually performed by general counsel, including necessary representation of the tribe before the Department of the Interior, Committees of Congress and other governmental agencies or departments, but the statement of duties shall expressly exclude the prosecution of any claims against the United States, unless such duties are specifically included. The statement shall also specify the performance of any duties specifically desired by the tribe, such as attendance at council meetings.

§ 15.22 *Fee.* The attorney's fee may be a definite sum payable annually, quarterly, or monthly, or it may be an indefinite sum based upon a fixed daily charge for each day's service rendered. In the case of a definite sum, its reasonableness in the light of the needs of the tribe and the tribe's ability to pay shall be considered. In the case of an indefinite sum, the contract shall (a) specify a maximum annual limitation on the fee, (b) provide for advance authorization by the tribe before undertaking a particular job, (c) require the submission of periodic bills for services rendered, (d) require the services performed to be itemized and verified by the attorney, and (e) provide for payment of the fee only upon approval of the Commissioner of Indian Affairs. A contract for a fee in either a definite or indefinite amount shall not be approved if it is evident that the tribe is not financially able to incur the additional obligation involved.

§ 15.23 *Expenses.* The contract shall specify the types of expenses for which the attorney will be reimbursed, such as actual travel expenses or a mileage allowance in lieu of actual travel expenses, actual subsistence expense or per diem in lieu of subsistence, telephone and telegraph costs, cost of printing briefs and other documents required in connection with litigation, and cost of special stenographic or clerical services not performed by the attorney's regular office staff or performed by such staff after regular working hours. The contract shall prohibit reimbursement for general office overhead expenses, such as rent, light, heat, local telephone, postage, and regular clerical and stenographic services. The contract shall specify a maximum yearly limitation on the expenses for which the attorney may be reimbursed, unless a larger sum is approved by the tribe and by the Commissioner of Indian Affairs.

§ 15.24 *Vouchers for payment.* The contract shall provide for the payment of all fees and expenses upon the basis of vouchers prepared and supported as prescribed by the Commissioner of Indian Affairs. In the case of tribes not organized under the act of June 18, 1934, each voucher shall contain a verified statement showing the services performed and the expenses incurred and paid by the attorney, but unless specifically requested it need not be accompanied by receipts or sub-vouchers for individual items. In the case of all tribes, unless otherwise authorized by the Commissioner of Indian Affairs, vouchers to be paid from tribal funds in the United States Treasury shall be submitted by the attorney to the tribe for approval before they are audited for payment by the Bureau of Indian Affairs. The attorney's sworn statement that the expenses were incurred in the performance of his duties under the contract, and the tribe's approval, will ordinarily be accepted as the basis for payment if the voucher is otherwise in accordance with the provisions of the contract.

§ 15.25 *Availability of funds.* The contract shall make the obligation of the tribe to pay fees and expenses subject to the availability of funds in the tribal treasury or an appropriation of tribal funds by Congress within a specified time not exceeding three years from the date the fee became payable or the expense was incurred.

§ 15.26 *Term.* The contract shall be for a specified term of years, not to exceed three.

§ 15.27 *Termination.* The contract shall provide for its termination by the Commissioner of Indian Affairs with the consent of or at the request of the tribe, in their discretion, after not less than 30 days notice and opportunity to be heard.

§ 15.28 *Contract assignment.* The contract shall prohibit any assignment of the attorney's obligations, rights, or fees under the contract, in whole or in part, or the employment or association of other attorneys, without the prior consent of the tribe and the Commissioner of Indian Affairs. An assignment by the attorney of a partial interest in the contract, or the employment or association of other attorneys, shall be accompanied by the agreement showing the division of fees and of responsibility for furnishing the services required under the contract. If the assignment or association agreement itself refers to a separate agreement between the attorneys, a copy of the agreement shall be furnished. Unless the compensation retained by the attorney to the contract is commensurate with the duties retained by him, a special justification shall be submitted with the request for approval.

§ 15.29 *Reports.* The contract shall provide for periodic reports, not less frequently than semi-annually, to the tribe and to the Commissioner of Indian Affairs indicating the services performed under the contract. The services performed will be considered in connection with the need for the continuance of the contract at the fee prescribed in the contract. The verified statements of services required by § 15.24 may, if adequate for the purpose, be accepted in lieu of the reports required by this section.

§ 15.30 *Selection of counsel from nearby areas.* When choosing a general counsel, the tribe should seriously consider the selection of an attorney or firm from the general area if most of the legal work of the tribe arises out of local situations that must be dealt with locally in the first instance, and the superintendent's report shall indicate the extent of such consideration. The choice of general counsel from outside the general area should be based upon the need for substantial legal services elsewhere, or other good reason.

CONTRACTS FOR THE PROSECUTION OF CLAIMS AGAINST THE UNITED STATES

§ 15.40 *Duties of attorney.* The contract shall contain a clear statement of the duties to be performed by the attorney, which shall include an investigation of claims identified either specifically or by reference to claims that may be prosecuted under the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1049), or a special jurisdictional act, advice to the tribe regarding the results of the investigation, and the prosecution of the claims to a conclusion in the court of final resort.

§ 15.41 *Fee; contingent.* In the absence of special justification approved by the Commissioner of Indian Affairs and made a part of the record, the attorney's fee shall be wholly contingent upon a recovery for the tribe. Any retainer fee shall be specially justified on the basis of the financial ability of the tribe, the investigatory work involved, the inability of the tribe to obtain an attorney on a contingent fee basis, or comparable considerations.

§ 15.42 *Fee; no fixed percentage.* The contingent fee shall be a sum not in excess of 10 per cent of the recovery for the tribe, determined by the Indian Claims Commission or by the court if the claims are litigated, and by the Commissioner of Indian Affairs after consultation with the tribe if the claims are settled without litigation. In the absence of special justification approved by the Commissioner of Indian Affairs and made a part of the record, the fee shall not be a fixed percentage of the recovery for the tribe, and no minimum fee shall be prescribed.

§ 15.43 *Expenses.* In the absence of special justification approved by the Commissioner of Indian Affairs and made a part of the record, the reim-

bursement of attorneys' expenses in connection with the investigation and prosecution of the claim shall be made payable from the recovery for the tribe, if any, and the amount of such expenses shall be subject to determination by the court, Commission, or Commissioner of Indian Affairs as the case may be. Any agreement by the tribe to pay such expenses regardless of the outcome of the litigation shall be specially justified, shall be limited in amount, shall be subject to the availability of funds within a specified and limited time, and shall provide for the payment of expenses on the basis of vouchers prepared and supported as prescribed by the Commissioner of Indian Affairs. The provisions of § 15.24 shall apply.

§ 15.44 *Term.* The contract shall be for a specified term of years, not to exceed ten. The contract may provide for an extension at the request of the attorney by the Commissioner of Indian Affairs, after consultation with the tribe, for additional specified periods, if the claim has not been prosecuted to a conclusion.

§ 15.45 *Termination.* The contract shall provide for its termination by the Commissioner of Indian Affairs at the request of or with the consent of the tribe upon 60 days' notice for failure to prosecute the claim, for professional misconduct, including misconduct in the negotiation of the contract, or for other cause, and the decision of the Commissioner of Indian Affairs, or of the Secretary of the Interior if an appeal is taken, regarding termination shall be final.

§ 15.46 *Contract assignment.* The provisions of § 15.28 shall apply. However, an assignment or association agreement shall not be approved if there is reasonable cause for belief that it is in furtherance of a claims brokerage plan or practice.

§ 15.47 *Reports.* The contract shall provide for the submission of special reports when requested by the tribe or by the Commissioner of Indian Affairs and for the submission of periodic reports, not less frequently than semi-annually, to the tribe and to the Commissioner of Indian Affairs indicating the work done by the attorney under the contract and evaluating his progress in the investigation and prosecution of the claims. The initial report shall outline the claim, and indicate the scope of investigation necessary and the progress made to date. Subsequent reports shall indicate plans for filing the petition within the statutory time limit and the progress made in assembling evidence and preparing for trial. Such reports need not disclose confidential information, evidence, or litigation strategy. The verified statements of services required by §§ 15.43 and 15.24 may, if adequate for the purpose, be accepted in lieu of the reports required by this section.

OSCAR L. CHAPMAN,
Secretary of the Interior.

AUGUST 1, 1951.

[F. R. Doc. 51-9461; Filed, Aug. 10, 1951; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Ch. IX]

[Docket No. AO-235]

SIOUX FALLS-MITCHELL, SOUTH DAKOTA, MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF MILK

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Auditorium, City Hall, Ninth and Dakota Streets, Sioux Falls, S. Dak., beginning at 10:00 a. m., c. s. t., on August 27, 1951.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk for the Sioux Falls-Mitchell, South Dakota, marketing area and to the issuance of a marketing agreement and order regulating the handling of milk in the said marketing area. The proposed marketing agreement and order proposals set forth below have not received the approval of the Secretary of Agriculture, and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposals and any modification thereof.

Marketing agreement and order proposed by the Sioux Valley Milk Producers Association:

DEFINITIONS

SECTION 1. *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

SEC. 2. *Secretary.* "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

SEC. 3. *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture or any other Federal agency authorized to perform the price reporting functions specified herein.

SEC. 4. *Person.* "Person" means any individual, partnership, corporation, association or any other business unit.

SEC. 5. *Cooperative association.* "Cooperative association" means any cooperative marketing association which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members.

SEC. 6. *Sioux Falls-Mitchell marketing area.* "Sioux Falls-Mitchell marketing area", hereinafter called the "marketing area", means all the territory within the corporate limits of the cities of Sioux Falls, South Sioux Falls and Mitchell, South Dakota; the territory within Sioux Falls, Mapleton and Wayne townships in Minnehaha County; and the territory within Mitchell, Perry and Prosper townships in Davison County, all in the State of South Dakota.

SEC. 7. *Fluid milk plant.* "Fluid milk plant" means a plant or other facilities used in the preparation or processing of producer milk all or a portion of which is sold or disposed of in the marketing area as Class I milk or Class II milk.

SEC. 8. *Nonfluid milk plant.* "Nonfluid milk plant" means any milk manufacturing, processing or bottling plant other than a fluid milk plant.

SEC. 9. *Handler.* "Handler" means:

(a) Any person in his capacity as the operator of a fluid milk plant(s), or

(b) Any cooperative association with respect to milk of producers diverted by it from a fluid milk plant to a nonfluid milk plant for the account of such cooperative association.

SEC. 10. *Producer.* "Producer" means any person who produces Grade A milk under a farm permit or rating issued by local health authorities, which milk is (a) received at a fluid milk plant, or (b) diverted from a fluid milk plant to a nonfluid milk plant for the account of a handler or a cooperative association.

SEC. 11. *Producer milk.* "Producer milk" means all skim milk and butterfat in milk produced by a producer, other than a producer-handler, which is purchased or received by a handler either directly from producers or other handlers.

SEC. 12. *Other source milk.* "Other source milk" means all skim milk and butterfat which is purchased or received by a handler other than that contained in producer milk.

SEC. 13. *Producer-handler.* "Producer-handler" means any person who is both a producer and a handler and who receives no milk from other producers: *Provided,* That the market administrator has determined that (a) the maintenance, care and management of the dairy animals and other resources necessary to produce milk are the personal enterprise of and at the personal risk of such person in his capacity as a producer and, (b) the processing, packaging, and distribution of the milk are the personal enterprise of and at the personal risk of such person in his capacity as a handler.

SEC. 14. *Delivery period.* "Delivery period" means a calendar month or the portion thereof during which the order is in effect.

MARKET ADMINISTRATOR

SEC. 20. *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by

the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

SEC. 21. *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

SEC. 22. *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by section 71 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the date upon which he is required to perform such acts, has not made (1) reports pursuant to section 30, or (2) payments pursuant to sections 65 to 71, inclusive;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) Audit records of all handlers to verify the reports and payments required pursuant to the provisions of this subpart; and

(i) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows: (1) On or before the 3d day after the end of such delivery period the minimum prices for skim milk and butterfat for each class computed to section 51, and (2) on or before the 8th day after the end of such delivery period, the uniform price computed pursuant to section 61 and the butterfat differential computed pursuant to section 66.

REPORTS, RECORDS AND FACILITIES

SEC. 30. *Delivery period reports of receipts and utilization.* On or before the 6th day after the end of each delivery period, each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator, the following information with respect to all milk received from producers; all milk, skim milk, cream, and milk products received from other handlers, and all other source milk received at his fluid milk plants;

(a) The quantities of skim milk and butterfat contained in such receipts and their sources;

(b) The utilization of such receipts; and

(c) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

SEC. 31. *Mid-delivery period reports.* On or before the 20th day of each delivery period, each handler shall report to the market administrator the pounds of milk received by him from each producer or cooperative association during the first 15 days of the delivery period.

SEC. 32. *Producer payroll reports.* Each handler shall report to the market administrator in the detail and on forms prescribed by the market administrator: On or before the 20th day after the end of each delivery period his producer payroll for the delivery period, which shall show (a) the pounds of milk and the percentages of butterfat contained therein received from each producer; (b) the amounts and dates of payments to each producer or cooperative association; and (c) the nature and amount of each deduction or charge involved in the payments referred to in paragraph (a) of this section.

SEC. 33. *Other reports.* Each producer-handler and each handler who receives milk only of his own production or from other handlers which are not cooperative associations, shall make reports to the market administrator at such time and in such manner as the market administrator may request.

SEC. 34. *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipts and utilization of all receipts of producer milk and other source milk;

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream and milk products handled;

(c) Payments to producers and cooperative associations; and

(d) The pounds of skim milk contained in or represented by all milk, skim milk, cream and milk products on hand at the beginning and end of each month.

SEC. 35. *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such 3 year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly, upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

SEC. 40. *Skim milk and butterfat to be classified.* Skim milk and butterfat contained in all milk, skim milk, cream and milk products, which during the delivery period were received by a handler, shall be classified by the market administrator pursuant to sections 41 to 45, inclusive.

SEC. 41. *Classes of utilization.* Subject to the conditions set forth in sections 42 and 43 the classes of utilization shall be as follows:

(a) *Class I milk.* Class I milk shall be all skim milk and butterfat disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks and all skim milk and butterfat not specifically accounted for as Class II milk or Class III milk.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat disposed of in fluid form as cream, either sweet or sour, including any mixture of butterfat and skim milk containing more than 6 percent butterfat and eggnog.

(c) *Class III milk.* Class III milk shall be all skim milk and butterfat (1) specifically disposed of as animal feed, (2) used to produce any milk product other than those specified in paragraphs (a) and (b) of this section, (3) actual plant shrinkage supported by adequate plant records up to but not in excess of two percent of the total receipts of skim milk and butterfat, except skim milk and butterfat received from other handlers which are not cooperative associations, and (4) inventory variations of items listed in paragraphs (a) and (b) of this paragraph.

SEC. 42. *Transfers.* (a) Skim milk and butterfat, when transferred or diverted by a handler to another handler who receives milk from producers or cooperative associations, shall be Class I if transferred or diverted in the form of milk or skim milk and Class II if transferred in the form of cream: *Provided,* That, if the selling handler, on or before the 5th day after the end of the delivery period during which the transfer or diversion is made, furnishes to the market administrator a statement signed by the

buyer indicating that such skim milk or butterfat was used in a different class, such skim milk or butterfat may be assigned to the indicated class up to the amount thereof remaining in such class in the plant of the buyer after the subtraction of other source milk pursuant to section 45 (b): *Provided,* That if either or both handlers have received other source milk, such milk so disposed of shall be classified at both plants so as to return the higher class utilization to producer milk.

(b) Skim milk or butterfat, when transferred or diverted by a handler to a non-fluid milk plant located more than 100 miles from the marketing area shall be Class I if transferred in the form of milk or skim milk, and Class II if transferred in the form of cream.

(c) Skim milk and butterfat when transferred or diverted to a non-fluid milk plant located less than 100 miles from the marketing area shall be Class I if transferred in the form of milk and Class II if transferred in the form of cream: *Provided,* That if the selling handler, on or before the 5th day after the end of the delivery period during which such transfer is made, furnishes to the market administrator a statement signed by the buyer indicating that such skim milk or butterfat was used in a different class and that such utilization may be audited by the market administrator at the receiving plant such skim milk and butterfat may be classified accordingly: *Provided further,* That if upon audit of the buyer's records it is found that the use of skim milk and butterfat in the buyer's plant in the indicated disposition is less than the amount certified to have been so used, any remaining amount shall be classified in the next available higher use classification.

(d) Skim milk and butterfat when transferred or diverted by a handler to a producer-handler or to a handler who receives no milk from other producers or cooperative associations shall be Class I if transferred in the form of milk or skim milk and Class II if transferred in the form of cream.

(e) Skim milk and butterfat received by a handler as other source milk shall be classified in the lowest priced class in which such handler has use.

SEC. 43. *Responsibility of handlers and reclassification of milk.* (a) In establishing the classification of skim milk and butterfat as required in section 41, the burden rests upon the handler who receives such skim milk or butterfat from producers or cooperative associations to prove to the market administrator that such skim milk or butterfat should not be classified as Class I milk.

(b) Any skim milk or butterfat which has been classified by the market administrator shall be reclassified, if found by him to have been used or disposed of (whether in original or other form) by such handler or by any other handler or nonhandler in another class.

SEC. 44. *Computation of skim milk and butterfat in each class.* For each delivery period the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and shall compute the respective amounts of skim milk and butterfat in each class, as follows:

(a) Compute the total pounds of skim milk and butterfat received by adding together the respective amounts of skim milk and butterfat (1) contained in milk, skim milk and cream, and (2) used to produce the milk products received from all sources;

(b) Compute the total pounds of butterfat in Class I by (1) converting to pounds on the basis of 2.15 pounds per quart (in the case of flavored milk and flavored milk drinks 2 pounds per quart) the volume disposed of in each of the several items of Class I milk, (2) multiplying each of the resulting amounts by its average butterfat test, (3) adding together the results so obtained, and (4) adding an amount equal to the difference between the total pounds of butterfat computed pursuant to paragraph (a) of this section, and the total pounds of butterfat computed pursuant to subparagraph (3) of this paragraph, and paragraphs (d) (2) and (f) (2) of this section;

(c) Compute the total pounds of skim milk in Class I by (1) subtracting from the total pounds of Class I milk determined pursuant to paragraph (b) (1) of this section, the pounds of butterfat computed pursuant to paragraph (b) (3) of this section, and (2) adding an amount equal to the difference between the total pounds of skim milk determined pursuant to paragraph (a) of this section, and the total pounds of skim milk computed pursuant to subparagraph (1) of this paragraph, and paragraphs (e) (2) and (g) (4) of this section;

(d) Compute the total pounds of butterfat in Class II by (1) multiplying the actual weight of each of the several items disposed of as Class II milk by its average butterfat test, and (2) adding together the results so obtained;

(e) Compute the total pounds of skim milk in Class II by (1) adding together the actual weights of each of the several items disposed of as Class II milk, and (2) subtracting the pounds of butterfat determined pursuant to paragraph (d) (2) of this section;

(f) Compute the total pounds of butterfat in Class III by (1) multiplying the actual weight of each of the several items disposed of as Class III milk pursuant to section 41 (c) (1) by its average butterfat content, (2) multiplying the milk, skim milk, or cream used to produce each of the several items of Class III milk pursuant to section 41 (c) (2) by its average butterfat content, (3) adding together the resulting amounts, and (4) adding the amount of butterfat allowed as plant shrinkage pursuant to paragraph (h) of this paragraph.

(g) Compute the total pounds of skim milk in Class III by (1) computing the pounds of skim milk in each of the several items disposed of pursuant to section 41 (c) (1), (2) computing the total pounds of skim milk used to produce each of the several items disposed of pursuant to section 41 (c) (2), and (3) adding together the resulting amounts, and (4) adding the pounds of skim milk allowed as plant shrinkage pursuant to paragraph (i) of this section.

(h) The pounds of butterfat to be allowed as plant shrinkage shall be the smaller of the following amounts: (1) 2 percent of the total receipts of butterfat by the handler, not including receipts from other handlers, or (2) the amount, if any, by which the sum of the pounds of butterfat pursuant to paragraphs (b) (3), (d) (2), and (f) (3) of this section is less than the total receipts of butterfat by the handler; and

(i) The pounds of skim milk to be allowed as plant shrinkage shall be the smaller of the following amounts: (1) 2 percent of the total receipts of skim milk by the handler, not including receipts from other handlers, or (2) the amount, if any, by which the sum of the pounds of skim milk computed pursuant to paragraphs (c) (2), (e) (2) and (h) (3) of this section are less than the total receipts of skim milk by the handler.

SEC. 45. *Computation of the classification of skim milk and butterfat in producer milk for each handler.* For each delivery period the market administrator shall compute for each handler the respective amounts of skim milk and butterfat of producer milk in each class by making the following computations in the order specified:

(a) Subtract from the pounds of skim milk and butterfat in Class III the pounds of actual shrinkage allocated to producer milk computed by multiplying the respective amounts of plant shrinkage computed pursuant to section 44 (h) and (i) by the percentages that skim milk and butterfat in receipts of producer milk are to total receipts of skim milk and butterfat by the handler, not including receipts from other handlers;

(b) Subtract from the remaining pounds of skim milk and butterfat, in series beginning with the lowest-priced class, the skim milk and butterfat, respectively, received as other source milk;

(c) Subtract from the remaining pounds of skim milk and butterfat in each class, the total pounds of skim milk and butterfat, respectively, received from other handlers and stated by the receiving handler to have been used in such class: *Provided,* That if the skim milk or butterfat allocated by such statements to Class III or Class II is in excess of the amount of skim milk or butterfat remaining in such class, an amount equal to the difference shall be subtracted from the next higher priced available class;

(d) Add to the remaining pounds of skim milk and butterfat, respectively, in Class III the pounds of actual plant shrinkage allocated to producer milk and subtracted pursuant to paragraph (a) of this section;

(e) Subtract pro rata from the remaining pounds of skim milk and butterfat in each class the pounds of skim milk and butterfat of the handler's own production; and

(f) If the sum of the amounts of skim milk or butterfat remaining in all classes after making the above computations is greater than the handler's receipts of skim milk or butterfat in producer milk, decrease the amount of skim milk or butterfat in the lowest-priced available class or classes by the amount of such excess.

MINIMUM PRICES

SEC. 50. *Basic prices to be used in computing class prices.* The basic price to be used in computing the minimum prices per hundredweight for Class I milk and Class II milk for each delivery period shall be the price for the preceding delivery period, adjusted to the nearest cent, computed by the market administrator as follows (a) multiply by 1.25 the average of the prices per pound of 92-score butter at wholesale in the Chicago market, as reported by the Department of Agriculture during the delivery period in which the milk was received, (b) subtract 5 cents, (c) multiply by 3.5, (d) add 21 cents, and (e) add 3 cents for each full one-half cent that the price of nonfat dry milk solids is above 7 cents per pound. The price of nonfat dry milk solids to be used shall be the arithmetical average of the carlot prices, both spray and roller process, for human consumption delivered at Chicago, as reported by the Department of Agriculture for the delivery period, including in such average the quotations for any part of the preceding delivery period which were not published and available for the determination of the price of such nonfat dry milk solids for the previous delivery period. In the event the Department of Agriculture does not publish carlot prices for nonfat dry milk solids for human consumption delivered at Chicago, the average of the carlot prices for nonfat dry milk solids for human consumption, f. o. b., manufacturing plants as reported by the Department of Agriculture for the Chicago area shall be used, and 3 cents shall be added for each full one-half cent that the latter price is above 6 cents per pound.

SEC. 51. *Class prices.* Each handler shall pay at the time and in the manner set forth in section 65 not less than the prices set forth in this paragraph for skim milk and butterfat in producer milk received during the delivery period at such handler's plant.

(a) *Class I.* The price per hundredweight for Class I milk containing 3.5 percent butterfat shall be the basic price computed to section 50 plus $1.50;

(1) The price per hundredweight for butterfat in Class I milk shall be computed by adding to the price computed pursuant to paragraph (c) (1) of this section for the preceding delivery period $30.00.

(2) The price per hundredweight for skim milk in Class I shall be computed by (i) multiplying by 0.035 the price computed pursuant to such subparagraph (1) of this paragraph, (ii) subtracting the result from the price computed pursuant to this paragraph for milk containing 3.5 percent butterfat, (iii) dividing the result by 0.965, and (iv) adjusting to the nearest cent.

(b) *Class II.* The price per hundredweight for Class II milk containing 3.5 percent butterfat shall be the basic price computed pursuant to section 50 plus $1.00.

(1) The price per hundredweight for butterfat in Class II milk shall be computed by adding to the price computed pursuant to paragraph (c) (1) of this section for the preceding delivery period $30.00.

(2) The price per hundredweight for skim milk in Class II shall be computed by (i) multiplying by 0.035 the price computed pursuant to subparagraph (1) of this paragraph, (ii) subtracting the result from the price computed pursuant to this paragraph for milk containing 3.5 percent butterfat, (iii) dividing the result by 0.965, and (iv) adjusting to the nearest cent.

(c) *Class III.* The price per hundredweight for Class III milk containing 3.5 percent butterfat shall be the price computed pursuant to section 50 for the current delivery period.

(1) The price per hundredweight for butterfat in Class III milk shall be computed by (i) multiplying by 1.25 the average of the prices per pound of 92-score butter at wholesale in the Chicago market as reported by the Department of Agriculture during the delivery period in which such milk was received, (ii) subtracting 5 cents, (iii) adjusting to the nearest cent, and (iv) multiplying the result by 100.

(2) The price per hundredweight for skim milk in Class III milk shall be computed by (i) multiplying by 0.035 the price computed pursuant to subparagraph (1) of this paragraph, (ii) subtracting the result from the price computed pursuant to this paragraph for milk containing 3.5 percent butterfat, (iii) dividing the result by 0.965, and (iv) adjusting to the nearest cent.

SEC. 52. *Emergency price provisions.* Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining minimum class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy or other similar payment, being made by any Federal agency in connection with the milk or product associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

DETERMINATION OF UNIFORM PRICE

SEC. 60. *Computation of the value of milk.* The value of the milk received by each handler from producers and cooperative associations during each delivery period shall be a sum of money computed by the market administrator by multiplying the hundredweight of skim milk and butterfat in each class computed pursuant to section 45 by the applicable class prices, adding together the resulting amounts, and adding any amounts owed by the handler pursuant to paragraphs (a) and (b) of this section.

(a) If a handler, after subtracting all receipts of other source milk and receipts of producer milk from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat reported to have been received by him from producers, the market administrator in computing the value of the milk of such handler in accordance with this paragraph shall add an amount computed by multiplying the pounds of skim milk and butterfat subtracted pursuant to section 45 (f) by the applicable class prices.

(b) For any other source skim milk or butterfat subtracted from Class I milk or Class II milk pursuant to section 45 (b) add an amount equal to the difference between the values of skim milk at the Class I or Class II price, and the Class III price, unless the handler can prove to the satisfaction of the market administrator that such other source skim milk or butterfat was used only to the extent that producer milk was not available.

SEC. 61. *Computation of uniform price.* For each delivery period, the market administrator shall compute a uniform price per hundredweight for milk received from producers by:

(a) Combining into one total the values computed pursuant to section 70 for all handlers who filed the reports pursuant to section 30, and who made the payments required pursuant to sections 65 and 68 for the previous delivery period;

(b) Subtracting for each of the delivery periods of May, June, and July an amount equal to 8 percent of the blended price per hundredweight of the total amount of milk received by handlers from producers and cooperative associations in these computations to be retained in the producer-settlement fund for the purpose specified in section 70 (b) and (c);

(c) Adding an amount equal to not less than one-half the unobligated balance in the producer-settlement fund;

(d) Subtracting, if the average butterfat content of all milk included in these computations is greater than 3.5 percent, or adding, if the average butterfat content of such milk is less than 3.5 percent, an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to section 66 and multiplying the result by the total hundredweight of producer milk included in these computations;

(e) Dividing the resulting amount by the hundredweight of producer milk included in these computations; and

(f) Subtracting not less than 4 cents nor more than 5 cents per hundredweight for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payments or delinquencies in payments by handlers. The result shall be known as the "uniform price" per hundredweight for producer milk of 3.5 percent butterfat content.

SEC. 62. *Notification of handlers.* On or before the 9th day after the end of each delivery period, the market administrator shall notify each handler of:

(a) The amount and value of his milk in each class computed pursuant to sections 45 and 60, respectively, and the totals of such amounts and values;

(b) The uniform price computed pursuant to section 61;

(c) The amount, if any, due such handler from the producer-settlement fund; and

(d) The total amount to be paid by such handler pursuant to sections 65 and 71.

PAYMENTS

SEC. 65. *Time and method of payment to producers.* Each handler shall make payment for milk which he received from producers or cooperative associations during each delivery period as follows:

(a) On or before the 12th day after the end of each delivery period each handler shall make payment, subject to the butterfat differential determined pursuant to section 66, less deductions authorized by the producer and less the payments made pursuant to paragraph (b) of this section (1) to each producer for milk purchased or received by such handler an amount computed by multiplying the hundredweight of such milk by the price computed pursuant to section 61, and (2) to a cooperative association for milk which it causes to be delivered to a handler from producers and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraph (1) of this paragraph.

(b) On or before the 27th day of each delivery period each handler shall make payment (1) to each producer an amount not less than the amount computed by multiplying the hundredweight of milk received by such handler during the first 15 days of the current delivery period, by the uniform price which was announced by the market administrator for the next preceding delivery period, and (2) to a cooperative association for milk which it caused to be delivered to a handler from producers and for which such cooperative association collects payments, a total amount equal to not less than the sum of the individual payments otherwise payable to such producers under subparagraph (1) of this paragraph.

SEC. 66. *Butterfat differential to producers.* If, during the delivery period, any handler has received from any producer or from a cooperative association, milk having an average butterfat content other than 3.5 percent, such handler in making the payments prescribed in section 65 (a) shall add to the uniform price for each one-tenth of one percent that the average butterfat content of such milk is above 3.5 percent not less than, or shall deduct from the uniform price for each one-tenth of one percent that such average butterfat content is below 3.5 percent not more than, an amount computed by the market administrator as follows: To the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the Department of Agriculture for the delivery period during which such milk was received, add 20 percent, divide the result obtained by 10, and adjust to the nearest one-tenth of a cent.

SEC. 67. *Adjustment of errors in payment to producers.* Whenever verification by the market administrator of the payment by a handler to any producer or to a cooperative association discloses payment of an amount less than is required by section 65 (a) the handler shall make up such payment to the producer or cooperative association not later than the time of making payment next following such disclosure.

SEC. 68. *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to sections 69 and 71 and out of which he shall make all payments to handlers and producers pursuant to sections 70 and 71: *Provided,* That the market administrator shall offset any payment due to any handler against payments due from such handler: *And provided further,* That the amount received pursuant to section 61 (b) shall be expended pursuant to section 70 (b) and (c).

SEC. 69. *Payments to the producer-settlement fund.* On or before the 10th day after the end of each delivery period each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount, if any, by which the total value computed for him pursuant to section 60 for such delivery period is greater than the sum required to be paid by such handler pursuant to section 65.

SEC. 70. *Payments out of the producer-settlement fund.* (a) On or before the 11th day after the end of each delivery period, the market administrator shall pay to each handler, for payment to producers, the amount, if any, by which the sum required to be paid by such handler pursuant to section 65 is greater than the total value computed for him pursuant to section 60 for such delivery period.

(b) On or before the 12th day after the end of each of the delivery periods of September, October and November the market administrator shall, except as provided in paragraph (c) of this section, pay to each producer from whom milk was received by a handler during such delivery period an amount computed as follows: Divide one-third of the total amount held pursuant to section 61 (b) by the total hundredweight of milk received by handlers from producers during the delivery period involved (September, October or November, as above), and multiply the resulting rate (computed to the nearest full cent per hundredweight) by the milk received from such producer during such delivery period.

(c) On or before the 10th day after the end of each of the delivery periods of September, October and November the market administrator shall pay to a cooperative association for milk which it caused to be delivered to a handler from producers and for which such cooperative association collects payments, an amount equal to the sum of the individual payments otherwise payable to such producers under paragraph (b) of this section.

SEC. 71. *Adjustment of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors in payments to or from the producer-settlement fund made pursuant to sections 69 and 70, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 5 days of such billing make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler pursuant to section 70 the market administrator shall, within 5 days, make such payment to such handler.

SEC. 72. *Expense of administration.* As his pro rata share of the expense of administration hereof, each handler shall pay to the market administrator, on or before the 15th day after the end of the month, 4 cents per hundredweight or such amount not exceeding 4 cents per hundredweight as the Secretary may prescribe with respect to all receipts within the month of (a) milk from producers including such handler's own production, and (b) other source milk which is classified as Class I milk.

SEC. 73. *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to

run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

SEC. 80. *Effective time.* The provisions of this subpart or any amendment to this subpart shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to section 81.

SEC. 81. *Suspension or termination.* The Secretary may suspend or terminate this subpart or any provisions of this subpart whenever he finds this subpart or any provision of this subpart obstructs or does not tend to effectuate the declared policy of the act. This subpart shall terminate in any event whenever the provisions of the act authorizing it cease to be in effect.

SEC. 82. *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any persons (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

SEC. 83. *Liquidation.* Upon the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

SEC. 90. *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

SEC. 91. *Separability of provisions.* If any provision of this subpart, or its application to any person or circumstances, is held invalid, the application of such provision and of the remaining provisions of this subpart, to other persons or circumstances shall not be affected thereby.

Copies of this notice of hearing may be procured from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: August 8, 1951, at Washington, D. C.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-9557; Filed, Aug. 10, 1951; 8:52 a. m.]

[7 CFR Part 905]

[Docket No. AO-209-A2]

HANDLING OF MILK IN OKLAHOMA CITY, OKLA., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED AMENDMENT TO THE TENTATIVE MARKETING AGREEMENT, AND TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Oklahoma City, Oklahoma, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 10th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, was conducted at Oklahoma City, Oklahoma, on July 11, 1951, pursuant to notice thereof which was issued on June 22, 1951 (16 F. R. 5997).

The material issues of record related to proposals with respect to:

(1) Expansion of the marketing area;

(2) The pricing of Class II milk;

(3) Qualification of plants whose receipts of milk are to be included in the computation of the uniform price to producers;

(4) The classification of concentrated milk and yogurt;

(5) The computation of daily average bases for producers;

(6) Payroll reports of handlers;

(7) Payments from handlers who use other source milk when producer milk is available;

(8) Allocation provisions of the order during temporary periods of short supply:

No evidence was introduced in support of a proposal to require handlers to supply producers with supporting statements when making payments.

Findings and conclusions. The following findings and conclusions on these issues are based upon the evidence introduced at the hearing and the record pertaining thereto:

1. The marketing area should be expanded by the addition of Edmond and Lincoln townships in Oklahoma County; Pottawatomie County should not be added to the marketing area at this time.

The marketing area now comprises 14 townships (less four sections of land) of the 20 townships in Oklahoma County and the six townships in Cleveland County. It was proposed by producers that the area in Oklahoma County be expanded to include the entire county and that Pottawatomie County be included. No change was proposed with respect to the area in Cleveland County.

Five of the six townships in Oklahoma County not now included in the marketing area constitute the northern tier of townships in the county. The city of Edmond with a population of approximately 5,000 is situated at the boundary line of Edmond and Lincoln townships and is also adjacent to the boundary of the present marketing area. A handler with a plant in Edmond operates routes in the present marketing area and is subject to the order. Oklahoma City handlers sell milk in Edmond. Health requirements for milk to be sold in Edmond and these two townships are now similar to those of the marketing area. It is concluded that the townships of Edmond and Lincoln should be included in the marketing area. There is no evidence that any additional milk will be brought under regulation by this change and no opposition to the addition of these two townships was made at the hearing. With respect to Deer Creek, Deep Fork and Luther townships it appears that the total volume of milk sold is relatively small and that a handler from Guthrie sells a larger volume than do Oklahoma City handlers. The proposal to include these townships was not supported by the proponents at the hearing, and on the basis of the record should not be adopted.

The proposal to include in the marketing area Elk township and four sections of land in Choctaw township, Oklahoma

County is associated with the proposal to include Pottawatomie County. This area was originally excluded in order not to bring under regulation a handler whose principal business is in Pottawatomie County. The principal urban center of population in Pottawatomie County is Shawnee, a city of 22,000 population about 38 miles from Oklahoma City. While the record indicates that the requirements for the production of milk to be sold as fluid milk in this county are similar to those of the marketing area, and that producers for the city of Shawnee and intermingled with those who supply the Oklahoma City market, it fails to show any substantial competition for milk sales throughout the expanded area proposed. Oklahoma City handlers do not now sell milk in Pottawatomie County, which may in part be due to a requirement, now no longer effective, that all milk sold in Shawnee be pasteurized within 25 miles of that city. Neither have Shawnee handlers sold milk in the territory now included in the marketing area. In view of the lack of evidence of competition for fluid milk sales, it is concluded that Pottawatomie County and Elk township and the four sections of land in Choctaw township, Oklahoma County, should not be included in the marketing area at this time.

2. The price for Class II milk should be the butter-powder formula price of the order, less 15 cents per hundredweight for the months of April through July only, but should not be less than the average paying prices of the four manufacturing plants now used to determine Class II prices.

Since the effective date of the Oklahoma City order (May 1950) the price for Class II milk has been determined from the average paying prices of four manufacturing plants in Oklahoma, except that since April 1951 the Class II price cannot be less than that paid for ungraded milk by the Gilt Edge Dairy, a handler under the order who operates a manufacturing plant.

For the 15 months for which data are available this Class II price has been substantially below the Class II price of the order for the nearby Tulsa market, which is based on the paying prices of four other plants in that general area. This difference has varied from 12.5 cents to 38 cents per hundredweight, averaging 20.2 cents. For the same period the Oklahoma City Class II price has averaged 31 cents less than the butter-powder formula price of the order, which is based on values (on the national market) of manufactured dairy products included in Class II milk.

That the present Class II price does not represent the true value of milk for manufacturing purposes in the area is evidenced by the fact that during the period March through June 1951 a cooperative association of producers diverted 1,166,000 pounds of milk to manufacturing plants for a weighted average increase of 20 cents per hundredweight over the Class II price. All of this milk was diverted to plants whose paying prices for ungraded milk are used in determining the Class II price.

An analysis of the products made from Class II milk during the first year of the order shows that more than 60 percent of the product pounds of Class II milk was used in the manufacture of cottage cheese and ice cream, and that more than 70 percent of the butterfat in Class II milk was used in these products. Handlers indicate that they consider cottage cheese and ice cream to be Class II products from which they realize a relatively high value. About 14 percent of the butterfat was used in the manufacture of butter and about 24 percent of the skim milk was manufactured into dry milk solids.

Manufacturing milk produced in the area is not sufficient to supply the needs for Class II products at all seasons of the year. Milk that is not approved for fluid use is produced largely on farms on which dairying is not a year-round enterprise. As a consequence there is considerably greater seasonal variation in production of milk for manufacturing use than in the production of milk approved for fluid usage. During the periods of flush production cream and concentrated milk solids are marketed for ice cream manufacture in Texas, Louisiana, and New Mexico, while it is frequently necessary to import these ingredients during the short production season.

Producers proposed that the Class II price be the butter-powder formula price. This appears to be a reasonable basis for determining the value of Class II milk during the periods of relatively short supply. However, during the months of April through July when supplies of manufacturing milk in the area are more abundant a seasonal reduction of 15 cents per hundredweight from this price should apply as an assurance that all approved milk not needed for fluid use will continue to be handled. The Class II price in no event should be less than the average paying price of the four local manufacturing plants.

3. The order need not be amended at this time to further restrict the milk to be included in the computation of the uniform price to producers.

It was proposed by a producers' association that the receipts at any approved plant located outside the marketing area should be "pooled" (included in the computation of the uniform price) only if such plant disposes of at least 20 percent of its receipts of milk from producers as Class I milk in the marketing area on wholesale and retail routes. At present all receipts from approved producers at any approved plant from which any specified Class I products are disposed of on routes in the marketing area are pooled.

It appears that to a certain extent the proposal was associated with the proposed expansion of the marketing area. In the area originally proposed, route distribution is made by some plants whose primary distribution is elsewhere. In the area herein decided, however, the record indicates that all milk is now distributed from plants located in the area.

Testimony indicated fears that outside plants with considerable surplus milk might sporadically make token route sales in the marketing area which would reduce the uniform prices paid producers who regularly supply the market, but failed to establish the location or identity of any such plants. The base-excess plan of the order will protect the returns of producers regularly supplying the market from the effects of such sporadic token sales by plants entering the market in the spring months of flush production. The revision in Class II prices decided herein will make it less attractive for any outside plant to become subject to the order as a means of pooling surplus milk. It is concluded that under these circumstances additional safeguards need not be included in the order at this time.

4. Yogurt and concentrated milk should be specifically named as products to be included in Class I milk.

Yogurt is a form of buttermilk and as such should be classified as Class I milk with other buttermilks. Some sales of this product in the Oklahoma City market have been so classified without objection. It is considered advisable to name the product specifically as one to be classified as Class I milk in order that any future question of interpretation may be avoided.

Fresh concentrated milk for fluid consumption is a product that has appeared in several milk markets in recent months. While it has not yet been sold in the Oklahoma City market, provision for its classification is desirable at this time. The product is promoted as a direct and acceptable substitute for fresh whole milk, indistinguishable from regular fluid milk when water is added. Concentrated milk, including concentrated milk drinks, should therefore be classified as Class I milk.

5. No substantive change should be made at this time in the computation of the daily average base for each producer but the language of the order should be changed to avoid the possibility that a producers' base may be enhanced through irregular deliveries.

Under the order payments to producers for the months of April, May and June of each year are made on a "base-excess" plan for which a daily average base is computed for each producer by dividing the total pounds of milk received from him during the months of September through December immediately preceding by the number of days, not to be less than 90, on which he delivered milk in that period. In this way new producers may enter the market any time until about October 1 and have a daily average base equal to the average of their deliveries from that date through December 31.

It was proposed that the daily average base should be determined by dividing the pounds of milk received from the producer in the four "base-setting" months by 122, the total number of days in this period. The effect of this proposal would be to provide a lower base for any producer who failed to deliver during any portion of the "base-setting" period. In support of this proposal it was argued that producers who failed to supply milk throughout all of this period when supplies are normally shortest should not have bases computed the same

as though they had done so. It was also pointed out that the base of an old producer who delivered his entire production, but not on a daily basis, might be unduly increased.

The present provisions for establishing daily average bases will be used for the first time with respect to deliveries during the coming base-setting months of 1951, as they were adopted by an amendment effective April 1, 1951. Since there has been no experience upon which to judge their effect it is not considered advisable that a substantive change be made at this time. The language of the order should, however, be clarified to prevent the possibility that a producer's base will be enhanced by irregular deliveries.

6. The deductions from payments to producers to be listed on the payroll reports made by handlers should be those properly authorized.

The order currently requires that handlers, in reporting their producer payrolls as evidence of payment of uniform prices, show the nature and amount of any deductions or changes involved in such payments. It was proposed that these be authorized deductions or charges so that the handler would be required by the order to have proper authorization from producers for any deductions reported. Changes in hauling rates from farms to plants have been the principal cause of controversy relative to the deductions reported. Handlers did not oppose the proposal. It is concluded that this change will facilitate administration of the order and should be adopted.

7. The order should not be amended at this time to require a handler who receives less producer milk than his Class I sales to make payments into the pool unless he can prove that no producer milk was available for such sales.

A proposal was introduced at the hearing to require that a handler make payments to the pool with respect to other source milk allocated to Class I milk unless he can prove to the satisfaction of the market administrator that such milk was used only to the extent that producer milk was not available.

An identical proposal was considered at the hearing held in December 1950. In the decision on the issues of that hearing it was concluded that the proposal should not be adopted without further indication of need for it and a record indicating definite standards for its administration. This record fails to show any basis for altering the conclusion of the former decision.

8. The allocation provisions of the order should not be amended to provide pro rata allocation of approved supplies of other source milk during temporary periods of short supply to be determined by the market administrator.

A proposal introduced at the hearing was to the effect that "emergency milk" should be allocated pro rata to a handler's total usage. Testimony concerning the proposal indicated that its intent was that "emergency milk" should be approved supplies imported from outside sources during temporary periods of short supply to be determined by the market administrator. The evidence concerning need for the proposal was principally devoted to an instance in which interhandler transfers were made from a plant receiving other source milk. The record fails to indicate the standards under which the market administrator should determine the periods when the provisions would apply. The present provisions of the order merely give producer milk priority for Class I sales to the extent that it is received. It is concluded that the proposal should not be adopted on the basis of this record.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to § 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Central Oklahoma Milk Producers Association and handlers subject to the order.

The briefs contained statements of fact, proposed findings and conclusions, and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended marketing agreement and amendment to the order. The following amendments to the order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order as hereby proposed to be amended.

1. Delete § 905.6 and substitute therefor the following:

§ 905.6 *Oklahoma City, Oklahoma, marketing area.* "Oklahoma City, Oklahoma, marketing area", hereinafter called the marketing area, means all the territory within the boundaries of Oklahoma County, except Deer Creek, Deep Fork, Luther and Elk townships and sections 23, 24, 25 and 26 of Choctaw township, and within the townships of Moore, Taylor, Case, Liberty, Norman and Noble in Cleveland County, all in the State of Oklahoma.

2. Delete § 905.31 (c) and substitute therefor the following:

(c) The nature and amount of any authorized deductions or charges involved in such payments.

3. Delete § 905.41 (a) and substitute therefor the following:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat (1) disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, yogurt, cream, cultured sour cream, aerated products containing milk or cream, any mixture (except bulk ice cream mix) of cream and milk or skim milk, (2) used to produce concentrated (including frozen) milk, flavored milk or flavored milk drinks disposed of for fluid consumption neither sterilized nor in hermetically sealed cans, and (3) all other skim milk and butterfat not specifically accounted for as Class II milk.

4. Delete § 905.51 (b) and substitute therefor the following:

(b) *Class II milk.* The higher of:

(1) The price computed pursuant to § 905.50 (b) for the current month, less 15 cents for each of the months of April, May, June and July only; or

(2) The average of the basic or field prices reported to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received during the month at the following plants or places for which prices have been reported to the market administrator or to the Department.

Present Operator and Location

Fairmont Foods Co., Guthrie, Okla.
Wilson & Co., Blackwell, Okla.
Kraft Cheese Company, Sulphur, Okla.
Hawk Dairy, Tulsa, Okla.

5. Delete § 905.65 (a) and substitute therefor the following:

(a) Divide the total pounds of milk received by a handler(s) from such producer during the months of September through December by the number of days, not to be less than ninety, during the period within which such producer made deliveries of milk in such months.

This decision filed at Washington, D. C., this 8th day of August 1951.

[SEAL] ROY W. LENNERTSON,
Assistant Administrator.

[F. R. Doc. 51-9556; Filed, Aug. 10, 1951; 8:52 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

CAPITOL STOCK YARDS CO., INC.

DEPOSTING OF STOCKYARD

It has been ascertained that the Capitol Stock Yards Co., Inc., Baton Rouge, Louisiana, originally posted on February 24, 1936, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), no longer comes within the definition of a stockyard under said act for the reason that it is no longer being conducted or operated as a public livestock market. Therefore, notice is given to the owner of such stockyard and to the public that such stockyard is no longer subject to the provisions of said act.

Notice of public rule making has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impractical. There is no legal warrant or justification for not depositing promptly a stockyard which is no longer being conducted or operated as a public livestock market and is, therefore, no longer a stockyard within the definition contained in said act.

The foregoing rule is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

Done at Washington, D. C., this 7th day of August, 1951.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 51-9552; Filed, Aug. 10, 1951; 8:51 a. m.]

RESPECTIVE ALLOCATION AND PRIORITY RESPONSIBILITIES OF DEPARTMENT OF COMMERCE AND DEPARTMENT OF AGRICULTURE IN CONNECTION WITH FOODS WHICH HAVE INDUSTRIAL USES

AMENDMENT OF MEMORANDUM OF AGREEMENT

1. Pursuant to Executive Orders Nos. 10161 and 10200 (15 F. R. 6105; 16 F. R. 61), Defense Production Administration Delegation No. 1 (16 F. R. 738) as amended (16 F. R. 4594), Department of Commerce Order No. 123 (as amended January 24, 1951), and Defense Food Delegation No. 1 (15 F. R. 8424) as amended (16 F. R. 2446), the Administrator of the National Production Authority, United States Department of Commerce, and the Administrator of the Production and Marketing Administration, United States Department of Agriculture, do hereby agree that the Memorandum of Agreement (16 F. R. 3410) heretofore entered into by them is amended by adding at the end of Part A, paragraph 5, the following sentence: "It is further understood that, notwithstanding any other provision of this Agreement, imports of commodities or products with respect to which a determination has been made by the Secretary of Agriculture, as provided in section 104 of the Defense Production Act of 1950, as amended, will be within the authority of Agriculture."

Dated: August 9, 1951.

PRODUCTION AND MARKETING ADMINISTRATION,
[SEAL] G. F. GEISSLER,
Administrator.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9633; Filed, Aug. 10, 1951; 11:34 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. S-27]

INVESTIGATION OF POOLING AND SAILING AGREEMENTS

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that an investigation and hearing will be held to determine what effect the following agreements between carriers have on foreign-flag competition as a factor in determining the amount of operating-differential subsidy payable under the applicable provisions of Title VI, Merchant Marine Act, 1936, as amended, 46 U. S. C., section 1171, et seq., to the subsidized operators which are parties thereto:

(a) Agreement No. 7549, between Moore-McCormack Lines, Inc., and A/B Svenska Amerika Linien, A/B Svenska Amerika Mexiko Linien, and Rederiaktiebolaget Transatlantic, covering the alternation of sailings in the trade between U. S. North Atlantic ports and Sweden.

(b) Agreement No. 7616, between Lykes Bros. Steamship Company, Inc., and Thos. & Jas. Harrison, covering apportionment of sailings and pooling of revenue in the trade from U. S. Gulf ports to United Kingdom ports.

(c) Agreement No. 7792 (and supporting Agreement No. 7795), an eight-party agreement including Grace Line, Inc., and Lykes Bros. Steamship Co., Inc., covering the coffee movement from Colombia, S. A., to U. S. Atlantic and Gulf ports and referred to as the Colombian Coffee Pooling Agreement.

(d) Agreement No. 7796 and Amendment No. 7796-1 thereto (Chilean Pooling Agreement) between Compania Sud Americana de Vapores and Grace Line Inc., applicable to limited operations on Trade Route No. 2 (U. S. Atlantic Ports and Ports on the West Coast South America).

The purpose of the investigation and hearing is to develop and receive evidence with respect to the following issues, among others:

1. Whether these agreements by (a) pooling or apportioning earnings, losses or traffic; (b) allotting or distributing sailings, traffic or areas; (c) restricting the volume, scope, frequency or coverage of services; or (d) any other means create relationships such as eliminate or tend to eliminate or diminish the extent of competition among their signatories.

2. If so, whether the Board is required, as a matter of law, to consider such elimination or diminution of competition in computing the amount of operating-differential subsidy it is authorized by said Title VI to grant American-flag operators, signatory to such agreements.

3. Whether, if the Board is required, as a matter of law, to consider such elimination or diminution of competition, if any, in such computation, it is precluded from so doing in the case of any approved agreement which was in effect at the time the operating-differential subsidy contract was first awarded.

4. Whether, if the Board is not required to consider, as a matter of law, such elimination or diminution of competition, if any, in such computation, it should nevertheless so consider the same in the exercise of sound administrative discretion.

Pursuant to § 201.59 of the Board's rules of procedure, a prehearing conference in subject proceeding will be held at Washington, D. C., on September 21, 1951, at 10 o'clock a. m., in Room 4823, Department of Commerce Building, before Chief Examiner G. O. Basham.

In the prehearing conference consideration will be given to the following:

(1) Simplification of the issues;

(2) The necessity or desirability of amendments to the pleadings;

(3) The possibility of obtaining admission of fact and of documents which will avoid unnecessary proof;

(4) Limitations on the number of witnesses;

(5) The procedure at the hearing;

(6) The distribution to the parties prior to the hearing of written testimony and exhibits;

(7) Consolidation of the examination of witnesses by counsel; and

(8) Such other matters as may aid in the disposition of the proceeding.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to participate in this conference should notify the Secretary of the Board promptly to that effect.

Dated: August 8, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-9551; Filed, Aug. 10, 1951; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

Learner Employment Certificates

Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Barrow Manufacturing Co., 214–218 Candler Street, Winder, Ga., effective 8–4–51 to 8–3–52; for normal labor turnover, 10 percent of the productive factory workers (work pants).

Belmill Manufacturing Co., Inc., 737 Perry Street, Marseilles, Ill., effective 8–6–51 to 8–5–52; for normal labor turnover, 10 learners (outerwear, jackets).

Blue Bell, Inc., Block 77 East Barnes Street, Bushnell, Ill., effective 8–15–51 to 2–14–52; 75 learners may be employed for expansion purposes (men's and boys' bib overalls).

Chetopa Manufacturing Co., Inc., Chetopa, Kans., effective 8–6–51 to 1–12–52; an additional 10 learners may be employed for expansion purposes only (supplemental certificate) (work pants and waistband overalls).

H & H Manufacturing Co., Statham, Ga., effective 8–4–51 to 8–3–52; for normal labor turnover, 10 percent of the productive factory workers or 10 learners, whichever is greater (men's slacks).

Hartsville Co., Hartsville, Tenn., effective 8–6–51 to 8–5–52; 10 percent of the productive factory workers for normal labor turnover purposes (sport shirts).

Hollywood Maxwell Co., 24 West Fifth South Street, Salt Lake City, Utah, effective 8–6–51 to 2–5–52; an additional 15 learners may be employed for expansion purposes only (brassieres, garter belts).

The More Manufacturing Co., Marissa, Ill., effective 8–6–51 to 8–5–52; for normal labor turnover, 10 learners (housecoats, pajamas).

Quarles Manufacturing Co., Sanger, Tex., effective 7–31–51 to 7–30–52; for normal labor turnover, 10 percent of the productive factory workers, or 10 learners, whichever is greater (men's and boys' sportswear).

Royden Wear, Inc., McRae, Ga., effective 8–8–51 to 2–7–52; an additional 10 learners may be employed for expansion purposes only (children's clothing).

Royden Wear, Inc., McRae, Ga., effective 8–8–51 to 8–7–52; for normal labor turnover, 10 learners (children's clothing).

Sacony of Pageland, Inc., Pageland, S. C., effective 8–6–51 to 4–17–52; for normal labor turnover, 10 percent of the productive factory workers, this certificate does not authorize the employment of learners at subminimum wage rates engaged in the production of women's and misses' suits and separate skirts (women's sportswear).

Thorntown Textile Co., Inc., Thorntown, Ind., effective 8–3–51 to 2–2–52; 10 additional learners may be employed for expansion purposes only (cotton blouses).

Todd Manufacturing Co., Elkton, Ky., effective 8–9–51 to 2–8–52; an additional 10 learners may be employed for expansion purposes only (work shirts).

Todd Manufacturing Co., Elkton, Ky., effective 8–9–51 to 8–8–52; for normal labor turnover, 10 percent of the productive factory workers (work shirts).

Topkis Brothers Co., 245 North Main Street, Winchester, Ky., effective 8–15–51 to 8–14–52; for normal labor turnover, 10 percent of the productive factory workers (sports shirts and pajamas).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Fairfield Glove Co., Bonaparte, Iowa, effective 8–18–51 to 8–17–52; 10 learners.

Fairfield Glove Co., 603 West Stone, Fairfield, Iowa, effective 8–18–51 to 8–17–52; 10 percent of the total number of productive factory workers.

The Daniel Hays Co., Inc., 185 West Fulton Street, Gloversville, N. Y., effective 8–3–51 to 8–2–52; one learner.

Indianapolis Glove Co., Inc., Glenwood, Ark., effective 8–2–51 to 2–1–152; 10 learners for expansion purposes.

Indianapolis Glove Co., Houlka, Miss., effective 8–6–51 to 1–18–52; 35 additional learners (supplemental certificate).

Jasper Glove Co., Inc., 611 Main Street, Jasper, Ind., effective 8–3–51 to 8–2–52; 10 percent of the total number of productive factory workers.

North Star Manufacturing Co., 2317 Pacific Avenue, Tacoma, Wash., effective 8–16–51 to 8–15–52; six learners.

Warlong Glove Manufacturing Co., Conover, N. C., effective 8–2–51 to 8–1–52; 10 percent of the total number of productive factory workers.

Western Glove Co., Orting, Wash., effective 8–16–51 to 8–15–52; six learners.

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Henfine Hosiery Mills Co., Butner, N. C., effective 8–6–51 to 4–5–52; 20 learners for expansion purposes.

Hope Hosiery Mills, Adamstown, Pa., effective 8–3–51 to 8–2–52; 5 percent of the total number of productive factory workers.

Melrose Hosiery Mills, Inc., 1541 English Street, High Point, N. C., effective 8–14–51 to 8–13–52; 5 percent of the total number of productive factory workers.

Paul Knitting Mills, Inc., Pulaski, Va., effective 7–31–51 to 7–30–52; 5 percent of the total number of productive factory workers.

Walridge Knitting Mills, Inc., Marvell, Ark., effective 8–6–51 to 2–20–52; five additional learners for expansion purposes.

Regulations applicable to the employment of learners (29 CFR 522.1 to 522.14).

Industrial Coils, Inc., 202 East Street, Baraboo, Wis., effective 8–24–51 to 2–25–52, 10 learners; coil winding, adjusting, soldering and machine operating; 480 hours, 65 cents per hour for first 320 hours and 70 cents per hour for the remaining 160 hours (coils).

Keystone Adjustable Cap Co., 1030 South Tenth Street, Philadelphia, Pa., effective 8–8–51 to 2–7–52, six learners; machine operators (except cutting), printing pressmen; 240 hours for first occupation and 480 hours for latter occupation; 65 cents per hour (sanitary headwear).

Thompson Manufacturing Co., 701–703 Highway Street, McAllen, Tex., effective 8–2–51 to 2–1–52; 50 learners; sewing machine operator; 160 hours at 60 cents per hour (canvas products).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Wesseling, Jordan Shoe Co., Inc., Tipton, Mo., effective 8–3–51 to 8–2–52; 10 learners.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 7th day of August 1951.

Milton Brooke,
Authorized Representative of the Administrator.

[F. R. Doc. 51–9477; Filed, Aug. 10, 1951; 8:47 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region IX, Redelegation of Authority 1]

Directors of District Offices, Region IX

Redelegation of Authority to Act on Applications for Adjustments Under Ceiling Price Regulation 13

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of section 16 of CPR–13 of March 21, 1951 (16 F. R. 2628) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to make adjustments or act upon applications for adjustments under section 16 (b), CPR–13, as amended, modified or otherwise changed by subsequent directives.

This redelegation of authority is effective as of July 18, 1951.

H. Roe Bartle,
Regional Director, Region IX.

August 8, 1951.

[F. R. Doc. 51–9531; Filed, Aug. 8, 1951; 4:58 p. m.]

[Region IX, Redelegation of Authority 2]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON ALL APPLICATIONS FOR ADJUSTMENT UNDER THE PROVISIONS OF CPR–15 AND CPR–16

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of section 28 of CPR–15 of March 28, 1951 (16 F. R. 2735), and section 24 (b) of CPR–16 of March 28, 1951 (16 F. R. 2750), this Redelegation of Authority is hereby issued.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to act on all applications for adjustment under the provisions of CPR–15, as amended, modified or otherwise changed by subsequent directives.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to act on all applications for adjustment under the provisions of CPR–16, as amended, modified, or otherwise changed by subsequent directives.

This redelegation of authority is effective as of July 25, 1951.

H. ROE BARTLE,
Regional Director, Region IX.

AUGUST 8, 1951.

[F. R. Doc. 51–9532; Filed, Aug. 8, 1951; 4:58 p. m.]

[Region IX, Redelegation of Authority 3]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR–7, AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 5 dated April 28, 1951 (16 F. R. 3672), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, as amended, modified or otherwise changed by subsequent directives, markups higher than those listed in Appendix E of that regulation.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, as amended, modified or otherwise changed by subsequent directives, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added the cost of the services provided and a markup in line with the level of prices established by that regulation.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, as amended, modified, or otherwise changed by subsequent directives, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective as of July 25, 1951.

H. ROE BARTLE,
Regional Director, Region IX.

AUGUST 8, 1951.

[F. R. Doc. 51–9533; Filed, Aug. 8, 1951; 4:59 p. m.]

[Region IX, Redelegation of Authority 4]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority 8 dated June 13, 1951 (16 F. R. 5659), this redelegation of authority is hereby issued.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a, and 28b of CPR–14, as amended, modified, or otherwise changed by subsequent directives.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to act on all applications for price action and adjustment under the provisions of sections 21 (a), 26, 26a, 27, and 30 (b) of CPR–15, as amended, modified or otherwise changed by subsequent directives.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to act on all applications for price action and adjustment under the provisions of sections 22 (b), 24, 24a, and 26 (b) of CPR–16, as amended, modified, or otherwise changed by subsequent directives.

This redelegation of authority is effective as of July 25, 1951.

H. ROE BARTLE,
Regional Director, Region IX.

AUGUST 8, 1951.

[F. R. Doc. 51–9534; Filed, Aug. 8, 1951; 4:59 a. m.]

[Region IX, Redelegation of Authority 5]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to the provisions of Delegation of Authority No. 14, dated July 27, 1951 (16 F. R. 7431), this redelegation of authority is hereby issued.

1. Authority to act under GCPR, SR 45.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region 9, to act on all applications for adjustment under the provisions of sections 1–6 inclusive, of GCPR, SR 45, as amended.

This redelegation of authority is effective as of August 1, 1951.

H. ROE BARTLE,
Regional Director, Region IX.

AUGUST 8, 1951.

[F. R. Doc. 51–9535; Filed, Aug. 8, 1951; 4:59 a. m.]

[Region IX, Redelegation of Authority 6]

DIRECTORS OF DISTRICT OFFICES, REGION IX

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region IX, pursuant to Delegation of Authority No. 13 (16 F. R. 738) this redelegation of authority is hereby issued.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Ninth Region, to act on all applications for price action and adjustment under the provisions of section 13 of CPR–11, as amended.

This redelegation of authority is effective as of July 18, 1951.

H. ROE BARTLE,
Regional Director, Region IX.

AUGUST 8, 1951.

[F. R. Doc. 51–9536; Filed, Aug. 8, 1951; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G–1753]

PACIFIC GAS AND ELECTRIC CO.

NOTICE OF APPLICATION

AUGUST 7, 1951.

Take notice that on July 27, 1951, Pacific Gas and Electric Company (Applicant), a California corporation of San Francisco, California, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of a line tap and metering and regulating facilities at a point on applicant's Topock-Milpitas pipe line near Mojave, California.

The proposed tap and meter station will enable applicant to deliver natural gas to Southern California Gas Company (Southern) in exchange for gas which Southern is to deliver to applicant at its Kettleman Hills compressor station. Southern will sell and deliver the

gas received from Applicant to consumers, through Southern's proposed line, in the communities of Mojave, Lancaster, Rosamond, and Palmdale, California. The cost of the proposed facilities to be constructed is estimated to be $10,000 and will be paid from current funds of Applicant.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9476; Filed, Aug. 10, 1951; 8:47 a. m.]

[Docket No. G-1675]

IROQUOIS GAS CORP.

ORDER FIXING DATE OF HEARING

AUGUST 7, 1951.

On April 20, 1951, Iroquois Gas Corporation (Applicant), a New York corporation having its principal office in Buffalo, New York, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as are fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 9, 1951 (16 F. R. 4279).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 30, 1951, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 7, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9462; Filed, Aug. 10, 1951; 8:45 a. m.]

[Docket No. G-1726]

OHIO FUEL GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 7, 1951.

On June 25, 1951, The Ohio Fuel Gas Company (Applicant), an Ohio corporation having its principal office in Columbus, Ohio, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as are fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 12, 1951 (16 F. R. 6762-63).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 30, 1951, at 9:45 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application; *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 7, 1951.

By the Commission.

[SEAL] J. H. GUTHRIDE,
Acting Secretary.

[F. R. Doc. 51-9463; Filed, Aug. 10, 1951; 8:46 a. m.]

[Docket No. G-1751]

L. C. YOUNG

NOTICE OF APPLICATION

AUGUST 7, 1951.

Take notice that L. C. Young (Applicant), of Lexington, Kentucky, filed on July 23, 1951, an application pursuant to section 7 (a) of the Natural Gas Act, as amended, for an order directing Tennessee Gas Transmission Company (TGT) to sell and deliver to Applicant at or near the point where TGT's interstate transmission pipeline facilities cross the pipeline of Applicant about two miles northwest of Morehead, Kentucky, such quantities of natural gas as Applicant may require for suppling the City of Morehead, Kentucky, and Morehead State College in that city, their natural-gas requirements, but not less than 100,000 Mcf nor more than 300,000 Mcf per year.

According to the application, Applicant has been furnishing from local sources of supply the City of Morehead, Kentucky, and Morehead State College, with their natural-gas requirements, with the exception of a portion of gas purchased by the city upon an interruptible basis from TGT pursuant to the authorization granted by this Commission by order dated June 20, 1950, In the Matter of Tennessee Gas Transmission Company, Docket No. G-1301. Applicant's local gas reserves are becoming depleted, according to the application, and are currently estimated at 250,000 Mcf; in 1950 the City of Morehead consumed approximately 136,000 Mcf, and its requirements in the future are expected to increase due to the city's growth of population and the increased consumption of gas by present users. Applicant states it has been engaged in the transportation and sale of natural gas in Rowan and Lewis Counties, Kentucky, since 1936, pursuant to certificates of public convenience and necessity issued by the Public Service Commission of Kentucky. According to the application, Applicant's present operations include the production, transportation, storage, and sale of natural gas to the public and for resale to the public.

Applicant makes reference to the previous application filed by it on September 18, 1950 in Docket No. G-1483 requesting an order under section 7 (a) of the Natural Gas Act, directing Central Kentucky Natural Gas Company to sell and deliver to it certain quantities of gas, notice of which application was published in the FEDERAL REGISTER on October 21, 1950 (15 F. R. 7061). Should the present application in Docket No. G-1751 be approved, Applicant states that it will move the Commission to dismiss its application in Docket No. G-1483.

Applicant asserts it is in urgent need of an additional supply of natural gas to provide for increased requirements of the City of Morehead, Kentucky, and Morehead State College, and requests its application herein be considered under the shortened procedure provided for in § 1.32 of the Commission's rules of prac-

tice and procedure (18 CFR 1.32), and further requests the issuance of a temporary order on an emergency basis pending the issuance of a permanent order directing TGT to sell and deliver to Applicant the amounts of gas hereinbefore directed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with its rules of practice and procedure (18 CFR 1.8 and 1.10) on or before the 30th day of August 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9464; Filed, Aug. 10, 1951; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26310]

FOREIGN WOODS FROM GULF PORTS TO MARION, MISS.

APPLICATION FOR RELIEF

AUGUST 8, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spanninger's tariff I. C. C. No. 1226.

Commodities involved: Lumber, logs, flitches, or piling, of foreign woods, also dimension stock and built-up woods, carloads.

From: New Orleans, La., Mobile, Ala., Gulfport and Pascagoula, Miss., and Pensacola, Fla.

To: Marion, Miss.

Grounds for relief: Competition with rail carriers and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1226, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9475; Filed, Aug. 10, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-469]

COMBINED TRUST SHARES (OF STANDARD OIL GROUP)

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of August A. D. 1951.

Notice is hereby given that on July 24, 1951, Fidelity-Philadelphia Trust Company, located at No. 135 South Broad Street, Philadelphia 9, Pennsylvania, Trustee under an agreement and declaration of trust dated March 25, 1929, and modified by supplemental agreement dated May 16, 1929 and February 1, 1930, between Combined Holdings Corporation (formerly Standard Oilstocks Corporation) depositor, said Trustee and the bearers and registered holders of combined trust shares (of Standard Oil Group), has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that combined trust shares (of Standard Oil Group) has ceased to be an investment company within the meaning of the act.

The following facts appear from the application:

Combined trust shares (of Standard Oil Group) is a unit investment trust organized under the laws of the Commonwealth of Pennsylvania on March 25, 1929.

The sponsor and depositor, Combined Holdings Corporation, filed an Out of Existence Certificate with the Department of Revenue of the Commonwealth of Pennsylvania during 1932 and although no steps were taken formally to dissolve the corporation, it thereafter became inactive.

Following termination of the agreement and declaration of trust by its terms on March 25, 1949, all the trust property in the custody of the Trustee was sold at the market and converted into cash for which the Trustee received the sum of $93,009.44, after deduction of expenses of $850.30 incurred in connection with the said sales. To this amount was added undistributed and accrued income and dividends in the sum of $1,300.93. After deduction of $2,280.67 (which includes the above-mentioned $850.30) for expenses of the Trustee in connection with the termination of the agreement and distribution of the trust property, the total available for distribution was $92,880 or $10.32 per outstanding share.

On or about May 2, 1949, the date of the commencement of distribution of trust property, there were outstanding interim receipts or certificates representing 9,000 trust shares, of which 850 were held by 23 persons in whose names the shares were registered and the balance of 8,150 trust shares were in bearer form, the holders thereof being unknown to Applicant.

As of the date of filing of the present application, there remained outstanding interim receipts or certificates for 120 trust shares of which 90 trust shares were in bearer form and 30 trust shares registered in the names of two persons who cannot be located.

All expenses of the distribution have been paid and all trust property has been distributed except cash for $1,238.40 distributable with respect to 120 trust shares which have not yet been presented for payment and $701.14 representing semi-annual dividends distributable and unclaimed by holders of outstanding past due bearer coupons. These amounts are held in cash by the Trustee.

Section 8 (f) of the act provides, in part, that whenever the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

All interested persons are referred to said application which is on file at the Washington, D. C., office of this Commission for a more detailed statement of the matters of fact and law therein asserted.

Notice is further given that an order granting the application may be issued by the Commission at any time after August 29, 1951, unless prior thereto a hearing on the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than August 27, 1951, at 5:30 p. m., e. d. s. t., submit in writing to the Commission his views or any additional fact bearing upon the application or the desirability of a hearing thereon or request the Commission, in writing, that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9465; Filed, Aug. 10, 1951; 8:46 a. m.]

[File No. 70-2678]

COLUMBIA GAS SYSTEM, INC. AND OHIO FUEL GAS CO.

NOTICE REGARDING ISSUANCE AND SALE OF NOTES TO PARENT COMPANY BY SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of August A. D. 1951.

Notice is hereby given that a joint application has been filed with this Commission by The Columbia Gas System, Inc. ("Columbia"), a registered holding company and its wholly-owned subsidi-

ary, The Ohio Fuel Gas Company ("Ohio Fuel"), pursuant to the Public Utility Holding Company Act of 1935. The joint applicants have designated sections 6 (b), 9 and 10 of the act as being applicable to the proposed transactions.

All interested persons are referred to said joint application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Ohio Fuel proposes to issue and sell and Columbia proposes to acquire, from time to time prior to March 31, 1952, not to exceed $8,500,000 principal amount of Ohio Fuel's unsecured installment promissory notes. Said notes would be registered and the principal amounts thereof are to be payable in equal annual installments on February 15 of each of the years 1953 to 1977, inclusive. The unpaid principal amounts on such notes would bear interest at the rate of 3¼ percent per annum, payable semi-annually on February 15 and August 15 of each year, during the time the notes are outstanding. The proceeds from the sale of said notes would be used by Ohio Fuel to finance a part of its proposed 1951 construction program.

The joint application states that the Public Utilities Commission of the State of Ohio has jurisdiction over the proposed issuance and sale of the said 3¼ percent notes of Ohio Fuel.

Notice is further given that any interested person may, not later than August 20, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 20, 1951, said joint application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9466; Filed, Aug. 10, 1951; 8:46 a. m.]

[File No. 70-2680]

AMERICAN GAS AND ELECTRIC CO.

NOTICE OF FILING REGARDING ISSUANCE OF COMMON STOCK IN PAYMENT OF STOCK DIVIDEND

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of August A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission by American Gas & Electric Company ("American"), a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. Declarant has designated sections 6 and 7 of the act as applicable to the proposed transaction.

All interested persons are referred to the declaration, which is on file in the offices of the Commission, for a full statement of the transactions therein proposed, which may be summarized as follows:

American Gas proposes to issue not in excess of 271,739 shares of its common stock ($10 par value), to be paid as a stock dividend to its stockholders of record on August 10, 1951 at the rate of one share for each twenty shares of its outstanding common stock. To reflect the proposed stock dividend, American Gas proposes to charge earned surplus in the amount of $13,586,950, to credit its common stock account in the amount of $2,717,390, and to credit premium on common stock (Capital Surplus) in the amount of $10,869,560. As of June 30, 1950, the earned surplus of American Gas was $80,379,833.68.

American Gas proposes that no fractional shares of stock will be issued, but in lieu thereof scrip certificates will be delivered representing fractional interests. Such scrip certificates will be exchanged, when combined with other scrip certificates, for shares of American Gas Common Stock, if presented on or before December 31, 1953. Thereafter any common stock applicable to outstanding scrip certificates will be sold, and the proceeds remitted to holders of the outstanding scrip certificates. The declarant states that holders of scrip certificates who do not surrender them on or before December 31, 1957 will be presumed to have abandoned all claims thereunder and that all cash allocable thereto will be paid to and become the property of American Gas.

American Gas has made arrangements with Guaranty Trust Company of New York, as Depositary, pursuant to which the Depositary will act as the agent for holders of scrip certificates who may desire (1) to purchase additional scrip certificates, so that their holdings will aggregate one full share of Common Stock of American Gas; and (2) to sell their scrip certificates. Such services will be furnished without charge to the holders of scrip certificates.

American Gas has requested that the declaration be permitted to become effective as soon as practicable.

Notice is hereby given that any interested person may, not later than August 16, 1951, request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by such declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 16, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9467; Filed, Aug. 10, 1951; 8:46 a. m.]

[File No. 70-2667]

GENERAL PUBLIC UTILITIES CORP. AND NEW JERSEY POWER & LIGHT CO.

ORDER AUTHORIZING ISSUANCE, SALE AND ACQUISITION OF COMMON STOCK

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of August A. D. 1951.

General Public Utilities Corporation ("GPU"), a registered holding company, and its wholly owned subsidiary, New Jersey Power & Light Company ("NJP&L"), an electric utility company, having filed an application and amendments thereto pursuant to sections 6 (b) and 10 of the Public Utility Holding Company Act of 1935, with respect to the following transaction:

NJP&L proposes to issue and sell to GPU, from time to time on or before December 31, 1951 (or such later date as may be fixed by further orders entered by the Board of Public Utility Commissioners of the State of New Jersey and this Commission), and GPU proposes to purchase from NJP&L, an aggregate of 16,000 additional shares of the Common Stock (without nominal or par value) of NJP&L for a purchase price of $93.75 per share, or an aggregate of $1,500,000. The proceeds from the sale of the additional shares will be used by NJP&L to partially reimburse its treasury for the cost of additions to and improvements in its electric utility plant made between December 1, 1949, and May 31, 1951.

The applicants state that the issuance and sale of such additional shares are solely for the purpose of financing the business of NJP&L, being designed to supply the common stock component of its capital requirements in connection with its construction program; and that NJP&L expects subsequently to file with the Commission an application with respect to the issuance and sale of senior securities in the aggregate principal amount or par value of approximately $2,500,000.

NJP&L estimates that its expenses in the transaction will be $4,500, including $1,400 for fees and disbursements of counsel for NJP&L. No special legal expenses of GPU are involved.

Such application having been duly filed, and notice of its filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the issue and sale of said stock by NJP&L

are solely for the purpose of financing the business of such subsidiary company; that such issue and sale have been expressly authorized by the Board of Public Utility Commissioners of the State of New Jersey, the regulatory commission of the State in which NJP&L is organized and doing business; and that the fees and expenses proposed to be paid in connection with the transaction are not unreasonable; and

It further appearing that the acquisition of said stock by GPU as proposed will serve the public interest by tending toward the economical and efficient development of the public-utility system; and

The Commission finding with respect to said application as amended that the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interests of investors and consumers that said application be granted, and that the order granting the same become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and provisions prescribed in Rule U-24, that said application be, and the same hereby is, granted, and that this order become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9469; Filed, Aug. 10, 1951; 8:46 a. m.]

[File No. 70-2663]

AMERICAN NATURAL GAS CO. AND MICHIGAN CONSOLIDATED GAS CO.

SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of August A. D. 1951.

American Natural Gas Company ("American Natural"), a registered holding company, and its public utility subsidiary, Michigan Consolidated Gas Company ("Michigan Consolidated"), having filed a joint application-declaration and amendments thereto, pursuant to sections 6 (b), 9, 10, and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-43 and U-50 promulgated thereunder, regarding, among other things, the sale, at competitive bidding, of $15,000,000 principal amount of first mortgage bonds, -- percent series due 1976; and

The Commission having, by order dated July 24, 1951, granted and permitted to become effective said joint application-declaration, as amended, subject to the condition, among others, that the proposed sale of bonds should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record as so completed, which order may contain such terms and conditions as may be deemed appropriate, for which purpose jurisdiction was reserved, and the record at the date of said order being incomplete with respect to the fees and expenses to be incurred and paid in connection with such issue and sale of securities, and the Commission having also reserved jurisdiction with respect to such fees and expenses; and

Applicants-declarants having filed a further amendment herein stating that, in accordance with said order of July 24, 1951, said bonds have been offered for sale pursuant to the competitive bidding requirements of Rule U-50, and that the following bids for the bonds have been received:

Bidder	Annual interest rate (percent)	Price to Michigan Consolidated [1] (percent of principal)	Annual cost to Michigan Consolidated (percent)
Halsey, Stuart & Co., Inc.	3½	101.11	3.433196
Smith, Barney & Co., Blyth & Co., Inc.	3½	101.0199	3.438857
White, Weld & Co., Lehman Bros.	3½	100.8899	3.446607
Harriman Ripley & Co., Inc., Union Securities Corp.	3½	100.4499	3.472931

[1] Plus accrued interest from Aug. 1, 1951.

Said amendment further stating that the bid of Halsey, Stuart & Co., Inc., as above set out, has been accepted, and that the bonds are to be offered for sale to the public at 102 percent of the principal amount, plus accrued interest, resulting in an underwriters' spread of 0.89 percent of the principal amount of the bonds or an aggregate of $133,500; and

The record not having been completed as of this date with respect to the fees and expenses to be incurred and paid by the company in connection with the proposed issue and sale of securities and related transactions; and

The Commission having considered the record as supplemented by said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid Michigan Consolidated for the bonds, the interest rate, the redemption prices, and the underwriters' spread;

It is ordered, That the jurisdiction heretofore reserved with respect to the results of competitive bidding for said bonds be, and the same hereby is, released and that the application-declaration, as further amended, be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24, and subject to a continuation of the reservation of jurisdiction with respect to the fees and expenses to be paid in connection with the issuance and sale of the bonds and related transactions.

By the Commission.

ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9470; Filed, Aug. 10, 1951; 8:47 a. m.]

NEW YORK STOCK EXCHANGE

NOTICE OF PROPOSAL TO DECLARE EFFECTIVE A PLAN FILED FOR DISPOSAL OF CERTAIN DOCUMENTS

Notice is hereby given that the Securities and Exchange Commission has under consideration a plan filed on August 2, 1951, by the New York Stock Exchange pursuant to § 240.17a-6 (Rule X-17A-6) under the Securities Exchange Act of 1934, for disposal of all applications, reports or documents in respect of fiscal periods ended prior to January 1, 1946, filed with that Exchange pursuant to either section 12, 13, 14 or 16 of the Securities Exchange Act of 1934 or any rule or regulation thereunder. The Exchange proposes to commence disposing of the specified material as soon as practicable after the Commission has declared its plan effective. The plan also contemplates that thereafter, as soon as practicable after January 1st of each year, regular disposition will be made of similar material filed with that Exchange in respect of fiscal periods ended prior to January 1st of the fifth year next preceding.

Information contained in the material proposed to be disposed of pursuant to the plan of the New York Stock Exchange is on file with the Commission where it will continue to be available.

The Securities and Exchange Commission proposes to declare the plan of the New York Stock Exchange effective on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said plan by sending at least ten days' written notice to the Exchange.

These proposals are made pursuant to the provisions of the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a) and 24 (b) thereof and Rule X-17A-6 thereunder. All interested persons are invited to submit their views and comments in writing to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before August 28, 1951.

Dated: August 7, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9468; Filed, Aug. 10, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18267]

VESTA AUER

In re: Rights of Vesta Auer under insurance contracts. Files Nos. D-28-6971-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Vesta Auer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies numbered 7963,252 and 7963,253, issued by The Equitable Life Assurance Society of the United States, New York, New York, to Vesta Auer, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9501; Filed, Aug. 10, 1951; 8:47 a. m.]

[Vesting Order 18269]

KURT GERLACH

In re: Rights of Kurt Gerlach, also known as Kurt A. Gerlach, under insurance contracts. Files Nos. F-28-24527-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kurt Gerlach, also known as Kurt A. Gerlach, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts or insurance evidenced by Policies numbered 93 388 756 and 94 410 354 issued by the Metropolitan Life Insurance Company, New York, New York, to Kurt Gerlach, also known as Kurt A. Gerlach, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kurt Gerlach, also known as Kurt A. Gerlach, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9503; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18268]

BERGWERKSGESELLSCHAFT GEORG VON GIESCHE'S ERBEN

In re: Bonds owned by and rights under a contract of Bergwerksgesellschaft Georg von Giesche's Erben (Georg von Giesche's Erben).

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bergwerksgesellschaft Georg von Giesche's Erben (Georg von Giesche's Erben), the last known address of which is Germany, is a corporation, partnership, association or other business organization organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. All rights and interests of Bergwerksgesellschaft Georg von Giesche's Erben (Georg von Giesche's Erben) under and by virtue of a pension contract dated July 8, 1937, by and between Silesian-American Corporation and Bergwerksgesellschaft Georg von Giesche's Erben (Georg von Giesche's Erben), and

b. Those certain matured obligations owing to Bergwerksgesellschaft Georg von Giesche's Erben (Georg von Giesche's Erben) by Silesian-American Corporation, 25 Broadway, New York, New York, evidenced by fourteen (14) Silesian-American Corporation 15 year 7% Collateral Trust Sinking Fund Gold Bonds, due August 1, 1941, of $1,000 face value each, bearing the numbers 1137, 1494, 1511, 1522, 2146 to 2150 inclusive, 2707, 3670, 5836, 5837 and 12892, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Bergwerksgesellschaft Georg von Giesche's Erben (Georg von Giesche's Erben), the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9502; Filed, Aug. 10, 1951; 8:47 a. m.]

[Vesting Order 18270]

SUSANNE MARTHA HABEKOST

In re: Estate of Susanne Martha Habekost, deceased. File No. D-28-13036; E. T. sec. 17160.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Habekost, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Susanne Martha Habekost, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Francis J. Mulligan, Public Administrator of New York County, as Administrator, c. t. a. acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9504; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18271]

BUEMON HAMAMOTO

In re: Rights of Buemon Hamamoto under Insurance Contract. File No. F-39-6946-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Buemon Hamamoto, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 1,223,280 issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Buemon Hamamoto, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9505; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18272]

MINNA KLUG

In re: Estate of Minna Klug, deceased. File No. F-28-29813.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie Spott, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof, in and to the estate of Minna Klug, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Herman Richter, as Ancillary Administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9506; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18273]

CARL S. KOETH

In re: Rights of Carl S. Koeth under insurance contract. File No. F-28-18796-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl S. Koeth, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 3 876 481 A issued by the Metropolitan Life Insurance Company, New York, New York, to Carl S. Koeth, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of Charlotte Koeth, a resident of United States, and of the aforesaid Metropolitan Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Carl S. Koeth, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9507; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18275]

MARTHA ROTHER

In re: Rights of Martha Rother under insurance contract. File No. F-28-31491-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martha Rother, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 28661372 issued by the John Hancock Mutual Life Insurance Company, Boston, Massachusetts, to Martha Rother, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of Erich Rother, a resident of United States, and of the aforesaid John Hancock Mutual Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Martha Rother, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9508; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18274]

WILLIAM LATTEMAN

In re: Rights of William Latteman under insurance contract. File No. F-28-31579-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That William Latteman, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 4,629,087 A issued by the Metropolitan Life Insurance Company, New York, New York, to William Latteman, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, William Latteman, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9509; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18276]

SAKUICHI SAWAMURA

In re: Rights of Sakuichi Sawamura under insurance contract. File No. F-39-1537-H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sakuichi Sawamura, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 15 158 516 issued by the New York Life Insurance Company, New York, New York, to Sakuichi Sawamura, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Sakuichi Sawamura, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9510; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18277]

FUMIO TOMIYAMA

In re: Rights of Fumio Tomiyama under insurance contract. File No. D-39-19165-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fumio Tomiyama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 590 013 issued by The Lincoln National Life Insurance Company, Fort Wayne, Indiana, to Tokikuni Tomiyama, also known as Tokikuni Arima, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Fumio Tomiyama, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such a person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9511; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18278]

TOKIO AJIOKA

In re: Interest in real property and bonds owned by and debts owing to the personal representatives, heirs, next of kin, legatees and distributees of Tokio Ajioka, deceased. F-39-3988.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Tokio Ajioka, deceased, who there is reasonable cause to believe are residents of Japan, are nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. An undivided one-half (½) interest in real property situated in Imperial County, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. Eight (8) Tokyo Electric Light Company, Ltd., First Mortgage 1953, 6 percent Dollar Series, of $1,000.00 face value each, bearing the numbers 27313, 52222, 28872, 12320, 10108, 28871, 67349 and 51989, presently in the custody of Kumao Koketsu, Route 1, Box 1, Brawley, California, together with any and all rights thereunder and thereto,

c. That certain debt or other obligation of Kumao Koketsu, Route 1, Box 1, Brawley, California, arising by reason of the collection by said Kumao Koketsu of interest payments on the bonds described in the aforesaid subparagraph 2-b hereof, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation of Kumao Koketsu, Route 1, Box 1, Brawley, California, arising out of the proceeds received by Kumao Koketsu from the sale of certain farm tools and representing the share of Tokio Ajioka therein, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

e. That certain debt or other obligation of Minoru Fujimoto, 3984 East 3rd Street, Los Angeles, California, arising out of the sale by said Minoru Fujimoto of Tokio Ajioka's undivided one-half interest in certain real property consisting of eighty (80) acres of improved real property, situated in Imperial County, California, together with any and all accruals thereto, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Tokio Ajioka, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Tokio Ajioka, deceased, referred to in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, but not subject to the purported deed from Minoru Fujimoto to Dorothy Akiko Yamaguchi conveying title to that certain real property described in the aforesaid Exhibit A, and

There is hereby vested in the Attorney General of of the United States the property described in subparagraphs 2-b, 2-c, 2-d and 2-e hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Real property situated in the County of Imperial, State of California, described as follows: The Northeast quarter (NE¼) of the Southeast quarter (SE¼) of Section 4, Township 14, SR East, S. B. M.

[F. R. Doc. 51-9512; Filed, Aug. 10, 1951; 8:48 a. m.]

[Vesting Order 18279]

NORRIS MORISHITA

In re: Personal property owned by Norris Morishita, also known as Morris Nomura. F-39-6092-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Norris Morishita, also known as Morris Nomura, whose last known address is Shinmanzen, Kyoto, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: One (1) diamond ring presently in the custody of National Mortgage & Finance Company, Limited, 1030 Smith Street, Honolulu, Hawaii,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9513; Filed, Aug. 10, 1951; 8:49 a. m.]

[Vesting Order 18280]

HEINRICH BAETJER ET AL.

In re: Securities owned by Heinrich Baetjer and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibit A attached hereto and by reference made a part hereof are corporations, partnerships, associations or other business organizations, organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Emma Maass, whose last known address is Bremen, Schwachhauser Heerstr. 220, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Heinrich Gruben, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Ernst Maurus and Elfriede Maurus, each of whose last known address is Bremen, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

6. That Pastor E. Haarmann, whose last known address is Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Ella Grund also known as Ella Bartels Grund, whose last known address is Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That Norddeutscher Lloyd, the last known address of which is Bremen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Bremen, Germany, and is a national of a designated enemy country (Germany);

9. That Bremer Bank Filiale de Dresdner Bank, the last known address of which is Bremen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Bremen, Germany, and is a national of a designated enemy country (Germany);

10. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

b. Two (2) stock purchase warrants numbered M8180 and M8181, each for 5 shares of the common stock of Remington Rand, Inc., owned by Emma Maass, which warrants are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) trust certificate numbered TC2817, issued by the Seaboard Trust Company, Hoboken, New Jersey, representing participation to the extent of $40.14 in assets formerly belonging to the Steneck Trust Company, owned by Heinrich Gruben, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) trust receipt numbered TR2813, issued by Seaboard Trust Company, Hoboken, New Jersey, evidencing an interest to the extent of $441.59, in certain assets held by said Seaboard Trust Company, owned by Heinrich Gruben, which receipt is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. One (1) scrip certificate numbered S2820, representing a fractional interest of 389/1910ths of one share in the Voting Trust of the Capital stock of the Seaboard Trust Company, owned by Heinrich Gruben, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. One (1) trust certificate numbered TC4558, of the Seaboard Trust Company, Hoboken, New Jersey, representing participation to the extent of $107.20 in assets formerly belonging to the Steneck Trust Company, Hoboken, New Jersey, owned by Ernst Maurus and/or Elfriede Maurus, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. One (1) trust receipt numbered TR8887 issued by the Seaboard Trust Company, Hoboken, New Jersey, evidencing an interest in certain assets to the extent of $2,042.35, owned by Pastor E. Haarmann, which receipt is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. One (1) trust certificate numbered TC8777, issued by the Seaboard Trust Company, Hoboken, New Jersey, representing participation to the extent of $185.67 in assets formerly belonging to the Steneck Trust Company, Hoboken, New Jersey, owned by Pastor E. Haarmann, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

i. One (1) Voting Trust certificate numbered VT 6556, for 19 shares of the capital stock of the Seaboard Trust Company, Hoboken, New Jersey, said certificate owned by Pastor E. Haarmann, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. One (1) scrip certificate numbered S6711, representing a fractional interest of 844/1910ths interest in one share of the Voting Trust of the capital stock of the Seaboard Trust Company, owned by Pastor E. Haarmann, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

k. One (1) trust certificate issued by Equitable Trust Company numbered 163 for 20 shares of the capital stock of the 1785 Seward Corporation, owned by Norddeutscher Lloyd, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

l. One (1) guaranteed first mortgage certificate numbered 412, series N-59, issued by the New York Title and Mortgage Company, evidencing an undivided interest in the amount of $1,000.00 in the bond of Alart Building Corporation, said certificate owned by Ella Grund also known as Ella Bartels Grund and in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

m. One (1) guaranteed first mortgage certificate numbered 184, Series N-64, issued by the New York Title and Mortgage Company, evidencing an undivided interest in the bond of Riverside Drive & 81st Street Corporation, said certificate owned by Ella Grund also known as Ella Bartels Grund, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

n. Nine (9) certificates of ownership for a total of two hundred ninety-two (292) shares of preferred stock of the Georgia and Florida Railway Company, said 292 shares being a portion of 888 shares evidenced by a certificate numbered A-1129, said certificates of ownership owned by Bremer Bank Filiale der Dresdner Bank, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

o. Nine (9) certificates of ownership for a total of four hundred thirty-eight (438) shares of common stock of the Georgia and Florida Railway Company, said 438 shares being a portion of 1332 shares evidenced by certificate numbered A-1215, said certificates of ownership owned by Bremer Bank Filiale der Dresdner Bank, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliv-

erable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

11. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3, 4, 5, 6, 7, 8, and 9 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Alleghany Corp	Common	None	C96293	100	Heinrich Baetjer.
Budde Holding Corp	Capital	$100.00	7	5	Anna Clausen also known as Anna Meyer Clausen.
Do	do	100.00	4	5	Karl Budde.
Do	do	100 00	3	5	Adele Wetjen also known as Adele Budde Wetjen.
Do	do	100.00	9	5	Hermann Freidrich Gustav Langkraer.
33 Cooper Square Realty Corp	do	100.00	5	5	Emma Maass.
Davis-Daly Copper Co	do	10.00	B21057	100	Fritz Achelis, Jr., Laura Abegg, Clara Fritze, and Martha Strube.
The Denever & Rio Grande R. R. Co.	Preferred	100.00	08579	50	Dr. Stephan Luermann.
Direct Control Valve Co	Class "A"	None	1448	15	A. Held.
Eureka Smelting Co	Capital	1.00	1288/90	100	Emil Zimmermann.
			9984	100	
			5598/5604	100	
			5607/9	100	
			21323	100	
			27609/18	100	
			29958	100	
			21710/13	100	
			32107/16	100	
			11436	100	
			23372	100	
			23479/80	100	
			33523/4	100	
			27217/18	100	
			12825	100	
			5019	100	
			26324/5	100	
			20651/3	100	
			12365/8	100	
			12401/2	100	
			12418	100	
			15053	100	
			13253/6	100	
			16101	100	
			16109/12	100	
			20268/9	100	
			20372/3	100	
			626	100	
			9864	100	
			13873	100	
			33630/31	1,000	
			33604	1,000	
			32147	1,000	
The Liquidometer Corp	Class "A"	None	A1185, A1299	45	Do.
Pioche Mines Consolidated Inc.	Capital	$5.00	1030	450	Adolf Hartmann.
Conrad Schmitt Co	do	100.00	32 and 35	10	Mrs. Henny Hoffschmidt.
Skead Gold Mines, Ltd	do	1.00	1370	500	Dr. jur. I. N. Muellershausen.
Sunbrown Products, Inc	Class "A" Commou.	10.00	A2	260	Dr. Fritz Schroeder.
Do	do	10.00	B10	520	Do.
The United Corp	Common	None	C491738	100	Heinrich Baetjer.
The United Gold Mines Co	Capital	$0.10	17955	100	Gertrud Fluehe.

[F. R. Doc. 51-9514; Filed, Aug. 10, 1951; 8:49 a. m.]

[Vesting Order 18282]

JUNSO FUJII

In re: Bonds owned by Junso Fujii. F-39-5858-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Junso Fujii, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Ten (10) Tokyo Electric Light Co., Ltd., 6 percent bonds of $1,000.00 face value each, presently in the custody of the Treasury Department, Territory of Hawaii, Honolulu, T. H., under safekeeping receipt numbered 1005 dated March 15, 1943, issued by the aforesaid Department to Fujii Junichi Shoten, Ltd., Honolulu, T. H., said receipt now held by George S. Fujii, doing business as Fujii Janichi Shoten, 120 Hotel Street, Honolulu, T. H., together with any and all rights in, to and under the aforesaid bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Junso Fujii, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9516; Filed, Aug. 10, 1951; 8:49 a. m.]

[Vesting Order 18281]

CENTRAL CHINA TELECOMMUNICATIONS CO., LTD.

In re: Debt owing to Central China Telecommunications Co., Ltd. F-39-3032-C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Central China Development Company is a corporation whose principal place of business is located in China, and is, or on or since the effective date of Executive Order 8389, as amended, has been controlled by a designated enemy country (Japan), and is a national of a designated enemy country (Japan);

2. That International Telecommunications Company, whose last known address is Japan, is a corporation organized under the laws of Japan, which has or, since the effective date of Ex-

ecutive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

3. That Central China Telecommunications Company, Ltd., is a corporation organized under the laws of China, whose principal place of business is located at Shanghai, China, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by or a substantial part of the stock of which is or has been owned or controlled, directly or indirectly by the aforesaid Central China Development Company and International Telecommunications Co., and is a national of a designated enemy country (Japan);

4. That the property described as follows: That certain debt or other obligation of RCA Communications, Inc., 66 Broad Street, New York, New York, arising out of an account on the books and records of said RCA Communications, Inc., in the name of Central China Telecommunications Company, Ltd., in the amount of $77,003.00 as of December 31, 1945, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Central China Telecommunications Co., Ltd., the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

5. That Central China Development Company and Central China Telecommunications Co., Ltd., are controlled by, or acting for and on behalf of a designated enemy country (Japan) or persons within such country and are nationals of a designated enemy country (Japan);

6. That to the extent that the persons named in subparagraphs 1, 2, and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9515; Filed, Aug. 10, 1951; 8:49 a. m.]

[Vesting Order 18283]

DR. FRANZ HEYDER ET AL.

In re: Securities owned by Dr. Franz Heyder and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibits A and B, attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibits A and B, attached hereto and by reference made a part hereof, are corporations, partnerships, associations or other business organizations, organized under the laws of Germany and which have or, since the effective date of Executive Order 8339, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Anna Magin also known as Anna Endl Magin, whose last known address is Degerndorf-Brannenburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Dr. Franz Heyder, whose last known address is Muenchen 9, Rotwandstr. 24, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Max and Elisabeth Bessert, whose last known address is Muenchen 54, Gaertnerstr. 44, Germany, are residents of Germany, and nationals of a designated enemy country (Germany);

6. That Johanna Meier, whose last known address is Biessenhofen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Otto Drexel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That Wilhelm von Branca, whose last known address is Garmisch-Partenkirchen, Rosenstr. 2, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

9. That Anton Gandl, whose last known address is Marktgemeinde Isen No. 168, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Christian Justus, whose last known address is Landshut b/Platiel, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

11. That Charlotte von Waltershausen, whose last known address is Gauting, Hindenburgstr. 3, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

12. That Ignatz Werner, whose last known address is Zell a. M. No. 346, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

13. That Kaspar Untergehrer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

14. That Johann Niessl, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

15. That Gertrude Taber, whose last known address is Garmisch-Partenkirchen, Kleinfeld Str. 28, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

16. That Friedrich Simon, whose last known address is Muenchen 22, 6/III Adelgundenstr., Germany, is a resident of Germany and a national of a designated enemy country (Germany);

17. That Georg Simon, whose last known address is Feuchtwangen/Mfr., Germany, is a resident of Germany and a national of a designated enemy country (Germany);

18. That Bayerische Hypotheken-und Wechsel-Bank and Bayerische Vereinsbank, are corporations, partnerships, associations or other business organizations, organized under the laws of Germany, which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany and are nationals of a designated enemy country (Germany);

19. That Irene Nobiling, whose last known address is Neuhaus b/Schliersee Duernbachstr. 1a, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

20. That Martha Odrich, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

21. That Adolf Schubert, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

22. That Josef Bartlberger, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

23. That Anna Roehm, whose last known address is Hundham-Oberweissenbach, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

24. That Elfriede Mettmann, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

25. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

b. Those certain bonds described in Exhibit B, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) trustee's certificate numbered 0475, issued by the Liberty Title and Trust Company, for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Anna Magin also known as Anna Endl Magin, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) trustee's certificate numbered 02757, issued by the Liberty Title and Trust Company, for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Dr. Franz Heyder, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. Five (5) trustee's certificates numbered 0670/74 issued by the Liberty Title and Trust Company, each certificate for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Max and Elisabeth Bessert, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. Two (2) trustee's certificates numbered 01359 and 01361 issued by the Liberty Title and Trust Company, each certificate for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Johanna Meier, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. One (1) trustee's certificate numbered 01362, issued by the Liberty Title and Trust Company for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Otto Drexel, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. Two (2) trustee's certificates numbered 0560 and 02785, issued by the Liberty Title and Trust Company, each certificate for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Wilhelm von Branca, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

i. Two (2) trustee's certificates numbered 0591 and 0592, issued by the Liberty Title and Trust Company, each certificate for one-fifth (⅕) of one share of $20.00 par value stock of the Metals Coating Company of America, owned by Bayerische Vereinsbank, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. One (1) Depository Certificate numbered C515, of the Continental Illinois Bank and Trust Company, Chicago, Illinois, for 20 shares of participating Class A stock of Midland Natural Gas Company, owned by Christian Justus, said certificate presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

k. One (1) coupon detached from Missouri Pacific Railroad Company first and refunding mortgage 5 percent gold bond, Series F, numbered D2125, said coupon of $12.50 face value, numbered 13, due September 1933, owned by Ignatz Werner, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

l. One (1) National Thrift Corporation of America collateral trust secured Thrift Certificate, Class C, numbered 32097, Series E, for first mortgage collateral trust gold bond of $2,500.00 face value, owned by Kaspar Untergehrer, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

m. One (1) National Thrift Corporation of America installment certificate receipt book, numbered 32,097–C, evidencing payment in the aggregate total amount of $205.00 owned by Kaspar Untergehrer, which receipt book is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

n. One (1) voting trust certificate numbered VT536, for five (5) shares of no par value capital stock of One Twenty-four Fifth Avenue Corporation, owned by Johann Niessl, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

o. One (1) certificate of deposit numbered 1359 for The Philadelphia and Reading Coal and Iron Company refunding mortgage 5 percent sinking fund gold bond due January 1, 1973, in the principal amount of $600.00, owned by Gertrude Taber, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

p. Three (3) Certificates of Deposit for St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, said certificates numbered AD2271 for $500.00 and AY1075 and AY1076 for $250.00 each, owned by Friedrich Simon, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

q. Two (2) Certificates of Deposit for St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, said certificates numbered AD1638 and AD 2273, each of $500.00 face value, owned by Georg Simon, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

r. Twelve (12) Certificates of Deposit for St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, said certificates numbered AY689, AY 728, AY825, AY826, AY827, AY925, AY 1077, AY1079, of $250.00 face value each and AC421, AC422, AC423, AC424 of $100.00 face value each, owned by Bayerische Hypotheken- und Wechsel-Bank, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

s. Six (6) Certificates of Deposit for St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, said certificates numbered AM12952, AM12953, AM12954, AM12955, AM12956, each of $1,000.00 face value each, and AY349 of $250.00 face value, owned by Irene Nobiling, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

t. Two (2) Certificates of Deposit for St. Louis-San Francisco Railway Company consolidated mortgage 4½ percent gold bonds, Series A, due March 1, 1978, said certificates numbered AM40634 and AM40635, each of $1,000.00 face value, owned by Irene Nobiling, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

u. Two (2) Certificates of Deposit for St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, said certificates numbered AD888 of $500.00 face value and AM12960 of $1,000.00 face value, owned by Martha Odrich, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

v. One (1) Guaranteed first mortgage participation certificate numbered T69 issued by Steneck Title & Mortgage Company, Hoboken, New Jersey, owned by Adolf Schubert, said certificate presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

w. One (1) Certificate of Beneficial Interest numbered 1, for five (5) units, in the Twenty-seven Fifteen Estes Avenue, Building Corporation Trust, owned by Josef Bartlberger, said certificate presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

x. One (1) Depositary Certificate numbered C475, covering 48 shares of Participating Class A stock of Twin States Natural Gas Company, under deposit agreement dated January 1, 1931, owned by Christian Justus, which certificate is in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

y. Two (2) Scrip Certificates of participating class A stock of Twin States Natural Gas Company numbered S67 for 25/40ths of one share and S1253 for 7/40ths of one share, owned by Christian Justus, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

z. One (1) Certificate of Interest, numbered 626 for 20 units, in the Twyman Liquidation Trust, of $100.00 face value, owned by Anna Roehm, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto.

aa. One (1) Certificate of Deposit for Transportation Building Company first mortgage leasehold 6½ percent sinking fund gold bond, said certificate numbered CD1763, in the amount of $1,000.00, owned by Elfriede Mettmann, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

bb. One (1) scrip certificate numbered C288, representing rights in 2/4ths of one share of no par value common stock of North Continent Utilities Corporation, owned by Anton Gandl, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

cc. One (1) Certificate of Interest numbered 320 for 3/300ths interest, Wetschensky Royalty, issued August 5, 1920, by First National Bank in Wichita, Trustee, owned by Kaspar Untergehrer, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

dd. Those certain coupons detached from Missouri-Kansas-Texas Railroad Company adjustment mortgage 5 percent series A gold bonds; numbered C 8221, C 8222 and C 7398, said coupons each of $2.50 face value, numbered 25 and 26, due April 1935 and October 1935, respectively, and owned by Charlotte von Waltershausen, said coupons presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

26. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3 through 24, inclusive, hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Lamella Roof Syndicate, Inc.	Common	$1.00	37	5,000	Marie Zollinger.
Maine Mining & Manufacturing Co.	Capital	1.00	A 201 C 75 C 76 C 86	3,900	Hermine Staudinger.
Franz Mayer of Munich, Inc.	do	100.00	21	250	Helmut Amann.
Metropolitan Finance Service, Inc.		None	595	4	Zeno Heilmaier.
Mid-Continent Consolidated Oil & Utilities Corp.	"A" capital	None	C0620 C0882	30	Anna Reindl.
Mississippi Valley Utilities Investment Co.	Common	$1.00	6468	5	Therese Reil.
Do	do	1.00	6470	3	Karoline and Therese Reil.
Multispark Ignition Co	Preferred	10.00	70 73	20	Kaspar Untergehrer.
Do	Common	10.00	69 71	80	Do.
National Tribune Corp	7 percent cumulative preferred.	1.00	9439	5	Hermann Kirschner.
The New York & Virginia Copper Co.	Capital	1.00	185 187	200	Margarete Hertle.
The New York & Virginia Copper Co.	Capital	1.00	137 228 237	300	Bayerische Vereinsbank.
North Continent Utilities Corp.	Common	None	E1773	20	Anton Gandl.
North European Oil Corp.	Capital	None	O1993	10	Michael and Magdelena Zweyer.
Oregon & California R. R. Co. of Portland, Oreg.	Common	None	D326	5	Purucker Krescenz.
Packard Motor Car Co	Capital	None	NO15494	5	Kaethe Schneidt.
Paramount Life Co., Denver, Colo.	do	None	1112	1	Kaspar Untergehrer.
The Pittsburg-Titusville & Buffalo Ry. Co.	do	50.00	714 715	200	Bayerische Vereinsbank.
Sanitary Fountain Co	do	10.00	307	1	Anna Reindl.
Seattle-St. Louis Mining Co	do	1.00	464 634	550	Josef Steinhart and Mrs. Franziska.
Seven-O-Nine Dobson St. Bldg. Corp.	Common	100.00	5	5	Josef Bartlberger.
J. W. Spear & Sons, Inc.	Capital	100.00	1	12	Porst-Spiele-Fabrik.
Sunset Pacific Oil Co	Series "A"	None	11592	50	Juditha Autoinette Hoerning.
Steel Products Corp. of America	Common	None	NY1354/8	325	Herbert Eduard.
Thirteen Forty West Eighty-third Bldg. Corp.	do	None	5	10	Josef Bartlberger.
Tudor City Fourth Unit Inc.	Preferred	$100.00	P01933	2	Hans Nissl.
Do	Common	None	C01929	2	Do.
Twenty-Six-O-One Glenlake Ave. Bldg. Corp.	do	$100.00	4	5	Josefa Bartlberger.
Union National Oil Co	Capital	.10	13109 13111 13300	400	Marla Herzog.
United Cigar Stores Co. of America.	Common	$10.00	23970 23971	200	Eduard Ellmann.
United Gas Corp	do	None	TNY015814	40	Kaethe Schneidt.
The Yale & Towne Manufacturing Co.	Capital	$25.00	KF21904	2	Franz Sontheim.
Ward Baking Co	"B" common	None	B1606	100	Josef Schilling.
Utah-Bingham Mining Co	Capital	$5.00	34083	10	Banking Hans Doss.
The Winnemucca Mining & Smelting Co.	do	1.00	410	26	George Hofler.
Twin States Natural Gas Co.	Common	None	C493	10	Christian Justus.
H. O. Stone & Co	do	None	C. O. 4389 C. O. 6737 C. O. 12779	46	Do.
The Pilot Reinsurance Co. of New York.	Capital	$20.00	341 342 343	1,080	Muenchener Rueckversicherungs-gesellschaft.

EXHIBIT B

Description of issue	Face value	Bond No.	Owner
One Twenty-Four Fifth Ave. Corp. Income 5 percent mortgage bond.	$500.00	D 138	Johann Niessl.
Paramount Lite Co., Denver, Colo., 5-year payment accelerative endowment bond.	1,000.00	1667	Kaspar Untergehrer.
Rock Island, Arkansas & Louisiana R. R. Co. first mortgage 4½ percent gold bonds, due Mar. 1, 1934.	1,000.00 each	M3601, M3627	Sofie Schuetz.
Southern Pacific R. R. Co. first refunding mortgage gold bond, due 1955.	500.00	D 3940	Hans Schechl.
Superior California Farm Lands Company adjustment mortgage 6 percent gold bond, due June 1, 1928.	1,000.00	M3055	Martha Schuetz.
St. Louis-San Francisco Ry. Co. prior lien mortgage 4 percent gold bond, series A, due July 1, 1950.	250.00	Y 8676	Anna Kast.
Do	500.00	D 5985	K. and Franziska Zerwick.
Confederate States of America Loan Bonds, due July 1868.	[1] 1,000.00	31181, 32002, 32480, 34338, 35076, 35145, 35147, 35151, 36256, 36932/9, 40745/6, 40751, 40834/5, 40905, 41123/4, 41192/3.	Anna Lehmann.
Washington Park Court Apartments 6 percent first mortgage sinking fund gold bond, due June 1, 1936.	1,000.00	M 95	Elfriede Mettmann.
Vereinigte Saenger of Newark, 6 percent 15-year bond, due June 1, 1942.	25.00	80	Anna Fischel.
The Wabash R. R. Co. first mortgage 5 percent 50-years bonds, due 1939.	[1] 1,000.00	2368, 23731, 23732	Gertrude Taber.
Wilkes-Barre & Eastern R. R. Co. first mortgage 5 percent gold coupon bond, due 1942.	1,000.00	1603	Do.

[1] Each.

EXHIBIT B—Continued

Description of issue	Face value	Bond No.	Owner
The New York Central R. R. Co. refunding and improvement 5 percent mortgage bond, due Oct. 1, 2013.	$1,000.00	M 80495	Margarete Bachmann.
The New York, New Haven and Hartford R. R. Co. 50-year 4 percent coupon debentures due May 1, 1956.	[1] 1,000.00	13338, 13339	Gertrude Taber.
New York, Ontario & Western Ry. Co. refunding mortgage 100-year 4 percent gold bond, due June 1, 1992.	1,000.00	3755	Do.
Missouri Pacific R. R. Co. first and refunding mortgage 5 percent gold bond, series F, due March 1, 1977.	500.00	D 518	Edmund List.
Missouri Pacific R. R. Co. first and refunding mortgage 5 percent gold bond, series H, due Apr. 1, 1980.	1,000.00	M 6242	Maria Rueger.
Metropolitan Finance Service, Inc., debenture bonds, series A, due Mar. 1, 1943.	[1] 100.00	1669, 1670, 1671, 1672	Zeno Heilmaier.
The Louisville & Nashville R. R. Co., St. Louis Division second mortgage 3 percent gold bond, due Mar. 1, 1980.	1,000.00	1895	Dr. Hermann and Irene Nobiling.

[1] Each.

[F. R. Doc. 51-9517; Filed, Aug. 10, 1951; 8:49 a. m.]

[Vesting Order 18290]

T. MUROI

In re: Membership Certificate owned by T. Muroi, also known as Tsujio Muroi. D-39-19224.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That T. Muroi, also known as Tsujio Muroi, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: One (1) Membership Certificate No. 54, dated April 26, 1941, of Produce and Growers Market of Central California, registered in the name of T. Muroi, presently in the custody of the Attorney General of the United States, and any and all rights in, to and under said membership certificate,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by T. Muroi, also known as Tsujio Muroi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9524; Filed, Aug. 10, 1951; 8:50 a. m.]

[Vesting Order 18288]

MANCHURIA TELEPHONE AND TELEGRAPH CO. LTD.

In re: Debt owing to Manchuria Telephone and Telegraph Co., Ltd. F-39-3152-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Manchuria Telephone and Telegraph Co., Ltd., is a corporation organized under the laws of China, whose principal place of business is located at Hsinking, Manchukuo, China, and is, or on or since the effective date of Executive Order 8389, as amended, has been controlled by a designated enemy country (Japan), and is a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of RCA Communications, Inc., 66 Broad Street, New York, New York, arising out of an account maintained on the books of the RCA Communications, Inc., in the name of Manchuria Telephone and Telegraph Co., Ltd. in the amount of $4,870 as of May 11, 1951, together with any and all rights to demand, enforce and collect the aforesaid debt or other obligation,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That Manchuria Telephone and Telegraph Co., Ltd., is controlled by, or acting for or on behalf of a designated enemy country (Japan), or persons within such country and is a national of a designated enemy country (Japan);

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9522; Filed, Aug. 10, 1951; 8:50 a. m.]

[Vesting Order 18287]

MRS. LUISE KRAUSS

In re: Securities owned by and debt owing to Mrs. Luise Krauss. F-28-28706-A-1; A-2; E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Luise Krauss, whose last known address is 35/I Victoriastrasse, Wiesbaden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, said bonds presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account in the name of Credit Suisse, Zurich, Switzerland, together with any and all rights thereunder and thereto,

b. Twenty (20) shares of $100.00 par value 5 percent cumulative preferred stock of The Missouri Pacific Railroad Company, 30 Broad Street, New York, New York, evidenced by a certificate numbered 056063, registered in the name

of Lee & Co., presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account in the name of Credit Suisse, Zurich, Switzerland, together with all declared and unpaid dividends thereon,

c. One voting trust certificate for eight (8) shares of $100.00 par value 5 percent Series A cumulative preferred stock of the St. Louis-San Francisco Railway Company, 120 Broadway, New York, New York, said certificate numbered TV042250, registered in the name of Egger & Co., presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account in the name of Credit Suisse, Zurich, Switzerland, and any and all rights thereunder and thereto,

d. One voting trust vertificate for sixteen (16) shares of no par value common stock of the St. Louis-San Francisco Railway Company, 120 Broadway, New York, New York, said certificate numbered TV034620, registered in the name of Egger & Co., presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in an account in the name of Credit Suisse, Zurich, Switzerland, and any and all rights thereunder and thereto,

e. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of funds allocable to Mrs. Luise Krauss, on deposit in a checking account entitled "Credit Suisse, General Ruling No. 6 Account Blocked Switzerland, Germany and General Ruling No. 11A, Zurich, Switzerland", maintained with the aforesaid Bank, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

f. Certificates of deposit for five (5) St. Louis-San Francisco Railway Company Prior Lien Mortgage 4 Percent Gold Bonds, Series "A", due July 1, 1950, said bonds issued in bearer form, one bond of $500.00 face value bearing the number AD 643 and four bonds of $100.00 face value each bearing the numbers AC 155, AC 156, AC 157 and AC 158, said certificates presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York 5, New York, in an account entitled "Swiss Bank Corporation, Special Depot 35859", together with any and all rights thereunder and thereto, including particularly any and all rights of exchange under the Plan of Reorganization effective January 1947,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Luise Krauss, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A—BONDS

Description of issuo	Face value	Bond Nos.	Registration
The Baltimore & Ohio R. R. Co. convertible income 4½ percent bonds.	$1,000.00	59761	Bearer.
Missouri Pacific R. R. Co. convertible 5½ percent gold bonds, Series A.	1,000.00	42266	Do.
St. Louis-San Francisco Ry. Co. first mortgage 4 percent bonds, Series A.	500.00	D 3717	Do.
St. Louis-San Francisco Ry. Co. second convertible income 4½ percent bonds, series A.	500.00	RD 2665	Egger & Co.

[F. R. Doc. 51-9521; Filed, Aug. 10, 1951; 8:50 a. m.]

[Vesting Order 18291]

SOFIE VAAS ET AL.

In re: Securities owned by Sofie Vaas and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is Germany are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibit A, attached hereto and by reference made a part hereof, are corporations, partnerships, associations, or other business organizations organized under the laws of Germany and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Elsbeth Thiele, whose last known address is Simmerberg/Allgaeu, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Christian Paul Hunn, whose last known address is Esslingen-Kimmichsweiler Haus 7, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Albert and Maria Koeppler, whose last known address is Adelsheim, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

6. That Emma Kugel, whose last known address is Heidenheim/Brenz Moericke Str. 12, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That the personal representatives, heirs, next of kin, legatees and distributees of Emma Wanner, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

8. That Margarete Frick, whose last known address is c/o Max Frick, Sonnenberg, Post Stuttgart-Degerloch, Anne Peters Str. 5, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

9. That August Lehnert, whose last known address is Ludwigsburg, Wuerttemb., Wihelmwtr. 51, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Bartholomae Blend, whose last known address is Amtsgericht, Heidelberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

11. That Karl Laux, whose last known address is Mannheim, Duererstr. 14, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

12. That Karl Hans Friedrich Palm, whose last known address is Ulm, Donau, Kernerstr. 4, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

13. That Wilhelmine Peter, whose last known address is Karlsrube, Erbprinzenstr. 31, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

14. That the property described as follows:

a. One (1) coupon detached from The Illinois Central Railroad Company 4 percent gold bond, numbered 15378 said coupon numbered 108 of $20.00 face value, owned by Elsbeth Thiele, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

b. One (1) certificate, numbered 301512, evidencing five (5) $100.00 par value income shares of The Railroad Cooperative Building & Loan Association, owned by Christian Paul Hunn, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) Interim Certificate No. 15274 issued by Cities Service Company in the principal amount of $60.00, for 5 percent convertible gold debenture due 1950, owned by Albert and Maria Koeppler, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) participating trust certificate numbered 3064, issued in connection with the stabilization of Teutonia Avenue State Bank, Milwaukee, Wisconsin, evidencing claim upon trust property in the amount of $258.27, owned by Emma Kugel, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. One (1) stock trust certificate, numbered 345, for 3 shares of no par value capital stock of Halcyon Real Estate Corporation, owned by the personal representatives, heirs, next of kin, legatees and distributees of Emma Wanner, deceased, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. Five (5) trustee's certificates issued by the Liberty Title and Trust Company for common capital stock of The Metals Coating Corporation of America, owned by Margarete Frick, as follows:

Certificate No.	Par Value	Number of shares
5	$100.00	10
11	100.00	1
12	100.00	1
01496	20.00	⅓
01497	20.00	⅓

which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. One (1) Voting Trust Certificate numbered 460, issued December 1, 1932, by Metropolitan Trust Company, Agent for Voting Trustees, for 7 shares of the common capital stock of The Bonmark Company, owned by August Lehnert, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto.

h. One (1) certificate of interest numbered 170, issued January 21, 1936, by Metropolitan Trust Company as Trustee, for two (2) units of the Beachton Court Liquidation Trust, owned by August Lehnert, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

i. One (1) United States Savings Bond, Series E, numbered X24559603E of $10.00 maturity value which bond is owned by Bartholomae Blend and is in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. One (1) adjusted service certificate numbered 1674965 of The United States of America, in the amount of $1,531.00, due January 1, 1945, owned by Karl Laux, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

k. One (1) German certificate numbered 4858, issued by Deutsche Treuhand-Gesellschaft, Berlin, for 4 percent Missouri Pacific Railway Company 40 year gold loan bond of 1905 of $500.00 face value, due March 1, 1945, owned by Karl Hans Friedrich Palm, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

l. Four (4) St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, numbered and of face value as set forth below:

Bond Numbers:	*Face value*
M8336	$1,000.00
D6380	500.00
D6610	500.00
Y7965	250.00

owned by Wilhelmine Peter, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

m. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

15. That to the extent that the persons referred to in subparagraph 1 and 2 hereof and the persons named in subparagraph 3 through 13, inclusive hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Pilot Radio & Tube Corp.	Class A common	None	TA0893	50	Sofie Vaas.
Cracker Creek Gold Mines Co.	Capital	$1.00	1008	2,000	Rosa Walter.
Golconda Consolidated Gold Mines Co.	do	1.00	3843	250	Do.
Taber Fraction Mines Co.	do	1.00	78 486 655	800	Do.
Richmond Automobile Co. of California.	do	1.00	248	100	August Hofmann.
Roblito Rubber Plantation Co.	do	20.00	88	135	Do.
Ruby King Mineral Paint Co.	do	1.00	20	1,800	Do.
Western Casualty & Guaranty Co.	do	10.00	8931	35	Do.
The Gold & Copper Deep Tunnel Mining & Milling Co.	do	1.00	3065 3283 3685 3869	350	Elisabeth Filsinger.
Insull Utility Investments, Inc.	Preferred second series.	None	PS/08430	10	Karl, Wilhelm August Kendel.
Republic Electric Power Corp.	Capital	20.00	39	10	Albert and Maria Koeppler.
Wacker-Wells Bldg. Corp.	do	None	1488	15	Do.
H. & D. American Machine Co.	Preferred	10.00	B5686/8	30	Georg Buettner.
Grigsby-Grunow Co.	Common	None	C079971/2	30	Ludwig Stutz.
Keystone Stores Corp.	Second preferred	None	491 03091	120	Personal representatives, heirs, next of kin, legatees and distributees of Emma Wanner, deceased.
Nedick's, Inc.	Capital	None	3116	20	Gustav Retter.
Transit Investment Corp.	Cumulative preferred.	25.00	TP02973	75	Richard Baier.
	Common	25.00	TC0805	5	
The Denver & Rio Grande Western R. R. Co.	6 percent cumulative preferred.	100.00	PF4996	4	Herbert Koelsch.
Missouri Pacific R. R. Co.	Preferred capital	100.00	047421	5	Marianne Stark.
Progress Mutual Loan Association.	Guarantee capital	200.00	15 23	4	Ella Tax.
Pyramid Building & Loan Association of Milwaukee, Wis.	Capital	100.00	4031	10	Maria Schneider.
Magalia Treasure Box, Inc.	do	1.00	49 50	400	Walter Eugen Andreae.
The Wabash R. R. Co.	Preferred	100.00	24662	100	Emil Grim.
Teutonia Ave. State Bank	Capital	20.00	C1173	1	Emma Kugel.

[F. R. Doc. 51-9525; Filed, Aug. 10, 1951; 8:50 a. m.]

[Vesting Order 18292]

AUGUST JOERRENS

In re: Stock registered in the name of August Joerrens, Basle, Switzerland, and owned by persons whose names are unknown. F–28–21092.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of August Joerrens, together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Forty-five shares of United Fruit Company capital stock evidenced by certificate number K0140569 for 15 shares and certificate number H0199628 for 30 shares.

[F. R. Doc. 51–9526; Filed, Aug. 10, 1951; 8:50 a. m.]

[Vesting Order 18293]

MRS. TAKE ARITA

In re: Rights of Mrs. Take Arita under Insurance Contract. File No. D–39–1015–H–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Take Arita, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 435,860 issued by The Manufacturers Life Insurance Company, Toronto, Ontario, Canada, to Mrs. Take Arita, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States), is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Take Arita, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–9527; Filed, Aug. 10, 1951; 8:50 a. m.]

[Vesting Order 18294]

D. A. B. RECREATIONAL RESORT, INC.

In re: Real property owned by D. A. B. Recreational Resort, Inc.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation:

1. It having been found by Vesting Order Number 626, dated January 6, 1943, that D. A. B. Recreational Resort, Inc., is a national of a designated enemy country (Germany);

2. It is hereby found that D. A. B. Recreational Resort, Inc., is the owner of the property described in subparagraph 3 hereof;

3. It is further found that the property described as follows:

a. Real property situated in the Counties of Passaic and Morris, State of New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. Real property situated in the County of Passaic, State of New Jersey, described as Block 49, Lots 80–82–84, situate on Wanaque Road, consisting of 20.55 acres more or less, said property being more particularly described in Tax Sale Certificate No. 58, dated August 10, 1932, and recorded in the Office of the Register of Passaic County, New Jersey, on August 27, 1932, in Book O–18 of Mortgages, Page 282, and thereafter assigned to D. A. B. Recreational Resort, Inc., by assignment dated February 18, 1938, recorded in the Office of the Register of Passaic County, New Jersey, on February 24, 1938, in Book U–5 of Mortgages, Page 559, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

c. Real property situated in the County of Passaic, State of New Jersey, described as Block 49, Lot 85 situate on Federal Hill consisting of 3 acres more or less, said property being more particularly described in Tax Sale Certificate No. 59, dated August 10, 1932, and recorded in the Office of The Register of Passaic County, New Jersey on August 27, 1932 in Book O–18 of Mortgages, Page 281 and thereafter assigned to D. A. B. Recreational Resort, Inc., by assignment dated February 18, 1938 recorded in the Office of the Register of Passaic County, State of New Jersey on February 24, 1938 in Book U–5 of Mortgages, Page 559, to-

gether with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property, and

d. Real property situated in the County of Passaic, State of New Jersey described as Block 49, Lots 80–82–84 situate on Federal Hill (East of Union Avenue) said property being more particularly described in Tax Sale Certificate No. 10, dated December 13, 1937 recorded in the Office of the Register of Passaic County, State of New Jersey on December 28, 1937 in Book D–20 of Mortgages, Page 526 and thereafter assigned to D. A. B. Recreational Resort, Inc. by assignment dated February 18, 1938 recorded in the Office of the Register of Passaic County, State of New Jersey on February 24, 1938 in Book U-5 of Mortgages, Page 560, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments, arising from the ownership of such property.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of desigated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., August 8, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

All those certain plots, tracts or parcels of land and premises, situate, lying and being in the Counties of Passaic and Morris, in the State of New Jersey, particularly described as follows:

First parcel (Lots 63, 64, 68, Block 49, Borough of Bloomingdale, Passaic County, N. J.). All that certain tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in the Borough of Bloomingdale (formerly Township of Pompton) in the County of Passaic and State of New Jersey, bounded and described as follows:

Beginning at a stone monument located near a Pepperage tree on the northeasterly bank of the Pequannock River in the line of land now or late of Vandam; thence (1) north eleven degrees east along said Vandam's line one thousand two hundred and sixty-four (1,264) feet to an angle in said Vandam's line at a stake and stones for a corner; thence (2) north twenty-three degrees forty-nine minutes east seven hundred forty-five feet and eighty-two hundredths of a foot (N. 23° 49′ E. 745.82 ft.) to a monument at the base of a ledge of rocks in line of land now or late of J. V. Beam; thence (3) along said Beam's line and along line of land of R. S. Slater, south sixty-five degrees, fifteen minutes (65° 15′) east passing an Elm tree in the corner of land formerly of J. V. Beam to a corner in the line of land now or formerly of Martha S. Smith at a stake and stones in a swamp; thence (4) south nine degrees, thirty minutes (9° 30′) east along said line of lands of Martha S. Smith, twenty-three hundred (2,300) feet, more or less to an Elm tree on the north Bank of the Pequannock River marked for a corner; thence (5) up the northerly bank of said river the several courses and distances thereof at ordinary water mark five hundred and forty (540) feet to a point at the northerly end of the dam of Slater's pond where it joins the high ground; thence (6) northwesterly passing along the southerly line of the right-of-way of the New York Susquehanna and Western Railroad seventeen hundred (1,700) feet, more or less, to a point in the center of said river where the southerly line of the said right-of-way intersects the center line of said river; thence (7) northwesterly up stream of said river four hundred and seventy (470) feet, more or less, to the place of beginning.

Excepting from the above described premises so much of said premises as was conveyed by Joseph Slater and wife to the New Jersey Western Railroad Company by two deeds, one recorded in W–3 of deeds for Passaic County, page 182 and the other recorded in W–3 of Deeds for Passaic County, Page 184; together with and appurtenant to said land and conveyed hereby a right-of-way extending from the Paterson and Hamburg Turnpike in Morris County over a wooden bridge across the mill raceway and over land located east of the old Slater Mill and east of the dwelling and other buildings back of the old Mill on what was formerly the Slater Mill property and over an old wooden bridge and abutments of same over the Pequannock River from Morris County to Passaic County to the premises above described.

There is also excepted from the land above described two small parcels located along the bank of the Pequannock River as described and recited in a deed made by William Baxter, and Harriet Baxter, his wife, to The West Milford Water Storage Co., dated Nov. 29, 1889, recorded January 27, 1890, in Book X–9 of Deeds for Passaic County, page 87.

The property hereinabove described being property conveyed by William Baxter and Blanche Baxter, his wife, to the party of the first part hereto by deed dated July 31, 1925, and recorded August 6, 1925, in Book B–32 of Deeds for Passaic County, on page 438 &c.

There is also particularly excepted from this conveyance, that certain parcel of land which was sold and conveyed by the American Homes Company, a corporation of the State of New Jersey, party of the first part hereof, to one, Antonio Di Giorno, by deed dated March 20, 1928, and recorded April 2, 1928 in Book M–34 of Deeds for Passaic County, on page 193.

Said premises are conveyed subject also to the grant of the Telephone Company as contained in T–19, 299.

Second parcel (Lot 83, Block 49, Borough of Bloomingdale, Passaic County, N. J.). All that certain tract or parcel of land and premises hereinafter particularly described, situate, lying and being in the Boroughs of Bloomingdale & Pompton Lakes, in the County of Passaic and State of New Jersey, beginning at a black oak sapling, marked, standing in the first outside line of the whole tract and the second corner of lot number Four (4) (in the division of the Estate of Adrian Post, deceased), thence (1) South thirty-six degrees, thirty minutes (36° 30′) West fourteen (14) chains and seventy (70) links to the second outside corner of the whole tract at a large rock and heap of stones thereon and sapling, marked, thence (2) North fifty-one degrees (51°) East three (3) chains and thirty (30) links to a stake and stones on the Northwest corner of a tract of Peter Mead; thence (3) North seventy-eight degrees, forty-five minutes (78° 45′) East seven (7) chains to a stump and saplings, marked, on the second corner of Peter Mead; thence (4) South ten degrees (10°) East fifteen (15) chains to a stake and stones in the third corner of Peter Mead lot; thence (5) South seventy-eight degrees, forty-five minutes (87° 45′) West, seven (7) chains to a hickory tree, marked, in the fourth corner of Peter Mead's lot; thence (6) North ten degrees (10°) West fifteen (15) chains to the first corner of Peter Mead's lot; thence (7) South fifty-one degrees (51°) West three (3) chains, thirty (30) links to the aforesaid second outside corner of the whole tract; thence (8) South fourteen degrees (14°) East twenty (20) chains, along the outside line; thence (9) East twelve (12) chains and thirty (30) links; thence (10) North nine degrees, thirty minutes (9° 30′) East seventeen (17) chains and forty (40) links on the outside line; thence (11) South eighty-eight degrees (88°) East eight (8) chains to a hickory sapling, marked; thence (12) North thirteen degrees, thirty minutes (13° 30′) East nine (9) chains to a heap of stones in the outside line of the whole tract and the third corner of number four (4); thence (13) North seventy-five degrees (75°) West twenty-two (22) chains and forty (40) links to the beginning, containing forty-five and sixty-six one hundredths acres (45.66), as the same is described in a deed of partition by Casparus Bogert, Isaac Van Saun and Andrew P. Hopper, Commissioners, for Mary Sythoff and husband and others, dated November 1, 1825, in the matter of Partition between Lambert Sythoff and Mary, his wife, and others, devisees named in the Last Will and Testament of Adrian Post, deceased, wherein Anne, wife of Matthias Roome received the above described tract, said deed being recorded in Book X–2 of Deeds for Bergen County, pages 1, etc.

Together with access thereto by two roadways, as now existing, as follows: (1) From the Willard Street crossing over the Greenwood Lake Branch of the Erie Railroad in Pompton Lakes, over the following properties: New York and Greenwood Lakes Railroad Company, International Arms and Fuse Company, Joseph J. Percival, and one unknown owner to the southwesterly part of the above described tract, and (2) from the said Willard Street crossing, as above, over the following properties: New York and Greenwood Lake Railroad Company, Estate of Sarah C. Phillips, Estate of Alice Gormley, and Annie E. Mulligan, to the easterly and northeasterly part of said tract.

Being the premises conveyed by Mathias B. Roome, Widower, to Ada E. Everiss, by deed dated January 21, 1931, recorded January 23, 1931, in Book F–36 of Deeds for Passaic County, N. J., at page 344.

It is also understood and agreed that the lands surrounded by a part of the description herein contained and therein referred to as Peter Mead's lot are not intended to be included in the title hereby conveyed, excepting as hereinafter contained.

Third parcel. All those tracts or parcels of land and premises, hereinafter particularly described, situate, lying and being in the Borough of Bloomingdale, in the County of Passaic and State of New Jersey:

First Tract lying on Federal Hill (Lot 86, Block 49, Borough of Bloomingdale, Passaic County, N. J. The first tract being part of a lot of ten and fifty hundredths (10.50) acres returned to Peter Mead Sept. 20, 1791, and recorded in Perth Amboy, in Book S–10, page 66, being Lot No. 3, in a division of the real estate of John P. Mead, dec'd., made by Commissioners in 1826. Beginning at a stake and stones distant eleven (11) chains, 06 links on a course of South 5 degrees, 48 minutes East from a white oak stump and stones the beginning corner of the whole tract; thence running (1) along the first line of the whole tract, south six degrees, fifteen minutes (6° 15′) East three chains, ninety-four links; (2) south eighty-three degrees and thirty minutes west along the 2d line of the whole tract seven chains to the 3d corner thereof; (3) along the 3d line thereof north nine degrees thirty minutes west three chains and ninety-four links; (4) north seventy-nine degrees, fifteen minutes east seven chains to the beginning.

Containing two 75/100 acres, more or less.

Second Lot (Lot 81, Block 49, Borough of Bloomingdale, Passaic County, N. J.). The second lot being part of a tract of 20 acres returned to the heirs of Peter Mead, January 24, 1797, and recorded in Perth Amboy in Book S–12, page 28. Beginning at an Elm tree with stones around standing on the East side of a gully and west of a wood road distant 10 chains, 74 links north 68 degrees West from an old Pepperage stump the beginning corner of the whole tract; thence running (1) north sixty-eight degrees west four chains to a stone heap; (2) north forty-nine degrees twenty-one minutes East fourteen chains forty links to a stake and stones; (3) south nine and a half degrees east four chains to a stone heap; (4) south forty-nine degrees, twenty-one minutes west ten chains, twenty links to the beginning. Containing four 50/100 acres more or less. Being Lot No. 2 in the division of the real estate of John P. Mead, dec'd., made by the Commissioners in 1826. Being the first and second tract of land and premises conveyed to Jeremiah Morse and Mary Morse, his wife; Douglas T. Morse and Margie M. Morse, his wife; and Roland M. Marcus and Hazel G. Marcus, his wife, by Otis R. Slater and Abbie Slater, his wife, by deed dated July 24th, 1923.

The above tracts of land and premises were devised to the said Otis R. Slater by Robert Slater, deceased, by his Last Will and Testament, dated September 18th, 1915, and probated by the Surrogate of Morris County, New Jersey.

Being the premises conveyed to the party of the first part hereto by Edward M. Ball by deed dated August 27th, 1926, and recorded September 25th, 1926, in Book F–33 of Deeds for Passaic County, N. J. at page 90.

Fourth parcel (Lots 9 and 10, Block 2, Borough of Riverdale, Morris County, N. J.). All that certain plot, tract, piece or parcel of land and premises, situate, lying and being in the Township of Pequannock, at Bloomingdale, in the County of Morris and State of New Jersey, particularly described as follows:

Beginning at the intersection of the northerly line of the Right of Way of the New York Susquehanna & Western Railroad Company with the westerly shore of the Pequannock River, thence (1) in a westerly direction and following the said northerly line of the Right of Way of the said Railroad Company, be the distance what it may, to the Hamburg Turnpike; thence (2) northerly, following the said line of said Hamburg Turnpike, fifty (50) feet to a point; thence (3) northeasterly and at right angles to the said side line of the said Hamburg Turnpike, be the distance what it may, to the westerly shore of the Pequannock River; thence (4) in a southerly direction and following the said shore line of the Pequannock River, be the distance what it may, to the point or place of beginning.

Being the premises conveyed to the party of the first part hereto by deed of Maud C. Patteson and Herbert L. Patteson, her husband, dated September 23, 1925, and recorded September 25, 1925, in Book R–29 of Deeds for Morris County, New Jersey, at page 250 &c.

Together with all the right, title and interest, if any, of the said party of the first part hereto, in and to the said Pequannock River and the shore thereof and in and to the Hamburg Turnpike as same are adjacent to the premises above described.

[F. R. Doc. 51–9528; Filed, Aug. 10, 1951; 8:51 a. m.]

Georges Marie Paul D'Espinassy De Venel

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Georges Marie Paul D'Espinassy De Venel, Paris, France; Claim No. 35521; property described in Vesting Order No. 667 (8 F. R. 4996, April 17, 1943) relating to United States Letters Patent No. 2,247,749.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] Harold I. Baynton,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–9529; Filed, Aug. 10, 1951; 8:51 a. m.]

Charles Piccoli et al.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Charles Piccoli, Julian Piccoli, Richard Piccoli, Maria Merlo Ortolani, Naples, Italy; Claim No. 33586; $3,752.39 in the Treasury of the United States, one-third thereof to each Charles Piccoli, Julian Piccoli and Richard Piccoli; $2,800.00 in the Treasury of the United States, to Maria Merlo Ortolani.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] Harold I. Baynton,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–9530; Filed, Aug. 10, 1951; 8:51 a. m.]

FEDERAL REGISTER

VOLUME 16 NUMBER 157

Washington, Tuesday, August 14, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2936

FIRE PREVENTION WEEK, 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS during the past year preventable fires have again brought death to at least ten thousand of our citizens and permanent disability or painful injury to scores of thousands more; and

WHEREAS each year natural and created resources worth nearly a billion dollars are destroyed in our country by fire; and

WHEREAS the present emergency especially requires that we conserve our manpower, our productive facilities, and our material resources:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby designate the week beginning October 7, 1951, as Fire Prevention Week.

I urge that every man, woman, and child in this great land contribute to the national effort to make the United States strong by accepting individual responsibility in the year-round campaign against the needless waste of life and destruction of property by preventable fires. I request that State and local governments, the American National Red Cross, the National Fire Waste Council, the Chamber of Commerce of the United States, business, labor, and farm organizations, churches, schools, civic groups, and the agencies of public information, including newspapers, magazines, and the radio, television, and motion-picture industries, cooperate fully in the observance of Fire Prevention Week. I also direct the appropriate agencies of the Federal Government to assist in this crusade against the toll of life and property resulting from fires.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 9th day of August in the year of our Lord nineteen hundred and fifty-one, [SEAL] and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-9660; Filed, Aug. 10, 1951; 2:25 p. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—JAPANESE BEETLE

MISCELLANEOUS AMENDMENTS

On June 22, 1951, there was published in the FEDERAL REGISTER (16 F. R. 5954) a notice of proposed rule making concerning amendments of notice of quarantine No. 48 and certain supplementary regulations, as amended (7 CFR and Supp. 301.48, 301.48–2, 301.48–3 (b), 301.48–4 (a) (2), 301.48–5 (c), and 301.48–9). After public hearing and due consideration of all relevant matters presented thereat or in accordance with the said notice, and pursuant to the authority conferred by section 8 of the Plant Quarantine Act, as amended (7 U. S. C. 161), the Secretary of Agriculture hereby amends the said §§ 301.48, 301.48–2, 301.48–3 (b), 301.48–4 (a) (2), 301.48–5 (c), and 301.48–9 in the following respects:

1. Section 301.48 is amended to read as follows:

§ 301.48 *Notice of quarantine.* Under the authority conferred by section 8

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of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and having held the public hearings required thereunder, the Secretary of Agriculture quarantines the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia, to prevent the spread of the Japanese beetle and under authority contained in the Plant Quarantine Act and the Insect Pest Act of March 3, 1905 (7 U. S. C. 141 et seq.), the Secretary of Agriculture hereinafter prescribes regulations governing the movement of Japanese beetles and carriers thereof. Hereafter (a) soil, humus, compost, and decomposed manure; (b) forest, field, nursery, or greenhouse-grown woody or herbaceous plants or parts thereof for planting purposes; and (c) fresh fruits and vegetables shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from any of said quarantined States or District into or through any other State or Territory of the United States in manner or method or under conditions other than those prescribed in the rules and regulations hereinafter made and amendments thereto: *Provided,* That the requirements of this quarantine and of the rules and regulations supplemental hereto are hereby limited to the areas in a quarantined State now, or which may hereafter be, designated by the Secretary of Agriculture as regulated areas, as long as, in the judgment of the Secretary of Agriculture, the enforcement of the said rules and regulations as to such regulated areas shall be adequate to prevent the spread of the Japanese beetle, except that such limitation is further conditioned upon the affected State or States providing for and enforcing control of the intrastate movement of the regulated articles under the same conditions as those which apply to their interstate movement under the provisions of currently existing Federal quarantine regulations, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further,* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the requirements contained in any such regulations, he shall set forth and publish such finding in administrative instructions specifying the manner in which the applicable regulation should be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof or for such article or articles as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

2. Section 301.48–2 is amended to read as follows:

§ 301.48–2 *Regulated areas.* The following States, District, counties, townships, cities, towns, villages, boroughs, and magisterial districts or parts thereof, are hereby designated as regulated areas:

Connecticut. The entire State.

Delaware. The entire State.

District of Columbia. The entire District.

Maine. County of York; towns of Auburn and Lewiston, in Androscoggin County; towns of Cape Elizabeth, Gorham, Gray, New Gloucester, Raymond, Scarboro, Standish, and cities of Portland, South Portland, Westbrook, and Windham, in Cumberland County; city of Waterville, in Kennebec County; and city of Brewer, in Penobscot County.

Maryland. The entire State.

Massachusetts. The entire State.

New Hampshire. Counties of Belknap, Cheshire, Hillsboro, Merrimack, Rockingham, Strafford, and Sullivan; towns of Brookfield,

Eaton, Effingham, Freedom, Madison, Moultonboro, Ossipee, Sandwich, Tamworth, Tuftonboro, Wakefield, and Wolfeboro, in Carroll County; towns of Alexandria, Ashland, Bridgewater, Briston, Canaan, Dorchester, Enfield, Grafton, Groton, Hanover, Hebron, Holderness, Lebanon, Lyme, Orange, and Plymouth, in Grafton County.

New Jersey. The entire State.

New York. Counties of Albany, Bronx, Broome, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Kings, Madison, Monroe, Montgomery, Nassau, New York, Oneida, Onondaga, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Tioga, Ulster, Warren, Washington, and Westchester; towns of Red House and Salamanca, and cities of Olean and Salamanca, in Cattaraugus County; city of Auburn, and towns of Fleming, Owasco, and Sennett, in Cayuga County; towns of Amherst, Cheektowaga, and Tonawanda, and cities of Buffalo and Lackawanna, in Erie County; towns of Columbia, Danube, Fairfield, Frankfort, German Flats, Herkimer, Litchfield, Little Falls, Manheim, Newport, Salisbury, Schuyler, Stark, Warren, and Winfield, and city of Little Falls, in Herkimer County; town of Watertown and city of Watertown, in Jefferson County; town of Mount Morris and village of Mount Morris, in Livingston County; town of Manchester, in Ontario County; towns of Granby, Hannibal, Mexico, Minetto, New Haven, Palermo, Schroeppel, Scriba, and Volney, and cities of Fulton and Oswego, in Oswego County; towns of Catherine, Cayuta, Dix, Hector, Montour, and Reading, and borough of Watkins Glen, in Schuyler County; town of Waterloo, in Seneca County; towns of Caton, Corning, Erwin, Hornby, and Hornellsville, and cities of Corning and Hornell, in Steuben County; towns of Caroline, Danby, Dryden, Enfield, Groton, Ithaca, Newfield, and city of Ithaca, in Tompkins County.

North Carolina. Counties of Beaufort, Bertie, Buncombe, Cabarrus, Camden, Carteret, Chowan, Craven, Cumberland, Currituck, Dare, Davidson, Duplin, Edgecombe, Forsyth, Gates, Greene, Guilford, Halifax, Harnett, Henderson, Hertford, Hyde, Johnston, Jones, Lenoir, Martin, Mecklenburg, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Randolph, Rowan, Sampson, Tyrrell, Washington, Wayne, and Wilson; township of Beaver Dam and city of Canton in Haywood County.

Ohio. Counties of Belmont, Carroll, Columbiana, Cuyahoga, Guernsey, Harrison, Jefferson, Mahoning, Medina, Portage, Stark, Summit, Tuscarawas, and Wayne; cities of Ashtabula and Conneaut, and village of Lakeville, in Ashtabula County; townships of Lafayette, Linton, Oxford, and Tuscarawas, and city of Coshocton, in Coshocton County; township of Marion, city of Columbus and villages of Bexley, Grandview, Grandview Heights, Hanford, Marble Cliff, and Upper Arlington, in Franklin County; township of Chester, in Geauga County; township of Prairie, in Holmes County; townships of Kirtland, Mentor, and Willoughby, and villages of Kirtland Hills, Lakeline, Mentor, Mentor-on-the-Lake, Waite Hill, Wickliffe, Willoughby, and Willowick, in Lake County; townships of Hanover, Madison and Newark and city of Newark, in Licking County; city of Toledo and township of Washington, in Lucas County; townships of Benton, Jackson, Lee, Ohio, Salem, and Switzerland, in Monroe County; townships of Adams, Cass, Falls, Hopewell, Highland, Jackson, Jefferson, Licking, Madison, Monroe, Muskingum, Perry, Salem, Union, and Washington, in Muskingum County; township of Madison and city of Mansfield, in Richland County; townships of Bazetta, Braceville, Brookfield, Champion, Fowler, Hartford, Howland, Hubbard, Liberty, Lordstown, Newton, Southington, Warren, Weathersfield, and Vienna, cities of Niles and Warren, and villages of Cortland, Girard, Hubbard, McDonald, Newton Falls, and Orangeville, in Trumbull County; townships of Adams, Belpre, Dunham, Fearing, Grandview, Independence, Lawrence, Liberty, Ludlow, Muskingum, Newport, Salem, and Warren, and city and town of Marietta, in Washington County.

Pennsylvania. The entire States except the townships of Athens, Beaver, Bloomfield, Cambridge, Conneaut, Cussewago, East Fairfield, East Fallowfield, East Mead, Fairfield, Greenwood, Hayfield, North Shenango, Pine, Randolph, Richmond, Rockdale, Sadsbury, South Shanango, Spring, Steuben, Summerhill, Summit, Troy, Union, Venango, Vernon, Wayne, West Fallowfield, West Mead, West Shenango, and Woodcock, and the boroughs of Blooming Valley, Cambridge Springs, Cochranton, Conneaut Lake, Conneautville, Linesville, Saegerstown, Springboro, Townville, Venango, and Woodcock, in Crawford County; the townships of Amity, Conneaut, Elk Creek, Fairview, Franklin, Girard, Greene, Greenfield, Harborcreek, Lawrence Park, LeBoeuf, McKean, North East, Springfield, Summit, Union, Venango, Washington, and Waterford, and the boroughs of Albion, Cranesville, East Springfield, Edinboro, Fairview, Girard, Middleboro, Mill Village, North East, North Girard, Platea, Union City, Waterford, and Wattsburg, in Erie County.

Rhode Island. The entire State.

Vermont. Counties of Bennington, Rutland, Windham, and Windsor; and town of Burlington, in Chittenden County.

Virginia. Counties of Accomac, Alleghany, Arlington, Brunswick, Caroline, Charles City, Chesterfield, Clarke, Culpeper, Dinwiddie, Elizabeth City, Essex, Fairfax, Fauquier, Frederick, Gloucester, Goochland, Greensville, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Louisa, Mathews, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Orange, Powhatan, Prince George, Prince William, Princess Anne, Rappahannock, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, and York; magisterial districts of Charlottesville, Rivanna, and Scottsville, in Albemarle County; magisterial district of Elon, in Amherst County; magisterial district of Forest, in Bedford County; magisterial district of Amsterdam, in Botetourt County; magisterial districts of Brookville and Otter River, in Campbell County; magisterial districts of Horse Pasture and Reed Creek, in Henry County; town of Shenandoah, in Page County; village of Schoolfield, in Pittsylvania County; magisterial districts of Dublin, Newbern, and Pulaski, and town of Pulaski, in Pulaski County; magisterial districts of Big Lick, Cave Spring, and Salem, in Roanoke County; magisterial districts of Glade Spring and Holston, in Washington County; and cities of Alexandria, Charlottesville, Clifton Forge, Danville, Fredericksburg, Hampton, Hopewell, Lynchburg, Newport News, Norfolk, Petersburg, Portsmouth, Radford, Richmond, Roanoke, South Norfolk, Suffolk, Williamsburg, and Winchester.

West Virginia. Counties of Barbour, Berkeley, Brooke, Doddridge, Hampshire, Hancock, Harrison, Jefferson, Lewis, Marion, Marshall, Mineral, Monongalia, Morgan, Ohio, Pleasants, Preston, Ritchie, Taylor, Tucker, Tyler, Upshur, and Wetzel; magisterial districts of Blue Sulphur and Fort Spring, in Greenbrier County, magisterial districts of Charleston, Elk, Loudon, and Malden, city of Charleston, and town of South Charleston, in Kanawha County; city of Princeton, in Mercer County; magisterial district of Wolf Creek, in Monroe County; magisterial districts of Leadsville and New Interest, in Randolph County; city of Hinton and magisterial districts of Greenbrier and Talcott, in Summers County; cities of Parkersburg and Williamstown and magisterial districts of Clay, Lubeck, Parkersburg, Slate, Tygard, Union, Walker, and Williams, in Wood County.

3. Section 301.48–3 (b) is amended to read as follows:

(b) *Articles the movement of which is regulated.* Unless exempted by administrative instructions issued by the Chief of the Bureau of Entomology and Plant Quarantine and except as hereinafter otherwise provided, the movement of the following articles from regulated areas to points outside thereof is subject to the regulations in this subpart:

(1) Soil, humus, compost, and decomposed manure moved independent of or in connection with nursery stock or any other articles or things.

(2) Nursery stock.

(3) Fresh fruits and vegetables.

4. Section 301.48–4 (a) (2) is amended to read as follows:

(2) A certificate or limited permit will be required for the movement of any or all of the articles described in § 301.48–3 (b) (3) only when an inspector's observations in regulated areas disclose either that adult beetles have emerged in large numbers and are actively flying in such quantities that they may infest shipments of these articles to be moved from such areas to nonregulated points, or that such emergence and flight are imminent. Common carriers, shippers, and other interested persons will be informed in advance by appropriate notice of the areas in which these conditions exist, the articles affected, the dates of the imminence or beginning and cessation of adult flights during which certificates or limited permits will be required, and the places where inspections will be made and certificates and permits issued.

5. Section 301.48–5 (c) is amended to read as follows:

(c) *Limited permits.* Limited permits may be issued by the inspector for the movement of noncertified regulated articles to specified destinations for limited handling, utilization, or processing. Persons shipping, transporting, or receiving such articles may be required by the inspector to enter into written agreements with the Bureau of Entomology and Plant Quarantine to maintain such safeguards against the establishment and spread of infestation and to comply with such conditions as to the maintenance of identity, handling, or subsequent movement of regulated products and to the cleaning of cars, aircraft, trucks, and other vehicles used in the transportation of such articles as may be required by the inspector.

6. Section 301.48–9 is amended to read as follows:

§ 301.48–9 *Inspection of shipments en route.* Any car, aircraft, vehicle, or container of any kind moved interstate or offered for shipment interstate, which contains or which the inspector has probable cause to believe contains either infestations, infested articles, or articles the movement of which is controlled by the regulations in this subpart shall be

subject to inspection by an inspector at any time or place, and when actually found to involve danger of dissemination of Japanese beetle to noninfested localities, measures to eliminate infestation may be required by the inspector as a condition of further transportation or delivery.

(Sec. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 143, 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

This amendment shall be effective August 14, 1951.

The purposes of these amendments are to add new territory to the regulated areas, to relieve shippers of cut flowers from the necessity of obtaining certification for such products, and to clarify the phraseology of several other regulations. Prompt action is necessary with respect to the newly regulated areas in order to control the movement therefrom of articles which might spread the Japanese beetle. Lifting of the certification requirements for cut flowers should also be made effective at once so that shippers may operate under this exemption during the current shipping season. Therefore, good cause is found, in accordance with section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) for making the foregoing amendments effective less than 30 days after their publication.

Done at Washington, D. C., this 8th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9562; Filed, Aug. 13, 1951; 8:47 a. m.]

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 419—COTTON CROP INSURANCE

SUBPART—REGULATIONS FOR THE 1952 AND SUCCEEDING CROP YEARS

By virtue of the authority contained in the Federal Crop Insurance Act, as amended, the "Regulations for the 1951 and Succeeding Crop Years," as amended (15 F. R. 6740, 9033; 16 F. R. 4171, 7695), which shall continue in full force and effect through the 1951 crop year, are hereby amended for the 1952 and succeeding crop years to read as set forth below. The provisions of this subpart shall, until amended or superseded, apply to all continuous cotton contracts as they relate to the 1952 and succeeding crop years.

Sec.
419.1 Availability of cotton crop insurance.
419.2 Coverages per acre.
419.3 Premium rates.
419.4 Application for insurance.
419.5 The contract.
419.6 Reduction of premium based on good experience.
419.7 Public notice of indemnities paid.
419.8 Death, incompetence, or disappearance of insured.
419.9 Refund of excess note payments.
419.10 Creditors.
419.11 Rounding of fractional units.
419.12 Changes in continuous contracts covering the 1951 and succeeding crop years.
419.13 The policy.

AUTHORITY: §§ 419.1 to 419.13 issued under secs. 506, 516, 52 Stat. 73, 77; 7 U. S. C. 1506, 1516. Interpret or apply secs. 507, 508, 509, 52 Stat. 73–75, as amended; 7 U. S. C. and Supp. 1507, 1508, 1509.

§ 419.1 *Availability of cotton crop insurance.* (a) Cotton crop insurance will be provided only in accordance with this subpart in not to exceed the number of counties prescribed by the Federal Crop Insurance Act, as amended. A list of these counties will be published annually by amendment to this section.

(b) Insurance will not be provided with respect to applications for cotton insurance filed in a county in accordance with this subpart unless such written applications, together with cotton crop insurance contracts in force for the ensuing crop year, cover the minimum number of farms prescribed by the Federal Crop Insurance Act, as amended. For this purpose an insurance unit shall be counted as one farm.

§ 419.2 *Coverages per acre.* The Corporation shall establish coverages per acre by areas which shall not be in excess of the maximum limitations prescribed in the Federal Crop Insurance Act, as amended. Coverages so established shall be shown on the county actuarial table and shall be on file in the county office and may be revised from year to year.

§ 419.3 *Premium rates.* The Corporation shall establish premium rates per acre by areas for all acreage for which coverages are established and such rates shall be those deemed adequate to cover claims for cotton crop losses and to provide a reasonable reserve against unforeseen losses. Premium rates so established shall be shown on the county actuarial table and shall be on file in the county office and may be revised from year to year.

§ 419.4 *Application for insurance.* (a) Application for insurance on a Corporation form entitled "Application for Crop Insurance on Cotton" may be made by any person to cover his interest as landlord, owner-operator, tenant or sharecropper in a cotton crop.

(b) Application for insurance on a Corporation form entitled "Application for Cotton Crop Insurance on Sharecropper Interest" may be made by any person to cover the interest which sharecroppers have in a cotton crop in which such person has an interest as owner-operator or tenant. Under any insurance so provided, not withstanding any provision(s) of the policy issued by the Corporation to the contrary, (1) the applicant shall be considered the insured under the contract and the interest(s) insured shall be considered as his interest, (2) premiums (except for discounts for early payment and reductions based on good experience) and losses shall be computed and transfers of interest shall be made in the same manner and under the same terms and conditions as if the sharecropper(s) had signed (and the Corporation had accepted) an individual application for insurance on the form provided by the Corporation for that purpose, (3) the applicant shall designate on his annual acreage report the name of the sharecropper(s) and specifically identify the acreage allocated to him, (4) any indemnity shall be paid to the insured for the benefit of the sharecropper(s) (or transferee(s)) allocated the insurance unit on which the loss occurred and payment shall be made by joint check payable to the insured and said sharecropper(s) (or transferee(s)), (5) collateral assignments shall not be honored but the insured shall from the proceeds of the joint check be entitled to any amounts owed him for advances to finance the current cotton crop on the insurance unit, and (6) the Corporation shall not deduct from any indemnity any premium in excess of the current premium on the insurance unit, but may deduct any amount owing the Corporation by the sharecropper(s) (or transferee(s)).

(c) For any crop year applications shall be submitted to the county office on or before the following applicable closing date preceding such crop year.

(1) January 31 for Crosby, Floyd, Hale, Lamb, Lubbock, and Lynn Counties, Texas.

(2) February 28 for Taylor County, Texas.

(3) March 25 for all counties in Arizona and New Mexico.

(4) March 31 for Houston County, Alabama; Burke and Dooly Counties, Georgia; all parishes in Louisiana; Covington, Jefferson Davis, Marion, and Walthall Counties, Mississippi; Orangeburg County, South Carolina; and Bell, Burleson, Collin, Delta, Ellis, Falls, Fannin, Grayson, Hunt, Hill, Lamar, Milam, McLennan, Navarro, Red River, and Williamson Counties, Texas.

(5) April 10 for all other counties.

§ 419.5 *The contract.* Upon acceptance of an application for insurance by the Corporation, the contract shall be in effect and will consist of the application and the policy issued by the Corporation.

§ 419.6 *Reduction of premium based on good experience.* The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutively insured cotton crops (immediately preceding the current crop year) without a loss for which an indemnity was paid. If the insured is not eligible for the above premium reduction, his annual premium for any year may be reduced not to exceed 25 percent if it is determined by the Corporation that the accumulated balance, expressed in pounds, of premiums over indemnities on consecutively insured cotton crops (ending with the current crop year) exceeds his total coverage (computed on a harvested acreage basis). As used in this section, "consecutively insured crops" means cotton crops insured in consecutive years during which insurance was available. Failure to apply for insurance in any year when insurance is offered in the county in which the insured's farm is located shall

break the insured's continuity of consecutively insured crops prior to such year, even though insurance may not be provided in the county during such year because of failure to meet the minimum participation requirement: *Provided, however,* That failure to apply for insurance for any year will not break the continuity of consecutively insured crops, if (a) the failure to apply for insurance was due to service in active military or naval service of the United States, or (b) the insured establishes to the satisfaction of the Corporation, that failure to apply for insurance was due to the fact that cotton was not planted in that year. Nothing in this section shall create in the insured any right to a reduced premium.

§ 419.7 *Public notice of indemnities paid.* The Corporation shall provide for the posting annually in each county at the county courthouse of a list of indemnities paid for losses in such county.

§ 419.8 *Death, incompetence, or disappearance of insured.* (a) If an applicant for insurance or an insured dies or is judicially declared incompetent less than 15 days before the closing date for the filing of applications for insurance in any year and before the beginning of planting the cotton crop intended to be covered by insurance, whoever succeeds him on the farm with the right to plant the cotton crop as his heir or heirs, administrator, executor, guardian, committee, or conservator, may be substituted as to such cotton crop for the applicant or the insured upon filing with the county office within 15 days (unless such period is extended in writing by the Corporation) after the date of such death or judicial declaration, a statement in writing in the form and manner prescribed by the Corporation, requesting such substitution and agreeing to assume the obligations of the original applicant with respect to such cotton crop arising out of such application or the contract: *Provided,* That any substitution made pursuant to this paragraph shall be effective only with respect to the cotton crop to be planted in the ensuing crop year, and the contract shall terminate at the end of such year. If no such statement is approved by the Corporation, the application shall be void or the contract shall terminate.

(b) Subject to the provisions of paragraph (a) of this section, the contract shall terminate upon death, judicial declaration of incompetence, or disappearance of the insured, except that if such death, judicial declaration of incompetence, or disappearance occurs after the beginning of planting of the cotton crop in any crop year but before the end of the insurance period for such year, the contract shall (1) terminate at the end of such insurance period, and (2) cover any additional cotton planted for the insured or his estate for that crop year.

(c) The insured may be deemed to have disappeared within the meaning of the contract if he fails to file with the county office written notice of his new mailing address within 180 calendar days after any communication by or on behalf of the Corporation is returned undeliverable at the last known address of the insured.

§ 419.9 *Refund of excess note payments.* Refund of any excess note payment will be made only to the person who made such payment, except that where a person who is entitled to a refund of an excess note payment has died, has been judicially declared incompetent, or has disappeared, the provisions of the policy with reference to the payment of indemnities in any such case shall be applicable with respect to the making of any such refund.

§ 419.10 *Creditors.* An interest in an insured crop existing by virtue of a debt, lien, mortgage, garnishment, levy, execution, bankruptcy, or any involuntary transfer shall not entitle any holder of any such interest to any benefits under the contract.

§ 419.11 *Rounding of fractional units.* The premium and the total coverage shall be rounded to pounds. Production shall be rounded to pounds. Fractions of acres shall be rounded to tenths of acres. Computations shall be carried one digit beyond the digit that is to be rounded. If the last digit is 1, 2, 3, or 4, the rounding shall be downward. If the last digit is 5, 6, 7, 8, or 9, rounding shall be upward.

§ 419.12 *Changes in continuous contracts covering the 1951 and succeeding crop years.* Both the commodity and monetary coverage insurance policies issued for 1951 and succeeding crop years shall be amended for 1952 and succeeding crop years so that the terms and conditions of such policies will conform to the terms and conditions of the policy set forth in this subpart.

§ 419.13 *The policy.* The provisions of the policy for 1952 and succeeding crop years are as follows:

In consideration of the representations and provisions in the application upon which this policy is issued, which application is made a part of the contract, and subject to the terms and conditions set forth or referred to herein, the Federal Crop Insurance Corporation (hereinafter designated as the Corporation) does hereby insure

---------- ----------
(Name) (Policy number)

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(Address) (County) (State)

(hereinafter designated as the insured) against unavoidable loss of lint cotton production on his cotton crop due to drought, flood, hail, wind, frost, freeze, lightning, fire, excessive rain, snow, wildlife, hurricane, tornado, insect infestation, plant disease and such other unavoidable causes as may be determined by the Board of Directors of the Corporation. (For irrigated acreage, see section 30.) In witness whereof, the Corporation has caused this policy to be issued this ----- day of ---------- 195--.

FEDERAL CROP INSURANCE CORPORATION

By ----------
State Crop Insurance Director

TERMS AND CONDITIONS

1. *Insurable acreage.* For each crop year of the contract, any acreage is insurable only if a coverage is established therefor for that crop year on the county actuarial table (including maps and related forms) before the applicable calendar closing date for filing applications for insurance, provided the farming practice followed on such acreage is one for which a coverage was established.

2. *Responsibility of insured to report acreage and interest.* (a) Promptly after planting a cotton crop each year, the insured shall submit to the Corporation, on a Corporation form entitled "Cotton Crop Insurance Acreage Report", a report over his signature, of all acreage in the county planted to cotton in which he has an interest at the time of planting. This report shall show the acreage of cotton for each insurance unit and his interest in each at the time of planting. If the insured does not have an insurable interest in the cotton planted in any year, the acreage report shall nevertheless be submitted promptly after the planting of cotton is generally completed in the county. Any acreage report submitted by the insured shall not be subject to change by the insured.

(b) The Corporation may elect to determine that the insured acreage is "zero" if the insured falls to file an acreage report within 30 days after cotton planting is generally completed in the county, as determined by the Corporation. (c) Failure of the Corporation to request submission of such report or to send a personal representative to obtain the report shall not relieve the insured of the responsibility to make such report.

3. *Insured acreage.* The insured acreage with respect to each insurance unit shall be the acreage of cotton planted as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect, except that insurance shall not attach with respect to (a) any acreage planted to cotton which is destroyed or substantially destroyed (as defined in section 14) and on which it is practical to replant to cotton, as determined by the Corporation, and such acreage is not replanted to cotton, (b) any cotton replanted on acreage released by the Corporation because of damage to the cotton crop on such acreage, (c) any acreage planted to cotton in excess of the allotment or permitted acreage established under any program administered by the Secretary of Agriculture but destroyed by natural causes or by the insured and not considered as cotton under the provisions of such program, (d) any acreage initially planted to cotton too late to expect a normal crop to be produced, as determined by the Corporation, (e) new ground acreage planted to cotton the first year of cultivation, and (f) any acreage planted to cotton following in the same crop year a small grain crop which reaches the heading stage. (For irrigated acreage, see section 30.) The Corporation reserves the right to limit the insured acreage to the cotton allotment or permitted acreage established under any act of Congress including the Agricultural Adjustment Act of 1938, as amended.

4. *Insured interest.* The insured interest in the cotton crop covered by the contract shall be the interest of the insured at the time of planting as reported by the insured or as determined by the Corporation, whichever the Corporation shall elect. For the purpose of determining the amount of loss the insured interest shall not exceed the insured's actual interest at the time of loss or the beginning of harvest whichever occurs first.

5. *Coverage per acre.* (a) The coverage per acre is progressive by stages of production and shall be that approved by the Corporation for the area in which the insured acreage is located, and shall be shown by practice(s) on the county actuarial table which shall be on file in the county office. There are four stages of production as follows;

First stage: After it is too late to plant cotton but before the first cultivation;

Second stage: After the first cultivation but before laying by;

Third stage: After laying by but before harvest; and

Fourth stage: After harvest and to the end of the insurance period.

(b) If the cotton crop on any acreage is destroyed or substantially destroyed, as defined in section 14, the coverage applicable thereto shall be that established for the area in which the acreage is located and for the stage of production reached by the crop at the time of destruction or substantial destruction.

6. *Fixed price.* The fixed price per pound for the first crop year of the contract shall be the price established for that year by the Corporation and shall be shown on the county actuarial table on file in the county office at the time the application for insurance is submitted. For each subsequent crop year the fixed price shall be on file in the county office at least 15 days prior to the applicable cancellation date preceding the crop year for which such price applies. The fixed price shall be used to determine the cash equivalent of premiums and of any indemnities.

7. *Insurance period.* Insurance with respect to any insured acreage shall attach at the time the cotton is planted. Insurance shall cease with respect to any portion of the cotton crop covered by the contract upon removal from the field, upon being housed, or upon disposal of the unharvested crop or transfer of interest in unharvested cotton after harvest has commenced, but in no event shall the insurance remain in effect later than the applicable date set forth as the end of the insurance period in section 31, unless such time is extended in writing by the Corporation.

8. *Life of contract, cancellation thereof.* (a) Subject to the provisions of paragraph (d) of this section, the contract shall be in effect for the first crop year specified on the application and shall continue in effect for each succeeding crop year until canceled by either the insured or the Corporation. Cancellation may be made by either party giving written notice to the other party on or before the applicable cancellation date (set forth in section 31) preceding the planting of the crop for which cancellation is to become effective. Any notice of cancellation given by the insured to the Corporation shall be submitted to the county office.

(b) If the insured cancels the contract, he shall not be eligible for cotton crop insurance for the next succeeding crop year unless he subsequently files an application for insurance on or before the final date for cancellation preceding such crop year.

(c) If for two consecutive crop years no cotton in which the insured has an insurable interest is planted in the county, the contract shall terminate.

(d) If the minimum participation requirement as established by the Corporation is not met for any year, the contract shall continue in force only to the end of the crop year for which such requirement is not met, except that if the minimum participation requirement is met on or before the next succeeding applicable closing date the contract shall continue to be in force.

9. *Changes in contract.* The Corporation reserves the right to change the premium rate(s), insurance coverage(s) and other terms and provisions of the contract from year to year. Notice of such changes shall be mailed to the insured at least 15 days prior to the applicable cancellation date preceding the crop year for which such changes are to become effective. Failure of the insured to cancel the contract as provided in section 8 shall constitute his acceptance of any such changes. If no notice is mailed to the insured, the terms and provisions of the contract for the prior year shall continue in force.

10. *Causes of loss not insured against.* The contract shall not cover loss of production caused by: (a) Failure to follow recognized good farming practices; (b) poor farming practices, including but not limited to the use of defective or unadapted seed, failure to plant a sufficient quantity of seed, failure properly to prepare the land for planting or properly to plant, fertilize, care for or harvest (including unreasonable delay thereof) the insured crop; (c) failure properly to apply measures recommended by the State agricultural college for the control of insects and plant diseases; (d) planting cotton on land which is generally considered incapable of producing a cotton crop comparable to the average crop produced in the coverage and premium rate area in which the land is located; (e) planting cotton on land following peanuts harvested for nuts; (f) planting excessive acreage under abnormal conditions; (g) planting another crop (except winter legumes) in the growing cotton crop; (h) planting cotton under conditions of immediate hazard; (i) inability to obtain labor, seed, fertilizer, machinery, repairs or insect poison; (j) breakdown of machinery or failure of equipment due to mechanical defects; (k) neglect or malfeasance of the insured or of any person in his household or employment or connected with the farm as tenant, sharecropper, or wage hand; (l) domestic animals; (m) action of any person in the use of chemicals for the control of noxious weeds; or (n) theft.

11. *Amount of annual premium.* (a) The premium rate per acre will be the applicable number of pounds of lint cotton established by the Corporation for the coverage and rate area in which the insured acreage is located and will be shown by practice(s) on the county actuarial table on file in the county office. The annual premium for each insurance unit under the contract will be based upon (1) the insured acreage of cotton, (2) the applicable premium rate(s), (3) the insured interest in the crop at the time of planting, and (4) the fixed price. However, the amount of the premium so determined for an insurance unit shall not exceed 50 percent of the result obtained by multiplying (1) the insured acreage by (2) the applicable coverage per acre by (3) the insured interest in the crop and (4) the fixed price. There will be a reduction in the annual premium for each insurance unit of two percent in cases where the insured acreage on the insurance unit is as much as 50 acres and does not exceed 99.9 acres, and an additional two percent reduction for each additional 50 acres or fraction thereof on the insurance unit. However, the total reduction shall not exceed 20 percent. The annual premium for the contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The annual premium with respect to any insured acreage shall be regarded as earned when the cotton crop on such acreage is planted.

(b) The insured's annual premium for any year may be reduced 25 percent if he has had seven consecutively insured cotton crops without a loss for which an indemnity was paid. If the insured is not eligible for the above premium reduction, his annual premium for any year may be reduced not to exceed 25 percent if it is determined by the Corporation that the accumulated balance, expressed in pounds, of premiums over indemnities on consecutively insured cotton crops exceeds his total coverage (computed on a harvested acreage basis). Nothing in this paragraph (b) shall create in the insured any right to a reduced premium.

12. *Manner of payment of premium.* (a) The applicant executes a premium note by signing the application for cotton crop insurance. This note represents a promise to pay to the Corporation annually during the life of the contract, on or before the maturity date, which shall be August 31 of each year, the premium for all insurance units covered by the contract.

(b) A discount of five percent shall be allowed on any earned annual premium which is paid in full on or before June 30 of the crop year to which it applies if the insured has submitted to the Corporation at the county office his cotton acreage report for that crop year.

(c) Any premium note not paid at maturity shall bear interest computed not on a per annum basis but as follows: Three percent on the principal amount not paid on or before the interest date, which shall be October 31 of each year, and an additional one percent on the principal amount unpaid at the end of each calendar month period thereafter.

(d) Payment on any annual premium shall be made by means of cash or by check, money order, postal note, or bank draft payable to the order of the Treasurer of the United States. All checks and drafts will be accepted subject to collection and payments tendered shall not be regarded as paid unless collection is made.

(e) Any unpaid amount of any annual premium plus any interest due may be deducted (either before or after the date of maturity) from any indemnity payable by the Corporation, from the proceeds of any commodity loan to the insured, and from any payment made to the insured under the Soil Conservation and Domestic Allotment Act, as amended, or any other act of Congress or program administered by the United States Department of Agriculture. There shall be no refund of any annual premium overpayment of less than $1.00 unless written request for such refund is received by the Corporation within one year after the payment thereof.

13. *Notice of loss or damage.* (a) If a loss under the contract is probable, notice in writing (unless otherwise provided by the Corporation) shall be given the Corporation at the county office promptly after any material damage to the insured crop.

(b) If, at the completion of harvest of the insured cotton crop, or at the end of the insurance period, whichever is earlier, a loss under the contract has been sustained, or is probable, notice in writing (unless otherwise provided by the Corporation) shall be given promptly to the Corporation at the county office. If such notice is not given within 15 days after harvest is completed for the insurance unit involved, or by the end of the insurance period, whichever is earlier, the Corporation reserves the right to reject any claim for indemnity. This notice is in addition to any notice required by paragraph(s) of this section.

14. *Released acreage and released crop.* (a) Any insured acreage on which the cotton crop has been destroyed or substantially destroyed may be released by the Corporation. The cotton crop shall be deemed to have been substantially destroyed if the Corporation determines that it has been so badly damaged that farmers generally in the area where the land is located and on whose farms similar damage occurred would not further care for the crop or harvest any portion thereof. Also, the cotton crop on acreage which reaches the third stage of production and from which some production is harvested shall be deemed to have been substantially destroyed in the third stage if the total of the harvested production is less than 10 percent of what the coverage for such acreage would be in the fourth stage of production. No insured acreage may be put to another use until the Corporation releases such acreage. On any acreage where the cotton has been partially destroyed but not released by the Corporation, proper measures shall be taken to protect the crop from further damage. There shall be no abandonment of any crop or portion thereof to the Corporation. All acreage of cotton on the insurance unit, which is not released earlier, shall be deemed to be released upon the signing of a statement in proof of loss for such unit by the insured and an authorized representative of the Corporation.

(b) At the end of the insurance period and as a basis for determining the amount of

loss, if any, under the contract the cotton crop on any insured acreage may be released by the Corporation subject to an appraisal by the Corporation of the yield that would be realized if the crop were harvested.

15. *Time of loss.* Any loss shall be deemed to have occurred at the end of the insurance period, unless the entire cotton crop on the insurance unit was destroyed or substantially destroyed earlier, in which event the loss shall be deemed to have occurred on the date of such damage, as determined by the Corporation.

16. *Proof of loss.* If a loss is claimed the insured shall submit to the Corporation on a Corporation form entitled "Statement in Proof of Loss for Cotton", such information regarding the manner and extent of the loss as may be required by the Corporation. This form containing such information shall be submitted not later than sixty days after the time of loss unless the time for submitting the claim is extended in writing by the Corporation. It shall be a condition precedent to any liability under the contract that the insured establish the actual production of cotton on the insurance unit, the amount of any loss for which claim is made, and that such loss has been directly caused by one or more of the hazards insured against by the contract during the insurance period for the crop year for which the loss is claimed and that the insured further establish that the loss has not arisen from or been caused by, either directly or indirectly, any of the causes of loss not insured against by the contract. The cotton stalks on any acreage with respect to which a loss is claimed, shall not be destroyed until the Corporation makes an inspection.

17. *Insurance unit.* Losses shall be determined separately for each insurance unit except as provided in section 18 (b). An insurance unit consists of all insurable acreage in the county (a) in which the insured has 100 percent interest, plus any acreage owned by him and worked for him by sharecroppers or (b) which is owned by the insured and rented to one tenant, or (c) which is owned by one person and operated by the insured as a tenant, or (d) which is owned by one person and worked by the insured as a sharecropper. Land rented for cash or for a fixed commodity payment shall be considered as owned by the lessee.

For any crop year of the contract, acreage shall be considered to be located in the county if a coverage is shown therefor on the county actuarial table.

18. *Amount of loss.* (a) The amount of loss with respect to any insurance unit shall be determined by (1) multiplying the planted acreage (exclusive of any acreage to which insurance did not attach) by the applicable coverage per acre, (2) subtracting therefrom the total production for the planted acreage, and (3) multiplying the remainder by the insured interest in such unit. However, if the planted acreage on the insurance unit exceeds the insured acreage on the insurance unit, or if the premium computed for the planted acreage is more than the premium computed for the acreage and interest as approved by the Corporation on the acreage report, the amount of loss so determined shall be reduced. This reduction shall be made on the basis of the ratio of the insured acreage to the planted acreage except that the Corporation may elect to make the reduction on the basis of the ratio of the premium computed for the acreage and interest as approved by the Corporation on the acreage report to the premium computed for the planted acreage. The total production for an insurance unit shall include: (1) All harvested cotton (not subsequently destroyed by a cause insured against before being housed or removed from the field);

(2) For any acreage released by the Corporation because of damage occurring in the second stage of production the amount by which the appraised production of lint cotton exceeds the amount of coverage for such acreage;

(3) For any acreage of cotton released by the Corporation in the third stage of production, the amount by which the appraised production of lint cotton plus any harvested production for such acreage exceeds 10 percent of what the coverage for such acreage would be in the fourth stage of production;

(4) The appraised unharvested production of lint cotton on acreage which reaches the fourth stage of production;

(5) The appraised production of lint cotton for any portion of the insured cotton acreage that is put to another use without the consent of the Corporation, but not less than the product of (i) such acreage and (ii) the coverage per acre applicable to such acreage in the fourth stage of production;

(6) The appraised number of pounds of lint cotton by which production on any acreage has been reduced solely because of any cause not insured against, but not less than the product of (i) such acreage and (ii) the coverage per acre applicable to such acreage in the fourth stage of production minus any quantity of lint cotton harvested from such acreage and the lint cotton equivalent of any quantity of cotton not harvested from such acreage and remaining in the fields; and

(7) The appraised number of pounds of lint cotton by which production on any acreage has been reduced because of any cause not insured against, where damage on such acreage has resulted from a cause insured against and a cause not insured against.

Notwithstanding the other provisions of this paragraph (a) regarding the determination of the total production, in any case where the quality of any cotton production is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the fixed price for the county, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of such cotton, as determined by the Corporation, by 75 percent of the fixed price for the county.

(b) If production from two or more insurance units is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, the Corporation may allocate the commingled production between the units involved in any manner it deems appropriate or void the insurance on the insurance units involved and declare the premium(s) for such units forfeited by the insured. If production from uninsured acreage and insured acreage is commingled and the insured fails to establish and maintain separate acreage and production records satisfactory to the Corporation, all such production which is commingled shall be considered to have been produced on the insured acreage or the Corporation may void the insurance on the insurance unit(s) involved and declare the premium(s) for such unit(s) forfeited by the insured.

(c) The cash amount of the indemnity shall be determined by multiplying the amount of the loss in pounds by the fixed price.

19. *Payment of indemnity.* (a) Indemnities shall be paid only by check. The amount of indemnity will be payable within thirty days after satisfactory proof of loss is approved by the Corporation, but if payment is delayed for any reason, the Corporation shall not be liable for interest or damages on account of such delay.

(b) Indemnities shall be subject to all provisions of the contract, including the right of the Corporation to deduct from any indemnity the unpaid amount of any obligation of the insured to the Corporation.

(c) Any indemnity payable under the contract shall be paid to the insured or such other person as may be entitled to the benefits under the provisions of the contract, notwithstanding any attachment, garnishment, receivership, trustee process, judgment, levy, equity, or bankruptcy, directed against the insured or such other persons, or against any indemnity alleged to be due to such person; nor shall the Corporation or any officer, employee or representative thereof, be a proper party to any suit or action with reference to such indemnity, nor be bound by any judgment, order, or decree rendered or entered therein. Nothing herein contained shall excuse any person entitled to the benefits of the contract from full compliance with, or performance of, any lawful judgment, order, or decree with respect to the disposition of any sums paid thereunder as an indemnity.

(d) If a check issued in payment of an indemnity is returned undeliverable at the last known address of the payee, and if such payee or other person entitled to the indemnity makes no claim for payment within two years after the issuance of the check, such claim shall not thereafter be payable except with the consent of the Corporation.

20. *Payment to transferee.* (a) If the insured transfers all or a part of his insured interest in a cotton crop before the beginning of harvest or the time of loss, whichever occurs first, he shall immediately notify the Corporation thereof in writing at the county office. The transferee under such a transfer will be entitled to the benefits of the contract with respect to the interest so transferred, provided the transferee immediately following the transfer makes suitable arrangements with the Corporation for the payment of any premium with respect to the interest so transferred, whereupon the transferee and the transferor shall be jointly and severally liable for the amount of such premium. Any transfer shall be subject to any collateral assignment made by the original insured in accordance with section 24. However, the Corporation shall not be liable for a greater amount of indemnity in connection with the insured crop than would have been paid if the transfer had not taken place.

(b) If a transfer is effected in accordance with this section, the contract of the transferor shall cover the interest so transferred only to the end of the insurance period for the crop year during which the transfer is made.

21. *Determination of person to whom indemnity shall be paid.* If the insured dies, is judicially declared incompetent or disappears after the planting of the cotton crop in any year any indemnity which is or becomes part of his estate shall be paid to the legal representative of the estate. Should no such representative be qualified, the Corporation shall pay the indemnity to the person(s) it determines to be beneficially entitled thereto or to any one or more of such persons on behalf of all such persons, but if the indemnity exceeds $500.00 the Corporation may withhold payment until a legal representative of the estate is qualified. In such case, and in any other case where an indemnity is claimed by a person(s) other than the original insured or diverse interest appear with respect to any insurance unit the determination of the Corporation as to the existence or non-existence of a circumstance in the event of which payment may be made and of the person(s) to whom such payment shall be made shall be final and conclusive. Payment of an indemnity shall constitute a complete discharge of the Corporation's obligations with respect to the loss for which such indemnity is paid and shall be a bar to recovery by any other person(s).

22. *Other insurance.* (a) If the insured has or acquires any other insurance against substantially all of the risks that are insured

against by the Corporation under the contract, regardless of whether such other insurance is valid or collectible, the liability of the Corporation shall not be greater than its share would be if the amount of its obligations were divided equally between the Corporation and such other insurer.

(b) In any case where an indemnity is paid to the insured by another Government agency because of damage to the cotton crop, the Corporation reserves the right to determine its liability under the contract taking into consideration the amount paid by such other agency.

23. *Subrogation.* The Corporation may require from the insured an assignment of all rights of recovery against any person(s) for loss or damage to the extent that payment therefor is made by the Corporation, and the insured shall execute all papers required and shall do everything that may be necessary to secure such rights.

24. *Collateral assignment.* The original insured may assign his right to an indemnity under the contract by executing a Corporation form entitled "Collateral Assignment" and upon approval thereof by the Corporation the interest of the assignee will be recognized and the assignee shall have the right to submit the loss notices and forms as required by the contract if the insured neglects or refuses to take such action.

25. *Records and access to farm.* For the purpose of enabling the Corporation to determine any loss that may have occurred under the contract, the insured shall keep or cause to be kept, for two years after the time of loss, records of the harvesting, storage, shipment, sale or other disposition, of all cotton produced on each insurance unit covered by the contract, and on any uninsured acreage in the county in which he has an interest. As often as may be reasonably required, any person(s) designated by the Corporation shall have access to such records and the farm(s) for purposes related to the contract.

26. *Voidance of contract.* The Corporation may void the contract and declare the premium(s) forfeited without waiving any right or remedy, including the right to collect the amount of the premium note, if (a) at any time, either before or after loss, the insured has concealed or misrepresented any material fact or committed any fraud relating to the contract or the subject thereof, or (b) the insured shall neglect to use all reasonable means to produce, care for or save the cotton crop whether before or after damage has occurred, or (c) the insured fails to give notice, or otherwise fails to comply with the terms of the contract, including the premium note, at the time and in the manner prescribed.

27. *Modification of contract.* No notice to any representative of the Corporation or the knowledge possessed by any such representative or by any other person shall be held to effect a waiver of or change in any part of the contract or to estop the Corporation from asserting any right or power under such contract nor shall the terms of such contract be waived or changed except as authorized in writing by a duly authorized officer or representative of the Corporation; nor shall any provision or condition of the contract or any forfeiture be held to be waived by any delay or omission by the Corporation in exercising its rights and powers thereunder or by any requirement, act, or proceeding on the part of the Corporation or of its representatives relating to appraisal or to any examination herein provided for.

28. *General.* (a) In addition to the terms and provisions in the application and policy, the Cotton Crop Insurance Regulations for Continuous Contracts in effect for the crop year involved shall govern with respect to (1) minimum participation requirement, (2) closing date for filing applications for insurance, (3) death, incompetence, or disappearance of the insured, (4) refund of excess note payments, (5) creditors and (6) rounding of fractional units.

(b) Copies of the regulations and forms referred to in this policy are available at the county office.

29. *Meaning of terms.* For the purpose of the cotton crop insurance program, the terms:

(a) "Contract" means the accepted application for insurance and this policy.

(b) "Cotton crop" means only American Upland cotton and does not include cotton planted primarily for experimental purposes.

(c) "County" means the area commonly designated as such, and includes a parish in Louisiana.

(d) "County Actuarial Table" means the form and related material (including the crop insurance maps) approved by the Corporation for listing the coverages per acre and the premium rates per acre, applicable in the county.

(e) "County office" means the Production and Marketing Administration county office or other office specified by the Corporation.

(f) "Crop year" means the period beginning with the day following the applicable closing date for the filing of applications for insurance for any year and within which the cotton crop is planted, and normally harvested, and shall be designated by reference to the calendar year in which the crop is planted.

(g) "First cultivation" means the first tillage of the cotton after it is up, which must be performed with an implement (other than a spike tooth or section harrow, rotary hoe, or stalk cutter) designated for use on individual cotton rows for the purpose of working the ground close to the plants.

(h) "Harvest" means the removal of seed cotton from the open cotton boll or the severance of the open cotton boll from the stalk by either manual or mechanical means. For the purpose of determining the stage of production, any acreage shall be considered as harvested if the production of lint cotton actually harvested therefrom equals 10 percent or more of the coverage for such acreage in the fourth stage of production, unless such acreage is determined by the Corporation to have been destroyed or substantially destroyed in an earlier stage, as defined in section 14.

(i) "Laying by" means the completion of the final cultivation, consistent with good farming practices, that would be necessary to carry the crop to harvest.

(j) "New ground acreage" in all States except Arizona, California, and New Mexico, means acreage on which it was necessary to remove or deaden timber and remove undergrowth to carry out established cultural practices. Pasture land, other than woodland pasture, cleared of underbrush and brought into cultivation will not be considered new ground acreage. In Arizona, California, and New Mexico, "new ground acreage" means any acreage which has not been planted to a crop in any one of the previous three crop years, except that acreage in tame hay or rotation pasture during the previous crop year shall not be considered new ground acreage.

(k) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity and, wherever applicable, a state, political subdivision of a state or any agency thereof.

(l) "Sharecropper" means a person who works a farm in whole or in part under the supervision of the operator and with workstock and equipment not furnished by himself and is entitled to receive a share of the cotton crop produced thereon or of the proceeds therefrom.

(m) "Tenant" means a person other than a sharecropper who rents land from another person and works the cotton crop with workstock and equipment furnished by himself, and is entitled under a written or oral lease or agreement to receive a share of the crop or proceeds therefrom produced on such land.

30. *Irrigated acreage.* (a) In addition to the provisions of section 3, where insurance is written on the basis of irrigated coverage the following provisions shall apply:

(1) In counties where a part of the cotton is normally irrigated and a part is not normally irrigated the acreage of cotton which shall be insured on the basis of irrigated coverage in any year shall not exceed the smaller of (i) that acreage which could be irrigated adequately with the facilities available taking into consideration the amount of water required to irrigate the acreage of all irrigated crops on the farm, or (ii) that acreage on which one irrigation is carried out in accordance with good farming practices as determined by the Corporation either before the crop is planted or during the growing season prior to the blooming stage of the crop. Any insurable acreage of cotton on which the above irrigation requirements are not met will be insured on the basis of non-irrigated coverage.

(2) Insurance shall not attach with respect to acreage planted to cotton the first year after being leveled.

(b) In addition to the causes of loss insured against shown on the first page of this policy the contract shall cover loss in production due to failure of the water supply from natural causes that could not be foreseen and prevented by the insured, including (1) lowering of the water level in pump wells adequate at the beginning of the growing season to the extent that either deepening the well or drilling a new well would be necessary to obtain an adequate supply of water, (2) failure of public power used for pumping or failure of an irrigation district or water company to deliver water where such failure is not within the control of the insured, and (3) the collapse of casing in wells.

(c) In addition to the causes of loss not insured against shown in section 10, the contract shall not cover loss in production caused by (1) failure properly to apply adequate irrigation water to cotton when needed and in accordance with recognized good farming practices for the area, (2) failure to provide adequate casing or properly to adjust the pumping equipment in the event of a lowering of the water level in pump wells when such adjustments can be made without deepening the well, (3) failure properly to apply irrigation water to cotton in proportion to the need of the crop and the amount of water available for all irrigated crops, and (4) shortage of irrigation water on any farm where the Corporation determines that the total acreage of all irrigated crops on the farm is in excess of that which could be irrigated properly with the facilities available and with the supply of irrigation water which could be reasonably expected.

31. *Date table.* For each year of the contract the end of the insurance period and the cancellation date are as follows:

State and county [1]	End of insurance period [2]	Cancellation date
Alabama:		
Houston	Oct. 31	Feb. 28
Chilton	Nov. 15	Mar. 10
Tuscaloosa	do	Do.
All others	Dec. 15	Do.
Arizona	Jan. 31	Feb. 25
Arkansas:		
Crittendon	Dec. 31	Mar. 10
Lawrence	do	Do.
All others	Dec. 15	Do.
California	Jan. 31	Feb. 25
Georgia:		
Burke	Nov. 30	Feb. 28
Dooly	Oct. 31	Do.
All others	Dec. 15	Mar. 10

See footnotes at end of table.

State and county [1]	End of insurance period [2]	Cancellation date
Louisiana:		
Washington	Oct. 31	Feb. 28
All others	Nov. 30	Do.
Mississippi:		
Attala	do	Mar. 10
Covington	Oct. 31	Feb. 28
Holmes	Nov. 30	Mar. 10
Jefferson Davis	Oct. 31	Feb. 28
Lee	Nov. 30	Mar. 10
Marion	Oct. 31	Feb. 28
Walthall	do	Do.
All others	Dec. 15	Mar. 10
North Carolina	Dec. 31	Do.
New Mexico	do	Feb. 25
Oklahoma	do	Mar. 10
South Carolina:		
Orangeburg	Nov. 30	Feb. 28
All others	Dec. 15	Mar. 10
Tennessee:		
Hardeman	do	Do.
McNairy	do	Do.
All others	Dec. 31	Do.
Texas:		
Collin	Dec. 15	Feb. 28
Crosby	Dec. 31	Dec. 31
Delta	Dec. 15	Feb. 28
Fannin	do	Do.
Floyd	Dec. 31	Dec. 31
Grayson	Dec. 15	Feb. 28
Hale	Dec. 31	Dec. 31
Hunt	Dec. 15	Feb. 28
Lamar	do	Do.
Lamb	Dec. 31	Dec. 31
Lynn	do	Do.
Lubbock	do	Do.
Red River	Dec. 15	Feb. 28
Runnels	do	Jan. 31
Taylor	do	Do.
All others	Nov. 30	Feb. 28

[1] If no county name(s) appears for a State, the dates shown for such State are applicable to all cotton crop insurance counties in that State.

[2] See sec. 7 for complete statement on end of insurauce period.

NOTE: The record keeping requirements of these regulations have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board of Directors on July 27, 1951.

[SEAL] R. J. POSSON,
Secretary,
Federal Crop Insurance Corporation.

Approved: August 8, 1951.

C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9568; Filed, Aug. 13, 1951; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; KENTUCKY

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

KENTUCKY

County	Average value	Investment limit
Adair	$14,000	$12,000
Allen	13,500	12,000
Anderson	15,000	12,000
Ballard	16,000	12,000
Barren	16,000	12,000
Bath	18,000	12,000
Boone	18,000	12,000
Bourbon	30,000	12,000
Boyle	20,000	12,000
Bracken	16,000	12,000
Breatbitt	13,500	12,000
Breckenridge	14,500	12,000
Bullitt	14,000	12,000
Butler	13,500	12,000
Caldwell	16,000	12,000
Calloway	16,500	12,000
Campbell	15,000	12,000
Carlisle	14,000	12,000
Carroll	17,500	12,000
Carter	13,500	12,000
Casey	13,500	12,000
Christian	17,000	12,000
Clark	24,000	12,000
Clay	15,500	12,000
Clinton	13,500	12,000
Crittenden	15,000	12,000
Cumberland	13,500	12,000
Daviess	20,000	12,000
Edmonson	13,500	12,000
Elliott	11,500	11,500
Estill	15,000	12,000
Fayette	30,000	12,000
Fleming	20,000	12,000
Franklin	18,500	12,000
Fulton	16,500	12,000
Gallatin	15,000	12,000
Garrard	20,000	12,000
Grant	16,000	12,000
Graves	16,500	12,000
Grayson	13,500	12,000
Green	14,500	12,000
Greenup	13,500	12,000
Hancock	14,500	12,000
Hardin	19,500	12,000
Harrison	18,000	12,000
Hart	17,000	12,000
Henderson	18,000	12,000
Henry	18,500	12,000
Hickman	15,000	12,000
Hopkins	14,000	12,000
Jackson	14,500	12,000
Jefferson	20,000	12,000
Jessamine	20,000	12,000
Johnson	13,500	12,000
Kenton	16,500	12,000
Knox	15,000	12,000
Larue	16,500	12,000
Laurel	15,000	12,000
Lawrence	13,500	12,000
Lewis	15,000	12,000
Lincoln	18,000	12,000
Livingston	15,000	12,000
Logan	17,000	12,000
Lyon	15,000	12,000
McCracken	16,000	12,000
McCreary	14,000	12,000
McLean	15,000	12,000
Madison	20,000	12,000
Marion	15,500	12,000
Marshall	13,500	12,000
Martin	12,000	12,000
Mason	22,000	12,000
Meade	15,000	12,000
Menifee	13,500	12,000
Mercer	20,000	12,000
Metcalfe	14,000	12,000
Monroe	13,500	12,000
Montgomery	20,000	12,000
Morgan	13,500	12,000
Muhlenberg	14,000	12,000
Nelson	17,000	12,000
Nicholas	18,000	12,000
Ohio	14,000	12,000
Oldham	19,000	12,000
Owen	16,000	12,000
Owsley	14,000	12,000
Pendleton	16,000	12,000
Pike	13,500	12,000
Powell	14,000	12,000
Pulaski	15,000	12,000
Robertson	16,000	12,000
Rockcastle	14,000	12,000
Rowan	14,000	12,000
Russell	13,500	12,000
Scott	20,000	12,000
Shelby	20,000	12,000
Simpson	17,000	12,000
Spencer	15,000	12,000
Taylor	15,500	12,000
Todd	16,500	12,000
Trigg	15,000	12,000
Trimble	15,000	12,000
Union	17,000	12,000
Warren	$20,000	$12,000
Washington	16,500	12,000
Wayne	15,000	12,000
Webster	14,000	12,000
Whitley	15,000	12,000
Wolfe	13,500	12,000
Woodford	28,000	12,000

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 8th day of August 1951.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9563; Filed, Aug. 13, 1951; 8:48 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; NORTH DAKOTA

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average value and the investment limit set forth below for said county.

NORTH DAKOTA

County	Average value	Investment limit
Nelson	$14,000	$12,000

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 8th day of August 1951.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9564; Filed, Aug. 13, 1951; 8:48 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; PENNSYLVANIA

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth; and § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, is amended by adding said county, average value, and investment limit to the tabulations appearing in said section under the State of Pennsylvania.

PENNSYLVANIA

County	Average value	Investment limit
Elk	$10,000	$10,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 8th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9565; Filed, Aug. 13, 1951; 8:48 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; PENNSYLVANIA

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family - type farm - management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

PENNSYLVANIA

County	Average value	Investment limit
Adams	$11,000	$11,000
Armstrong	8,500	8,500
Bedford	12,000	12,000
Blair	13,000	12,000
Bucks	15,000	12,000
Clearfield	8,000	8,000
Crawford	8,000	8,000
Dauphin	12,000	12,000
Erie	12,000	12,000
Franklin	12,000	12,000
Fulton	10,000	10,000
Greene	9,500	9,500
Huntingdon	11,000	11,000
Indiana	10,000	10,000
Jefferson	8,500	8,500
Juniata	9,600	9,600
Lackawanna	9,000	9,000
Mercer	10,000	10,000
Monroe	7,500	7,500
Montgomery	16,000	12,000
Perry	10,000	10,000
Washington	11,000	11,000
Wyoming	9,250	9,250
York	12,000	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 8th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51—9566; Filed, Aug. 13, 1951; 8:48 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; KENTUCKY

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average values of efficient family - type farm - management units and investment limits for the counties identified below are determined to be as herein set forth; and § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, is amended by adding said counties, average values, and investment limits to the tabulations appearing in said section under the State of Kentucky.

KENTUCKY

County	Average value	Investment limit
Boyd	$15,000	$12,000
Floyd	13,500	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 8th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9567; Filed, Aug. 13, 1951; 8:48 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 129—ADMISSION AND DEPORTATION OF ALIENS ENTERING THE UNITED STATES UNDER THE DISPLACED PERSONS ACT OF 1948, AS AMENDED

SUBVERSIVE ORGANIZATION AFFIDAVIT

The first sentence of § 129.3, *Affidavit upon arrival,* Chapter I, Title 8, Code of Federal Regulations, is hereby amended to read as follows:

§ 129.3 *Affidavit upon arrival.* Any alien 18 years of age or older applying at a port of entry for admission into the United States under the provisions of the Displaced Persons Act of 1948, as amended, shall be required to subscribe to Form I-144, in which he shall declare under oath or affirmation that he is not and has never been a member of the Communist Party of any country; that he does not adhere to, advocate, or follow, and that he never has adhered to, advocated, or followed the principles of any political or economic system or philosophy directed toward the destruction of free competitive enterprise and the revolutionary overthrow of representative governments; that he is not and has never been a member of any organization which has been designated by the Attorney General of the United States as a Communist organization; that he is not and has never been a member of or participated in any movement which is or has been hostile to the United States or the form of government of the United States; that he has never advocated or assisted in the persecution of any person because of race, religion, or national origin; and that he has not voluntarily borne arms against the United States during World War II. * * *

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

ARGYLE R. MACKEY,
Commissioner of Immigration and Naturalization.

Approved: August 8, 1951.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 51-9574; Filed, Aug. 13, 1951; 8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5709]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

SILK-O-LITE MANUFACTURING CORP.

Subpart—*Advertising falsely or misleadingly:* § 3.30 *Composition of goods.* Subpart—*Furnishing means and instrumentalities of misrepresentation or deception:* § 3.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart—*Misbranding or mislabeling:* § 3.1185 *Composition.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1845 *Composition.* Subpart—*Using misleading name; Goods:* § 3.2280 *Composition: Vendor:* § 3.2450 *Products.* In connection with the sale or offering for sale and distribution of lamp shades in commerce, (1) using the corporate name "Silk-O-Lite Manufacturing Corp.," unless in immediate connection and conjunction therewith there appear clearly and conspicuously the words "Manufacturers of Rayon Lamp Shades."; (2) using the trade name of "Silk-O-Lite," in connection with the offering for sale, or sale of respondent's lamp shades, unless in immediate connection and conjunction therewith there appear clearly and conspicuously the words "A Trade Name" and designating all the constituent materials or fibers therein contained; or, (3) describing in advertising data or on tags or labels or otherwise its lamp shades made of rayon as "Celanese and Acetate Taffeta" without disclosing that the products so described are made of rayon; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Silk-O-Lite Manufacturing Corp., Docket 5709, May 8, 1951]

This proceeding was heard by Webster Ballinger, trial examiner, upon the Commission's complaint, respondent's answer thereto, and a stipulation whereby it was stipulated and agreed that a statement of facts might be taken as the facts in the proceeding, in lieu of testimony in support of and in opposition to the charges stated in the complaint.

Said stipulation, signed and executed by counsel for respondent and by Edward Downs for the Commission, was subject to approval by the trial examiner and to the express provision that upon appeal to or review by the Commission it might be set aside by it and the matter remanded for further proceedings under the complaint, and counsel submitted

their respective requests for findings as to the facts and conclusions, oral argument not having been requested.

Thereafter the proceeding regularly came on for final consideration by the trial examiner upon the complaint, answer and stipulation, and said trial examiner, having approved said stipulation and having found, after duly considering the record, that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom, and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission 30 days from service thereof upon the parties, said initial decision, including said order to cease and desist, and said order of dismissal, accordingly, under the provisions of said Rule XXII became the decision of the Commission on May 8, 1951.

The said order to cease and desist is as follows:

It is ordered, That respondent Silk-O-Lite Manufacturing Corp., its officers, directors, agents and employees, directly or through any corporate or other device in connection with the sale or offering for sale and distribution of lamp shades in commerce, as "commerce" is defined in the Federal Trade Commission Act do forthwith cease and desist from:

1. The use of the corporate name "Silk-O-Lite Manufacturing Corp.," unless in immediate connection and conjunction therewith there appear clearly and conspicuously the words "Manufacturers of Rayon Lamp Shades."

2. The use of the trade name "Silk-O-Lite," in connection with the offering for sale, or sale of its lamp shades, unless in immediate connection and conjunction therewith there appear clearly and conspicuously the words "A Trade Name" and designating all the constituent materials or fibers therein contained.

3. Describing in advertising data or on tags or labels or otherwise its lamp shades made of rayon as "Celanese and Acetate Taffeta" without disclosing that the products so described are made of rayon.

By "Decision of the Commission and order to file report of compliance", Docket 5709, May 8, 1951, which announced and decreed fruition of said initial decision, report of compliance with the order, was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: May 8, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-9572; Filed, Aug. 13, 1951; 8:50 a. m.]

[Docket 5849]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

PRATT & POMARS ASSOCIATES, INC., ET AL.

Subpart—*Misrepresenting oneself and goods; Business status, advantages or connections:* § 3.1490 *Nature in general.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.2080 *Terms and conditions.* In connection with the use in commerce, of postal or other cards, or any other printed or written material of similar nature, using any of the words "Placement Clerk," "Divisional Registry," "Industrial Bureau," "Application Clerk," "Call for Interview," "Appointment Clerk," or otherwise representing directly or by implication that respondents operate an industrial bureau, or are engaged in personnel work and in the employment of workers in connection therewith, or that the information sought is in connection with the placement or appointment of the person to whom the card is addressed to a position, or that respondent's business is other than that of a collection agency; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Pratt & Pomars Associates, Inc., et al., Docket 5849, May 8, 1951]

In the Matter of Pratt and Pomars Associates, Inc., a Corporation, and Harold A. Pomars and Ida May Pomars, Individually and as Officers of Said Corporation

This proceeding was heard by Webster Ballinger, trial examiner, upon the complaint of the Commission and the joint answer of respondents in which they admitted substantially all of the material allegations of fact set forth in the complaint, agreed that the Commission might consider the case on the complaint and answer, and waived all intervening proceedings.

Thereafter the proceedings regularly came on for final consideration by said trial examiner, theretofore duly designated by the Commission, upon the complaint, and answer thereto, and said trial examiner, having duly considered the record in the matter and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on May 8, 1951.

It is ordered, That Pratt and Pomars Associates, Inc., a corporation, its officers, directors, agents and employees, and Harold A. Pomars and Ida May Pomars, individually, either directly or through any corporate or other device in connection with the use in commerce, as "commerce" is defined in the Federal Trade Commission Act, of postal or other cards, or any other printed or written material of similar nature do forthwith cease and desist from: Using any of the words "Placement Clerk," "Divisional Registry," "Industrial Bureau," "Application Clerk," "Call for Interview," "Appointment Clerk," or otherwise representing directly or by implication that respondents operate an industrial bureau, or are engaged in personnel work and in the employment of workers in connection therewith, or that the information sought is in connection with the placement or appointment of the person to whom the card is addressed to a position, or that respondent's business is other than that of a collection agency.

By "Decision of the Commission and order to File Report of Compliance," Docket 5849, May 8, 1951, which announced and decreed fruition of said initial decision, report of compliance with said order to cease and desist was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 8, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-9573; Filed, Aug. 13, 1951; 8:50 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 214—ANNUITY BEGINNING DATE

EFFECT OF SERVICE PERFORMED THROUGH OR AFTER DESIGNATED BEGINNING DATE

Pursuant to the general authority contained in section 10 of the act of June 24, 1937 (sec. 10, 50 Stat. 314; 45 U. S. C. 228j) §§ 214.7 (b) and 214.7 (c) of the regulations under such act (3 F. R. 1478; 12 F. R. 1133) are amended by Board Order 51-241 dated July 31, 1951, to read as follows:

§ 214.7 *Effect of service performed through or after designated beginning date.* * * *

(b) *Individuals whose eligibility is based upon permanent disability for regular employment.* If such an individual renders compensated service to any person, whether or not an employer, through or after the designated beginning date, such fact must be reconciled with the claim of permanent disability for any regular and gainful employment before eligibility for such a disability annuity is established. Where, however, it is shown that the individual, notwithstanding his rendition of compensated service is disabled, the following shall apply:

If all the individual's compensated service ended before the filing date of his annuity application or if the individual's compensated service continued through such filing date the annuity cannot begin to accrue earlier than the date following the last day of such compensated service: *Provided,* That if the individual relinquished rights to all compensated service before the filing date of his application, his annuity may begin to accrue as early as the day after that on which he ceased such service. (For the effect of a return to service after accrual, see Parts 208 and 217 of this chapter.)

(c) *An individual whose eligibility is based upon permanent disability for work in his "regular occupation."* If an individual renders compensated service through or after the designated beginning date to any person, whether or not an employer, in his regular occupation or in any occupation for which the same occupational disability standards have been established, such fact must be reconciled with the claim of permanent disability for work in his regular occupation. Where, however, it is shown that an individual, notwithstanding his rendition of compensated service in any occupation, is permanently disabled for work in his regular occupation the following shall apply:

If all the individual's compensated service to any person, whether or not an employer, ended before the filing date of his annuity application or if the individual's compensated service to any person, whether or not an employer, continued through such filing date, the annuity cannot begin to accrue earlier than the date following the last day of compensated service to any such person: *Provided,* That if the individual relinquished rights to all compensated service before the filing date of his application, his annuity may begin to acrue as early as the day after that on which he ceased such service. (For the effect of a return to service after accrual see Parts 208 and 217 of this chapter.)

(Sec. 10, 50 Stat. 314; 45 U. S. C. 228j)

By authority of the Board.

Dated: August 6, 1951.

MARY B. LINKINS,
Secretary of the Board.

[F. R. Doc. 51-9560; Filed, Aug. 13, 1951; 8:46 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

CHLORAMPHENICOL PALMITATE

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR 141.1 et seq. and 1950 Supp.) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq. and 1950 Supp.) are amended as indicated below:

1. Part 141 is amended by adding the following new sections:

§ 141.305 *Chloramphenicol palmitate*—(a) *Potency.* Dissolve 50 milligrams of the sample in absolute ethanol and make to 100 milliliters in a volumetric flask with absolute ethanol. Transfer a 5-milliliter aliquot to another 100-milliliter volumetric flask and make to volume with absolute ethanol. With a suitable spectrophotometer determine the optical density of the solution in a 1-centimeter cell at 271mμ compared with absolute ethanol as a blank. Multiply the optical-density figure obtained by the appropriate factor to obtain the optical density value of 1-percent solution. The $E\frac{1\text{ percent}}{1\text{ cm.}}$ value of the sample multiplied by 575 divided by 178, represents the micrograms per milligram of chloramphenicol.

(b) *Toxicity.* Administer orally, by means of of a cannula or other suitable device, to each of 5 mice, within the weight range of 18 to 25 grams, 1.0 milliliter of a suspension of the drug containing 60 milligrams per milliliter in 10-percent acacia solution. If no animal dies within 48 hours, the sample is nontoxic. If one or more animals die within 48 hours, repeat the test with 5 unused mice weighing 20 grams (±0.5 gram) each; if all animals survive the repeat test the sample is nontoxic.

(c) *Melting point.* Proceed as directed by the U. S. P.

(d) *Extinction coefficient.* Proceed as directed in paragraph (a) of this section.

§ 141.306 *Chloramphenicol palmitate oral suspension*—(a) *Potency.* Fill a 10-milliliter volumetric flask to the mark with the sample, using a dropping pipette. Quantitatively transfer the contents of the flask to a 1,000-milliliter volumetric flask, using distilled water to rinse the flask, and make to volume with distilled water. After thoroughly shaking the contents of the 1,000-milliliter volumetric flask and allowing to stand for approximately 10 minutes, transfer a 4-milliliter aliquot to a 100-milliliter volumetric flask and make to volume with absolute ethanol. With a suitable spectrophotometer determine the optical density in a 1-centimeter cell at 271 mμ. The milligrams of chloramphenicol contained in each milliliter of chloramphenicol palmitate oral suspension is obtained by multiplying the optical-density reading by 35.9 and dividing by 0.445. The potency of chloramphenicol palmitate oral suspension is satisfactory if it contains not less than 85 percent of the number of milligrams per milliliter it is represented to contain.

(b) *pH.* Using the undiluted suspension, proceed as directed in § 141.5 (b). (Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

2. Part 146 is amended by adding the following new sections:

§ 146.305 *Chloramphenicol palmitate*—(a) *Standards of identity, strength, quality, and purity.* Chloramphenicol palmitate is the white to grayish-white, tasteless, crystalline palmitic acid ester of chloramphenicol. It is so purified and dried that:

(1) It contains not less than 555 micrograms of chloramphenicol per milligram.

(2) It is nontoxic.

(3) Its melting point is 89°±3° C.

(4) Its extinction coefficient $E\frac{1\text{ percent}}{1\text{ cm.}}$ is 178±6 at 271 mμ when measured in absolute ethanol.

The chloramphenicol used conforms to the requirements of § 146.301 (a), except subparagraphs (2), (4), and (5) of that paragraph.

(b) *Packaging.* In all cases the immediate containers shall be tight containers as defined by the U. S. P. and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of chloramphenicol palmitate shall bear on its outside wrapper or container and the immediate container, as hereinafter indicated, the following:

(1) The batch mark.

(2) The number of grams in the immediate container and the number of milligrams of chloramphenicol per gram.

(3) The statement "Expiration date ----------," the blank being filled in with the date which is 24 months after the month during which the batch was certified.

(4) The statement "For manufacturing use only."

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of ohloramphenicol palmitate shall submit with his request a statement showing the batch mark, the number of packages of each size in the batch and (unless it was previously submitted) the date on which the latest assay of the drug comprising such batch was completed. Such request shall be accompanied or followed by results of tests and assays made by him on the batch for potency, toxicity, melting point, and extinction coefficient.

(2) Such person shall submit with his request a sample containing 10 approximately equal portions of at least 300 milligrams, each taken from different parts of such batch; each such portion shall be packaged in a separate container and in accordance with the requirements of paragraph (b) of this section.

(e) *Fees.* The fee for the services rendered with respect to each batch

under the regulations in this part shall be:

(1) $4.00 for each immediate container submitted in accordance with paragraph (d) (2) of this section.

(2) If the Commissioner considers that investigations other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.306 *Chloramphenicol palmitate oral suspension*—(a) *Standards of identity, strength, quality, and purity.* Chloramphenicol palmitate oral suspension is chloramphenicol palmitate and one or more suitable and harmless buffer substances, suspending agents, preservatives, colorings, and flavorings, suspended in a suitable and harmless vehicle. It contains not less than 30 milligrams of chloramphenicol per milliliter. Its *p*H is not less than 6 nor more than 7. The chloramphenicol palmitate used conforms to the requirements of § 146.305 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U. S. P. and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package of chloramphenicol palmitate oral suspension shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of milligrams of chloramphenicol per milliliter.

(iii) The name and quantity of each preservative used in making the batch.

(iv) The statement "Expiration date ---------," the blank being filled in with the date which is 12 months after the month during which the batch was certified.

(2) On the outside wrapper or container:

(i) Unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a ----------," the blank being filled in with the word "physician" or "dentist" or "veterinarian," or any combination of two or all of these words, as the case may be.

(ii) Unless the drug is intended solely for veterinary use and is so labeled, a reference specifically identifying a readily available medical publication containing directions and precautions (including contraindications and possible sensitization) adequate for the use of such drug, or a reference to a brochure or other printed matter containing such directions and precautions, and a statement that such brochure or printed matter will be sent on request.

(3) On the circular or other labeling within or attached to the package, if the drug is intended solely for veterinary use, directions and precautions adequate for the use of such drug, including:

(i) Clinical indications.

(ii) Dosage and administration.

(iii) Contraindications.

(iv) Untoward effects that may accompany administration.

If two or more such immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2 a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark, and (unless it was previously submitted) the date on which the latest assay of the chloramphenicol palmitate used in making such batch was completed, the date on which the latest assay of the drug comprising such batch was completed, the quantity of each ingredient used in making the batch, and a statement that each such ingredient conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per milliliter, *p*H.

(ii) The chloramphenicol palmitate used in making the batch; potency, toxicity, melting point, extinction coefficient.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch; one package for each 5,000 packages in the batch, but in no case less than 5 or more than 12 packages, collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The chloramphenicol palmitate used in making the batch; 10 packages, each containing approximately equal portions of not less than 300 milligrams, packaged in accordance with the requirements of § 146.305 (b).

(iii) In the case of an initial request for certification, each other ingredient used in making the batch; one package of each containing approximately 5 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i), (ii), and (iii) of this section.

(2) If the Commissioner considers that investigations other than examination of such packages are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

This order, which provides for tests and methods of assay and certification of two new antibiotic preparations, chloramphenicol palmitate and chloramphenicol palmitate oral suspension, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for tests and methods of assay and certification of chloramphenicol palmitate and chloramphenicol palmitate oral suspension.

Dated: August 8, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-9523; Filed, Aug. 13, 1951; 8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 561—OFFICERS' RESERVE CORPS

APPOINTMENT IN ARMY MEDICAL SERVICE SECTIONS

In § 561.18, paragraph (e) (5) (i) (*b*) and (ii) and paragraph (f) (1) are amended to read as follows:

§ 561.18 *Appointment in Army Medical Service sections.* * * *

(e) *Medical Service Corps.* * * *

(5) *Medical laboratory specialists.* (i) For appointment in the grade of second lieutenant in the Medical Service Corps section applicants must meet either of the following requirements:

* * * * *

(*b*) Possess a bachelor's degree from a school or university acceptable to the Department of the Army in one of the

specialties listed below and, in addition, must be certified as a qualified medical technologist by an organization acceptable to the Department of the Army and authorized to tender such a certificate.

(ii) For appointment in * * * exceptional supervisory ability.

SPECIALTIES

Bacteriology.
Biochemistry.
Medical parasitology.
Medical technology.
Serology.
Toxicology.

* * * * *

(f) *Army Nurse Corps.* (1) For appointment in the grade of second lieutenant in the Army Nurse Corps section, applicants must have been graduated from a school of nursing acceptable to the Department of the Army and must possess current nursing registration in the United States, the District of Columbia, or a Territory of the United States, except that evidence of current nursing registration will not be required for applicants who have had prior military service as nurses in the Armed Forces of the United States.

* * * * *

[C5, SR 140–105–6, July 31, 1951] (R. S. 161; 5 U. S. C. 22. Interprets or applies sec. 37, 39 Stat. 189, as amended; 10 U. S. C. 351–353)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51–9575; Filed, Aug. 13, 1951; 8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 18, Revision 1, Amendment 3]

CPR 18, REV. 1—MANUFACTURERS' PRICES FOR WOOL YARNS AND FABRICS

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 3 to Ceiling Price Regulation 18, Revision 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

The date upon which a manufacturer must use Ceiling Price Regulation 18, Revision 1, exclusively was last set at August 13, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, OPS is extending for an indefinite period the date after which manufacturers must begin to use CPR 18, Rev. 1, exclusively. Appropriate advance notice will be given of the date after which this regulation will be required to be put into effect.

Until further action by OPS a manufacturer otherwise covered by Ceiling Price Regulation 18, Rev. 1, may use either that regulation, the General Ceiling Price Regulation or Ceiling Price Regulation 18 to price any yarn or fabric which he sells.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISION

Ceiling Price Regulation 18, Revision 1, as amended by Amendments 1 and 2, is hereby further amended in the following respect:

Section 1 of the regulation is amended to read as follows:

SECTION 1. *What this revised regulation does.* This revised regulation fixes ceiling prices for sales of wool yarn or fabric (see definition, section 25) by manufacturers. It applies in the 48 states and the District of Columbia. On and after the issuance date of this revised regulation and until further notice by the Director of Price Stabilization, you may use either this revised regulation, the General Ceiling Price Regulation or Ceiling Price Regulation 18. This revised regulation shall not apply to deliveries under a military contract or subcontract for yarn or fabric exempted by Supplementary Regulation 1, as amended, to the General Ceiling Price Regulation.

(Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.)

Effective date. This amendment to CPR 18, Rev. 1, shall become effective August 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 13, 1951.

[F. R. Doc. 51–9721; Filed, Aug. 13, 1951; 10:54 a. m.]

[Ceiling Price Regulation 32, Supplementary Regulation 1]

CPR 32—CRUDE PETROLEUM

SR–1—EAST TEXAS OIL FIELD (UPSHUR, GREGG, RUSK, SMITH AND CHEROKEE COUNTIES)

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation issued under section 8 of Ceiling Price Regulation 32 fixes a specific ceiling price for the East Texas Oil Field. Information has been submitted and evidence produced which in the judgment of the Director indicates that it is necessary to establish a ceiling price for the East Texas Oil Field under the aforementioned section.

The Director has determined on the basis of information available to him, including the data and conclusions of fact submitted by a number of purchasers in the East Texas Field, that the ceiling price of $2.65 per barrel at the receiving tank established by this supplementary regulation represents the level of ceiling prices under Ceiling Price Regulation 32. This price is the ceiling price now applicable to roughly 96 percent of the production in this major oil field according to information received by the Director. The other 4 percent may continue to be sold at existing slightly higher prices under Section 16 of Ceiling Price Regulation 32 which authorizes the continuation of contracts in effect prior to January 25, 1951. This supplementary regulation, however, makes it clear that section 15 of the regulation does not under the circumstances present here enable the 96 percent of the production in this oil field to be sold at the higher prices permissible for the 4 percent.

This supplementary regulation does not relieve purchasers in the East Texas Oil Field from compliance with section 9, "Reporting and Record Keeping Requirements" of Ceiling Price Regulation 32.

Prior to the issuance of this supplementary regulation, the Director consulted with individuals in the area involved and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Established ceiling price.
2. Relationship to Ceiling Price Regulation 32.
3. Power to revoke or suspend.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup., 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Established ceiling price.* The ceiling price for crude petroleum produced from the East Texas Oil Field (Upshur, Gregg, Rusk, Smith, and Cherokee Counties), as designated by the Railroad Commission of Texas, is a flat price of $2.65 per barrel at the receiving tank.

SEC. 2. *Relationship to Ceiling Price Regulation 32.* The provisions of this supplementary regulation do not supersede the provisions of section 16 of Ceiling Price Regulation 32.

SEC. 3. *Power to revoke or suspend.* This supplementary regulation or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

Effective date. This supplementary regulation is effective August 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 13, 1951.

[F. R. Doc. 51–9718; Filed, Aug. 13, 1951; 10.53 a. m.]

[Ceiling Price Regulation 37, Amendment 3]

CPR 37—Primary Cotton Textile Manufacturers' Regulation

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 3 to Ceiling Price Regulation 37 is hereby issued.

STATEMENT OF CONSIDERATIONS

The date after which primary cotton textile manufacturers were required to use the ceiling prices established by Ceiling Price Regulation 37 was last set at August 13, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, OPS is extending for an indefinite period the date after which manufacturers must begin to use Ceiling Price Regulation 37 exclusively. Appropriate advance notice will be given of the date after which this regulation will be required to be put into effect.

Until further action by OPS a manufacturer otherwise covered by Ceiling Price Regulation 37 may use either that regulation or the General Ceiling Price Regulation to price any yarn or fabric which he sells.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 37, as amended, is hereby further amended in the following respects:

Section 1 is amended to read as follows:

Section 1. *What this regulation does.* This regulation fixes ceiling prices for sales of cotton yarn or fabric by manufacturers located in the United States, its territories and possessions. It applies to sales by the manufacturer of unfinished cotton yarns or fabrics, but including, however, such mill-finished fabrics as chambrays, denims, and flannels (except printed flannels) and such end-use products as blankets, diapers, pillowcases, sheets, towels and woven bedspreads. On and after May 16, 1951 and until further notice by the Director of Price Stabilization you may use either this regulation or the General Ceiling Price Regulation. This regulation shall not apply to deliveries under a military contract or subcontract for yarn or fabric exempted by Supplementary Regulation 1, as amended, or as may be amended, to the General Ceiling Price Regulation. This regulation supersedes the Manufacturers' General Ceiling Price Regulation (Ceiling Price Regulation 22) for sales of yarns and fabrics covered by this regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended.)

Effective date. This amendment is effective August 13, 1951.

Michael V. DiSalle,
Director of Price Stabilization.

August 13, 1951.

[F. R. Doc. 51-9720; Filed, Aug. 13, 1951; 10:54 a. m.]

[Ceiling Price Regulation 41, Amendment 3]

CPR 41—Shoe Manufacturers' Regulation

POSTPONEMENT OF MANDATORY EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Ceiling Price Regulation 41 is hereby issued.

STATEMENT OF CONSIDERATIONS

The mandatory effective date of Ceiling Price Regulation 41 was last set at August 13, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, the Office of Price Stabilization is extending for an indefinite period the mandatory effective date of Ceiling Price Regulation 41. Appropriate advance notice will be given of the date on which this regulation will be required to be put into effect.

Until further action by the Office of Price Stabilization a manufacturer otherwise covered by Ceiling Price Regulation 41 may use either that regulation or the General Ceiling Price Regulation to price any shoes which he sells.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

1. Section 1 (c) of this regulation is amended to read as follows:

(c) On and after the effective date of this regulation, and pending further action by the Director of Price Stabilization, you may use either this regulation or the General Ceiling Price Regulation.

2. The first sentence of section 28 of this regulation is amended to read as follows:

Sec. 28. *What acts are prohibited by this regulation.* Regardless of any contract or other obligation, the following practices are forbidden with respect to any shoes for which you are using a ceiling price established under this regulation:

(Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.)

Effective date. This amendment is effective August 13, 1951.

Michael V. DiSalle,
Director of Price Stabilization.

August 13, 1951.

[F. R. Doc. 51-9719; Filed, Aug. 13, 1951; 10:53 a. m.]

[Ceiling Price Regulation 45, Amendment 1]

CPR 45—Apparel Manufacturers' General Ceiling Price Regulation

POSTPONEMENT OF MANDATORY EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 1 to Ceiling Price Regulation 45 is hereby issued.

STATEMENT OF CONSIDERATIONS

The mandatory effective date of Ceiling Price Regulation 45 was originally set at August 15, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, the Office of Price Stabilization is extending for an indefinite period the mandatory effective date of Ceiling Price Regulation 45. Appropriate advance notice will be given of the date on which this regulation will be required to be put into effect.

A manufacturer covered by this regulation is permitted to make it effective as to him at any time prior to whatever mandatory date may later be prescribed. In order to obtain consistent price levels within any given category, an apparel manufacturer who chooses to price any article in a category under Ceiling Price Regulation 45 is required to price all articles in that category under Ceiling Price Regulation 45. Thus, if he sells one or more articles in a category at increased prices permitted by the regulation he cannot avoid any rollbacks which may be required by the regulation on other articles within the same category. Any waiting periods prescribed before new ceilings can be put into effect must, of course, be met.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 45 is amended in the following respects:

1. Paragraph (a) of section 3 is amended to read as follows:

(a) You may begin to price and sell articles in accordance with this regulation at any time after its issuance; if you price and sell any article in a category in accordance with the provisions of this regulation, you must price

and sell all articles in the same category in accordance with its provisions. On and after the mandatory effective date of this regulation, you must price and sell all articles covered by it in accordance with its provisions.

2. Paragraph (b) of section 3 is amended by substituting for the phrase in the first line thereof which reads "On or before August 15, 1951" the phrase "On or before the mandatory effective date of this regulation", and by substituting for the phrase in the first line of the last paragraph thereof which reads "After August 15,.1951" the phrase "On and after the mandatory effective date of this regulation".

3. Sections 4 and 28 are amended by substituting for the date "August 15, 1951" wherever it apears, the phrase "the mandatory effective date of this regulation".

4. The last paragraph of Ceiling Price Regulation 45 is amended to read as follows:

Effective date. The mandatory effective date of this regulation is postponed until further action by the Director of Price Stabilization. However, you may elect to make this regulation effective as to you at any time between June 14, 1951, and the mandatory effective date, in accordance with paragraph (a) of section 3.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment is effective August 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 13, 1951.

[F. R. Doc. 51-9722; Filed, Aug. 13, 1951; 10:54 a. m.]

[General Overriding Regulation 9, Amdt. 4]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

SALES OF CERTAIN STRATEGIC AND CRITICAL METALS AND MINERALS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.) as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 4 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 9 exempts from price control all sales of raw asbestos, beryl ores, chrome ores, cobalt ores and metal, columbite-tantalite ores, natural graphite, kyanite and related ores, manganese ores, and acid grade fluorspar.

All of the foregoing commodities affected are critical and strategic industrial raw materials and a substantial portion of our requirements of each comes from foreign sources. There is a shortage of all of these commodities and the exemption granted herein was considered necessary to avoid any interference with the flow of needed supplies to the United States. Although there may be some increase in costs to domestic consumers as a result of this action, any such increase will have far less an effect upon the stabilization program than the reduction in supply which might result if the exemption were not granted. In view of the relatively small proportion of our supply of these commodities which comes from domestic sources, it appears that the administrative burden of retaining ceiling prices on domestic production would outweigh any benefits to be derived therefrom. Since ceiling prices are imposed upon the products in which the exempted commodities are used, it is anticipated that this action will have little, if any, effect upon the cost of the defense program or the cost of living.

This amendment also exempts sales of domestic mercury from price control. Although there does not appear to be a shortage of this metal at the present time, at least one producer has supplies which are being withheld from sale because of the relatively low ceiling price applicable to his transactions. It is likely that these supplies will be released if sales can be made at the current market price and since this price is well below the general level of ceiling prices under the GCPR, the exemption granted will have no inflationary effect. Sales of imported mercury will remain subject to price control and are being included in Ceiling Price Regulation 31—Imports.

The special nature of the provisions of this amendment made it impracticable to consult with industry representatives or trade associations, but consideration has been given to the advice of various members of the metals industries with regard to the exemption of these ores and materials.

AMENDATORY PROVISIONS

General Overriding Regulation 9 is amended in the following respects:

1. Section 2 (a) (9) is added to read as follows:

(9) *Sales of raw asbestos.* "Raw asbestos" includes crude fibres and fibrous masses derived from chrysotile or amphibole.

2. Section 2 (a) (10) is added to read as follows:

(10) *Sales of beryl ores.* "Beryl ores" includes any beryl ore in a crude state and any beryllium concentrate derived from the crude ore by concentration or beneficiation.

3. Section 2 (a) (11) is added to read as follows:

(11) *Sales of chrome ores.* "Chrome ores" includes any metallurgical, chemical and refractory chrome ore in a crude state or in concentrated, beneficiated or sized form.

4. Section 2 (a) (12) is added to read as follows:

(12) *Sales of cobalt ores and metal.* "Cobalt ores and metal" includes any cobalt ore in a crude state or in concentrated or beneficiated form, any "crude cobalt" (impure cobalt alloy), and any refined cobalt metal.

5. Section 2 (a) (13) is added to read as follows:

(13) *Sales of columbite-tantalite ores.* "Columbite-tantalite ores" includes any columbium (niobium) and tantalum ore in a crude state or in concentrated or beneficiated form.

6. Section 2 (a) (14) is added to read as follows:

(14) *Sales of natural graphite.* "Natural graphite" includes any soft native carbon of metallic lustre (often called plumbago or black lead), either in the state of a crude ore or in concentrated or beneficiated form.

7. Section 2 (a) (15) is added to read as follows:

(15) *Sales of kyanite and related ores.* "Kyanite and related ores" includes any kyanite, andalusite, sillimanite or dumortierite ore in a crude state or in concentrated or beneficiated form.

8. Section 2 (a) (16) is added to read as follows:

(16) *Sales of manganese ores.* "Manganese ores" includes any metallurgical, battery, and chemical manganese ore in a crude state or in concentrated, beneficiated, or sized form.

9. Section 2 (a) (17) is added to read as follows:

(17) *Sales of domestic mercury.* "Domestic mercury" includes any mercury produced in the United States, its Territories or Possessions.

10. Section 2 (a) (18) is added to read as follows:

(18) *Sales of acid grade fluorspar.* "Acid grade fluorspar" includes any fluorspar which, on a dry basis, conforms to the following chemical analysis:

	Percent
Calcium fluoride (minimum)	97
Silica (maximum)	1.10
Sulphur (as sulphide or free sulphur) (maximum)	.03
Calcium carbonate (maximum)	1.25
Iron oxide (maximum)	.25
Lead (maximum)	.20
Zinc (maximum)	.20

It also includes any fluorspar ore which conforms to such specification after concentration or beneficiation.

(Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.)

Effective date. This amendment shall become effective August 10, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9646; Filed, Aug. 10, 1951; 12:36 p. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Wage Regulation 14, Amdt. 1]

GWR 14—BONUSES

PAYMENTS NOT ACCORDING TO AN ESTABLISHED PLAN

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774,

81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 14 is amended in the following respect:

1. Section 3 is amended to read as follows:

SEC. 3. *Payments not according to an established plan.* In the absence of a plan conforming to section 2 of this regulation, bonuses may be given to the employees in an appropriate employee unit so that (a) the percentage of employees in the unit who are paid bonuses in the current bonus year shall not exceed the percentage of the employees in the unit who were paid bonuses in the preceding bonus year, (b) the average amount or percentage of bonus paid to the employees in the current bonus year shall not exceed the average amount or percentage paid in the preceding bonus year and (c) no employee in the unit shall receive a bonus in an amount or percentage greater than the largest bonus paid to any employee in the unit in the preceding bonus year: *Provided*, That any bonus payment to an individual employee in any bonus year of 25 percent or more of his total wages, salaries and other compensation, excluding bonuses, in any such year, shall require Board approval.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup., 2154)

Adopted: August 7, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-9664; Filed, Aug. 10, 1951; 3:27 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation 5, Direction 2]

CMP REG. 5—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES AND MINOR CAPITAL ADDITIONS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 2—MATERIALS FOR REPAIR OF DISASTER DAMAGE

This direction under CMP No. 5, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Definitions.
3. Use of allotment symbol and rating.
4. Certification.
5. Reports.

AUTHORITY: Sections 1 to 5 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction authorizes any business enterprise, Government agency, or institution located in the States of Kansas, Missouri, or Oklahoma, or in any other area which has been or is hereafter designated by the President under Pub. Law 875, 81st Cong., as a major disaster area to obtain material for the repair of damage to equipment and supplies caused by any such disaster occurring on or after July 1, 1951, and to replace equipment and supplies destroyed thereby. It permits the placing of authorized controlled material orders and DO rated orders for such purposes, notwithstanding certain restrictions established by CMP Regulation No. 5 and other NPA regulations and orders. It does not apply to:

(a) The reconstruction or repair of any building, structure, or project. See Direction 2 to CMP Regulation No. 6.

(b) The restoration or replacement of inventory carried for resale. Individual applications may be made to NPA for this purpose. Applications relating to inventory destroyed by the recent flood in Kansas, Missouri, and Oklahoma may be forwarded to the Regional Office of the Department of Commerce, National Production Authority, Pickwick Building, Kansas City, Missouri.

SEC. 2. *Definitions.* As used in this direction:

(a) "Repair" means to restore to sound working condition property rendered unsafe or unfit for use.

(b) "Replace" means to acquire property which is substantially the same as destroyed property, to be used for the same purpose as the destroyed property.

(c) "Supplies" and "equipment" mean, respectively, operating and administrative supplies and operating and administrative equipment. Neither includes inventory carried for resale.

SEC. 3. *Use of allotment symbol and rating.* (a) Any business enterprise, Government agency, or institution located in the States of Kansas, Missouri, or Oklahoma, or in any other area which, as the result of a disaster occurring on or after July 1, 1951, has been or is hereafter designated by the President under Pub. Law 875, 81st Cong., as a major disaster area, may use the allotment symbol U9 on delivery orders for controlled materials and the rating DO-U9 on delivery orders for products and materials other than controlled materials required as a result of damage caused by such disaster, to repair any supplies or equipment which it owns or leases, and to replace any supplies or equipment which it owned or leased, and which it is not possible to repair.

(b) Such allotment symbol or DO rating may be used only on delivery orders heretofore or hereafter placed within 90 days after the occurrence of the damage necessitating repair or replacement.

(c) A delivery order bearing the symbol U9 and certified as provided in section 4 of this direction shall constitute an authorized controlled material order for the purpose of all NPA regulations and orders. A delivery order bearing the rating DO-U9 and certified as provided in section 4 of this direction shall constitute a rated order with an allotment symbol for the purpose of all NPA regulations and orders.

(d) Any person who obtains materials or products pursuant to this direction may do so in addition to any materials or products obtained pursuant to CMP Regulations Nos. 5 and 6 and the directions thereunder.

(e) Except as provided in paragraph (d) of this section, any person who is entitled under any other NPA order (such as but not limited to M-46, M-46B, M-50, M-70, M-73, M-77, and M-78) to obtain materials and products for MRO or construction, shall obtain such materials and products under the provisions of such order or by applying to the appropriate Claimant Agency or to NPA, as the case may be, and shall not use the symbol U9 or the rating DO-U9.

(f) Any product or material obtained with the use of the symbol U9 or the rating DO-U9 may be used only for the purposes and subject to the conditions specified in this direction.

SEC. 4. *Certification.* Every delivery order bearing the allotment symbol U9 or the rating DO-U9 must contain a certification in the following form:

Certified under Direction 2 to CMP Regulation No. 5

Such certification shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the person placing the order is authorized to use the allotment symbol U9 or the rating DO-U9 under the provisions of this direction to obtain the materials covered by the delivery order.

SEC. 5. *Reports.* Any person who uses the allotment symbol U9 or the rating DO-U9 to place orders for materials or products in any one calendar month exceeding a total cost of $1,000 to such person, must inform NPA by letter of such orders, specifying separately the total cost of controlled materials ordered and the total cost of products and materials other than controlled materials ordered. In addition, reports on delivery orders for controlled materials shall show quantities of (a) carbon steel (including wrought iron), (b) alloy steel (except stainless steel), (c) stainless steel, (d) copper and copper-base alloy brass mill products, (e) copper wire mill products, (f) copper and copper-base alloy foundry products and powder, and (g) aluminum, in each case without further breakdown. Reports on all orders placed within any one calendar month must be mailed within 10 days after the end of that month. All such letters, as well as other communications concerning this direction, shall be addressed to the National Production Authority, Washington 25, D. C., Ref: Dir. 2 to CMP Regulation No. 5.

NOTE: All record-keeping and reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

This direction shall take effect on August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9671; Filed, Aug. 10, 1951; 3:53 p. m.]

[CMP Regulation No. 5, as Amended July 17, 1951, Amendment No. 1]

CMP REG. 5—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES AND MINOR CAPITAL ADDITIONS UNDER THE CONTROLLED MATERIALS PLAN

This amendment to CMP Regulation No. 5 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this amendment, consultation with industry representatives has been rendered impracticable because of the need for immediate action and because the amendment affects almost all industries.

This amendment affects CMP Regulation No. 5 as follows:

It amends paragraph (a) of section 8 by adding at the end thereof the following sentence:

No person shall order for delivery (or, if on the receipts basis, receive) during the first month of any quarter more than 40 percent of his quarterly quota.

It amends Schedule I by deleting therefrom Item 10 "Rails, tie plates, track spikes, splice bars, rail joints, frogs, and switches. (See NPA Order M-73)".

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; sec. 101 E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950, Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.)

This amendment shall take effect on August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9667; Filed, Aug. 10, 1951; 3:52 p. m.]

[CMP Regulation No. 6, Direction 2]

CMP REG. NO. 6—CONSTRUCTION UNDER THE CONTROLLED MATERIALS PLAN

DIR. 2—MATERIALS FOR RECONSTRUCTION OR REPAIR OF DISASTER DAMAGE

This direction under CMP Regulation No. 6, as amended, is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Definitions.
3. Use of allotment symbol and rating.
4. Certification.
5. Reports.
6. Filing applications.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction authorizes any business enterprise, Government agency, or institution located in the States of Kansas, Missouri, or Oklahoma, or in any other area which has been or is hereafter designated by the President under Pub. Law 875, 81st Cong., as a major disaster area, to obtain material for the reconstruction or repair of damage caused by any such disaster occurring on or after July 1, 1951, to any building, structure, or project except a building, structure, or project of a type specified in Table I of NPA Order M-4A. It permits the limited placing of authorized controlled material orders and DO rated orders for such purposes, notwithstanding certain restrictions established by CMP Regulation No. 5, CMP Regulation No. 6, and other NPA regulations and orders. It does not apply to repair or replacement of equipment or supplies, since such repair or replacement is covered by Direction 2 to CMP Regulation No. 5.

SEC. 2. *Definitions.* As used in this direction:

(a) "Reconstruction" means restoring to substantially the same size and condition, on the same site, any building, structure, or project which has been damaged by storm, fire, flood, or other disaster, or by act of God.

(b) "Repair" means such work as is necessary to rehabilitate a building, structure, or project, or any portion thereof, when the same has been rendered unsafe or unfit for service by storm, fire, flood, or other disaster, or by act of God.

(c) "Project" has the meaning specified in section 2 of Direction 1 to CMP Regulation No. 6.

(d) "Prime contractor" means the person who is to be the owner of the construction, or the person designated by such owner to act as the prime contractor for him.

SEC. 3. *Use of allotment symbol and rating.* (a) Any prime contractor which is a business enterprise, Government agency, or institution located in the States of Kansas, Missouri, or Oklahoma, or in any other area which, as the result of a disaster occurring on or after July 1, 1951, has been or is hereafter designated by the President under Pub. Law 875, 81st Cong., as a major disaster area, may use the allotment symbol X4 on delivery orders for controlled materials including materials for Class A products, and the rating DO-X4 on delivery orders for products and materials other than controlled materials, required as a result of damage caused by such disaster, in order to reconstruct or repair any building, structure, or project destroyed in whole or in part through such a disaster, except a building, structure, or project of a type specified in Table I of NPA Order M-4A. However, such allotment symbol shall not be used to procure more than the following quantities of controlled materials (including materials for Class A products): Steel, 25 tons; copper, 2,000 pounds; aluminum, 1,000 pounds.

(b) Such allotment symbol or DO rating may be used only on delivery orders heretofore or hereafter placed within 90 days after the occurrence of the damage necessitating the reconstruction or repair.

(c) A delivery order bearing the symbol X4 and certified as provided in section 4 of this direction shall constitute an authorized controlled material order for the purpose of all NPA regulations and orders. A delivery order bearing the rating DO-X4 and certified as provided in section 4 of this direction shall constitute a rated order with an allotment symbol for the purpose of all NPA regulations and orders.

(d) Any person who obtains materials or products pursuant to this direction may do so in addition to any materials or products obtained pursuant to CMP Regulations Nos. 5 and 6 and the directions thereunder.

(e) Except as provided in paragraph (d) of this section, any person who is entitled under any other NPA order (such as but not limited to M-46, M-46B, M-50, M-70, M-73, M-77, and M-78) to obtain materials and products for MRO or construction shall obtain such materials and products under the provisions of such order or by applying to the appropriate Claimant Agency or to NPA, as the case may be, and shall not use the symbol X4 or the rating DO-X4.

(f) Any product or material obtained with the use of the symbol X4 or the rating DO-X4 may be used only for the purposes and subject to the conditions specified in this direction.

SEC. 4. *Certification.* Every delivery order bearing the allotment symbol X4 or the rating DO-X4 must contain a certification in the following form:

Certified under Direction 2 to CMP Regulation No. 6

Such certification shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to the National Production Authority, that the person placing the order is authorized to use the allotment symbol X4 or the rating DO-X4 under the provisions of this direction to obtain the materials covered by the delivery order.

SEC. 5. *Reports.* Any prime contractor who uses the allotment symbol X4 or the rating DO-X4 to place orders for materials or products in any one calendar month exceeding a total cost of $1,000 to such contractor, must inform NPA by letter of such orders, specifying separately the total cost of controlled materials ordered and the total cost of products and materials other than controlled materials ordered. In addition,

reports on delivery orders for controlled materials, including materials for Class A products, shall show quantities of (a) carbon steel (including wrought iron), (b) alloy steel (except stainless steel), (c) stainless steel, (d) copper and copper-base alloy brass mill products, (e) copper wire mill products, (f) copper and copper-base alloy foundry products and powder, and (g) aluminum, in each case without further breakdown. Reports on all orders placed within any one calendar month must be mailed within 10 days after the end of that month. All such letters, as well as other communications concerning this direction, shall be addressed to the National Production Authority, Washington 25, D. C., Ref: Dir. 2 to CMP Regulation No. 6.

SEC. 6. *Filing applications.* If any person requires controlled materials for reconstruction or repair in quantities greater than permitted herein, he shall apply on Form CMP–4C and file his application with the appropriate agency at the address indicated on the instruction sheet to that form, except that, if the appropriate agency is the National Production Authority, the form shall be filed at the Regional Office of the Department of Commerce, National Production Authority, Pickwick Building, Kansas City, Mo.

NOTE: All record-keeping and reporting requirements of this direction have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

This direction shall take effect on August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9670; Filed, Aug. 10, 1951; 3:53 p. m.]

[NPA Order M–6, Direction 3]

M–6—STEEL DISTRIBUTORS

DIR. 3—FLOOD DAMAGED AREA RELIEF

This direction to NPA Order M–6 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this direction consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.
1. What this direction does.
2. Allotments for certain steel distributors for August and September 1951 production.
3. Certification required.
4. Status of excess tonnages shipped.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction provides immediate relief for flood damaged areas by requiring steel producers to deliver special allotments of certain steel products to steel distributors located in flood damaged areas.

SEC. 2. *Allotments for certain steel distributors for August and September 1951 production.* Notwithstanding the lead times set forth in Table I of NPA Order M–1 as now or hereafter amended or of any provision of NPA Order M–6 as now amended, each steel producer (excluding converters) shall, for each of the months of August and September 1951, accept orders for and produce and ship to all steel distributors to whom the obligation to ship now exists, under section 4 of NPA Order M–6 and Direction 2 to Order M–6, who are located and doing business in the States of Missouri and Kansas, and that portion of the State of Oklahoma north of and including Oklahoma City, 130 percent of the average monthly tonnage of each steel mill product, listed in Schedule I of this direction, shipped to each such steel distributor during the base period. Maximum tonnages required to be shipped under this direction shall include allotments already established by steel producers for August and September 1951 deliveries to steel distributors under NPA Order M–6 and Direction 2 to Order M–6.

SEC. 3. *Certification required.* Each steel distributor receiving deliveries of steel products under the provisions of section 2 of this direction, shall reserve such tonnages which are in excess of his minimum Order M–6 and Direction 2 allotment, for sales only to purchasers who certify in writing, as follows:

The undersigned, subject to statutory penalties, certifies that the material included in his purchase order will be used exclusively for repairs or rehabilitation of flood damaged equipment or property.

This certificate constitutes a representation by the purchaser to the distributor and to the National Production Authority that delivery of such material may be accepted by the purchaser under this direction, and will not be used by the purchaser in violation of this direction.

SEC. 4. *Status of excess tonnages shipped.* Each steel producer accepting orders for steel products from a steel distributor pursuant to section 2 of this direction shall treat such orders which are in excess of regularly established allotments under NPA Order M–6 and Direction 2 to Order M–6, as an overload on order acceptances for August and September 1951.

This direction shall take effect on August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I

Merchant products:
Nails and staples.
Barbed wire.
Farm and poultry fence.
Fence posts.
Galvanized roof sheets.
All industrial steel products except manufactured wire, alloy steels, stainless steels, cold finished bars, and tool steel.

[F. R. Doc. 51–9669; Filed, Aug. 10, 1951; 3:52 p. m.]

[NPA Order M–11, Direction 1]

M–11—COPPER AND COPPER-BASE ALLOYS

DIR. 1—PROCEDURE FOR DISTRIBUTORS TO OBTAIN BRASS MILL PRODUCTS AND COPPER WIRE MILL PRODUCTS.

This direction under NPA Order M–11 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Definitions.
3. Certified warehouse orders and authorization therefor.
4. Form of certification.
5. Rejection of certified warehouse orders.
6. Effect of certified orders.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* The purpose of this direction is to provide a program for the maintenance of reasonable inventories by distributors of brass mill products and copper wire mill products. It describes how deliveries of such products from inventory to fill authorized controlled material orders may be replaced by distributors, and it authorizes distributors to place certified orders within certain limitations. It sets forth limitations on the required acceptance of such orders by brass mills and copper wire mills.

SEC. 2. *Definitions.* As used in this direction:

(a) "Distributor" means any person engaged in the business of stocking brass mill products or copper wire mill products received from a brass mill or copper wire mill at a location regularly maintained by him for such purpose for sale or resale in the form or shape as received or after straightening, threading, chamfering, edging, or cutting to width and length, and who in connection therewith maintains facilities and equipment necessary to conduct such business. Any brass mill or copper wire mill maintaining an inventory of brass mill products or copper wire mill products at a location other than the mill and regularly engaged in the business of making sales from such inventory as a distributor shall be deemed to be a distributor with respect to such an inventory and business for the purposes of this direction.

(b) "Brass mill" means any person who produces brass mill products.

(c) "Copper wire mill" means any person who produces copper wire mill products.

SEC. 3. *Certified warehouse orders and authorization therefor.* Commencing on August 10, 1951, any distributor who, during any month, has delivered brass mill products or copper wire mill products from his inventory to fill authorized controlled material orders placed with him, may place certified orders pursuant to this direction during the succeeding month with a brass mill or copper wire mill for replacement in his inventory of an equal quantity by weight of brass mill products or an equal quantity by weight (copper content) of copper wire mill products. Certified orders placed under the provisions of this direction shall be for substantially the same products as were delivered by the distributor during the preceding month to fill authorized controlled material orders, except for minor variations in size or design.

SEC. 4. *Form of certification.* In order to place a certified order under this direction, a distributor shall place the following certification on his purchase order or on a separate piece of paper attached thereto:

Certified under Direction No. 1 to NPA Order M-11

This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place a certified order under the provisions of this direction to obtain the materials covered by the delivery order. The certification shall be signed as provided in NPA Reg. 2.

SEC. 5. *Rejection of certified warehouse orders.* A brass mill or copper wire mill need not accept a certified warehouse order from a distributor if such distributor has not been a purchaser of such products from the brass mill or wire mill during the preceding 2 years. Any distributor who is unable to place a certified order due to the limitations of this section or of section 6 of this direction should apply to the National Production Authority, Washington 25, D. C., Ref: M-11, specifying the brass mills or copper wire mills that refused to accept the order. The National Production Authority will assist him in locating sources of supply.

SEC. 6. *Effect of certified orders.* Orders certified under this direction shall have equal preferential status with authorized controlled material orders and shall be subject to the limitations with regard to lead time and minimum quantities set forth in Schedules III and IV of CMP Regulation No. 1. Any certified orders accepted by a brass mill or copper wire mill may be considered by the brass mill or copper wire mill to be authorized controlled material orders for the purpose of determining required acceptance of authorized controlled material orders and rated orders pursuant to sections 5 and 6 of NPA Order M-11, as amended.

This direction shall take effect on August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9668; Filed, Aug. 10, 1951; 3:52 p. m.]

[NPA Order M-48 as Amended August 10, 1951]

M-48—BISMUTH

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this order as amended there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order as amended has been rendered impracticable due to the necessity for immediate action, and because the order affects a large number of different trades and industries.

NPA Order M-48 is amended in the following respects: The word "used" is added in the fourth line of section 1; new paragraphs (c) and (d) are added to section 3; section 6 is deleted and sections 7 through 13 are renumbered as sections 6 through 12; the certification in section 7 (as renumbered) is deleted and a new certification is substituted therefor; the 30-day provision in the tenth line of section 8 (as renumbered) is changed to read "45-day"; and three new subitems are added to item (h) in the Schedule of Permitted Uses. As so amended NPA Order M-48 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Limitations on use of bismuth and bismuth alloys.
4. Limitations on acceptance of rated orders.
5. Set aside from production and imports.
6. Application for delivery from set aside reserve.
7. Certification.
8. Inventories.
9. Records and reports.
10. Applications for adjustment or exception.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong, Pub. Law 96, 82d Cong.; sec. 101 E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950, Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to set forth the conditions under which bismuth and bismuth alloys may be used, delivered, and accepted, and the processes and products in which these materials can be used. This order also establishes limitations on the acceptance of rated orders, and on inventories of bismuth, bismuth alloys, and articles made therefrom. It explains the conditions under which reports are required in connection with the production, distribution, importation, use, and inventories of these materials. It is the intent of this order that other materials which are not in short supply will be substituted for bismuth wherever possible.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Base period" means the 6-month period ending June 30, 1950.

(c) "Bismuth" means metallic bismuth in bars, ingots, pigs, sticks, slabs, kegs, moss powder, or other shapes or forms suitable for use in the manufacture of industrial or medicinal products or bismuth alloys.

(d) "Bismuth alloy" means any alloy containing more than 1 percent bismuth.

(e) "Bismuth product" means any semifinished or finished article containing bismuth commercially recognized.

(f) "Scrap" means all materials or objects which are the waste or by-product of industrial fabrications or processes, or which have been discarded for obsolescence, failure, or other reason, including, but not limited to, items such as unused, discarded, or broken tools, dies, or accessories for production equipment which have been unused for a period in excess of 6 months, and which contain bismuth commercially recoverable.

(g) "Producer" means any person producing bismuth or bismuth alloys for resale, and any person having bismuth or bismuth alloys produced for him under toll agreement.

(h) "Dealer" means any person who receives physical deliveries of bismuth, bismuth alloys, or bismuth products, and who sells or holds bismuth, bismuth alloys, or bismuth products, for resale without change in form.

(i) "Import" means to transport in any manner into the continental United States from areas outside the continental United States, including territories and possessions. It includes shipments into foreign-trade zones, customs bonded warehouses, and customs custody, except when such shipments are merely in transit through the continental United States, to destinations outside the continental United States, as shown by the bills of lading or other shipping documents. However, if any such material in transit is halted or diverted to a destination in the continental United States or subjected to processing or manufacture in the continental United States, it becomes an "import" for the purposes of this order.

SEC. 3. *Limitations on use of bismuth and bismuth alloys.* (a) Unless specifically authorized by the National Production Authority, commencing on April 1, 1951, no person shall put into process or otherwise use any bismuth or bismuth alloys in the manufacture, treatment, installation, or construction of any item or product, or in any process, or for any purpose, except those set forth in the schedule appearing at the end of this order and to the extent permitted thereby. Uses not thus expressly authorized are prohibited.

(b) Paragraph (a) of this section does not prohibit the completion and subsequent sale of any items or the completion of any processes or installations if the manufacturing, processing, or installation was begun on or before April 1, 1951, and if such manufacturing, processing, or installation is completed not later than April 30, 1951.

(c) Commencing on September 1, 1951, no person shall use in any month a total quantity by weight of bismuth and bismuth alloys (bismuth content) in excess of 100 percent of his average monthly use of such materials (bismuth content) during the base period, or 100 pounds, whichever is greater;

(d) The limitation in paragraph (c) of this section shall not apply to the reuse of bismuth alloys recovered by a person within his own plant in nondestructive processes such as die making or tube bending.

SEC. 4. *Limitations on acceptance of rated orders.* Notwithstanding the provisions of NPA Reg. 2, and unless otherwise directed by the National Production Authority:

(a) No producer shall be required to accept rated orders for shipment in any one month for a total weight of bismuth, bismuth alloys, and bismuth products, in excess of 50 percent of his scheduled production of such items, in terms of bismuth content, during that month.

(b) No dealer shall be required to accept rated orders for shipment in any one month for a total weight of bismuth, bismuth alloys, and bismuth products, in excess of 25 percent of the total quantity of bismuth, bismuth alloys, and bismuth products available to him, in terms of bismuth content, during that month.

SEC. 5. *Set aside from production and imports.* In addition to the requirements of section 4 of this order, commencing on April 1, 1951:

(a) Each producer shall set aside a reserve of 20 percent of his monthly production of bismuth (including bismuth produced for him by others under toll agreement, but not bismuth which he produces for others under toll agreement). Except as otherwise directed by the National Production Authority, this reserve may be delivered only upon the specific authorization of the National Production Authority in accordance with the procedure stated in section 6 of this order.

(b) Any person who imports bismuth shall set aside in each month a reserve of 20 percent of his imports of bismuth during such month. Except as otherwise directed by the National Production Authority, this reserve may be delivered only upon the specific authorization of the National Production Authority in accordance with the procedure stated in section 6 of this order.

SEC. 6. *Application for delivery from set aside reserve.* Any person who, in the public interest, considers that he requires more bismuth than he can obtain from commercial sources, may apply to the National Production Authority for a delivery of bismuth from the set aside. Such application shall be submitted by letter not later than the twenty-fifth day of the month preceding the month during which delivery is desired, and shall set forth: the quantity of bismuth desired, the public interest which will be served, the desired delivery date, the applicant's anticipated receipts of nonset aside bismuth, the applicant's anticipated inventory of bismuth at the beginning of the month during which bismuth from the set aside is desired, and such other facts as may be pertinent. If the request is approved, the applicant will be notified that a particular supplier has been directed to make delivery of the bismuth concerned, and that the applicant is thereby authorized to accept delivery of this additional quantity of bismuth for a specified use.

SEC. 7. *Certification.* (a) Commencing on April 1, 1951, no person shall sell or deliver, and no person shall purchase or accept delivery of, any bismuth or bismuth alloys unless the purchaser furnishes a signed certification as follows:

> The undersigned certifies, subject to statutory penalties, that receipt of the bismuth or bismuth alloys herein ordered is permitted by NPA Order M–48 and that such material will be used only for the purposes permitted by NPA Order M–48, as follows:
>
> ----------
> (Specify end use)

This certification constitutes a representation by the purchaser to the seller and to the National Production Authority that the bismuth or bismuth alloys delivered will be used only for the purpose or purposes set forth in the appended schedule, and that such use is not prohibited by other applicable orders or regulations of the National Production Authority.

(b) This certification shall not be required in connection with (1) the delivery of bismuth to the General Services Administration for the stockpile of strategic materials, (2) the delivery of bismuth or bismuth alloys pursuant to a specific authorization of the National Production Authority, or (3) the importation of bismuth or bismuth alloys.

SEC. 8. *Inventories.* (a) No person shall receive or accept delivery of a quantity of bismuth, bismuth alloys, bismuth products, or scrap if his inventory of such material is, or by such receipt would become, more than the smallest quantity of such material which he reasonably requires to meet his deliveries or maintain his scheduled rate of operations during the next succeeding 45-day period, or in excess of a "practicable minimum working inventory" as defined in NPA Reg. 1, whichever is less.

(b) Except as otherwise provided by this section, NPA Reg. 1 (particularly § 10.11 *Imported Materials*) will apply to all materials mentioned in paragraph (a) of this section.

SEC. 9. *Records and reports.* (a) Any person who on any day of any month has in his possession or under his control a quantity of bismuth in excess of 100 pounds, or who receives, uses, or ships a quantity of bismuth in excess of 100 pounds during any month, shall complete and file Form NPAF–40 on or before the 30th day of March 1951 with respect to February 1951, and on the fifteenth day of each succeeding month with respect to such transactions, possession, or use during the preceding month.

(b) Producers and importers of bismuth shall report by letter not later than March 20, 1951, with respect to April 1951, and not later than the twentieth day of each month thereafter, the quantity of bismuth which they expect to set aside during the next succeeding month in accordance with section 5 of this order.

(c) The reports required by this section shall be filed with the National Production Authority, Washington 25, D. C.

(d) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(e) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(f) Persons subject to this order shall make such records and submit such other reports to the National Production Authority as it shall require subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 10. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–48.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials

or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect except as otherwise specifically stated, on August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE OF PERMITTED USES

[See Section 3]

The use of bismuth and bismuth alloys is permitted only for the following items, processes, and purposes.

(a) Anchoring:
1. Bearings, bushings, and parts in machinery.
2. Bushings in drill jigs.
3. Inserts and ceramics, plastics, etc.
4. Location members, pads, and points in aircraft and automotive assembly, drill, inspection, and welding fixtures.
5. Pole pieces in magnetic chucks and fixtures.
6. Precision parts for machining, testing, and inspection.
7. Punches and dies for blanking, piercing, and trimming.
8. Repairing broken dies.
9. Shafts in rotors of alnico, etc.

(b) Making chucks for:
1. Well drill cores.
2. Holding irregular shapes for machining (split jaw).

(c) Making cores for:
1. Electroforming.
2. Intricate compound foundry cores.

(d) Making dies and punches for:
1. Sheet metal embossing and short run forming.
2. Form blocks for bending, forming, and stretch press forming.

(e) Models and patterns for:
1. Dental and medical models and prosthetic devices.
2. Core dryer patterns.
3. Pantograph and Keller tracer models.
4. Master patterns for match plates.
5. "Lost Wax" patterns, precision castings.

(f) Molds for:
1. Duplicating plaster and plastic patterns.
2. Casting and forming plastics and plaster.
3. Holding irregular shaped parts.

(g) Production tooling:
1. Duplicate patterns for ceramics, plastics, pottery, etc.
2. Fixtures for assembly checking, die spotting, drilling, inspection.
3. Filler for mold and tube bending and for fabricating seamless fittings.
4. Hold-down clamp pads.
5. Masks for electroforming and spray painting.
6. Nests for drill jigs and dial feed stations.
7. Shimming pads in aircraft tooling fixtures.
8. Supporting parts while machining and grinding.
9. Repairing wood, plastic, masonite, and plastic tooling.
10. Stripper plates in stamping dies.
11. Trim dies for die casting and plastics.

(h) Miscellaneous:
1. Filling blowholes and defects in castings.
2. Fusible elements in sprinkler head links, protective and safety equipment.
3. Heat and/or transfer and pressure medium in autoclave, textile dyeing, and drying equipment, and constant temperature heat treating baths.
4. Liquid seals for bright annealing nitriding furnaces.
5. Low temperature solders in delicate assemblies, instruments, ammunitions, etc.
6. Proof casting, forging dies, molds, gun chambers, etc.
7. Sealing adjustment screws on instruments, torque wrenches, etc.
8. Hermetic and vacuum seals—glass and metal.
9. Selenium rectifiers.
10. Shielding—X-ray equipment and therapeutic short wave equipment.
11. Low melting soldiers for ammunition boxes, shell cases, fuse sealing, etc.
12. Electrical contact mediums in electrolytic cells.
13. Alloys for dipping or coating wire or cable, containing not in excess of 10-percent bismuth.
14. Sealing pit holes developed on galvanized surfaces as a result of welding.

(i) To comply with safety regulations issued under governmental authority which require the use of bismuth as a fusible alloy for protective devices.

(j) In research laboratories where and to the extent that the physical or chemical material requirements make the use of any other material impracticable.

(k) As an alloying material in the production of aluminum, stainless steels and malleable iron and cast iron to the extent necessary to improve machinability.

(l) To make bismuth salts used in pharmaceutical preparations.

[F. R. Doc. 51-9666; Filed, Aug. 10, 1951; 3:50 p. m.]

[NPA Order M-72, Direction 1]

M-72—CHEMICAL WOOD PULP

DIR. 1—SEASONAL INVENTORY EXCEPTION FOR NORTHERN EUROPEAN PULP

This direction under NPA Order M-72 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of this direction there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.
1. What this direction does.
2. Inventories of Northern European pulp.
3. Expiration date.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction provides for the relaxation of the inventory restrictions of section 4 of NPA Order M-72 in the case of consumers who depend upon shipments of market chemical wood pulp from overseas. Because most Northern European ports are frozen during the winter, very few shipments of wood pulp arrive in the United States from February to May. This direction, therefore, permits a consumer of Northern European pulp to increase his over-all inventories of market chemical pulp during the winter months in direct proportion to his relative dependence upon European pulp.

SEC. 2. *Inventories of Northern European pulp.* In addition to the inventory of market chemical wood pulp allowed by section 4 of NPA Order M-72, a domestic consumer may receive or accept deliveries of chemical pulp from overseas in accordance with the following formula:

$$\frac{\text{Estimated consumption of Northern European chemical pulp in first 6 months of 1952}}{\text{Estimated total consumption of domestic and foreign market chemical pulp in first 6 months of 1952}} \times 75 \text{ days} = \text{Receipts of overseas pulp in number of days' supply allowed in addition to 45 days' inventory.}$$

Application of this formula will result in the following allowable inventories:

Percentages of consumption of market chemical wood pulp estimated for first 6 months of 1952		Allowable inventory in terms of days' supply		
North American	Northern European	North American	Northern European	Total
0	100	0	120	120
10	90	4½	108	112½
20	80	9	96	105
30	70	13½	84	97½
40	60	18	72	90
50	50	22½	60	82½
60	40	27	48	75
70	30	31½	36	67½
80	20	36	24	60
90	10	40½	12	52½
100	0	45	0	45

All additional receipts or deliveries accepted pursuant to this direction must be received before March 1, 1952.

SEC. 3. *Expiration date.* This direction shall expire on June 1, 1952. After June 1, 1952, all inventories of market chemical wood pulp shall be subject to the provisions of section 4 of NPA Order M-72.

This direction shall take effect August 10, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9672; Filed, Aug. 10, 1951; 3:53 p. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 1—GENERAL RULES AND REGULATIONS

RECKLESS DRIVING

Section 1.58, entitled *Reckless driving,* is amended to read as follows:

§ 1.58 *Reckless driving.* The driving of any vehicle upon a Government road in a park or monument carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 7th day of August 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51-9558; Filed, Aug. 13, 1951; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 35—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

MISCELLANEOUS AMENDMENTS

1. Insert a new section to the text immediately following § 35.17 to be designated § 35.17a and to read as follows:

§ 35.17a *Television picture tubes (cathode ray)*—(a) *When mailable.* Good quality television tubes not containing toxic phosphors such as beryllium and not exceeding the 20 inch size, if in cartons within the 100 inch size limit, are classed as mailable. They must be properly cushioned and positioned in a strong shipping carton which cannot be penetrated by flying glass in case of breakage of the tube, such as a carton of 200 pound test doublefaced corrugated fiberboard with all flaps touching and securely fastened.

(b) *Provisions for packing.* (1) the face of the tube, which is carried face down, should be protected by a pad of wadding and two spring type supports of the same stock material as the shipping carton arranged so that the ends of the supports fill in all four sides of the bottom of the carton, or by other equivalent interior packing of corrugated fiberboard. The spring type supports or other packing must provide not less than one inch of air space between the face of the tube and the bottom of the shipping carton; not less than 1 inch air space on the sides, and not less than 1½ inches of air space on top. If excelsior is used to cushion the face of the tube and sides thereof, the thickness of excelsior must be twice the air space specified.

(2) The tube must be held in a fixed position in the carton by means of a full sized support of the same stock material as the shipping carton or by other equivalent inner packing. The support should be preferably die cut to fit snugly over the tube, and folded back so as to form a triangular shaped pad fitting snugly on all sides of the box, or the equivalent in partitions, pads, molds, etc., of corrugated fiberboard of same stock as shipping carton may be used.

(3) The Radio and Television Manufacturers Association has devised cartons similar to the ones described herein which have been approved for mailing after being subjected to certain laboratory tests. Such cartons are marked to indicate the preferred handling position.

NOTE: These cartons are sacked in accordance with § 35.11a, if size permits.

2. In § 35.15 *Mailable nonintoxicating, noninflammable and noninjurious matter,* make the following changes:

a. Redesignate present paragraph (c) as subparagraph (1).

b. Add a new subparagraph (2) to read as follows:

(2) Toxaphene, a newly developed insecticide, has been classed as mailable, with packaging as prescribed in § 35.18 (d) (6), as amended, and with quantity restrictions of not to exceed four ounces of the solution (25 percent or above), or not to exceed five pounds of the dry form in one parcel. Dry preparations containing a low percentage of Toxaphene as the active ingredient and without other toxic ingredients, on which a Caution label is required under the Federal Insecticide, Fungicide and Rodenticide Act, may be accepted in quantities not exceeding 10 pounds in one parcel unless packaged in one pound containers, when a 12-pound restriction shall apply.

c. Amend paragraph (d) by adding to the text a sentence to read as follows: "Silverplating solutions and silverware polishes containing cyanide are not mailable due to the toxic nature thereof."

d. Redesignate paragraph (i) *Mailability of warfarin* as paragraph (j), and amend subparagraph (1) thereof to read as follows:

(1) Warfarin, an anti-coagulant rodenticide, is mailable in the concentrate form (0.5 percent) in quantities not exceeding 8 ounces in one parcel if labeled in accordance with the Federal Insecticide, Fungicide and Rodenticide Act. The bait form (0.025 percent) is mailable in quantities not exceeding 48 pounds in one parcel if in individual packages not exceeding four pounds each.

(R. S. 161, 396, sec. 24, 20 Stat. 361, secs. 304, 309, 42 Stat. 24, 25; 62 Stat. 781; 5 U. S. C. 22, 369, 18 U. S. C. 1716)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-9559; Filed, Aug. 13, 1951; 8:46 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 34—SOUTHEASTERN REGION

SUBPART—LAKE ISOM NATIONAL WILDLIFE REFUGE, TENNESSEE

FISHING

Basis and purpose. On the basis of observation and reports of field representatives of the Fish and Wildlife Service, it has been determined that public fishing and the use of boats in certain waters of the Lake Isom National Wildlife Refuge can be permitted without interfering with the primary purpose of the Refuge.

Inasmuch as the following regulations are relaxations of the present prohibitions against fishing and the use of boats on the Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER the following subpart and §§ 34.75–34.80, inclusive, are added:

SUBPART—LAKE ISOM NATIONAL WILDLIFE REFUGE, TENNESSEE

Sec.
34.75 Fishing permitted.
34.76 State fishing laws.
34.77 Fishing licenses and permits.
34.78 Routes of travel.
34.79 Use of motorboats.
34.80 Temporary restrictions.

AUTHORITY: §§ 34.75 to 34.80 issued under sec. 10, 45 Stat. 1224; 16 U. S. C. 715i.

SUBPART—LAKE ISOM NATIONAL WILDLIFE REFUGE, TENNESSEE

§ 34.75 *Fishing permitted.* Noncommercial fishing is permitted in all waters of the Lake Isom National Wildlife Refuge between March 16 and October 1, inclusive, in accordance with the provisions of Parts 18 and 21 of this chapter and subject to the conditions, restrictions, and requirements of §§ 34.76–34.80, inclusive.

§ 34.76 *State fishing laws.* Any person who fishes within the refuge must comply with the applicable fishing laws and regulations of the State of Tennessee. Fishing shall be by hook and line only, as defined by State law.

§ 34.77 *Fishing licenses and permits.* Any person who fishes within the refuge shall be in possession of a valid fishing license issued by the Tennessee Department of Conservation if such license is required. This license shall serve as a Federal permit for fishing in the waters of the refuge and must be carried on the person of the licensee while so fishing. The license must be exhibited upon the request of any representative of the Tennessee Department of Conservation or of the Fish and Wildlife Service.

§ 34.78 *Routes of travel.* Persons entering the refuge for the purpose of

fishing shall follow such routes of travel as may be designated by suitable posting by the officer in charge of the refuge.

§ 34.79 *Use of motorboats.* The use of motorboats, either inboard or outboard, is prohibited on all of the waters of the refuge except for official purposes.

§ 34.80 *Temporary restrictions.* During periods of waterfowl concentration on the refuge, fishing will not be permitted in such areas of the refuge as, in the judgment of the officer in charge, should be closed to fishing in order to provide adequate protection for such waterfowl concentrations, and are posted suitably by such officer.

Dated: August 7, 1951.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 51-9519; Filed, Aug. 13, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 665, 671, 673, 676, 677, 686, 699]

PUERTO RICO; SPECIAL INDUSTRY COMMITTEE NO. 10

NOTICE OF HEARING ON MINIMUM WAGE RECOMMENDATIONS FOR CERTAIN INDUSTRIES

Notice of hearing on the minimum wage recommendations of Special Industry Committee No. 10 for Puerto Rico for the Foods, Beverages, and Related Products Industries; Paper, Paper Products, Printing, Publishing, and related industries; Jewel Cutting and Polishing Industry; Communications, Utilities, and Miscellaneous Transportation Industries; Shoe Manufacturing and Allied Industries; and the General Division of the Textile and Textile Products Industry.

The Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201) on May 11, 1951, by Administrative Order No. 411, appointed Special Industry Committee No. 10 for Puerto Rico, composed of residents of Puerto Rico and of the United States outside of Puerto Rico, to investigate conditions respecting, and to recommend minimum wage rates for, employees engaged in commerce or in the production of goods for commerce in a number of industries in Puerto Rico specified in the order, including the foods, beverages, and related products industries; paper, paper products, printing, publishing, and related industries; jewel cutting and polishing industry; communications, utilities, and miscellaneous transportation industries; shoe manufacturing and allied industries; and the general division of the textile and textile products industry.

The Committee included disinterested persons representing the public, a like number of persons representing employees in these industries, and a like number representing employers in these industries.

Special Industry Committee No. 10 for Puerto Rico has made separate minimum wage recommendations and has duly filed with the Administrator reports containing such recommendations, pursuant to section 8 (d) of the act and § 511.19 of the regulations issued under the act, for each of the aforementioned industries.

The Administrator is required by section 8 (d) of the act, after due notice to interested persons and giving opportunity to be heard, to approve and carry into effect by order each of the recommendations of Special Industry Committee No. 10 for Puerto Rico, if he finds that the recommendations are made in accordance with law, are supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the industry committee, will carry out the purposes of section 8 of the act; and if he finds otherwise, to disapprove such recommendations. Now, therefore, notice is hereby given that:

A. The separate minimum wage recommendations of Special Industry Committee No. 10 for employees engaged in commerce or in the production of goods for commerce in the above named industries in Puerto Rico are as follows:

Industry	Recommended minimum (cents an hour)
1. Foods, beverages, and related products industries:	
(a) Beverage division	42½
(b) General division	35
2. Paper, paper products, printing, publishing, and related industries:	
(a) Daily newspaper division	60
(b) Paper box division	55
(c) Paper bag division	45
(d) Paper board division	40
(e) General division	40
3. Jewel cutting and polishing industry:	
(a) Gem stone division	50
(b) Industrial jewel division	42½
4. Communications, utilities, and miscellaneous transportation industries:	
(a) Airlines division	75
(b) Cable and radiotelephone division	75
(c) Gas utility division	65
(d) Radio broadcasting division	55
(e) Telephone division	70
(f) Tourist bureau and ticket agency division	75
(g) Miscellaneous division	75
5. General division of the textile and textile products industry	35
6. Shoe manufacturing and allied industries	35

B. The definitions of the above named industries in Puerto Rico (as set forth in Administrative Order No. 411) and of the separable divisions thereof, for which Special Industry Committee No. 10 for Puerto Rico has made the foregoing separate minimum wage recommendations are as follows:

1. *Foods, beverages, and related products industries.* (a) The manufacture or processing of foods, beverages, ice, tobacco, and related products; the packaging of all food products when done in conjunction with their manufacture or processing; and the gathering or collecting of wild berries, plants, flowers, gums, saps, seeds, and other forms of wild plant or animal life.

(b) It includes, but without limitation, meat, poultry, dairy and seafood products; fruits and vegetable products; grain mill products; candy, chewing gum, and other confectionery products, dessicated, shredded and prepared coconut; snuff, chewing tobacco and smoking tobacco; non-alcoholic beverages; natural, mineral and carbonated waters; animal feeds, malt, baking powder, yeast and other leavening compounds; refined edible fats and oils; starch; tea; cracked, shelled and salted nuts; flavoring extracts; spices; and other miscellaneous food products and preparations.

Provided, however, That the definition shall not include any product or activity included in the vegetable, fruit and nut packing and processing industry, the bakery products industry, the sugar manufacturing industry, and the chemical, petroleum and related products industries, as defined in the wage orders for those industries in Puerto Rico, and in the alcoholic beverage and industrial alcohol industry, the cigar and cigarette industry, and leaf tobacco industry, as defined in Administrative Order No. 403 (15 F. R. 7125) appointing Special Industry Committee No. 9 for Puerto Rico.

The Committee recommended that the Foods, Beverages, and Related Products Industries in Puerto Rico, as defined in Administrative Order No. 411, be divided into separable divisions for the purpose of fixing minimum wage rates and that these separable divisions be defined as follows:

(a) *Beverage division.* This division consists of the manufacture of non-alcoholic beverages and of natural, mineral and carbonated waters.

(b) *General division.* This division consists of all products and activities included in the Foods, Beverages, and Related Products Industries, as defined in Administrative Order No. 411, except those included in the Beverage Division, as defined herein.

2. *Paper, paper products, printing, publishing, and related industries.* The manufacture of pulp from wood, rags and other fibers; the conversion of such pulp into paper or paper board; the manufacture of building board from bagasse and similar materials; the manufacture of paper, paper board and pulp into bags, boxes, containers, tags, cards, envelopes, pressed and molded pulp goods and all other converted paper products, and the manufacture of all like

products in which a synthetic material in sheet form, such as cellophane and pliofilm, is the basic component; the printing performed on any of the foregoing products; and the printing or publishing of newspapers, books, or periodicals, maps, music and all other products or services of typesetters and advertising typographers, electrotypers and stereotypers, photoengravers, steel and copper plate engravers, commercial printers, lithographers, gravure printers, private printing plants of concerns engaged in other business, binders, and news syndicates.

The Committee recommended that the Paper, Paper Products, Printing, Publishing, and Related Products Industries in Puerto Rico, as defined in Administrative Order No. 411, be divided into separable divisions for the purpose of fixing minimum wage rates, and that these separable divisions be defined as follows:

(a) *Daily newspaper division.* This division consists of the printing or publishing of daily newspapers.

(b) *Paper box division.* This division consists of the manufacture of corrugated, folding, and set-up paper boxes.

(c) *Paper bag division.* This division consists of the manufacture of paper bags.

(d) *Paper board division.* This division consists of the manufacture of paper board, including but without limitation, the manufacture of pulp therefor from wood, waste paper, rags, and other fibers, the conversion of the pulp into paper board, and the collection and sorting of waste paper to be used in the manufacture of paper board.

(e) *General division.* This division consists of all products and activities included in the paper, paper products, printing, publishing, and related industries in Puerto Rico, as defined in Administrative Order No. 411, except those included in the daily newspaper division, paper box division, paper board division, and paper bag division, as defined herein.

3. *Jewel cutting and polishing industry.* The sawing, cutting, grinding, polishing, and other processing of gem diamonds and other precious and semiprecious stones, and of natural and synthetic jewels for industrial use, including, but without limitation, jewel bearings and industrial diamonds.

The Committee recommended that the jewel cutting and polishing industry in Puerto Rico, as defined in Administrative Order No. 411, be divided into separable divisions for the purpose of fixing minimum wage rates, and that these separable divisions be defined as follows:

(a) *Gem stone division.* This division consists of the sawing, cutting, grinding, polishing, and other processing of gem diamonds and other precious and semiprecious stones.

(b) *Industrial jewel division.* This division consists of the sawing, cutting, grinding, polishing, and other processing of natural or synthetic jewels for industrial use, including, but without limitation, jewel bearings and industrial diamonds.

4. *Communications, utilities, and miscellaneous transportation industries.* The industry carried on by any wire or radio system of communication or by messenger service; by any concern engaged in the production and distribution of gas, electricity or steam; the distribution of water or the operation of sanitation facilities and by any concern engaged in transportation by air, rail, pipeline, motor vehicle, or other means, or in related activities including stevedoring, consolidating, forwarding, crating and boxing.

Provided, however, That the definition shall not include any activity included in the definitions of the wage orders applicable in Puerto Rico for the railroad, railway express, and property motor transport industry, the shipping industry, the sugar manufacturing industry, or any other industries in Puerto Rico for which wage orders have been issued.

The Committee recommended that the communications, utilities, and miscellaneous transportation industries in Puerto Rico, as defined in Administrative Order No. 411, be divided into separable divisions for the purpose of fixing wage rates, and that these separable divisions be defined as follows:

(a) *Telephone division.* This division consists of the industry carried on by any telephone system of communication.

(b) *Cable and radiotelephone division.* This division consists of the industry carried on by any cable, telegraph, or radiotelephone system of communication or by any concern engaged in messenger service.

(c) *Radio broadcasting division* This division consists of the industry carried on by any concern engaged in radio broadcasting.

(d) *Gas utility division.* This division consists of the industry carried on by any concern engaged in the production or distribution of gas.

(e) *Airline division.* This division consists of the industry carried on by any concern engaged in the transportation of passengers, cargo, or mail by air.

(f) *Tourist bureau and ticket agency division.* This division consists of the industry carried on by any tourist bureau, ticket agency, or similar concern engaged in making travel arrangements for, or selling transportation tickets to, passengers or tourists.

(g) *Miscellaneous division.* The division consists of all products and activities included within the communications, utilities, and miscellaneous transportation industries in Puerto Rico, as defined in Administrative Order No. 411 appointing Special Industry Committee No. 10 for Puerto Rico, except products or activities included within the telephone division, cable and radiotelephone division, radio broadcasting division, gas utility division, airline division, or tourist bureau and ticket agency division, as defined herein.

5. *Shoe manufacturing and allied industries.* (a) The manufacture or partial manufacture of footwear from any material and by any process except knitting (including crocheting), vulcanizing of the entire article or vulcanizing (as distinct from cementing) of the sole to the upper. The term footwear as used herein includes but without limitation: Athletic shoes, boots, boot tops, burial shoes, custom-made boots and shoes, moccasins, puttees (except spiral puttees), sandals, shoes completely rebuilt in a shoe factory, and slippers.

(b) The manufacture from leather or from any shoe upper material of all cut stock and findings for footwear including bows, ornaments and trimmings: *Provided, however,* That the production of bows, ornaments and trimmings by a manufacturer not otherwise covered by this definition shall not be included.

(c) The manufacture of the following types of cut stock and findings for footwear from any material except from rubber or composition of rubber, molded to shape outsoles, midsoles, insoles, taps, lifts, rands, toplifts, bases, shanks, box-toes, counters, stays, strippings, sock linings, and heel pads.

(d) The manufacture of heels from any material except molded rubber, but not including the manufacture of wood-heel blocks.

(e) The manufacture of cut upper parts for foot wear, including linings, vamps, and quarters.

(f) The manufacture of pasted shoe stock.

(g) The manufacture of boot and shoe patterns.

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

6. *General division of the textile and textile products industry.* This division consists of the preparation of textile fibers; the manufacture of batting, wadding, and filling; the manufacture of yarn, cordage, twine, felt, woven and knitted fabrics, and lace-machine products, from cotton, jute, sisal, coir, maguey, silk, rayon, nylon, wool or other vegetable, animal or synthetic fibers, or from mixtures of these fibers; and the manufacture of blankets, textile bags, oil cloth and artificial leather, and woven carpets and rugs: *Provided, however,* That the definition shall not include the ginning and compressing of cotton; the manufacture from any fiber of hand-loomed fabrics, blankets, rugs and similar textiles; the manufacture from kenaf, coir, sisal, jute or other hard or coarse textile fiber or mixtures of these fibers of yarn, bagging, bags, rope, matting and similar textiles and textile products; and the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber.

C. The full texts of the reports and recommendations of Special Industry Committee No. 10 for Puerto Rico for each of the above industries will be available for inspection by any person between the hours of 9:00 a. m., and 4:30 p. m., at the following offices of the United States Department of Labor, Wage and Hour and Public Contracts Divisions:

18 Oliver Street, Boston 10, Mass.

Room 808, Lafayette Building, Fifth and Chestnut Streets, Philadelphia 6, Pa.

706 Perry-Payne Building, 740 Superior Avenue NW., Cleveland 13, Ohio.

3000 Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.

144 Federal Office Building, Fulton and Leavenworth Streets, San Francisco 2, Calif.

Fourteenth Street and Constitution Avenue NW., Washington 25, D. C.

Room 903, Parcel Post Building, 341 Ninth Avenue, New York 1, N. Y.

1908 Comer Building, 2026 Second Avenue North, Birmingham, Ala.

1200 Merchandise Mart Building, 22 West North Bank Drive, Chicago 54, Ill.

Room 222, Fidelity Trust Building, 1000 Main Street, Dallas 2, Tex.

150 Ninth Avenue North, Nashville, Tenn.

Room 413, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce 29, P. R.

Copies of the Committee's reports and recommendations may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., or the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce, San Juan, P. R.

D. Public hearings will be held at 10:00 a. m., on the dates and at the places set forth below before the Administrator of the Wage and Hour Division or a representative designated to preside in his place, for the purpose of taking evidence on the question of whether the separate recommendations of Special Industry Committee No. 10 for Puerto Rico set forth above shall be approved or disapproved.

Foods, beverages, and related products industries—September 12, 1951, in Room 5406, Department of Labor Building, Washington 25, D. C.

Jewel cutting and polishing industry—September 12, 1951, in Room 5406, Department of Labor Building, Washington 25, D. C.

Communications, utilities, and miscellaneous transportation industries—September 25, 1951, in Room 5406, Department of Labor Building, Washington 25, D. C.

Shoe manufacturing and allied industries—September 25, 1951, in Room 5406, Department of Labor Building, Washington 25, D. C.

Paper, paper products, printing, publishing, and related industries—October 9, 1951, in Room 5406, Department of Labor Building, Washington 25, D. C.

General division of the textile and textile products industry—October 9, 1951, in Room 5406, Department of Labor Building, Washington 25, D. C.

E. Any interested person supporting or opposing any of the recommendations of Special Industry Committee No. 10 for Puerto Rico which are set forth above may appear at any of the aforesaid hearings to offer evidence, either on his own behalf or on behalf of any other person: *Provided*, That not later than seven days preceding any hearing at which he intends to appear, such person shall file with the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., or at the office of the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, P. R., notice of his intention to appear which shall contain the following information:

1. The name and address of the person appearing;

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing;

3. The recommendation or recommendations of Special Industry Committee No. 10 for Puerto Rico in which he is interested and whether he proposes to appear for or against such recommendation or recommendations;

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, or to the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, P. R., and shall be deemed filed upon receipt.

F. Any person interested in supporting or opposing any of the above recommendations of Special Industry Committee No. 10 for Puerto Rico may secure further information concerning the aforesaid hearings by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, or to the Territorial Representative, Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, P. R., or by consulting with attorneys representing the Administrator who will be available at the Office of the Solicitor, United States Department of Labor in Washington, D. C.

G. The records made at the public hearing on conditions in the above-named industries in Puerto Rico held before Special Industry Committee No. 10 in San Juan, Puerto Rico in June and July, 1951, may be examined by any interested person at the offices of the Wage and Hour Division, United States Department of Labor, at Fourteenth and Constitution Avenue, Washington 25, D. C., and Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, P. R. The records of the public hearing before the industry committee with respect to each of the above-named industries in Puerto Rico will be available for examination on and after 30 days prior to the date fixed herein for the hearing on the Committee's recommendation for such industry. Such records will be offered in evidence at the appropriate public hearing before the Administrator or his representative on such industry.

H. The hearings will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the presiding officer (the Administrator or his authorized representative, as the case may be) as are deemed appropriate.

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, Fourteenth and Constitution Avenue NW, Washington 25, D. C.

2. At the discretion of the Presiding Officer, the hearing may be continued from day to day or adjourned to a later date, or to a different place by announcement thereof at the hearing or by other appropriate notice.

3. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

4. All evidence must be presented under oath or affirmation.

5. Except as otherwise permitted by the Presiding Officer, written documents or exhibits submitted personally at the hearing must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof. Written, sworn statements may be filed any time prior to the date of the hearing by persons who cannot appear personally.

6. Written documents and exhibits shall be tendered in quadruplicate. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be put in evidence.

7. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing shall be issued by the Administrator upon request and upon a timely showing, in writing, of the general relevance and reasonable scope of the evidence sought. Any person appearing in the proceeding may apply for the issuance by the Administrator of the subpoenas. Such application shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

8. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing a subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

9. The rules of evidence prevailing in courts of law or equity shall not be controlling. However, it shall be the policy to exclude irrelevant, immaterial, or unduly repetitious evidence.

10. The Presiding Officer shall, upon request, permit any person appearing in the proceeding to conduct such cross-

examination of any witness offered by another person as may be required for a full and true disclosure of the facts, and to object to the admission or exclusion of evidence. Objections to the admission or exclusion of evidence shall be stated briefly with the reasons relied on. Such objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the Presiding Officer.

11. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matters in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceeding and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

12. Briefs (4 copies) on particular questions may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

15. (a) Where the hearing is held before the Administrator, within fifteen (15) days after the close of the hearing, any interested person appearing at the hearing may submit for the consideration of the Administrator an original and four copies of a statement in writing containing proposed findings and conclusions, together with supporting reasons therefor.

(b) Where the hearing is held before a representative of the Administrator designated to preside in his place, a complete record of the proceedings shall be certified to the Administrator upon the close of the hearing. The Administrator shall thereupon issue a tentative decision in the matter, which shall become a part of the record and include a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and the appropriate order. Notice of the Administrator's tentative decision shall be published in the FEDERAL REGISTER.

(c) Within fifteen (15) days after such notice of the Administrator's tentative decision is published in the FEDERAL REGISTER, any interested person appearing at the hearing may file with the Administrator a statement in writing (original and four copies) setting forth any exceptions he may have to such decision, together with supporting reasons for such exceptions.

(d) After the expiration of the fifteen day periods referred to in paragraphs 13 (a) and (c) above, and after consideration of all relevant matter presented as provided in such paragraphs, the Administrator shall make his final decision in the matter, and shall issue an order approving or disapproving the recommendations of the industry committee. Such order shall be published in the FEDERAL REGISTER.

14. Any wage order issued as a result of hearings held hereunder shall take effect 30 days after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith.

Signed at Washington, D. C., this 10th day of August 1951.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator,
Wage and Hour Division.

[F. R. Doc. 51-9665; Filed, Aug. 13, 1951; 9:56 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 9]

[Docket No. 10022]

AERONAUTICAL SERVICES

SUPERVISION OF AIRDROME CONTROL OPERATORS

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend § 9.616 of the Commission's rules and regulations governing Aeronautical Services to read as follows:

§ 9.616 *Supervision of airdrome control operators.* At any airdrome at which an airdrome control station or control tower is in operation, the airdrome control operator must be given a remote microphone connection or adequate direct communication facilities to the ground flight test station transmitter for the transmission of orders or instructions to aircraft flight test stations.

3. The purpose of the foregoing amendment is to permit alternate means of communicating between airdrome control stations and flight test stations.

4. The authority for this amendment is contained in section 4 (i), 303 (b), (f) and (r) of the Communications Act of 1934, as amended.

5. Any interested persons may file with the Commission on or before August 31, 1951, a written statement or brief in support, opposition, or for modification of the proposed amendment. Within fifteen days from the last day for filing of the original comments or briefs, comments or briefs in reply thereto may be filed. The Commission will consider such comments before taking action in this matter. If any comments will appear to warrant the holding of an oral argument or hearing notice of the time and place therefor will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules, original and fourteen copies of all statements, briefs or comments shall be furnished to the Commission.

Adopted: August 1, 1951.

Released: August 2, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9576; Filed, Aug. 13, 1951; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 59807]

ARIZONA

ORDER OPENING LANDS TO MINERAL LOCATION, ENTRY AND PATENTING

AUGUST 8, 1951.

Under authority of the act of April 23, 1932 (47 Stat. 136, 43 U. S. C. 154), and the regulations thereunder contained in 43 CFR 185.36, and pursuant to section 2.22 of Order No. 2583 of August 16, 1950, of the Secretary of the Interior (15 F. R. 5645), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following described lands shall, commencing at 10 a. m. on the thirty-fifth day after the date of this order, be open to location, entry and patenting under the United States mining laws, subject to the stipulations quoted below, to be executed and acknowledged in favor of the United States by the locators, for themselves, their heirs, successors and assigns, and recorded in the county records and in the United States Land and Survey Office at Phoenix, Arizona, before locations are made:

GILA AND SALT RIVER MERIDIAN

T. 2 N., R. 9 E., Unsurveyed
Sec. 8, all.

The area described aggregates 640 acres.

"In carrying on the mining and milling operations contemplated hereunder, locator will, by means of substantial dikes, or other adequate structures, confine all tailings, debris and harmful chemicals in such a manner that the same shall not be carried into Salt River bottom lands by storm waters, or otherwise.

"There is reserved to the United States, its agents and employees, at all times, free ingress to, passage over and egress from all of the above described lands for the purpose of inspection; and there is further reserved to the United States, its successors and assigns the prior right to use any of the lands hereinabove described, to construct, operate, and maintain canals, dikes, wasteways, ditches, telephone and telegraph lines, electric transmission lines, roadways and appurtenant works, including the right to take and remove from the lands hereinabove described such construction materials as may be required in the construction of irrigation works, without any payment made by the United States, or its successor for such right. The locator further agrees that the United States, its officers, agents and employees and its successors and assigns, shall not be held liable for any damage to the improvements or workings of the locator resulting from the construction, operation and maintenance of any works of the United States and/or the removal of construction materials from the lands hereinabove described."

MARION CLAWSON,
Director,
Bureau of Land Management.

[F. R. Doc. 51-9520; Filed, Aug. 13, 1951; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5004]

SWISSAIR, SWISS AIR TRANSPORT CO., LTD.; SERVICE TO FRANKFURT AM MAIN, GERMANY

NOTICE OF HEARING

In the matter of the application of Swissair, Swiss Air Transport Company, Limited, for amendment of its foreign air carrier permit so as to include Frankfurt am Main, Germany, as an additional intermediate point on its route between Geneva and Zurich, Switzerland, and New York, New York.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 27, 1951, at 10:00 a. m., e. d. s. t., in Room 5040, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest as defined in section 2 of the Civil Aeronautics Act of 1938, as amended.

2. Whether the applicant is fit, willing and able to perform such transportation and to conform to the provisions of the act and the rules, regulations, and requirements of the Board thereunder.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States of America and Switzerland.

Notice is further given that any person, other than parties of record, desiring to be heard in this proceeding must file with the Board, on or before August 27, 1951, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., August 9, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-9579; Filed, Aug. 13, 1951; 8:52 a. m.]

[Docket No. 3941]

ROBIN AIRLINES, INC.; EXEMPTION APPLICATION

NOTICE OF HEARING

In the matter of the application of Robin Airlines, Inc., for an exemption filed pursuant to section 291.16 of the Board's Economic Regulations and section 416 (b) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 1001 of said act that a hearing in the above-entitled proceeding is assigned to be held on August 22, 1951, at 10:00 a. m., e. d. s. t., in Room 5855, Department of Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson. If necessary the hearing will reconvene in the foyer of the Departmental Auditorium of the same building on August 23, 1951.

Without limiting the scope of the issues presented by the application, particular attention will be directed to the following matters and questions:

1. Is the present enforcement of the requirements of Title IV of the Civil Aeronautics Act of 1938, as amended, or any provision thereof, or any rule, regulation, term, condition or limitation prescribed thereunder, as it affects Robin Airlines, Inc., an undue burden on that air carrier by reason of the limited extent of, or unusual circumstances affecting the operation of such carrier and not in the public interest?

2. Subsidiary issues to a determination of whether the enforcement of the requirements of Title IV of the act and the rules and regulations of the Board prescribed thereunder is not in the public interest are:

(a) Will the operation of the air service proposed by Robin Airlines, Inc., meet the statutory standards of section 416 (b) of the act and the tests in this respect set forth in the opinion of the Board issued on May 25, 1950, accompanying Orders Serial Nos. E-4240 through E-4252?

(b) Do the operations of Robin Airlines, Inc., indicate that it can be trusted with the exemption authority sought, and will operate within such authority?

Notice is further given that any person desiring to be heard in opposition to the application, other than parties of record, must file with the Board on or before August 22, 1951, a statement setting forth the issues of fact or law which he desires to controvert and such person may appear and participate at the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of the Civil Aeronautics Act of 1938, as amended.

For further details of the service proposed and the relief requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., August 7, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-9580; Filed, Aug. 13, 1951; 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26311]

ASPHALT FROM BALTIMORE, MD., AND CATLETTSBURG, KY., TO POINTS IN VIRGINIA

APPLICATION FOR RELIEF

AUGUST 9, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tariff I. C. C. No. A-932.

Commodities involved: Asphalt (asphaltum), natural, by-product or petroleum, in tank-car loads.

From: Baltimore, Md., and Catlettsburg, Ky.

To: Points in Virginia.

Grounds for relief: Rail and market competition and to comply with order in I. C. C. Docket No. 30312.

Schedules filed containing proposed rates: C. W. Boin's tariff I. C. C. No. A-932.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9569; Filed, Aug. 13, 1951; 8:49 a. m.]

[4th Sec. Application 26312]

ANHYDROUS AMMONIA FROM SOUTHWESTERN POINTS TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

AUGUST 9, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3746.

Commodities involved: Anhydrous ammonia, in tank-car loads.

From: El Dorado, Ark., Etter, Tex., Military, Kans., Lake Charles, West Lake Charles, and Sterlington, La., and Velasco, Tex.

To: Points in southern territory and Cincinnati, Ohio.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3746, Supp. 71.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc 51-9570; Filed, Aug. 13, 1951; 8:49 a. m.]

[4th Sec. Application 26313]

DRUGS, MEDICINES, AND TOILET PREPARATIONS FROM DETROIT, MICH., TO POINTS IN GEORGIA

APPLICATION FOR RELIEF

AUGUST 9, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Drugs, medicines, and toilet preparations, carloads.

From: Detroit, Mich.

To: Atlanta, Ga., and other points in Georgia taking the same rates.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9571; Filed, Aug. 13, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2679]

WISCONSIN PUBLIC SERVICE CORP.

NOTICE OF FILING FOR AUTHORITY TO ISSUE NINE-MONTH BANK LOAN NOTES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of August 1951.

Notice is hereby given that Wisconsin Public Service Corporation ("Wisconsin"), a public utility subsidiary of Standard Power and Light Corporation and Standard Gas and Electric Company, both registered holding companies, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"). Declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than August 23, 1951, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 23, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Wisconsin presently has outstanding $3,300,000 of 2½ percent ninety-day bank loan notes maturing September 10, 1951. Wisconsin proposes, on or prior to September 10, 1951, to issue $7,500,000 of new 2½ percent nine month bank loan notes ("new notes") to several banks and simultaneously to retire the presently outstanding bank loan notes. Wisconsin will have the privilege of prepaying the new notes without premiums.

The declaration states that the net proceeds to be derived from the proposed transactions will be used to finance Wisconsin's current construction expenditures. Wisconsin also states that it plans to undertake permanent financing, in a manner not yet determined, prior to the due date of the new notes and to use a portion of the proceeds of such permanent financing for the payment of the new notes.

It is represented that no State Commission or any other Federal Commission has jurisdiction over the proposed transactions. Wisconsin estimates that the expenses in connection with the proposed transactions will not exceed $500.

The declarant requests that the Commission's order herein become effective upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9561; Filed, Aug. 13, 1951; 8:47 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Delegation of Authority 12, Supp. 2]

CHIEF, LIVESTOCK AND MEAT DISTRIBUTION BRANCH

REDELEGATION OF AUTHORITY TO GRANT OR DENY CERTAIN APPLICATIONS UNDER DISTRIBUTION REGULATION 1

By virtue of the authority vested in the Director, Food and Restaurant Division, Office of Price Stabilization by Delegation of Authority No. 12, Supplement 1, this Supplement 2 to delegation of authority is hereby issued.

1. Authority is hereby delegated to the Chief, Livestock and Meat Distribution Branch, Food and Restaurant Division, Office of Price Operations:

(a) To request further information from an applicant or to grant or deny applications for adjustments or for any other relief made pursuant to section 9 of Distribution Regulation 1;

(b) To request further information from an applicant or to grant or deny applications for the sale or transfer of Class 1 or Class 2 slaughtering establishments made pursuant to Distribution Regulation 1;

(c) To request further information from an applicant or to grant or deny applications for registrations of new Class 1 or Class 2 slaughtering establishments made pursuant to section 11 of Distribution Regulation 1.

This delegation shall take effect on August 14, 1951.

GEORGE L. MEHREN, *Acting Director, Food and Restaurant Division.*

AUGUST 13, 1951.

[F. R. Doc. 51-9717; Filed, Aug. 13, 1951; 10:53 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 311]

THE WADSWORTH WATCH CASE CO., INC.

CEILING PRICES AT RETAIL

Statement of Considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Wadsworth Watch Case Company, Inc., Dayton, Kentucky, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's and women's watches manufactured by The Wadsworth Watch Case Company, Inc., Dayton, Kentucky, having the brand name(s) "Wadsworth" shall be the proposed retail ceiling prices listed by The Wadsworth Watch Case Company, Inc., in its application dated June 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, The Wadsworth Watch Case Company, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9481; Filed, Aug. 8, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 312]

FORBES SERTA PRODUCTS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Forbes Serta Products, 3700 Bigelow Boulevard, Pittsburgh 13, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of innerspring mattresses and box springs manufactured by Forbes Serta Products, 3700 Bigelow Boulevard, Pittsburgh 13, Pennsylvania, having the brand name(s) Serta "Perfect Sleeper", "Forbes Beauty", "Super Forbes Beauty", "Legacy" shall be the proposed retail ceiling prices listed by Forbes Serta Products in its application dated March 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated March 30, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Forbes Serta Products must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms{net. / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9482; Filed, Aug. 8, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 313]

BRUSCHE CERAMICS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Brusche Ceramics, 415 West Avenue 33, Los Angeles 31, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price

Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ceramics manufactured by Brusche Ceramics, 415 West Avenue 33, Los Angeles 31, California, having the brand name(s) "Brusche" shall be the proposed retail ceiling prices listed by Brusche Ceramics in its application dated May 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Brusche Ceramics must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7

Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms {net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9483; Filed, Aug. 8, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 314]

C. F. MARTIN & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, C. F. Martin & Co., Inc., 10 West North Street, Nazareth, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of guitars, mandolins and ukuleles manufactured by C. F. Martin & Co., Inc., 10 West North Street, Nazareth, Pennsylvania, having the brand name(s) "C. F. Martin" shall be the proposed retail ceiling prices listed by C. F. Martin & Co., Inc., in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than Sep-

tember 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, C. F. Martin & Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

4:09 p. m.]
[F. R. Doc. 51-9484; Filed, Aug. 8, 1951;

[Ceiling Price Regulation 7, Section 43, Special Order 315]

ADRIAN, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Adrian, Inc., 233 North Beverly Drive, Beverly Hills, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's outerwear manufactured by Adrian, Inc., 233 North Beverly Drive, Beverly Hills, California, having the brand name(s) "Adrian" shall be the proposed retail ceiling prices listed by Adrian, Inc. in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Adrian, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form

stated above. Prior to November 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.} Terms {net, percent EOM, etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9485; Filed, Aug. 8, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 316]

F. S. HARMON MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, F. S. Harmon Manufacturing Co., 1938 Pacific Avenue, Tacoma, Washington, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs and mattresses and box spring sets manufactured by F. S. Harmon Manufacturing Company, 1938 Pacific Avenue, Tacoma, Washington, having the brand name(s) "Serta Sertaflex", "Serta Sertarest", "Serta Sertarest Deluxe", "Serta Perfect Sleeper Deluxe", "Serta Restal Knight", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper Longfellow", "Serta Sertafoam Sleep Set", "Serta Tiny Perfect Sleeper", "Serta Perfect Sleeper Orthopedic", "Serta Theralator", "Serta Theralater Supreme", "Serta Perfect Sleeper" shall be the proposed retail ceiling prices listed by F. S. Harmon Manufacturing Company in its application dated May 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, F. S. Harmon Manufacturing Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no re-

tailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. ete.	Terms {net. percent EOM. ete. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9486; Filed, Aug. 8, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43,

Special Order 317]

BEVERLY VOGUE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Beverly Vogue Company, 1115 South Los Angeles Street, Los Angeles 15, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of lingeric, girdles, pantie girdles and garter belts manufactured by Beverly Vogue Company, 1115 South Los Angeles Street, Los Angeles 15, California, having the brand name(s) "Beverly Vogue California" shall be the proposed retail ceiling prices listed by Beverly Vogue Company in its application dated May 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Beverly Vogue Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto

(if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc. Terms{net. percent EOM. etc.	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-months period following the effective date of this special order and within 45 days of the expiration of each successive 6-months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9487; Filed, Aug. 8, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 318]

SOHMER AND CO., INC.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sohmer and Company, Inc., 31 West Fifty-seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of pianos and benches sold through wholesalers and retailers and having the brand name(s) "Sohmer and Company" shall be the proposed retail ceiling prices listed by Sohmer and Company, Inc., 31 West Fifty-seventh Street, New York 19, New York, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Sohmer and Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
_____	$_____

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to

comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9488; Filed, Aug. 8, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 319]

DOESKIN PRODUCTS, INC.

CEILING PRICES, RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Doeskin Products, Inc., 11 West Forty-second Street, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of cleansing tissues, dinner napkins, luncheon napkins, bathroom tissues, mentholated kerchiefs, and sanitary napkins sold through wholesalers and retailers and having the brand name(s) "Countess Lydia Gray," "Doeskin DeLuxe," "Doeskin," "Sanettes" and "Sanapak" shall be the proposed retail ceiling prices listed by Doeskin Products Inc., 11 West Forty-Second Street, New York 18, New York, hereinafter referred to as the "applicant" in its application dated June 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Doeskin Products, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9489; Filed, Aug. 8, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 320]

ARTCRAFT HOSIERY MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Artcraft Hosiery Mills, Inc., Quarry and Hamilton Streets, Darby, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's full-fashioned nylon stockings manufactured by Artcraft Hosiery Mills, Inc., Quarry and Hamilton Streets, Darby, Pennsylvania, having the brand name(s) "Artcraft" shall be the proposed retail ceiling prices listed by Artcraft Hosiery Mills, Inc., in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Artcraft Hosiery Mills, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and

within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9490; Filed, Aug. 8, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 321]

MANCHESTER SILVER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Manchester Silver Co., 49 Pavilion Avenue, Providence 5, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of hollow and flat sterling silverware sold through wholesalers and retailers and having the brand name(s) "Manchester Silver Co." shall be the proposed retail ceiling prices listed by Manchester Silver Co., 49 Pavilion Avenue, Providence 5, Rhode Island, hereinafter referred to as the "applicant" in its application dated July 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Manchester Silver Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of his special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Wash-

ington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9491; Filed, Aug. 8, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 322]

WOLFF PRODUCTS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wolff Products Company, 1150 Broadway, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of bathroom accessories manufactured by Wolff Products Company, 1150 Broadway, New York 1, New York, having the brand name(s) "Lacey Ledge" shall be the proposed retail ceiling prices listed by Wolff Products Company in its application dated May 31, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in manufacturer's application dated June 19, 1951.) A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Wolff Products Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9492; Filed, Aug. 8, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 323]

FRANK SMITH SILVER CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant. Frank Smith Silver Company, 60 Chestnut Street, Gardner, Massachusetts.

Brand names. "Frank Smith Sterling."

Articles. Sterling silver holloware and flatware.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9493; Filed, Aug. 8, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 324]

QUALITY MATTRESS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Quality Mattress, Inc., 1408 West Ninth Street Cleveland 13, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the appli-

cant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and boxsprings manufactured by Quality Mattress, Inc., 1408 West Ninth Street, Cleveland 13, Ohio, having the brand name(s) "Perfect Sleeper", "Easy Rest", "Dream Beauty", "Biltmore Commodore, "Dream Rest", "Secure Sleep", "May Deluxe", "Sleeping Beauty", "Beauty Sleep", "Heavenly Sleep", "Nite Comfort", "Luxury Rest", "Comfort Marvel", Deeprest", "Tiny Perfect Sleeper", "Sertaflex", "Serta Rest", "Perfect Sleeper, Orthopedic", "Perfect Sleeper, Orthopedic, Deluxe", "Theralator", "Perfect Sleeper Theralator, Orthopedic", "Perfect Sleeper Theralator, Supreme", "Serta Foam, Health Rest", "Tiny Perfect Sleeper, Deluxe", "Serta Foam Outfit", "Biltmore", "Commodore", "Perfect Sleeper, Supreme", "May Deluxe", "Health Rest", "Serta Foam Foundation", and "Theralator Foundation", shall be the proposed retail ceiling prices listed by Quality Mattress, Inc., in its application dated April 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturers' application dated June 11, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Quality Mattress, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms {net. percent EOM. etc. $-------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9494; Filed, Aug. 8, 1951; 4:12 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 325]

WEIL OF CALIFORNIA, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Weil of California, Inc., 3160 San Fernando Road, Los Angeles 65, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying

special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of earthenware for table use manufactured by Weil of California, Inc., 3160 San Fernando Road, Los Angeles 65, California, having the brand name(s) "Malayan Ware" shall be the proposed retail ceiling prices listed by Weil of California, Inc., in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Weil of California, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9495; Filed, Aug. 8, 1951; 4:12 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 326]

JORDAN MANUFACTURING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant. Jordan Manufacturing Corporation, 610 Union Street, Allentown, Pennsylvania.

Brand names. "Sea Nymph".

Articles. Women's swim suits.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the

Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 48—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9496; Filed, Aug. 8, 1951; 4:12 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 327]

EVERETT PIANO CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for Retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant. Everett Piano Company, South Haven, Michigan.

Brand names. "Everett" and "Cable-Nelson."

Articles. Pianos and piano benches.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceil-

ing prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9497; Filed, Aug. 8, 1951; 4:13 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 328]

BARRON-ANDERSON CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant. Barron-Anderson Company, 745 Atlantic Avenue, Boston 11, Massachusetts.

Brand names. "Barron-Anderson".

Articles. Men's top coats and overcoats, mid-weight coats, detachable warmers.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS–Sec. 43–CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later

than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this specific order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit. dozen. etc.} Terms {net. percent EOM. etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9498; Filed, Aug. 8, 1951; 4:13 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 329]

ORDERS MATTRESS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Orders Mattress Company, Inc., Box 1290, Greenville, South Carolina, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Orders Mattress Company, Inc., Box 1290, Greenville, South Carolina, having the brand name(s) "Ordersuperest" "Orderest" and "Goldenhour" shall be the proposed retail ceiling prices listed by Orders Mattress Company, Inc., in its application dated April 5, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Orders Mattress Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to

whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9409; Filed, Aug. 8, 1951; 4:13 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 330]

TREO CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Treo Company, Inc., 88–83 Van Wyck Boulevard, Jamaica, Long Island, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of girdles, panty girdles, and combination garments manufactured by Treo Company, Inc. 88–83 Van Wyck Boulevard, Jamaica, Long Island, New York, having the brand name(s) "Treo" shall be the proposed retail ceiling prices listed by Treo Company, Inc., in its application dated May 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in manufacturer's application dated June 28, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Treo Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc. Terms {net. percent EOM. etc.	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9500; Filed, Aug. 8, 1951; 4:14 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 331]

RIVAL MANUFACTURING CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Rival Manufacturing Company, Twenty-second Street and McGee Trafficway, Kansas City 8, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of houseware—die cast zinc and aluminum juicers and crushers, electric broilers, electric steam irons, can openers, knife-o-mats, jar-o-mats, bean slicer and pea huller sold through wholesalers and retailers and having the brand name(s) "Rival", "Knife-O-Mat", "Jar-O-Mat", "Bean Slicer and Pea Huller" shall be the proposed retail ceiling prices listed by Rival Manufacturing Company, Twenty-second Street and McGee Trafficway, Kansas City 8, Missouri, hereinafter referred to as the "applicant" in its application dated July 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Rival Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
_____	$_____

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A

copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9537; Filed, Aug. 8, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 332]

DORMEYER CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Dormeyer Corporation, 4300 North Kilpatrick Avenue, Chicago 41, Illinois has applied to the Office of Price Stabilization for Maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric foodmixers, deep fat fryer, toaster and blender sold through wholesalers and retailers and having the brand name(s), "Food Fixer", "Meal Maker", "Fri-Well", "Toastmaker", and "Drink Blender" shall be the proposed retail ceiling prices listed by Dormeyer Corporation, 4300 North Kilpatrick Avenue, Chicago 41, Illinois, hereinafter referred to as the "applicant" in its application dated April 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 28, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Dormeyer Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9538; Filed, Aug. 8, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 333]

WILMINGTON HOSIERY MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wilmington Hosiery Mills, Inc., Wilmington 17, Delaware, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line, and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and boys' hosiery and slipper socks sold through wholesalers and retailers and having the brand name(s) "Springfoot Sox" shall be the proposed retail ceiling prices listed by Wilmington Hosiery Mills, Inc., hereinafter referred to as the "applicant" in its application dated March 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended by the manufacturer's applications dated April 26, 1951, and April 27, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Wilmington Hosiery Mills, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with

the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or ony other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9539; Filed, Aug. 8, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 334]

KROMEX SALES CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kromex Sales Company, 880 East Seventy-second Street, Cleveland 3, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of chrome and aluminum pantrywares, housewares and giftwares sold through wholesalers and retailers and having the brand name(s) "Kromex" shall be the proposed retail ceiling prices listed by Kromex Sales Company, 880 East Seventy-second Street, Cleveland 3, Ohio, hereinafter referred to as the "applicant" in its application dated July 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Kromex Sales Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this

section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9540; Filed, Aug. 8, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 335]

LYNCH FURNITURE MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lynch Furniture Manufacturing Company, 5001 First Avenue South, Seattle 4, Washington, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Lynch Furniture Manufacturing Co., 5001 First Avenue South, Seattle 4, Washington, having the brand name(s) "Super Restonic", "Custom Restonic", "Restonic", "Firmflex", "Master Restonic", shall be the proposed retail ceiling prices listed by Lynch Furniture Manufacturing Company, in its application dated March 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Lynch Furniture Manufacturing Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit / dozen / etc.}	Terms{net / percent EOM / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manu-

facturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9541; Filed, Aug. 8, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 336]

E. B. MALONE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, E. B. Malone Company, 60 Northwest Thirteenth Street, Miami 36, Florida; 1534 Fuller Street, Tampa, Florida, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses, box springs and lounges manufactured by E. B. Malone Company, 60 North West Thirteenth Street, Miami 36, Florida; 1534 Fuller Street, Tampa, Florida, having the brand name(s) "Spring-Air", "Super Emblem", "Emblem", "Back Supporter", "Malone Super Glamourest", "Malone Glamourest", "Malone Super E. D. C.", "Malone E. D. C.", "Custombilt", "Slumber Lounge", "Duo Lounge", "Floridian Lounge" shall be the proposed retail ceiling prices listed by E. B. Malone Company in its application dated April 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, E. B. Malone Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9542; Filed, Aug. 8, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 337]

SHWAYDER BROTHERS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Shwayder Brothers, Inc., 4270 High Street, Detroit 29, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has compiled with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of folding tables and chairs manufactured by Shwayder Brothers, Inc., 4270 High Street, Detroit 29, Michigan having the brand name(s) "Samson" shall be the proposed retail ceiling prices listed by Shwayder Brothers, Inc. in its application dated March 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Shwayder Brothers, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9543; Filed, Aug. 8, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 338]

OLYMPIC RADIO & TELEVISION, INC.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Olympic Radio & Television, Inc., 34-01 38th Avenue, Long Island City 1, New York, has

applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of radios and television sets sold through wholesalers and retailers and having the brand name(s) "Olympic," "The Challenger," "The Riviera," "The Monte Carlo," "The Broadmoor," "The Versailles," "The Catalina," "The Prince George," "The Marlborough," "The Windsor," "The Lancaster" shall be the proposed retail ceiling prices listed by Olympic Radio & Television Inc., 34–01 38th Avenue, Long Island City, New York, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Olympic Radio & Television Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above .

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51–9544; Filed, Aug. 8, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 339]

TELECHRON, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Tele-

chron, Inc., Homer Avenue, Ashland, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric clocks (kitchen, alarm, convenience, business, household timers) sold through wholesalers and retailers and having the brand name(s) "Telechron" shall be the proposed retail ceiling prices listed by Telechron, Inc., Homer Avenue, Ashland, Massachusetts, hereinafter referred to as the "applicant" in its application dated June 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, Telechron, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a)(4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9545; Filed, Aug. 8, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 340]

BOWES INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bowes Industries, Inc., 5537 North Clark Street, Chicago 40, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under

this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of paper dishes, paper napkins and paper cups, tablecovers, casseroles, bowls, place mats manufactured by Bowes Industries, Inc., 5537 North Clark Street, Chicago 40, Illinois, having the brand name(s) "Bondware" shall be the proposed retail ceiling prices listed by Bowes Industries, Inc. in its application dated July 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraphs 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Bowes Industries, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order which the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order, Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9546; Filed, Aug. 8, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 341]

W. SHANHOUSE SONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, W. Shanhouse Sons, Inc., Rockford, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution

Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of waterproof sportswear and sporting goods sold through wholesalers and retailers and having the brand name(s) "Dri Clad Waterproof Sportswear" "Dri Clad Sporting Goods" shall be the proposed retail ceiling prices listed by W. Shanhouse Sons, Inc., Rockford, Illinois, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 8, 1951, W. Shanhouse Sons, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9547; Filed, Aug. 8, 1951; 5:03 p. m.]

Office of Rent Stabilization

ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

DESIGNATION OF EMPLOYEES TO TAKE OATHS

The Designation Of Employees To Take Oaths, published in the FEDERAL REGISTER, August 3, 1951 (16 F. R. 7631), is hereby amended as follows: Add to the list under the columns captioned "Area Rent Offices" and "Branch Offices" the words: "That employee who is stationed in a one-person office."

(Pub. Law 129, 80th Cong.; Pub. Law 31, 81st Cong.; Pub. Law 96, 82d Cong.)

Effective as of August 1, 1951.

Issued this 9th day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-9582; Filed, Aug. 13, 1951; 8:52 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[Amdt. 2]

ORGANIZATION AND FUNCTIONS

REESTABLISHMENT OF AIRPORT DISTRICT OFFICE

In acordance with the public information requirements of the Administrative Procedure Act, the description of Organization and Functions of the Civil Aeronautics Administration is hereby amended. The purpose of this amendment is to re-establish the Airport District Office at Charleston, West Virginia.

Section 43 (g) (3) (ii), Region 1, is amended by adding "Charleston, W. Va.,

Kanawha County Courthouse — West Virginia."

This amendment shall become effective August 1, 1951.

[SEAL] C. F. HORNE,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-9518; Filed, Aug. 13, 1951; 8:45 a. m.]

Federal Maritime Board

[Docket No. M-19]

AMERICAN EXPORT LINES, INC.

NOTICE OF HEARING ON APPLICATION TO CHARTER A GOVERNMENT-OWNED, WAR-BUILT, DRY-CARGO VESSEL FOR USE IN THE SERVICE BETWEEN NORTH ATLANTIC AND MEDITERRANEAN PORTS

Pursuant to section 3, Public Law 591, 81st Congress, notice is hereby given that a further hearing in this proceeding will be held at Washington, D. C., before Examiner C. W. Robinson, on August 28, 1951, at 10 o'clock a. m., e. d. s. t., in Room 4823, Department of Commerce Building, upon the application of American Export Lines, Inc., to bareboat charter the Government-owned, war-built, dry-cargo vessel SS. Elmira Victory for a period of six months after the expiration date of applicant's existing charter therefor.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessel is proposed to be chartered for the additional period is required in the public interest and would not be adequately served without the use therein of such vessel, and with respect to the availability of privately owned American-flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence also will be received with respect to any restrictions or conditions that may, under the statute, be included in the charter if the application should be granted.

All persons having an interest in the application will be given an opportunity to be heard if present.

The parties may have oral argument before the examiner immediately following the close of the hearing, in lieu of briefs, and the examiner will issue a recommended decision. Parties may have seven (7) days within which to file exceptions to or memoranda in support of the examiner's recommended decision, but the Board reserves the right to determine whether oral argument on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: August 9, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-9604; Filed, Aug. 13, 1951; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9997]

HILLSBORO BROADCASTING CO. (WEBK)

ORDER CONTINUING HEARING

In re application of E. P. Martin, Alpha Martin and Elmo B. Kitts, d/b as Hillsboro Broadcasting Co. (WEBK) Tampa, Florida. Docket No. 9997, File No. BP-7892; for construction permit.

The Commission having under consideration the motion of the applicants herein, filed July 25, 1951, for a continuance of the hearing on their application which is presently scheduled for August 10, 1951;

It appearing, that the moving parties herein are applying for authority to use the frequency of 1590 kilocycles, with power output of 1 kilowatt until local sunset, 500 watts directionalized at night, unlimited time, and they are planning to revise the design of the directional array in order to afford greater protection to Cuba with regard to the channel involved;

It appearing further, that the moving parties have not specified a definite length of time for the continuance desired, but that they should be enabled within a period of forty-five days to complete the studies of their proposed array and to file such amendment as may be necessary;

It appearing further, that counsel for the Commission, the only other party to the proceeding, has been notified of the instant petition and has not interposed objections thereto;

It is ordered, This 3d day of August 1951, that the motion of the applicants herein, be, and it is hereby granted, and the hearing on the above-entitled application is continued to October 3, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary

[F. R. Doc. 51-9578; Filed, Aug. 13, 1951; 8:51 a. m.]

[Docket Nos. 9986 and 9987]

INTER-CITY BROADCASTING CO. (WHIM) AND ROGER WILLIAMS BROADCASTING CO., INC. (WPAW)

ORDER CONTINUING HEARING

In re applications of Inter-City Broadcasting Company (WHIM), Providence, Rhode Island, Docket No. 9987, File No. BP-8044; Roger Williams Broadcasting Company, Inc. (WPAW), Pawtucket, Rhode Island, Docket No. 9986, File No. BP-7894; for construction permits.

It is hereby ordered, This 3d day of August 1951, that the hearing on the above-entitled applications, presently scheduled for August 13, 1951, in Washington, D. C. is continued to August 14, 1951, at 10:00 a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9577; Filed, Aug. 13, 1951; 8:51 a. m.]

THE NATIONAL ARCHIVES
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OF THE UNITED STATES 1934

VOLUME 16 NUMBER 158

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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 517—FRUITS AND BERRIES, FRESH

SUBPART—FRESH WINTER PEAR EXPORT PAYMENT PROGRAM (FISCAL YEAR 1952)

Sec.
517.275 General statement.
517.276 Approved countries.
517.277 Rate of payment.
517.278 Eligibility for payment.
517.279 Claims supported by evidence of compliance.
517.280 Records and accounts.
517.281 Amendment and termination.
517,282 Persons not eligible.
517.283 Set-off.
517.284 Assignment.
517.285 Definitions.

AUTHORITY: §§ 517.275 to 517.285 issued under sec. 32, 49 Stat. 774, as amended, sec. 112, 62 Stat. 146; 7 U. S. C. 612c, 22 U. S. C. Sup. 1510.

§ 517.275 *General statement.* (a) In order to encourage the exportation of fresh winter pears produced in the United States, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, and section 112 (f) of the Foreign Assistance Act of 1948, offers to make payments to U. S. exporters of fresh winter pears produced in the United States which are sold and exported to an approved country as designated in § 517.276, subject to the terms and conditions set forth in §§ 517.276 to 517.285.

(b) Information pertaining to this offer and forms prescribed for use thereunder may be obtained from the following Representatives of the Secretary:

Harry J. Krade and W. B. Blackburn,
Fruit and Vegetable Branch,
PMA, U. S. Department of Agriculture,
921 Tenth Street,
Sacramento 14, Calif.

W. J. Broadhead and Robert H. Eaton,
Fruit and Vegetable Branch,
PMA, U. S. Department of Agriculture,
515 Southwest Tenth Avenue,
Portland 5, Oreg.

Norman F. Horsey and Granville B. Coffman,
Fruit and Vegetable Branch,
PMA, U. S. Department of Agriculture,
Washington 25, D. C.

§ 517.276 *Approved countries.* Approved countries include all foreign countries and their territories or dependent areas except Canada, Cuba, Mexico, and Venezuela, and except those countries and areas listed in Subgroup A of Group R of the Comprehensive Export Schedule, issued by the Office of International Trade, U. S. Department of Commerce.

§ 517.277 *Rate of payment.* The rate of payment shall be the lower of the following:

a. $1.25 per box, or
b. 50 percent of the f. a. s. sales price per box, or
c. 50 percent of the domestic market price at the time of sale and place of delivery, as determined by the Secretary.

The place of delivery, for the purpose of determining the domestic market price at the time of sale, shall be a United States port of export which is on the seaboard nearest the area of production from which the fruit originates. The total amount, f. a. s. U. S. port, invoiced the foreign buyer and the Secretary shall not exceed the f. a. s. sales price.

§ 517.278 *Eligibility for payment*—(a) *Dates of sale and of export.* No payment hereunder will be made in connection with any sale for export unless the date of sale (see § 517.285 (d)) is on or after the effective date of this offer, and the winter pears are exported on or after the date of such sale and prior to the date specified in paragraph (h) of this section, except that a sale made prior to the effective date of this offer and expressly made contingent upon the Secretary's issuing this or a similar offer will be deemed to be a sale made after such effective date if after such effective date the parties to such contract make the sale binding unconditionally by confirmation or otherwise and if no exportations were made pursuant to such sale prior to such effective date. A sale made subject to the condition that the Representative of the Secretary will approve the Application for Export Payment

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FEDERAL REGISTER

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(paragraph (c) of this section) will be deemed a sale pursuant to this program, and since available funds are limited exporters may find it advisable to make their sales subject to this condition. The winter pears shall be deemed to have been exported when loaded on board the exporting carrier, provided such winter pears are not thereafter unloaded from such carrier in the United States, its territories or possessions. The date of export of any lot shall be considered to be the date of loading on board the exporting carrier on which movement of such lot from the United States is effected. The date of the on-board bill of lading (or loading tally sheet, see § 517.279 (a) (3)) shall be considered to be the date the winter pears were loaded on board, unless an "on-board" date is shown.

(b) *Minimum size of lot.* No payment will be made hereunder for the exportation of any lot of less than one hundred (100) boxes. A lot is that quantity of winter pears loaded to any one export carrier at any one departure consigned to any one destination under any one export sale.

(c) *Application for export payment.* No payment will be made hereunder, unless the exporter files Form FV–461, "Application for Export Payment," with the designated Representative of the Secretary, as indicated in § 517.275 (b), nearest the principal office of the exporter, and unless such application is approved by the Representative of the Secretary. Form FV–461 must be prepared separately for each export sale and shall be mailed or delivered as promptly as possible after date of consummation of sale but in no event later than the date of export. No payment will be made if such form is mailed or delivered after such date of export unless the Secretary, upon written request by the exporter stating substantial reasons therefor, waives such delay. The Secretary will approve applications covering sales which meet the requirements of this program, so long as funds which have been allocated to this program are available, in the order in which the applications are received or on such other basis as he may determine to be equitable, will give written notice of approval or disapproval to the exporter, and will notify the exporter as promptly as possible after receipt of any executed Form FV–461 if any information shown in such form does not conform with the terms and conditions of this offer. No payment will be made in excess of the sum indicated in the approved Form FV–461, unless the Secretary, upon written request by the exporter stating substantial reasons therefor, approves a larger amount.

(d) *Grade.* No payment will be made hereunder unless the fresh winter pears exported under this program meet the requirements of U. S. No. 2 grade, or better, as defined in the U. S. Standards for Winter Pears, effective July 8, 1940; except that the tolerance allowed for decay or internal break-down shall average not more than two (2) percent, by count, in any lot and shall not exceed ten (10) percent, by count, in any container up to and including January 31, 1952, and shall average not more than three (3) percent, by count, in any lot and shall not exceed ten (10) percent, by count, in any container on and after February 1, 1952. In addition, all winter pears exported under this program must comply with the provisions of the Export Apple and Pear Act.

(e) *Inspection.* Exporters shall furnish, at no expense to the Secretary, certificates of inspection for each lot of fresh winter pears exported pursuant to this offer. Such certificates shall be issued by the Federal or Federal-State Inspection Service. The period from date of inspection for condition to date of exportation, both dates inclusive, must not exceed sixteen (16) days: *Provided,* That, upon request of the exporter indicating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time of such period.

(f) *Packaging.* All fresh winter pears to be exported under this program shall be suitably packed for export in a manner which shall reasonably assure their arrival in good condition in the country of destination. The winter pears shall be properly packed for export in new western standard pear boxes (inside dimensions, 8½" x 11½" x 18").

(g) *Re-entry or diversion.* The exporter shall undertake, as a part of his "Application for Export Payment," which is required in paragraph (c) of this section, that the winter pears exported under this program will thereafter not re-enter the United States or its territories or possessions, or be diverted to other than an approved country as listed in § 517.276, in fresh or processed form. In the event of such re-entry or diversion to other than an approved country, the exporter shall refund to the Secretary any export payment received under this offer with respect to the quantity so re-entered or diverted.

(h) *Final dates.* The final date for mailing or delivering Form FV–461, "Application for Export Payment," shall be 12:00 o'clock midnight June 30, 1952. The final date of export shall be 12:00 o'clock midnight June 30, 1952. The final date for filing claims for payment (§ 517.279) shall be 12:00 o'clock midnight July 31, 1952.

§ 517.279 *Claims supported by evidence of compliance.* (a) The exporter shall file claims for payment with the Representative of the Secretary with whom he filed Form FV–461, "Application for Export Payment," not later than the date specified in paragraph (h) of § 517.278: *Provided,* That, upon request of the exporter indicating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time for such filing. Each claim for payment shall be filed in an original and three copies on voucher Form FDA–564, "Public Voucher—Diversion Programs," and shall be supported by (1) two certified copies of the sales contract, (2) two certified copies of the sales invoice to the buyer showing the f. a. s. sales price less the payment to be made by the Secretary, (3) two copies of the on-board export bill of lading signed by an agent of the exporting carrier (except that where loss, destruction or damage occurs subsequent to loading on board exporting carrier but prior to issuance of on-board bill of lading, two copies of a loading tally sheet or similar document may be submitted in lieu of such bill of lading) and, in the case of exportation via Canada, two signed copies of the on-board bill of lading covering the movement from Canada, (4) the original (or a signed copy) and one copy of the inspection certificate(s) required in paragraph (e) of § 517.278, and (5) such other documents, if any, as may be required by the Secretary, evidencing purchase, sale and exportation of the commodity on which payment is claimed.

(b) The export bill of lading must show the quantity and description of the commodity in sufficient detail to relate the commodity loaded on board the export carrier to the commodity covered by the related inspection certificate, the date and place of loading, the fact that such commodity is on board, the destination of the commodity, and the name and address of both the exporter and consignee. If the shipper or consignor named in such bill of lading is other than the exporter (seller) named in Form FV–461, the exporter shall furnish with his claim a waiver by such shipper or consignor, in favor of such exporter, of any right to claim payment under this program for the commodity covered by such bill of lading.

(c) The foregoing required evidence will not be accepted as conclusive if the Secretary has reason to believe that exportation of all or any quantity of the winter pears was not actually accomplished or that there has not been compliance with other requirements of this offer, and in any such instance the Secretary may require such additional evidence as he deems reasonable and pertinent.

§ 517.280 *Records and accounts.* The exporter shall maintain adequate records showing purchases, sales, and deliveries of fresh winter pears exported or to

be exported in connection with this program. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved for at least two years after the effective date of this program.

§ 517.281 *Amendment and termination.* The Secretary may amend or terminate this program at any time upon public announcement thereof. Such amendment or termination, however, shall not apply to applications approved under the program prior to the effective time of such amendment or termination.

§ 517.282 *Persons not eligible.* No member of, or Delegate to, Congress or Resident Commissioner shall be admitted to any share or part of any contract made under this program or to any benefit that may arise therefrom, but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 517.283 *Set-off.* The Secretary may set off, against any amount owed to any exporter hereunder, any amount owed by such exporter to Commodity Credit Corporation, the United States Department of Agriculture, or any other agency of the United States.

§ 517.284 *Assignment.* No exporter shall, without the written consent of the Secretary, assign any claim of the exporter against the Secretary hereunder or make a lienholder a joint payee with respect to any such claim. With such consent, an exporter may assign, in accordance with the provisions of the Assignment of Claims Act of 1940, any claim for payment hereunder, or make a lienholder a joint payee with respect to any such claim. In case of such assignment, the Secretary may set off any claim against the exporter arising out of the exportation on which the assigned claim is based, and may set off any other claim of the United States against the exporter based on facts existing at the time of receipt of notice of assignment.

§ 517.285 *Definitions.* As used in this subpart, the following terms have the following meanings:

(a) "Secretary" means the Secretary of the United States Department of Agriculture, or any authorized Representative of the Secretary.

(b) "Exporter" means any individual, corporation, partnership, association, or other business entity, engaged in the business of selling and exporting fresh winter pears, produced and packed in the continental United States.

(c) "Sales contract" may be in the form of offer and acceptance, confirmation of sale or purchase, or other documentary evidence of consummation of sale including contracts between exporter and buyer.

(d) "Date of sale" means the date on which both buyer and seller signed a written contract, or the date on which buyer accepts an offer of sale or confirms the purchase, or the date on which the seller accepts an offer to purchase or confirms the sale. In the absence of documentary evidence establishing the date of consummation of sale the date of loading on board an export carrier will be considered to be the date sale was consummated.

(e) "F. a. s." means free alongside ship or other export carrier.

(f) "On-board export bill of lading" includes any bill of lading covering the exportation of winter pears from the United States.

(g) "Public announcement" and "public notice" mean the issuance of a press release or the publication of a notice in the FEDERAL REGISTER.

(h) "Filed" applications, claims and related documents are deemed to be filed when they are postmarked, if mailed, or when received by the Representative of the Secretary if otherwise delivered.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This offer shall be effective on August 14, 1951.

Dated this 10th day of August 1951.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 51-9637; Filed, Aug. 14, 1951; 8:48 a. m.]

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

DRIED PRUNE AND RAISIN EXPORT PROGRAM SMX 95B

Sec.

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AUTHORITY: §§ 518.330 to 518.351, issued under sec. 32, 49 Stat. 774, as amended; 7 U. S. C. 612c.

§ 518.330 *General statement.* In order to encourage the exportation from the United States of dried fruit, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, hereby announces a Dried Prune and Raisin Export Program, pursuant to which he will make payments upon the terms and conditions set forth in § 518.331 to § 518.351, inclusive, to United States exporters who comply therewith.

§ 518.331 *Definitions.* As used in this program, the following terms have the following meanings:

(a) "Secretary" means the Secretary of Agriculture of the United States, or any authorized Representative of the Secretary.

(b) "Dried fruit" means dried prunes except dried prunes canned in syrup, dried prunes in any pack of mixed dried fruit, natural sun-dried Thompson Seedless raisins, Golden Bleached Thompson Seedless raisins, or natural sun-dried Sultana raisins, processed and packed in the United States from fruit produced in the United States.

(c) "Exporter" means any individual, corporation, partnership, association, or other business entity, or any committee administering a Federal marketing agreement and order program regulating the handling of dried prunes or raisins, located within the continental United States, and selling and exporting dried fruit.

(d) "Exported" means that dried fruit, pursuant to a sale made under this program, was loaded on board an ocean carrier for shipment to an approved country as described in § 518.337.

(e) "Date of export" means the date on which dried fruit is loaded on board an ocean carrier. The date of the on-board ocean carrier bill of lading (or loading tally sheet, see § 518.343 (a)) shall be considered to be the date the dried fruit is loaded on board, unless an "on-board" date is shown.

(f) "Ocean carrier" means the vessel on which final shipment of dried fruit from the United States is made pursuant to a sale made under this program.

(g) "Sale" or "firm sales contract" includes a contract to sell and means a contract for the sale of dried fruit under which the seller is clearly obligated to sell and the buyer is clearly obligated to buy a definite quantity of dried fruit. The contract shall consist of a written instrument signed by the buyer and seller or a written offer and acceptance evidenced by an exchange of telegrams, cablegrams, or letters. This definition may include a sales contract entered into under this program by an exporter with a foreign buyer subject to the condition that the exporter's application for participation is approved by the Secretary or that the Secretary will make an export payment in connection with such sale.

(h) "Date of sale" means the date on which both buyer and seller signed a firm sales contract, or the date of written acceptance of either a written offer or counter offer to buy or sell by which a firm sales contract is effected.

(i) "Public announcement" means the issuance of a press release or the publication of a notice in the FEDERAL REGISTER.

§ 518.332 *Application for participation.* An application to participate in this program must be filed by the exporter with, and be approved by, E. M. Graham or James Poole, Representatives of the Secretary, Fruit and Vegetable Branch, U. S. Department of Agriculture, Washington 25, D. C., or W. Allmendinger or Anthony J. Tarlock, Rep-

resentatives of the Secretary, Fruit and Vegetable Branch, U. S. Department of Agriculture, P. O. Box 3638, 333 Fell Street, San Francisco 2, California, whichever is nearer the billing office of the exporter. Such application shall be made in quadruplicate on Form FV–466, "Application for Participation in Dried Prune and Raisin Export Program SMX 95b," with respect to a then existing firm sales contract. An exporter may file one or more applications, but each application shall relate to only one firm sales contract. The application must be received by the appropriate Representative of the Secretary named above in this section not later than the fourteenth calendar day following the date of sale, the second day (exclusive of Saturdays, Sundays, and holidays) prior to the date of export, or 2:00 p. m., e. s. t., June 23, 1952, whichever deadline is the earliest: *Provided,* That, upon the written request of the exporter stating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time for such receipt. All applications will be considered for approval in the order in which they are received, or on such other basis as is determined by the Secretary to be equitable, and as long as funds allocated to this program are available: *Provided,* That, with respect to Golden Bleached Thompson Seedless raisins, applications will be approved only up to a cumulative total of 12,000 tons, processed weight. The Secretary will give prompt notice to the exporter of the approval or nonapproval of his application, and will notify the exporter as promptly as possible after receipt of any executed Form FV–466 if any information shown in such form does not conform with the terms and conditions of this program. No payment will be made in excess of the sum indicated in the approved Form FV–466, unless the Secretary, upon written request by the exporter stating substantial reasons therefor, approves a larger amount. If a firm sales contract for which the Secretary has approved an application is modified in any respect, the exporter shall notify the Representative of the Secretary promptly of such modification. The Secretary will give prompt notice to the exporter of the approval or nonapproval of such modification.

§ 518.333 *Firm sales contracts.* The exporter must, on or after the effective date of this program and prior to 12 o'clock midnight, e. s. t., June 16, 1952, have entered into a firm sales contract (see § 518.331 (g)) covering the sale of dried fruit, as defined in § 518.331 (b), for exportation to an approved country as described in § 518.337.

§ 518.334 *Period for exportation.* Exportation from continental United States in fulfillment of the firm sales contract shall be accomplished on or after the date of sale and prior to 12 o'clock midnight, e. s. t., July 16, 1952.

§ 518.335 *Rates of payment.* The rates of payment on dried fruit sold for export and exported in conformity with the terms and conditions of this program shall be the lower of: (a) The applicable rate shown in the following tables, or (b) 35 percent of the gross sales price (computed before deduction of such payment) as determined by the Secretary, basis free alongside ship, United States ports of exportation: *Provided, however,* That if shipment from the packer's plant or warehouse in the state in which the dried fruit was produced to the nearest United States port from which dried fruit is customarily exported would result in a lower rate payable under this program, the dried fruit shall be deemed to have been exported from such nearest port.

PROCESSED PACKED DRIED PRUNES OR PROCESSED DRIED PRUNES IN ANY PACK OF MIXED DRIED FRUIT

Size	Packed point or number of prunes per pound	Rate per pound not processed packed weight (cents)
30/40 or larger	40 or less	3.25
40/50	41 to 50, inclusive	3.10
50/60	51 to 60, inclusive	2.95
60/70	61 to 70, inclusive	2.80
70/80	71 to 80, inclusive	2.65
80/90	81 to 90, inclusive	2.50
90/100	91 to 100, inclusive	2.35
100/120	101 to 120, inclusive	1.45

For odd sizes not shown under the heading "Size" above, the packed point or number of prunes per pound, as determined by inspection pursuant to § 518.340, shall determine the rate of payment in accordance with the above schedule.

Processed packed raisins:	*Rate per Pound net processed packed weight (cents)*
Natural sun-dried Thompson seedless	2.75
Golden bleached Thompson seedless	4.25
Natural sun-dried Sultanas	2.60

§ 518.336 *Net price to foreign buyer.* The net price per unit of weight charged the foreign buyer shall be established by deducting the applicable rate of export payment under this program from the gross sales price (as shown in the sales contract) of such unit of weight.

§ 518.337 *Approved countries.* Approved countries for dried fruit as defined in § 518.331 (b) sold for export and exported under this program include all foreign countries and their territories or dependent areas except Argentina, Australia, Canada, Chile, Cuba, Mexico, and Venezuela, and except those countries and areas listed in Subgroup A of Group R of the Comprehensive Export Schedule, issued by the Office of International Trade, U. S. Department of Commerce. In addition, Yugoslavia is not an approved foreign country for dried prunes or for dried prunes included in any pack of mixed dried fruit, and Cyprus, Greece (including Crete), Iran, Spain, Turkey, and the Union of South Africa are not approved foreign countries for raisins.

§ 518.338 *Re-entry, diversion, re-exportation, or loss.* If any quantity of dried fruit exported under this program re-enters the continental United States, or is diverted or re-exported to U. S. territories or possessions or is diverted or re-exported to other than approved countries as described in § 518.337, payment will be withheld by the Secretary or, if payment has already been made by the United States Government, the exporter shall refund the amount received on such quantity: *Provided,* That, if the dried fruit with respect to which payment may be withheld or refund required under this section is damaged after exportation, the payment withheld or refund required shall be an amount determined by the Secretary, which, however, shall not exceed the amount realized or which might reasonably be realized by the exporter over the net price at which he sold to the foreign buyer in the sales contract covered by the approved application. In case of complete loss or destruction of the dried fruit or any part thereof after exportation, without fault or negligence of the exporter, no refund of the payment shall be required for the quantity so lost or destroyed. The exporter shall notify the Secretary immediately upon becoming cognizant of any such re-entry, diversion or re-exportation of, or damage to, the dried fruit which has been exported under this program and shall furnish information as to any claim he may have in connection with such event.

§ 518.339 *Grades, sizes and moisture content.* Processed packed dried prunes sold for export and exported under this program shall meet the requirements of the minimum grade, or better, prescribed for such prunes under the Federal marketing agreement and order regulating the handling of dried prunes produced in California, and shall be size 100/120, or larger, as such sizes are defined in the latest applicable United States Standards for grades of dried prunes. The moisture content of dried prunes, shall, when packed in containers which do not completely enclose and seal the dried prunes, including but not limited to wood boxes or fibre boxes, be not more than 24 percent; in hermetically sealed cans, not more than 30 percent; in completely sealed cartons or bags, including but not limited to cellophane, pliofilm, metal-foil wrapped bags or cartons, not more than 28 percent: *Provided,* That, upon the written request of the exporter stating substantial reasons therefor, the Secretary may, if he deems it desirable, approve a higher moisture content for dried prunes packed in hermetically sealed cans or in completely sealed cartons or bags. The moisture content of dried prunes as referred to in this section means the percentage by weight of moisture in the finished product exclusive of pit. Processed dried prunes sold for export and exported under this program in any pack of mixed dried fruit also shall meet such grade and size requirements and the applicable moisture requirement. Within any size range of dried prunes the blend of sizes in a composite sample shall be "fairly uniform" as such term is defined in the latest applicable United States Standards for grades of dried prunes. Processed packed raisins sold for export and exported under this program shall meet the requirements of the minimum grade, or better, prescribed for such

raisins in Exhibit B of the Federal marketing agreement and order regulating the handling of raisins produced from raisin variety grapes grown in California. The color of Golden Bleached Thompson Seedless raisins shall be Extra Choice color, or better, as described in said Exhibit B. The moisture content of raisins shall not be more than 18 percent by weight.

§ 518.340 *Inspection.* With respect to dried fruit sold for export and exported under this program, the exporter shall furnish, at no expense to the Secretary, a certificate of inspection for each lot of dried prunes or raisins and for dried prunes in each lot of mixed dried fruit. The inspection certificate for dried prunes in each lot of mixed dried fruit shall show the net weight of mixed dried fruit in the container, the number of containers, and the percentage of the lot which is dried prunes. The inspection shall be performed by an inspector of the Processed Products Standardization and Inspection Division, United States Department of Agriculture. The period from date of inspection to date of exportation, both dates inclusive, must not exceed 16 calendar days: *Provided,* That, upon request of the exporter indicating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time of such period.

§ 518.341 *Shipping containers.* All dried fruit to be exported under this program shall be suitably packed for export in containers acceptable for export shipment in accordance with standard commercial practice for export and in a manner which will reasonably assure their arrival in good condition in the country of destination.

§ 518.342 *Filing claim for payment.* If the exporter's billing office is located in California, Nevada, Utah, or Arizona, he shall file claim for payment hereunder with the Director, San Francisco PMA Commodity Office, Production and Marketing Administration, United States Department of Agriculture, P. O. Box 3638, 333 Fell Street, San Francisco 2, California. If the exporter's billing office is located in Idaho, Oregon, or Washington, he shall file claim for payment hereunder with the Director, Portland PMA Commodity Office, Production and Marketing Administration, United States Department of Agriculture, Eastern Building, 515 SW. 10th Avenue, Portland 5, Oregon. If the exporter's billing office is located in any other state, he shall file claim for payment hereunder with the Director, New York PMA Commodity Office, Production and Marketing Administration, United States Department of Agriculture, 139 Centre Street, New York, 13, New York. Such claim shall be filed so that it will be received by the Director of the PMA Commodity Office concerned not later than 2:00 p. m., e. s. t., August 15, 1952: *Provided,* That, upon request of the exporter indicating substantial reasons therefor, the Secretary may, if he deems it desirable, grant an extension of time for such receipt. Each claim for payment shall be filed in an original and three copies on voucher Form FDA–564, "Public Voucher—Diversion Programs."

§ 518.343 *Proof of claim.* (a) Each claim for payment shall be supported by (1) two signed or certified copies of the sales contract, (2) two certified copies of the sales invoice to the buyer, (3) two copies of the applicable on-board ocean carrier bill of lading signed by an agent of the ocean carrier (except that where loss, destruction, or damage occurs subsequent to loading on board ocean carrier but prior to issuance of on-board bill of lading, two copies of a loading tally sheet or similar document may be submitted in lieu of such bill of lading), (4) the original or a signed copy and one copy of the inspection certificate required in § 518.340, (5) a certification in duplicate that the dried fruit has been sold for export to an approved country as described in § 518.337 and has been exported from the United States pursuant to such sale, and (6) such other documents, if any, as may be required by the Secretary as evidence of sale and exportation of the dried fruit on which payment is claimed.

(b) Each sales contract shall show the date of sale, the gross sales price per unit of weight (showing f. a. s. United States port, c. i. f. foreign port, or other basis of such price), the payment to be made to the exporter by the Secretary, the net price per unit of weight to the foreign buyer, the quantity (net weight) of the dried prunes or raisins sold, and the country of destination. For dried prunes in any pack of mixed dried fruit, each sales contract shall show the information required in the preceding sentence for dried prunes in the mixture.

(c) Each on-board ocean carrier bill of lading shall show the number of boxes, markings, and gross weight, the date and place of loading on vessel, the name of the vessel, the destination of the dried fruit, and the name and address of both the person exporting the dried fruit and the person to whom it is shipped. If the shipper or consignor named in such bill of lading is other than the exporter (seller) named in the sales contract, the exporter shall furnish with his claim a waiver by such shipper or consignor of any right to claim payment under this program for exportation of the quantity of dried fruit covered by such bill of lading. If the bill of lading shows the name of a consignee different from that appearing as the buyer on the contract under which the bill of lading is made, the exporter shall accompany his claim on the exportation covered by such bill of lading with a certification in duplicate that the shipment under that bill of lading is to the buyer named in the contract and is made pursuant to that contract.

§ 518.344 *Records and accounts.* Each exporter shall maintain accurate records showing all of his transactions in connection with dried fruit sold for export and exported under this program, including records of sales and deliveries. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved until at least August 15, 1954.

§ 518.345 *Set-off.* The Secretary may set off, against any amount owed to any exporter under this program, any amount owed by such exporter to Commodity Credit Corporation, the United States Department of Agriculture, or any other agency of the United States.

§ 518.346 *Assignment.* No exporter shall, without the written consent of the Secretary, assign any claim of the exporter against the Secretary under this program or make a lienholder a joint payee with respect to any such claim. With such consent, an exporter may assign, in accordance with the provisions of the Assignment of Claims Act of 1940, as amended, any claim for payment under this program, or make a lienholder a joint payee with respect to any such claim. In case of such assignment, the Secretary may set off any claim against the exporter arising out of the exportation on which the assigned claim is based, and may set off any other claim of the United States against the exporter based on facts existing at the time of receipt of the notice of assignment.

§ 518.347 *Amendment.* This program may be amended by the Secretary at any time by public announcement of such amendment. Notice of any amendment will be transmitted promptly to every exporter participating in the program on record with the Secretary. No amendment which is adverse to the interest of the exporter shall be made applicable to any firm sales contract for which any application has been approved by the Secretary prior to the effective date of such amendment.

§ 518.348 *Termination.* This program may be terminated by the Secretary at any time by public announcement of such termination. Notice of termination will be transmitted promptly to every exporter participating in the program on record with the Secretary. Termination shall not be applicable to any firm sales contract for which an application has been approved by the Secretary.

§ 518.349 *Persons not eligible for payment.* (a) Payments under this program will not be made to any department, agency, or establishment of the United States Government administering any law providing for the furnishing of assistance or relief to foreign countries.

(b) No member of or delegate to Congress, or resident Commissioner shall be admitted to any share or part of any contract resulting from this program or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such a contract if made with a corporation for its general benefit.

§ 518.350 *Good faith.* If the Secretary determines that any exporter has not acted in good faith in connection with any transaction under this program or has failed to discharge fully any obligation assumed by him under this program, such exporter may be denied the

right to continue participating in this program or the right to receive payment under this program in connection with any sales previously made under this program, or both.

§ 518.351 *Information and forms.* Information pertaining to operation of this program and forms prescribed for use thereunder can be obtained from the following:

E. M. Graham or James Poole, Representatives of the Secretary, Fruit and Vegetable Branch, PMA, U. S. Department of Agriculture, Washington 25, D. C., Tel. No. REpublic 4142, Ext. 5053.

W. Allmendinger or Anthony J. Tarlock, Representatives of the Secretary, Fruit and Vegetable Branch, PMA, U. S. Department of Agriculture, P. O. Box 3638, 333 Fell Street, San Francisco 2, Calif., Tel. No. UNderhill 1-2428.

W. J. Broadhead, Fruit and Vegetable Branch, PMA, U. S. Department of Agriculture, 515 Southwest Tenth Avenue, Portland 5, Oreg., Tel. No. ATwater 7131, Ext. 32 and 33.

C. A. Halnan, Director, New York City Office for Marketing, U. S. Department of Agriculture, 90 Church Street, Room 620, New York 7, N. Y., Tel. No. REctor 29100, Ext. 8494.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This program shall be effective at 12:01 a. m., c. s. t., August 15, 1951.

Dated this 10th day of August 1951.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 51-9700; Filed, Aug. 14, 1951; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 814.5, Amdt. 2]

PART 814—ALLOTMENT OF SUGAR QUOTAS

PUERTO RICO 1951

Basis and purpose. This amendment is issued under section 205 (a) of the Sugar Act of 1948 (hereinafter called the "act") for the purpose of revising § 814.5, as amended (16 F. R. 1668; 16 F. R. 4926) which allots the 1951 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar transferred for further processing and shipment within the direct-consumption portion of such quota) and the 1951 sugar quota for local consumption in Puerto Rico among persons (1) whose Puerto Rican raw sugar is brought into the continental United States or who transfer such sugar for further processing and shipment to the continental United States as direct-consumption sugar, and (2) who market sugar for local consumption in Puerto Rico.

The sugar quota for Puerto Rico for consumption in the continental United States is referred to herein as "mainland quota" and allotments thereof are referred to as "mainland allotments". The sugar quota for consumption in Puerto Rico and allotments thereof are referred to respectively as "local quota" and "local allotments".

The allotments established by the initial order and Amendment 1 were based in part upon estimates of production of sugar from the 1950-51 crop by each allottee and to guard against the possibility of a processor exceeding its final allotment, the amount which could be marketed was limited to 75 percent of the initial allotment, and later to 85 percent of the amended allotment.

Each allottee under § 814.5 agreed to waive its right to a public hearing prior to the issuance of a revised order based upon the same allotment formula as the initial order but using final 1950-51 crop production data in place of the estimated data used in the initial order.

Such actual production data are now available and this amendment provides for the substitution of the actual data. However, the revised allotments are determined by the use of the same formula as that utilized in determining the initial allotments.

This amendment also removes the restriction on marketings prior to September 1, 1951, so that the full amounts of the allotments established herein may be marketed at any time during the remainder of the calendar year. The previous allotment order limits marketings prior to September 1, 1951, to 85 percent of the allotments. Since a number of allottees have already marketed 85 percent of their initial allotments, they are precluded from marketing additional quantities of sugar until this amendment becomes effective. It is imperative, therefore, that this amendment become effective at the earliest possible date in order to permit continued orderly marketing of sugar. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237), is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, § 814.5 is hereby amended to read as follows:

§ 814.5 *Allotments of 1951 sugar quotas for Puerto Rico*—(a) *Allotments.* The 1951 sugar quota for Puerto Rico for consumption in the continental United States, including raw sugar to be further processed and shipped within the direct-consumption portion of such quota, amounting to 910,000 short tons of sugar, raw value, and the 1951 sugar quota for local consumption in Puerto Rico, amounting to 110,000 short tons of sugar, raw value, are hereby allotted to the following processors in amounts which appear opposite their respective names:

[Short tons, raw value]

Processor	Mainland allotment	Local allotment
Antonio Roig, Succsores, S. en C.	20,371	23,308
Arturo Lluberas (estate of) y Sobrinos (San Francisco)	4,275	1,730
Asociacion Azucarera Cooperativa (Lafaycttc)	30,241	847
Central Aguirre Sugar Co., a trust	99,289	1,916
Central Coloso, Inc	48,746	855
Central Eureka, Inc	30,328	1,486
Central Guamani, Inc	8,076	1,139
Central Igualdad, Inc	21,517	18,147
Central Juanita, Inc	26,992	2,561
Central Mercedita, Inc	48,888	18,409
Central Monserrate, Inc	20,715	1,315
Central San Jose, Inc	16,949	20
Central San Vicente, Inc	44,501	1,857
Central Victoria, Inc	17,789	225
Compania Azucarera del Camuy, Inc. (Rio Llano)	12,135	108
Compania Azucarera del Tea	24,348	
Cooperativa Azucarera Los Canos	29,468	123
Corporacion Azucarera Sauri & Subtra (Constancia Ponce)	9,841	1,571
Eastern Sugar Associates, a trust	94,002	15,139
Fajardo Sugar Company	81,816	2
Land Authority of Puerto Rico	61,411	14
Mario Mercado e Hijos (Rufina)	25,564	1,438
Mayaguez Sugar Co., Inc. (Rochelaise)	9,703	169
Plata Sugar Co	39,188	516
Seller Sugar Co	11,751	15
South Porto Rico Sugar Co. of Puerto Rico	72,096	17,090
Total	910,000	110,000

(b) *Producers' marketings under allotments.* If settlement with producers of sugarcane is made in sugar, marketings of such sugar of such producers shall be charged to the allotments of the processor. Each processor shall reserve a share of each of its allotments for the marketings of each such producer. Such share shall be equal to the same percentage of the allotment that the producer's 1950-51-crop sugar is of the processor's total production of 1950-51-crop sugar.

(c) *Restrictions on marketing.* (1) Each processor named in paragraph (a) of this section, together with the producers with whom it shares its allotments under paragraph (b) of this section, is hereby prohibited from bringing into the continental United States for consumption therein or marketing for that purpose, or from marketing for local consumption in Puerto Rico, any sugar in excess of the allotments established in paragraph (a) of this section.

(2) During the calendar year 1951, all persons who acquire raw sugar for further processing and resale as direct-consumption sugar are hereby prohibited from marketing sugar for local consumption in Puerto Rico in excess of the sum of (i) the quantity of sugar acquired for this purpose under the limitations specified in § 814.3 (15 F. R. 2400, 3982, 5153, 5791) and held in inventory on December 31, 1950, and (ii) the quantity of sugar acquired for such purpose within the limits specified in this section.

(d) *Transfer or exchange of allotments.* The allotments established in paragraph (a) of this section, or producers' shares thereof established under paragraph (b) of this section shall not be transferred or exchanged without the approval of the Director or Assistant Director of the Caribbean Area Office,

Production and Marketing Administration, United States Department of Agriculture, Segarra Building, Santurce, Puerto Rico.

(e) *Specific charges against allotments.* Sugar produced in Puerto Rico which is brought into the continental United States for consumption therein or marketed for local consumption in Puerto Rico after December 31, 1950, but prior to the effective date of this order shall be charged to the applicable allotment of the processor who processed such sugar.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 205, 61 Stat. 926; 7 U. S. C. Sup., 1115)

Done at Washington, D. C., this 10th day of August 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] C. J. McCORMICK, *Acting Secretary.*

[F. R. Doc. 51-9699; Filed, Aug. 14, 1951; 8:54 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 42-8]

PART 42—IRREGULAR AIR CARRIER AND CFF-ROUTE RULES

RADIO EQUIPMENT FOR LARGE AIRCRAFT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of August 1951.

Part 42 currently makes specific provision for the character of radio equipment which shall be carried by large aircraft under various operating conditions, but does not now specify its quality. Experience indicates that a higher level of safety is necessary and can be obtained if quality requirements are established comparable to those established for scheduled carriers. This amendment of Part 42 is intended to prescribe approved type equipment in order to authorize the Civil Aeronautics Administration to require type-certificated radio equipment for both communications and navigational purposes on all large aircraft.

It is apparent that some noncertificated radio equipment currently used in large irregular aircraft may be shown to comply with Part 16 of the Civil Air Regulations governing the type certification of radio equipment. Air carriers using such noncertificated radio equipment should make application to CAA for approval. An effective date of December 31, 1953, is allowed for conversion to type-certificated equipment. This date coincides with that for compliance with the T-Category requirements of this part for the operation of large passenger-carrying airplanes.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 42 (14 CFR Part 42, as amended) effective September 12, 1951.

By amending § 42.23 to read as follows:

§ 42.23 *Radio communications system and navigational equipment for large aircraft.* In lieu of the radio communications system and navigational equipment specified in § 42.21 (b) (7) and (c) (2), the following shall be required in large aircraft for the type of operations specified. After December 31, 1953, the radio equipment required under paragraphs (a) and (b) of this section shall be of approved types:

(a) For day VFR operations over routes on which navigation can be accomplished by visual reference to landmarks, each aircraft shall be equipped with such radio equipment as is necessary to accomplish the following:

(1) Transmit to at least one appropriate ground station from any point on the route and transmit to airport traffic control towers from a distance of not less than 25 miles,

(2) Receive communications at any point on the route,

(3) By either of two independent means, receive meteorological information at any point on the route and receive instructions from airport traffic control towers.

(b) For day VFR operations over routes on which navigation cannot be accomplished by visual reference to landmarks, for night VFR, or for IFR operations, each aircraft shall be equipped as specified in paragraphs (a) (1), (2), and (3) of this section, and in addition shall be equipped with at least one marker beacon receiver and with such radio equipment as is necessary to receive satisfactorily, by either of two independent means, radio navigational signals from any other radio aid to navigation intended to be used. For operations outside the United States each aircraft operated for long distances over water or uninhabited terrain shall be equipped with two independent means of transmitting to at least one appropriate ground station from any point on the route.

(c) If appropriate, one of the means provided for compliance with paragraph (a) (3) of this section may be employed for compliance with paragraph (a) (2) of this section, and the means provided for compliance with the requirements of paragraph (b) of this section may be employed for compliance with paragraphs (a) (1) and (3) of this section.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009; 49 U. S. C. 551, 553)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 51-9681; Filed, Aug. 14, 1951; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Revision of Export Regs.; Amdt. 69 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT

MISCELLANEOUS AMENDMENTS

1. Section 373.23 *Special provisions for exportations to Sweden* is amended to read as follows:

§ 373.23 *Special provisions for exportations to Sweden and the Belgian Congo.* Each applicant for a license to export commodities to Sweden or the Belgian Congo shall show, in item 5 of the application, Form IT-419, the number of the import license or other import authorization upon which his application is based.

This part of the amendment shall become effective as of August 9, 1951.

2. Section 380.2 *Amendments or alterations of licenses* is amended in the following particulars:

The note following paragraph (e) *Price amendments,* is amended to read as follows:

NOTE: Where the Positive List does not indicate a unit of quantity for a specific commodity, the commodity shall be deemed to be licensed in quantities determined by dollar value only, even though a unit of quantity is shown on the license.

In such instances any increase in total dollar value must be made by amendment as provided for under § 380.2 (a) (2). Shipments against such licenses will be charged in terms of dollars as shown on the shipper's export declaration and the value shown on the shipper's export declaration shall not exceed the total value shown on the license.

When commodities are licensed in quantities determined only by the dollar value indicated on the license, price increases, transportation and warehousing charges, etc. occurring between the date of validation of the license and the date of the export declaration may have the effect of reducing the physical quantity which may be exported.

This part of the amendment shall become effective as of August 9, 1951.

3. Section 398.3 *DO (Priority) ratings for replacement parts and accessories for machinery and equipment (MRO) for export* is amended to read as follows:

§ 398.3 *DO-MRO priority ratings for maintenance, repair, and operating supplies for export*—(a) *Authority.* The

[1] This amendment was published in Current Export Bulletin No. 633, dated August 9, 1951.

procedure described in this section is authorized by National Production Authority Order M–79 which sets forth the manner and extent to which exporters may apply the DO-MRO priority rating to assist them in securing certain maintenance, repair, and operating supplies for export and use abroad for stated purposes.

(b) *Manufacturing exporters.* (1) The NPA order mentioned in paragraph (a) of this section assigns and establishes a quarterly MRO export quota for every manufacturer of maintenance, repair and operating supplies, as defined by such order, who, in 1950 delivered for export (i. e., exported directly or through others or delivered to others for export) to any country, other than Canada and Subgroup A countries, a quantity of such supplies of his own manufacture having an aggregate sales value in excess of $10,000. This quarterly quota equals 30 percent of the dollar value of all such MRO supplies so delivered in the year 1950. However, if a manufacturer elects to figure his quota on a seasonal basis, his quota each quarter is 120 percent of the dollar value of all such MRO supplies so delivered during the corresponding season (quarter) of the year 1950. Every such manufacturer is required to make available for export during each calendar quarter the full amount of his MRO export quota. The manufacturer may make his MRO export quota available for export either by making direct export sales, by selling through one or more designated sales representatives, by selling to non-manufacturing exporters, or by any combination of these methods. NPA and OIT expect, however, that the manufacturer's customary pattern of distribution will be followed.

(2) On or before September 1, 1951, each manufacturer for whom a quarterly MRO export quota is assigned and established by NPA Order M–79 shall prepare and submit to the Office of International Trade a signed report in duplicate, on Form IT–833. All the terms, conditions, provisions, and instructions, including the certification, contained in or issued in connection with such Form IT–833 are hereby incorporated as a part of this regulation with the same force and effect as if set forth in full herein.

Special note should be made that a manufacturer in computing his 1950 deliveries for export must not include any items delivered for use abroad for personal or household purposes or, insofar as replacement parts are concerned, any items delivered for use abroad for other than replacement purposes. Where precise knowledge as to foreign end-use is lacking, estimates may be made, but in such cases the manufacturer must include in his report a statement showing what estimates he has made, what were his total sales for export of the category in question, and the basis upon which his estimates are made.

(3) Under the terms of NPA Order M–79, effective August 9, 1951, any manufacturer for whom a quarterly MRO export quota is assigned and established under such order has the right to use the DO–MRO priority rating to the full dollar value of such quota each quarter without further authorization, unless and until notified to the contrary by the National Production Authority or the Office of International Trade. (Such notification may be by return to the manufacturer of his form IT–833 revised by OIT, or by letter, or by amendment of the regulations.)

(c) *Exporters other than manufacturers.* The National Production Authority has authorized exporters who are not manufacturers (as defined in section 4 of the order), and who have obtained an order from a foreign customer for an MRO item which is demonstrably needed for other than personal or household purposes, but find that they are unable without a rating to secure such item from sources available to them, to apply to the Office of International Trade for priorities assistance. In such cases, the exporter shall prepare and submit to the Office of International Trade, a Form IT–834, in duplicate. One copy will be returned to the exporter, indicating the action taken on his request. If approved, the authenticated form will assign to the exporter the right to apply a DO–MRO rating to procure the materials specified on the form up to the dollar value shown thereon. Section 7 of NPA Order M–79 explains the manner in which the DO–MRO rating is to be applied by the exporter.

(d) *Export license requirements.* Section 12 of NPA Order M–79, provides that in the case of commodities for which a validated license is required for export to the proposed country of destination no person may apply the DO–MRO rating to any order unless he has been granted and then holds an unexpired validated license covering the exporation.

(e) *Scope.* Attention of manufacturers and exporters is called to the fact that the definition of MRO supplies contained in NPA Order M–79 is somewhat different from the description of MRO set forth in National Production Authority's CMP Regulation 5. Sections 2, 3, and 10 of NPA Order M–79 explain specifically which items are included therein and also lists items which are specifically excluded. Special attention is called to the fact that the items are included only as far as the end-use abroad is for other than personal or household purposes. For the convenience of exporters, a listing of all items specifically excluded from the terms of the order as now written is given below. This list is, of course, subject to change from time to time. The order, among other things, excludes controlled materials; exporters desiring to export controlled materials or CMP Class A Products for MRO use abroad should file applications for priority assistance as provided in § 398.5.

EXCLUDED ITEMS (SPECIFICALLY LISTED IN NPA ORDER M–79)

All MRO supplies for personal or household use. Materials listed in List A of NPA Reg. 2 as such list may be amended or supplemented from time to time.

Excluded items. List A, NPA Reg. 2 as amended July 17, 1951:

Communications services.
Crushed stone.
Gravel.
Sand.
Scrap.
Slag.
Steam heat, central.
Certain transportation services, as defined in List A.
Waste paper.
Water.
Wood pulp.
Solid fuels: All forms of anthracite, bituminous, sub-bituminous, and lignitic coals, and coke and its by-products.
Gas and gas pipelines: Natural gas, manufactured gas, and pipelines for the movement thereof.
Petroleum and petroleum pipelines: Crude oil, synthetic liquid fuel, their products and associated hydrocarbons, including pipelines for the movement thereof.
Electric power: All forms of electric power and energy.
Radioisotopes, stable isotopes, source and fissionable materials.
Farm equipment: Domestic distribution of equipment manufactured for use on farms in connection with the production or processing of food. Such equipment includes, but is not limited to, the items listed in Schedule I of NPA Order M–55A as the same may be amended or supplemented from time to time.
Fertilizer, commercial: In form for distribution to users.
Food, except in certain cases where used industrially (refer to List A itself for further definition).
Transportation services (domestic) storage and port facilities.
Products (production and distribution) used in the petroleum industry and listed in NPA Delegation 9 (February 26, 1951) as follows:
(1) Tetraethyl lead fluid.
(2) Petroleum cracking catalysts.
(3) Special inhibitors used in gasoline.
(4) Lubricating oil additives.
(5) Fluids and additives made especially for oil and gas drilling, and demulsifiers.
Ores, minerals, concentrates, residues, and other products (until processing is completed) listed in NPA Delegation 5 (May 22, 1951).

Materials listed in Schedule I of CMP Regulation 5, as such regulation may be amended or supplemented from time to time.

Excluded items: Schedule I of CMP Reg. 5 as amended July 17, 1951:

All basic, organic, or inorganic chemicals, their intermediates and derivatives other than compounded end-products not customarily sold as chemicals.
Products appearing in List A of NPA Order M–47A, as that order may be amended from time to time (except in item 28 of Section VIII of List A), or in List B of said order (except painters' and industrial brushes, as defined in NPA Order M–18, as that order may be amended from time to time).

NOTE: This very lengthy list encompasses mainly "consumers' goods" incorporating metals, and includes such items as metal and wood household furniture, store fixtures, office furniture, partitions, shelving, lockers and fixtures, household appliances, machines and equipment, utensils and cutlery, radios, television, and phonographs, transportation equipment, etc.
Nylon fibers and yarns.
Packaging materials and containers.
Paint, lacquer, and varnish.
Paper and paper products.
Paperboard and paperboard products.
Printed matter.

Photographic film.
Rails, tie plates, track spikes, splice bars, rail joints, frogs, and switches (See NPA Order M-73).
Rubber tires and tubes.

Controlled materials as defined in section 2 (c) of CMP Reg. No. 1 as such regulation may be amended or supplemented from time to time. (For specific listing, refer to § 398.3).

Farm equipment including (but not limited to) the items listed in Schedule I of NPA Order M-55A as issued May 11, 1951. (Repair parts for this equipment are excluded from the scope of the MRO export order.)

Excluded items. Schedule I of NPA Order M-55A as amended May 11, 1911 (Main headings only are listed, refer to M-55A for complete list of items):

Planting, seeding, and fertilizing machinery.
Farm plows and listers.
Harrows, rollers, pulverizers, and stalk cutters.
Cultivators and weeders.
Farm sprayers, dusters, and orchard heaters.
Harvesting machinery.
Farm haying machinery.
Machines for preparing crops for market or use.
Farm elevators and blowers.
Tractors.
Farm wagons, gears, and trucks (not motor).
Domestic water systems (farm type).
Farm pumps and windmills.
Irrigation equipment.
Dairy farm machines and equipment.
Barn and barnyard equipment.
Farm poultry equipment.
Miscellaneous farm equipment.
Attachments and repair parts specially designed for the above listed equipment.

Parts and accessories for aircraft or for ground equipment for servicing aircraft, and any components of either.

Repair and replacement parts for construction machinery given in List A of NPA Order M-43, as such list may be amended or supplemented from time to time.

Excluded items. List A of M-43 as amended March 2, 1951:

Bituminous equipment:
  Asphalt plants.
  Bituminous mixing plants.
  Dryers.
  Patching plants.
  Pavers.
  Distributors.
  Spreaders and finishers.
Compressors: Portable air compressors.
Crushing equipment:
  Crushers.
  Conveyors.
  Screens.
Concrete equipment:
  Batching plants.
  Mixers.
  Truck mixers.
  Pavers.
  Spreading and finishing machines.
Cranes, Shovels, and Excavators (Commercial sizes, from three-eighths cubic yard to two and one-half cubic yards):
  Large shovels.
  Dredges.
  Hoists and derricks.
  Buckets.
  Trenchers.
Drills:
  Air.
  Portable well.
  Earth-boring machines.
  Deep well drills.
Loaders:
  Bucket.
  Front end.
Motor graders: Any and all.
Pumps: Pumps, contractors.
Rollers and compactors: Any and all.
Scrapers: Scrapers, hauling.
Tractors: All tractors for construction.
Tractor allied equipment:
  Dozers.
  Front-end attachments.
  Power control units.
  Snow plows.
Trucks and trailers: Trucks and trailers, off-highway hauling equipment.

NOTE: 1. Attention of manufacturers is especially called to section 8 of NPA Order M-79, which establishes the rules for making charges against their quarterly MRO export quotas. Section 9 explains the manner in which a manufacturer may extend the DO-MRO rating authorized by the order, to secure certain materials and components needed to manufacture the rated items or to replace inventory so used.

2. Copies of all forms of the Office of International Trade may be obtained from the Department of Commerce Field Offices and from the Office of International Trade, Washington 25, D. C.

3. National Production Authority Order M-79 is contained in Supplement 1 to Part 398.

4. The procedure described in § 398.4 may be employed to apply for supply or priorities assistance with regard to certain maintenance, repair, and operating supplies that are excluded from NPA Order M-79, until such time as specific programs may be established to meet export needs for certain of the excluded items. Special provisions are contained in § 398.2 for MRO supplies for foreign serialized mines, and in § 398.1 for foreign civil commercial aircraft.

This part of the amendment shall become effective as of August 9, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-9673; Filed, Aug. 14, 1951; 8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5805]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HENRY MODELL & CO., INC., ET AL.

Subpart—*Advertising falsely or misleadingly*: § 3.30 *Composition of goods*; § 3.135 *Nature—Product or service.* In connection with the offering for sale, sale and distribution of respondent's blankets and other merchandise in commerce, (1) misrepresenting in any way the constituent fiber or material used in its merchandise or the respective percentages thereof; (2) describing, designating or in any way referring to any product or portion of a product which is "reprocessed wool" or "reused wool" as "wool"; or, (3) using the word "wool" to describe, designate or in any way refer to any product or portion of a product which is not the fiber from the fleece of the sheep or lamb, or hair of the Angora or Cashmere goat, or hair of the camel, alpaca, llama or vicuna which has never been reclaimed from any woven or felted product; prohibited, subject to the provision, however, that nothing contained in the order shall prohibit the use of the terms "reprocessed wool" or "reused wool" when the products or those portions thereof referred to are composed of such fibers.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 46) [Cease and desist order, Henry Modell & Company, Inc., et al., Docket 5805, May 12, 1951]

In the Matter of Henry Modell & Company, Inc., et al.

This proceeding was heard by John W. Addison, trial examiner, upon the complaint of the Commission, respondents' answer thereto, certain hearings at which counsel supporting the complaint rested after the introduction of testimony and other evidence in support of the allegations thereof, and certain proposed findings, conclusion, and orders to cease and desist in which, to obviate further hearings, counsel for respondents joined with counsel supporting the complaint, and which were upon the express reservation of right to withdraw the proposals and introduce testimony in the event that the proposals were not adopted by the trial examiner or that the Commission did not approve of them, the introduction of testimony on behalf of respondents being waived, however, in the event the proposals and reservation were acceptable.

Thereafter the proceeding regularly came on for final consideration by said trial examiner, theretofore duly designated by the Commission, on the complaint, the answer thereto, testimony and other evidence, proposed findings as to the facts, conclusions and order presented by opposing counsel jointly (oral argument not having been requested), and said trial examiner having duly considered the record in the matter and having found that the proceeding was in the interest of the public, and that the proposals jointly filed by opposing counsel were in accord with the testimony and adequately covered all material allegations in the complaint, adopted the same with minor verbal changes as the basis for his findings as to the facts, and made his initial decision comprising his said findings, conclusion drawn therefrom and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, and said order of dismissal, accordingly, under the provisions of said Rule XXII became the decision of the Commission on May 12, 1951.

The said order to cease and desist is as follows:

It is ordered, That the respondents, Henry Modell & Company, Inc., a corporation, and its officers, and Henry Modell, Rose Modell and William Modell, and their representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of its blankets and other merchan-

dise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Misrepresenting in any way the constituent fiber or material used in its merchandise or the respective percentages thereof;

2. Describing, designating or in any way referring to any product or portion of a product which is "reprocessed wool" or "reused wool" as "wool";

3. Using the word "wool" to describe, designate or in any way refer to any product or portion of a product which is not the fiber from the fleece of the sheep or lamb, or hair of the Angora or Cashmere goat, or hair of the camel, alpaca, llama or vicuna which has never been reclaimed from any woven or felted product; provided however, nothing herein shall prohibit the use of the terms "reprocessed wool" or "reused wool" when the products or those portions thereof referred to are composed of such fibers.

By "Decision of the Commission and order to File Report of Compliance", Docket 5805, which announced and decreed fruition of said initial decision, report of compliance with said order to cease and desist was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: May 11, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-9628; Filed, Aug. 14, 1951; 8:48 a. m.]

[Docket 5826]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

S. WAXMAN ET AL.

Subpart—*Misbranding or mislabeling:* § 3.1190 *Composition: Wool Products Labeling Act.* § 3.1325 *Source or origin—Wool Products Labeling Act.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1845 *Composition—Wool Products Labeling Act;* § 3.1900 *Source or origin—Wool Products Labeling Act.* In connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution of wool products in commerce, misbranding ladies' coats or other "wool products," as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said Act, by failing to securely affix to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner, (a) the percentage of the total fiber weight of such wool products, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total fiber weight of such wool product of any nonfibrous loading, filling, or adulterating matter; (c) the percentage in words and figures plainly legible by weight of the wool contents of such wool products where said wool product contains a fiber other than wool; and, (d) the name of the manufacturer of the wool product or the name of one or more persons subject to section 3 of the Wool Products Labeling Act of 1939, with respect to such wool product or the registered identification number of such person or persons as provided for in Rule 4 of the Regulations of such Act, as amended; prohibited, subject to the provision, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by Paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provision of said Act or the Rules and Regulations promulgated thereunder.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpts or applies sec. 5, 38 Stat. 719, 15 U. S. C. 45b) [Cease and desist order, S Waxman et al. trading as Sandy Fashions, Docket 5826, May 18, 1951]

In the Matter of S. Waxman et al. Trading as Sandy Fashions

This proceeding was heard by Henry P. Alden, trial examiner, theretofore duly designated by the Commission, upon the complaint of the Commission and the answer of the respondents in which they admitted all of the material allegations of fact set forth in the complaint and waived all intervening procedure and further hearing as to the facts for the purpose of the proceeding, the enforcement or review thereof in the Court of Appeals, and for any review thereof in the Supreme Court of the United States, or for any other court proceedings in connection therewith which might be brought or instituted by virtue of the authority contained in the Federal Trade Commission Act, as amended and approved March 31, 1938.

Thereafter the proceeding regularly came on for consideration by said trial examiner upon the complaint and answer thereto, and said trial examiner, having duly considered the record in the matter and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on May 18, 1951.

The said order to cease and desist is as follows:

It is ordered, That the respondents, S. Waxman and Oscar Stein, individually and as partners trading as Sandy Fashions or under any other name, their agents, representatives and employees, directly or through any other device, in connection with the introduction or manufacture for introduction into commerce, or the sale, transportation or distribution of such wool products in commerce, as "commerce" is defined in the aforesaid acts, do forthwith cease and desist from misbranding ladies' coats or other "wool products," as defined in and subject to the Wool Products Labeling Act of 1939, which contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool," or "reused wool," as those terms are defined in said Act, by failing to securely affix to or place on such products a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool products, exclusive of ornamentation not exceeding five percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total fiber weight of such wool product of any nonfibrous loading, filling, or adulterating matter;

(c) The percentage in words and figures plainly legible by weight of the wool contents of such wool products where said wool product contains a fiber other than wool;

(d) The name of the manufacturer of the wool product or the name of one or more persons subject to section 3 of the Wool Products Labeling Act of 1939, with respect to such wool product or the registered identification number of such person or persons as provided for in Rule 4 of the Regulations of such act, as amended;

Provided, That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by Paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and *Provided further,* That nothing contained in this order shall be construed as limiting any applicable provision of said Act or the Rules and Regulations promulgated thereunder.

By "Decision of the Commission and order to File Report of Compliance", Docket 5826, May 18, 1951, which announced and decreed fruition of said initial decision, report of compliance with the said order was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and

form in which they have complied with the order to cease and desist.

Issued: May 18, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-9629; Filed, Aug. 14, 1951; 8:48 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[Regs. 111; T. D. 5851]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

AMORTIZATION OF EMERGENCY FACILITIES

On April 13, 1951, notice of proposed rule making, regarding amendments to Regulations 111 (26 CFR Part 29) made necessary by section 216 of the Revenue Act of 1950, approved September 23, 1950, was published in the FEDERAL REGISTER (16 F. R. 3256). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments to such regulations set forth below are hereby adopted.

PARAGRAPH 1. There is inserted immediately following section 23 (t) the following:

SEC. 216. AMORTIZATION OF EMERGENCY FACILITIES [REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950].

* * * * *

(b) *Technical amendments.* Section 23 (t) is hereby amended by striking out "section 124" and inserting in lieu thereof "section 124 and section 124A".

* * * * *

(d) *Effective dates.* The amendments made by this section shall be applicable with respect to taxable years ending after December 31, 1949.

PAR. 2. There is inserted immediately following § 29.124-10 the following:

SEC. 216. AMORTIZATION OF EMERGENCY FACILITIES (REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950).

(a) *Amortization deduction.* Chapter 1 is hereby amended by inserting after section 124 the following:

SEC. 124A. AMORTIZATION DEDUCTION.

(a) *General rule.* Every person, at his election, shall be entitled to a deduction with respect to the amortization of the adjusted basis (for determining gain) of any emergency facility (as defined in subsection (d)), based on a period of sixty months. Such amortization deduction shall be an amount, with respect to each month of such period within the taxable year, equal to the adjusted basis of the facility at the end of such month divided by the number of months (including the month for which the deduction is computed) remaining in the period. Such adjusted basis at the end of the month shall be computed without regard to the amortization deduction for such month. The amortization deduction above provided with respect to any month shall, except to the extent provided in subsection (f) of this section, be in lieu of the deduction with respect to such facility for such month provided by section 23 (l), relating to exhaustion, wear and tear, and obsolescence. The sixty-month period shall begin as to any emergency facility, at the election of the taxpayer, with the month following the month in which the facility was completed or acquired, or with the succeeding taxable year.

(b) *Election of amortization.* The election of the taxpayer to take the amortization deduction and to begin the sixty-month period with the month following the month in which the facility was completed or acquired, or with the taxable year succeeding the taxable year in which such facility was completed or acquired, shall be made by filing with the Secretary, in such manner, in such form, and within such time, as the Secretary may by regulations prescribe, a statement of such election.

(c) *Termination of amortization deduction.* A taxpayer which has elected under subsection (b) to take the amortization deduction provided in subsection (a) may, at any time after making such election, discontinue the amortization deductions with respect to the remainder of the amortization period, such discontinuance to begin as of the beginning of any month specified by the taxpayer in a notice in writing filed with the Secretary before the beginning of such month. The deduction provided under section 23 (l) shall be allowed, beginning with the first month as to which the amortization deduction is not applicable, and the taxpayer shall not be entitled to any further amortization deductions with respect to such emergency facility.

(d) *Definitions*—(1) *Emergency facility.* As used in this section, the term "emergency facility" means any facility, land, building, machinery, or equipment, or any part thereof, the construction, reconstruction, erection, installation, or acquisition of which was completed after December 31, 1949, and with respect to which a certificate under subsection (e) has been made. In no event shall an amortization deduction be allowed in respect of any emergency facility for any taxable year unless a certificate in respect thereof under this paragraph shall have been made prior to the filing of the taxpayer's return for such taxable year, or, in the case of an emergency facility completed or acquired by a taxpayer after December 31, 1949, and before the date of enactment of the Revenue Act of 1950, unless a certificate in respect thereof under this paragraph shall have been made prior to the expiration of twelve months after the date of enactment of the Revenue Act of 1950.

(2) *Emergency period.* As used in this section, the term "emergency period" means the period beginning January 1, 1950, and ending on the date on which the President proclaims that the utilization of a substantial portion of the emergency facilities with respect to which certifications under subsection (e) have be (sic) made is no longer required in the interest of national defense.

(e) *Determination of adjusted basis of emergency facility.* In determining, for the purposes of subsection (a) or subsection (g), the adjusted basis of an emergency facility—

(1) There shall be included only so much of the amount of the adjusted basis of such facility (computed without regard to this section) as is properly attributable to such construction, reconstruction, erection, installation, or acquisition after December 31, 1949, as the certifying authority, designated by the President by Executive order, has certified as necessary in the interest of national defense during the emergency period, and only such portion of such amount as such authority has certified as attributable to defense purposes. Such certification shall be under such regulations as may be prescribed from time to time by such certifying authority with the approval of the President. An application for a certificate must be filed at such time and in such manner as may be prescribed by such certifying authority under such regulations but in no event shall such certificate have any effect unless an application therefor is filed before the expiration of six months after the beginning of such construction, reconstruction, erection, or installation or the date of such acquisition, or before the expiration of six months after the date of enactment of the Revenue Act of 1950, whichever is later.

(2) After the completion or acquisition of any emergency facility with respect to which a certificate under paragraph (1) has been made, any expenditure (attributable to such facility and to the period after such completion or acquisition) which does not represent construction, reconstruction, erection, installation, or acquisition included in such certificate, but with respect to which a separate certificate is made under paragraph (1), shall not be applied in adjustment of the basis of such facility but a separate basis shall be computed therefor pursuant to paragraph (1) as if it were a new and separate emergency facility.

(f) *Depreciation deduction.* If the adjusted basis of the emergency facility (computed without regard to this section) is in excess of the adjusted basis computed under subsection (e), the deduction provided by section 23 (l) shall, despite the provisions of subsection (a) of this section, be allowed with respect to such emergency facility as if its adjusted basis for the purpose of such deduction were an amount equal to the amount of such excess.

(g) *Payment by United States of unamortized cost of facility.* If an amount is properly includible in the gross income of the taxpayer on account of a payment with respect to an emergency facility and such payment is certified as provided in paragraph (1), then, at the election of the taxpayer in its return for the taxable year in which such amount is so includible—

(1) The amortization deduction for the month in which such amount is so includible shall (in lieu of the amount of the deduction for such month computed under subsection (a)) be equal to the amount so includible but not in excess of the adjusted basis of the emergency facility as of the end of such month (computed without regard to any amortization deduction for such month). Payments referred to in this paragraph shall be payments the amounts of which are certified, under such regulations as the President may prescribe, by the certifying authority designated by the President as compensation to the taxpayer for the unamortized cost of the emergency facility made because—

(A) A contract with the United States involving the use of the facility has been terminated by its terms or by cancellation, or

(B) The taxpayer had reasonable ground (either from provisions of a contract with the United States involving the use of the facility, or from written or oral representations made under authority of the United States) for anticipating future contracts involving the use of the facility, which future contracts have not been made.

(2) In case the taxpayer is not entitled to any amortization deduction with respect to the emergency facility, the deduction allowable under section 23 (l) on account of the month in which such amount is so includible shall be increased by such amount, but such deduction on account of such month shall not be in excess of the adjusted basis of the emergency facility as of the end of such month (computed without regard to any amount allowable, on account of such month, under section 23 (l) or this paragraph).

(h) *Life tenant and remainderman.* In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowable to the life tenant.

(i) *Cross reference.* For special rule with respect to gain derived from the sale or ex-

change of property the adjusted basis of which is determined with regard to this section, see section 117 (g) (3).

* * * * *

(d) *Effective dates.* The amendments made by this section shall be applicable with respect to taxable years ending after December 31, 1949.

§ 29.124a–1 *Introductory.* Sections 29.124a–2 to 29.124a–9, inclusive, which are applicable only with respect to taxable years ending after December 31, 1949, comprise the regulations under section 124A of the Internal Revenue Code, relating to the amortization of emergency facilities, and are to be distinguished from the regulations under section 124 of the Code (§§ 29.124–1 to 29.124–10, inclusive), relating to the amortization of emergency facilities during World War II. For the right of estates and trusts to amortize emergency facilities, see section 172 and § 29.172–1. For the allowance of amortization deduction in the case of emergency facilities of partnerships, see section 190 and § 29.190–1. For income tax treatment of gain from the sale or exchange of an emergency facility for which an amortization deduction has been taken, see section 117 (g) (3) and § 29.117–9.

§ 29.124a–2 *Definitions.* As used in this section and §§ 29.124a–3 to 29.124a–9, inclusive, the term:

(a) "Certifying authority" means the certifying authority designated by the President by Executive order.

(b) "Emergency facility" means any facility, land, building, machinery, or equipment, or any part thereof, the acquisition of which occurred after December 31, 1949, or the construction, reconstruction, erection, or installation of which was completed after such date, and with respect to which a certificate under section 124A (e) has been made. In the case of an application for a certificate under section 124A (e) which is filed after March 23, 1951, only the part of any such facility which is constructed, reconstructed, erected, or installed by any person not earlier than six months prior to the filing of such application, and which is certified in accordance with section 124A (e), shall be deemed to be an emergency facility, notwithstanding that the other part of such facility was constructed, reconstructed, erected, or installed earlier than six months prior to the filing of such application. The term "emergency facility," as so defined, may include, among other things, improvements of land, such as the construction of roads, bridges, and airstrips, and the dredging of channels.

(c) "Emergency period" means the period beginning on January 1, 1950, and ending on the date on which the President proclaims that the utilization of a substantial portion of the certified emergency facilities is no longer required in the interest of national defense.

§ 29.124a–3 *Amortization deduction; general rule.* (a) A person is entitled, at its election, to a deduction with respect to the amortization of the adjusted basis (for determining gain) of an emergency facility, such amortization to be based on a period of 60 months. As to the adjusted basis of an emergency facility, see § 29.124a–6. The taxpayer may, with respect to an emergency facility, elect to begin the 60-month amortization period with (1) the month following the month in which such facility was completed or acquired, or (2) the taxable year succeeding that in which such facility was completed or acquired (sec § 29.124a–4). The date on which, or the month within which, an emergency facility is completed or acquired is to be determined upon the facts in the particular case. Ordinarily, the taxpayer is in possession of all the facts and, therefore, in a position to ascertain such date. A statement of the date ascertained by the taxpayer, together with a statement of the pertinent facts relied upon, should be filed with the taxpayer's election to take amortization deductions with respect to such facility.

(b) In no event shall an amortization deduction be allowed with respect to an emergency facility for any taxable year unless such facility has been certified prior to the date of filing of the taxpayer's return for such taxable year, or, in the case of an emergency facility completed or acquired after December 31, 1949, and before September 23, 1950, unless certified on or before September 23, 1951, or the date on which the return is filed, whichever is later. See section 124A (d) (1).

(c) In general, with respect to each month of the 60-month period which falls within the taxable year, the amortization deduction is an amount equal to the adjusted basis of the facility at the end of such month divided by the number of months (including the particular month for which the deduction is computed) remaining in the 60-month period. The adjusted basis of the facility at the end of any month shall be computed without regard to the amortization deduction with respect to such facility for such month. The total amortization deduction with respect to an emergency facility for a particular taxable year is the sum of the amortization deductions allowable with respect to such facility for each month of the 60-month period which falls within such taxable year. The amortization deduction with respect to an emergency facility taken for any month is in lieu of the deduction for depreciation which would otherwise be allowable under section 23 (l) with respect to such facility for such month. See, however, § 29.124a–7, relating to depreciation with respect to any amount not subject to amortization.

(d) This section may be illustrated by the following examples:

Example (1). On July 1, 1950, the X Corporation, which makes its income tax returns on the calendar year basis, begins the construction of an emergency facility which is completed on September 30, 1950, at a cost of $240,000. The certificate covers the entire construction. The X Corporation elects to take amortization deductions with respect to the facility and to begin the 60-month amortization period with October, the month following its completion. The adjusted basis of the facility at the end of October is $240,000. The allowable amortization deduction with respect to such facility for the taxable year 1950 is $12,000, computed as follows:

Monthly amortization deductions:	
October: $240,000 divided by 60	$4,000
November: $236,000 ($240,000 minus $4,000) divided by 59	4,000
December: $232,000 ($236,000 minus $4,000) divided by 58	4,000
Total amortization deduction for 1950	12,000

Example (2). The Y Corporation, which makes its income tax returns on the basis of a fiscal year ending November 30, purchases an emergency facility (No. 1) on July 29, 1951. On June 15, 1951, it begins the construction of an emergency facility (No. 2) which is completed on August 2, 1951. The entire acquisition and construction of such facilities are covered by the certificate. The Y Corporation elects to take amortization deductions with respect to both facilities and to begin the 60-month amortization period in each case with the month following the month of acquisition or completion. At the end of the first month of the amortization period the adjusted basis of facility No. 1 is $300,000 and the adjusted basis of facility No. 2 is $54,000. In September 1951 facility No. 1 is damaged by fire, as a result of which its adjusted basis is properly reduced by $25,370. The allowable amortization deduction with respect to such facilities for the taxable year ending November 30, 1951, is $21,410, computed as follows:

FACILITY NO. 1

Monthly amortization deductions:	
August: $300,000 divided by 60	$5,000
September: $269,630 ($300,000 minus $5,000 and $25,370) divided by 59	4,570
October: $265,060 ($269,630 minus $4,570) divided by 58	4,570
November: $260,490 ($265,060 minus $4,570) divided by 57	4,570
Amortization deduction for 1951	18,710

FACILITY NO. 2

Monthly amortization deductions:	
September: $54,000 divided by 60	$900
October: $53,100 divided by 59	900
November: $52,200 divided by 58	900
Amortization deduction for 1951	2,700
Total amortization deduction for 1951	21,410

Example (3). On June 15, 1951, the Z Corporation, which makes its income tax returns on the calendar year basis, completes the construction of an emergency facility at a cost of $110,000. In its income tax return for 1951, filed on March 15, 1952, the Z Corporation elects to take amortization deductions with respect to such facility and to begin the 60-month amortization period with July, the month following its completion. No certificate with respect to such facility is made until April 10, 1952, and therefore no amortization deduction with respect to such facility is allowable for any month in the taxable year 1951. The Z Corporation is entitled, however, to take a deduction for depreciation of such facility for the taxable year 1951, such deduction being assumed, for the purposes of this example, to be $2,000. Accordingly, the adjusted basis of such facility at the end of January 1952 (without regard to the amortization deduction for such month) is $108,000 ($110,000 minus $2,000). For the taxable year 1952, the Z Corporation is, with respect to such facility, entitled to an amortization deduction of $24,000, computed as follows:

Monthly amortization deductions:	
January: $108,000 divided by 54	$2,000
February: $106,000 ($108,000 minus $2,000) divided by 53	2,000
March: $104,000 ($106,000 minus $2,000) divided by 52	2,000
For the remaining nine months (similarly computed)	18,000
Total amortization deduction for 1952	24,000

Since the Z Corporation elected in its return for 1951 to take amortization deductions with respect to such facility and to begin the 60-month amortization period with July 1951, it must compute its amortization deductions for the 12 months in the taxable year 1952 on the basis of the remaining months of the established 60-month amortization period, as indicated in the above computation.

§ 29.124a–4 *Election of amortization*—(a) *General rule.* An election by the taxpayer to take amortization deductions with respect to an emergency facility and to begin the 60-month amortization period either with the month following the month in which such facility was completed or acquired, or with the taxable year succeeding the taxable year in which such facility was completed or acquired, shall be made by a statement to that effect in its return for the taxable year in which falls the first month of the 60-month amortization period so elected.

(b) *Special rules in case return filed on or before August 15, 1951.* In the case of an emergency facility completed or acquired by a taxpayer after December 31, 1949, and within a taxable year for which a return was filed on or before August 15, 1951, an election by the taxpayer to take amortization deductions with respect thereto for such taxable year shall be made by a statement in writing to that effect filed with the Commissioner of Internal Revenue, Washington 25, D. C., on or before September 1, 1951. A statement of election by the taxpayer in a return filed on or before August 15, 1951, shall be considered as the statement of election provided for by this paragraph unless the taxpayer does make the statement of election provided for by this paragraph.

(c) *Election not made in prescribed manner.* If the statement of election is not made by the taxpayer as prescribed in paragraph (a) or (b) of this section, it may, in the discretion of the Commissioner and for good cause shown, be made in such manner and form and within such time as may be approved by the Commissioner.

(d) *Other requirements and considerations.* No method of making such election other than those prescribed in this section is permitted. Any statement of election should contain a description clearly identifying each emergency facility for which an amortization deduction is claimed. A taxpayer which does not elect, in the manner prescribed in this section, to take amortization deductions with respect to an emergency facility shall not be entitled to amortization deductions with respect to such facility. See also the last sentence of section 124A (d) (1) and § 29.124a–3 (b), restricting allowance of amortization deduction to cases where the facility has been certified prior to certain applicable dates.

§ 29.124a–5 *Election to discontinue amortization.* (a) If a taxpayer has elected to take amortization deductions with respect to an emergency facility, it may, after such election and prior to the expiration of the 60-month amortization period, discontinue the amortization deductions with respect to such facility for the remainder of the 60-month period. An election to discontinue the amortization deductions shall be made by a notice in writing filed with the Commissioner of Internal Revenue, Washington 25, D. C., specifying the month as of the beginning of which the taxpayer elects to discontinue such deductions. Such notice shall be filed before the beginning of the month specified therein, and should contain a description clearly identifying the emergency facility with respect to which the taxpayer elects to discontinue the amortization deductions. If the taxpayer so elects to discontinue the amortization deductions with respect to an emergency facility, it shall not be entitled to any further amortization deductions with respect to such facility.

(b) A taxpayer which thus elects to discontinue amortization deductions with respect to an emergency facility is entitled, if such facility is depreciable property under section 23 (l) and the regulations thereunder, to a deduction for depreciation with respect to such facility. The deduction for depreciation shall begin with the first month as to which the amortization deduction is not applicable, and shall be computed on the adjusted basis of the property as of the beginning of such month (see section 113 (b) and the regulations thereunder).

(c) This section may be illustrated by the following example:

Example. On July 1, 1950, the X Corporation, which makes its income tax returns on the calendar year basis, purchases an emergency facility, consisting of land with a building thereon, at a cost of $306,000 of which $60,000 is allocable to the land and $246,000 to the building. The certificate covers the entire acquisition. The corporation elects to take amortization deductions with respect to the facility and to begin the 60-month amortization period with the taxable year 1951. Depreciation of the building in the amount of $6,000 is deducted and allowed for the taxable year 1950. On March 25, 1952, the corporation files notice with the Commissioner of its election to discontinue the amortization deductions beginning with the month of April 1952. The adjusted basis of the facility on January 31, 1951, is $300,000, or the cost of the facility ($306,000) less the depreciation allowed for 1950 ($6,000). The amortization deductions for the taxable year 1951 and the months of January, February, and March 1952, amount to $75,000, or $5,000 per month for 15 months. Since, at the beginning of the amortization period (January 1, 1951), the adjusted basis of the land is one-fifth of the adjusted basis of the entire facility and since there are no adjustments to basis other than on account of amortization during the period, the adjusted basis of the land should be reduced by $15,000, or one-fifth of the entire amortization deduction, and the adjusted basis of the building should be reduced by $60,000, or four-fifths of the entire amortization deduction. Accordingly, the adjusted basis of the facility as of April 1, 1952, is $225,000, of which $180,000 is allocable to the building for the purpose of depreciation deductions under section 23 (l), and $45,000 is allocable to the land.

§ 29.124a–6 *Adjusted basis of emergency facility*—(a) *In general.* (1) The adjusted basis of an emergency facility for the purpose of computing the amortization deduction may differ from what would otherwise constitute the adjusted basis of such emergency facility, in that it shall be the adjusted basis for determining gain (see section 113) and in that it may be only a portion of what would otherwise constitute the adjusted basis. It will be only a portion of such other adjusted basis if only a portion of the basis (unadjusted) is attributable to certified construction, reconstruction, erection, installation, or acquisition taking place after December 31, 1949. Also, it will be only a portion of what would otherwise constitute the adjusted basis of the emergency facility if only a portion of the basis (unadjusted) is certified as attributable to defense purposes. It is therefore necessary first to determine the unadjusted basis of the emergency facility from which the adjusted basis for amortization purposes is derived.

(2) The unadjusted basis for amortization purposes is the same as the unadjusted basis otherwise determined only when the entire construction, reconstruction, erection, installation, or acquisition takes place after December 31, 1949, and is certified in its entirety by the certifying authority.

(3) In cases in which only a portion of the construction, reconstruction, erection, installation, or acquisition attributable to the facility takes place after December 31, 1949, and that portion is certified in its entirety by the certifying authority, the unadjusted basis for the purpose of amortization is so much of the entire unadjusted basis as is attributable to the certified construction, reconstruction, erection, installation, or acquisition which takes place after December 31, 1949. For example, the X Corporation begins the construction of a facility on November 15, 1949, and such facility is completed on April 1, 1950, at a cost of $500,000, of which $300,000 is attributable to construction after December 31, 1949. The entire construction after December 31, 1949, is certified by the certifying authority. The unadjusted basis of the emergency facility for amortization purposes is therefore $300,000. For depreciation of the remaining portion of the cost ($200,000) see § 29.124a–7.

(4) If the certifying authority certifies only a portion of the construction, reconstruction, erection, installation, or acquisition of property which takes place after December 31, 1949, the unadjusted basis for amortization purposes is limited to such portion so certified. Assuming the same facts as in the example in subparagraph (3) of this paragraph, except that only 50 percent of the construction, reconstruction, erection, installation, or acquisition after December 31, 1949, is certified, the unadjusted basis for amortization purposes is 50 percent of $300,000, or $150,000.

(5) The adjusted basis of an emergency facility for amortization purposes is the unadjusted basis for amortization purposes less the adjustments properly applicable thereto. Such adjustments are those specified in section 113 (b), except that no adjustments are to be taken

into account which increase the adjusted basis. (See paragraph (b) of this section.) If the taxpayer constructs, reconstructs, erects, installs, or acquires an emergency facility pursuant to a cost reimbursement contract with an obligation for reimbursement by the United States of all or a part of the cost of such facility, the unadjusted basis of such facility for amortization purposes shall not include that part of the cost for which the taxpayer is entitled to reimbursement, and the amount received as reimbursement shall be treated as a capital receipt. However, amounts received by a taxpayer which represent in fact compensation by reason of termination of a government contract or payment for articles under such a contract, though denominated reimbursements for all or a part of the cost of an emergency facility, are not to be treated as capital receipts but are to be taken into account in computing income, and are therefore not to be applied in reduction of the basis of such facility.

(6) The following examples will illustrate the computation of the adjusted basis of an emergency facility for amortization purposes:

Example (1). The X Corporation completes an emergency facility on July 1, 1950, the entire unadjusted basis of which is $500,000, and the unadjusted basis of which for the purpose of amortization is $300,000. The X Corporation elects to begin amortization as of January 1, 1951. The only adjustment to basis for the period July 1, 1950, to January 31, 1951, other than depreciation or amortization for January 1951, is $5,000 for depreciation for the last six months of 1950. The adjusted basis for the purpose of amortization is therefore $300,000 less $3,000 (300,000/500,000 x $5,000), or $297,000.

Example (2). On July 31, 1954, the Y Corporation has an emergency facility (a building) which was completed on July 1, 1950, the entire basis of which is $500,000, and the unadjusted basis of which for the purpose of amortization is $300,000. The corporation elected to begin amortization as of January 1, 1951, at which time it was entitled to $5,000 depreciation for the last six months of 1950. On July 1, 1954, the facility was damaged by fire, as the result of which its adjusted basis is properly reduced by $200,000. The adjusted basis of the emergency facility as of July 1954 for the purpose of amortization and depreciation, and the adjusted basis for other purposes, are $23,849.18, $49,250.82, and $73,100.00, respectively, computed as follows:

	For amortization	For depreciation	For other purposes
Unadjusted basis	$300,000.00	$200,000.00	$500,000
Less depreciation to Jan. 1, 1951	3,000.00	2,000.00	5,000
Adjusted basis January 1951	297,000.00	198,000.00	495,000
Less amortization for 42 months	207,900.00	----------	207,900
Less depreciation for 42 months	----------	14,000.00	14,000
Adjusted basis at time of fire	89,100.00	184,000.00	273,100
Less fire loss (apportioned as explained below)	65,250.82	134,749.18	200,000
Adjusted basis after fire loss	23,849.18	49,250.00	73,100

The $200,000 fire loss is applied against the adjusted basis for the purpose of amortization and the adjusted basis for the purpose of depreciation in the proportion that each such adjusted basis at the time of the fire bears to their sum, i. e., 89,100/273,100 x $200,000 or $65,250.82, against the amortization basis, and 184,000/273,100 x $200,000, or $134,749.18, against the depreciation basis.

(b) *Capital additions.* If, after the completion or acquisition of an emergency facility which has been certified by the certifying authority, further expenditures are made for construction, reconstruction, erection, installation, or acquisition attributable to such facility but not covered by such certification, such expenditures shall not be added to the adjusted basis of the emergency facility for amortization purposes under such certification. If such further expenditures are separately certified in accordance with the provisions of section 124A (e) (1) and this section, they are treated as certified expenditures in connection with a new and separate emergency facility and, if proper election is made, will be taken into account in computing the adjusted basis of such new and separate emergency facility for the purpose of amortization.

Example. On March 1, 1951, the certifying authority certifies as an emergency facility a heating plant proposed to be constructed by the Z Corporation. Such facility is completed on July 1, 1951. The Z Corporation, on August 1, 1951, begins the installation in the plant of an additional boiler, which is not included in the certification for the plant but is certified as a new and separate emergency facility. For amortization purposes, the adjusted basis of the heating plant is determined without including the cost of the additional boiler. Such cost is taken into account in computing the adjusted basis of the new and separate emergency facility (the boiler), as to which the taxpayer has a separate election for amortization purposes and a separate amortization period.

§ 29.124a–7 *Depreciation of portion of emergency facility not subject to amortization.* (a) The rule set forth in section 124A (a) (see § 29.124a–3), that an amortization deduction with respect to an emergency facility is in lieu of any deduction for depreciation which would otherwise be allowable under section 23 (l) with respect to such facility, is subject to the exception provided in section 124A (f). Under this exception, if the property constituting such facility is depreciable property under section 23 (l) and the regulations thereunder and if the adjusted basis of such facility as computed under section 113 (b) for purposes other than the amortization deductions (see § 29.113 (b) (1)–1) is in excess of the adjusted basis computed under section 124A (e) for the purpose of the amortization deductions (see § 29.124a–6), then the excess shall be charged off over the useful life of the facility and recovered through depreciation deductions. Thus, if the construction of an emergency facility is begun on or before December 31, 1949, and completed after such date, no amortization deductions are allowable with respect to the amount attributable to such construction on or before such date (see § 29.124a–6). However, if the property constituting such facility is depreciable property under section 23 (l) and the regulations thereunder, then the depreciation deduction provided by such section and regulations is allowable with respect to the amount attributable to such construction on or before December 31, 1949.

(b) Similarly, if only a portion of the construction, reconstruction, erection, installation, or acquisition after December 31, 1949, of an emergency facility has been certified by the certifying authority, and if such facility is depreciable property under section 23 (l) and the regulations thereunder, then the depreciation deduction provided by such section and regulations is allowable with respect to the portion which has not been so certified.

(c) For illustration of the treatment of a depreciable portion of an emergency facility, see example (2) in § 29.124a–6 (a).

§ 29.124a–8 *Payment by United States of unamortized cost of facility.* (a) Section 124A (g) contemplates that certain payments may be made by the United States to a taxpayer as compensation for the unamortized cost of an emergency facility. If any such payment is properly includible in gross income and has been certified, as provided in section 124A (g), as having been paid under the circumstances described therein, a taxpayer which is recovering the adjusted basis of an emergency facility through amortization rather than depreciation may elect to take an amount equal to such payment as an amortization deduction with respect to such facility for the month in which such payment is so includible. Such amortization deduction shall be in lieu of the amortization deduction otherwise allowable with respect to such facility for such month, but it shall not in any case exceed the adjusted basis of such facility (see § 29.124a–6) as of the end of such month (computed without regard to any amortization deduction for such month). The election referred to in this paragraph shall be made in the return for the taxable year in which the amount of such payment is includible in gross income.

(b) If a taxpayer is recovering the adjusted basis of an emergency facility through depreciation rather than amortization, the depreciation deduction allowable under section 23 (l) for the month in which the amount of any such payment is includible in gross income shall, at the taxpayer's election, be increased by such amount; but the total deduction with respect to the certified portion of such facility shall not in any case exceed the adjusted basis of such facility (computed as provided in section 124A (e) and § 29.124a–6 for amortization purposes) as of the end of such month (computed without regard to any amount allowable for such month under section 23 (l) or 124A (g) (2)). The election referred to in this paragraph shall be made in the return for the taxable year in which the amount of such payment is includible in gross income.

(c) This section may be illustrated by the following examples:

Example (1). On January 31, 1951, the X Corporation purchases an emergency facility

at a cost of $600,000. The certificate covers the entire acquisition. The X Corporation elects to take amortization deductions with respect to such facility and to begin the 60-month amortization period with February 1951, the month following the month of acquisition. On July 15, 1952, as a result of the cancellation of certain contracts with the X Corporation, the United States makes a payment of $300,000 to the corporation as compensation for the unamortized cost of such facility. The $300,000 payment is includible in the X Corporation's gross income for July 1952. The adjusted basis of such facility for amortization purposes as of the end of July 1952, computed without regard to any amortization deduction for such month, is $430,000. Accordingly, the corporation is entitled to take an amortization deduction of $300,000 for such month, in lieu of the $10,000 amortization deduction which is otherwise allowable.

Example (2). On November 30, 1951, the Y Corporation purchases an emergency facility, consisting of land with a building thereon, at a cost of $500,000, of which $200,000 is allocable to the land and $300,000 to the building. The certificate covers the entire acquisition. The Y Corporation does not elect to take amortization deductions with respect to such facility, but is entitled to a depreciation deduction with respect to the building at the rate of 3 percent per annum, or $750 per month. On August 12, 1953, as a result of cancellation of certain contracts, the United States makes a payment of $400,000 to the corporation as compensation for the unrecovered cost of such facility. The $400,000 is includible in the Y Corporation's gross income for August 1953. The adjusted basis of the facility as of the end of August 1953, computed without regard to depreciation for such month, is $485,000, of which amount $200,000 is allocable to the land and $285,000 to the building. Accordingly, the corporation is entitled to increase the $750 depreciation deduction for August 1953 by the full amount of the $400,000 payment.

§ 29.124a–9 *Life tenant and remainderman.* In the case of an emergency facility held by one person for life with remainder to another person, the amortization deduction shall be computed as if the life tenant were the absolute owner of the facility and shall be allowable to the life tenant during his life.

PAR. 3. There is inserted immediately preceding § 29.117–1 the following:

SEC. 216. AMORTIZATION OF EMERGENCY FACILITIES [REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950].

* * * * *

(c) *Gain attributable to amortization deduction.* Section 117 (g) is hereby amended by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and by inserting after paragraph (2) the following new paragraph:

(3) Gain from the sale or exchange of property, to the extent that the adjusted basis of such property is less than its adjusted basis determined without regard to section 124A (relating to amortization deduction), shall be considered as gain from the sale or exchange of property which is neither a capital asset nor property described in subsection (j).

(d) *Effective dates.* The amendments made by this section shall be applicable with respect to taxable years ending after December 31, 1949.

PAR. 4. There is inserted immediately following § 29.117–8 the following:

§ 29.117–9 *Gain attributable to amortization deduction.* (a) Section 117 (g) (3) provides that gain from a sale or exchange of property, to the extent that the adjusted basis of such property is less than its adjusted basis determined without regard to section 124A, shall be considered as ordinary income. For example, on December 31, 1950, a taxpayer making his income-tax returns on the calendar year basis acquires at a cost of $10,000 an emergency facility (used in his business) which normally would have a useful life of 20 years. Under section 124A he elects to begin the 60-month amortization period on January 1, 1951. He takes amortization deductions in the amount of $4,000 for the years 1951 and 1952 (24 months). On December 31, 1952, he sells the facility for $9,500. The adjusted basis of the facility on that date is $6,000 ($10,000 cost less $4,000 amortization). Without regard to section 124A, the facility would have been depreciated at the rate of $500 a year and its adjusted basis on December 31, 1952, would have been $9,000 ($10,000 cost less $1,000 depreciation). The difference between the facility's actual adjusted basis ($6,000) and its adjusted basis determined without regard to section 124A ($9,000) is $3,000. Accordingly, $3,000 of the $3,500 gain on the sale of the facility ($9,500 sale price less $6,000 adjusted basis) would be treated as ordinary income and the remaining $500 would be subject to the provisions of section 117 (j).

(b) If the taxpayer acquires other property in an exchange for an emergency facility with respect to which amortization deductions have been allowed, and if the basis in his hands of such other property is determined by reference to the basis of the emergency facility, then the basis of such other property is determined with regard to section 124A, and therefore the provisions of section 117 (g) (3) apply with respect to gain realized on a sale or exchange of such other property. The provisions of section 117 (g) (3) likewise apply with respect to gain realized on the sale or exchange of an emergency facility (or other property acquired, as described in the preceding sentence, in an exchange for an emergency facility) by a taxpayer in whose hands the basis of such facility (or other property) is determined by reference to the basis thereof in the hands of another person who was allowed deductions with respect to such facility under section 124A.

PAR. 5. Section 29.172–1 is amended by striking out the second sentence and inserting in lieu thereof the following: "The same rule is applicable in the case of an emergency facility, as defined in section 124A (d), acquired or completed by an estate or trust after December 31, 1949. See section 23 (t) and sections 124 and 124A and the regulations thereunder."

PAR. 6. Section 29.190–1 is amended by striking out the second sentence and inserting in lieu thereof the following: "The same rule is applicable in the case of an emergency facility, as defined in section 124A (d), acquired or completed by a partnership after December 31, 1949. See section 23 (t) and sections 124 and 124A and the regulations thereunder."

(53 Stat. 32; 26 U. S. C. 62)

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Approved: August 10, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51–9675; Filed, Aug. 14, 1951; 8:52 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 18, Revision 1, Supplementary Regulation 1, Amendment 2]

CPR 18, REV. 1—MANUFACTURERS' PRICES FOR WOOL YARNS AND FABRICS

SR 1—PRODUCT LINE METHOD OF COMPUTING CEILING PRICES FOR MANUFACTURERS OF WOOLEN INDUSTRIAL FELTS

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 2 to Supplementary Regulation 1, Ceiling Price Regulation 18, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The date upon which a manufacturer must use Ceiling Price Regulation 18, Revision 1, Supplementary Regulation 1, exclusively, was last set at August 13, 1951. The Office of Price Stabilization is engaged in developing procedures to implement section 104 (e) of the recent Public Law 96 which adds a new paragraph 402 (d) (4) to the Defense Production Act of 1950. Pending issuance of an appropriate regulation reflecting these new provisions, OPS is extending for an indefinite period the date after which manufacturers must begin to use CPR 18, Rev. 1, SR 1, exclusively. Appropriate advance notice will be given of the date after which this regulation will be required to be put into effect.

Until further action by OPS a manufacturer otherwise covered by CPR 18, Rev. 1, SR 1, may use either that regulation, the General Ceiling Price Regulation or Ceiling Price Regulation 18, Revision 1 to fix ceiling prices for woven woolen industrial felts.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Ceiling Price Regulation 18, Revision 1, Supplementary Regulation 1, as amended by Amendment 1, is hereby further amended in the following respect:

Paragraph 2 of section 1 is amended to read as follows:

If you elect to use the product line method of determining your ceiling prices, you may, on and after the date of issuance of this supplementary regulation and until further notice by the Director of Price Stabilization, sell and deliver woven woolen industrial felts at ceiling prices fixed by this Supplementary Regulation 1, Ceiling Price Regulation 18, Revision 1, as amended, or the General Ceiling Price Regulation, as amended.

(Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.)

Effective date. This amendment is effective August 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 13, 1951.

[F. R. Doc. 51-9739; Filed, Aug. 13, 1951; 4:56 p. m.]

[Ceiling Price Regulation 54, Supplementary Regulation 1]

CPR 54—ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

SR 1—APPLICATIONS BY CERTAIN PRODUCERS OF SECONDARY ALUMINUM INGOT FOR PERMISSION TO SELL SUCH INGOT AFTER AUGUST 13, 1951, AT PRICES IN EXCESS OF THE CEILING PRICES ESTABLISHED IN CPR 54

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., as amended), Executive Order 10161 (15 F. R. 1605), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 1 to Ceiling Price Regulation 54 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation permits applications for authority to deliver secondary aluminum ingot at prices in excess of the ceiling prices established in Ceiling Price Regulation 54 by producers whose production of such ingot was stopped by an act of nature during all or part of the period from July 13, 1951, to August 13, 1951, inclusive.

Ceiling Price Regulation 54, which establishes ceiling prices on aluminum scrap and secondary aluminum ingot, was issued on June 29, 1951. Such ceiling prices were established at levels approximately thirty to fifty percent below the ceiling prices previously established by the General Ceiling Price Regulation. To avoid hardship upon persons having high cost inventories, Ceiling Price Regulation 54 permitted any person to deliver aluminum scrap until July 14, 1951, and to deliver secondary aluminum ingot until August 13, 1951, at prices in excess of the ceiling prices set forth therein.

On July 13, 1951, the industrial area in Kansas City, Missouri, and its vicinity was inundated by flood waters which disrupted industrial production and caused severe damage to industrial plants and equipment. The facilities of at least one producer of secondary aluminum ingot in that area were severely damaged and his output of such ingot was completely stopped, making it impossible for him to complete contracts entered into before June 29, 1951, and for which high cost aluminum scrap had been purchased, within the time specified in Ceiling Price Regulation 54.

In order to alleviate the undue hardship which any producer so affected would otherwise sustain, this supplementary regulation permits the filing of an application for authority to deliver, after August 13, 1951, secondary aluminum ingot at prices in excess of the ceiling prices established in CPR 54. Any authority so granted will be limited to the lower of (1) the quantity of secondary aluminum ingot the applicant would have delivered if his production had not been stopped or (2) the quantity of such ingot required to complete contracts entered into by the applicant before June 29, 1951, and which had not been completed by July 13, 1951. Any such authority will also require that the prices charged pursuant thereto do not exceed ceiling prices determined in accordance with the General Ceiling Price Regulation.

Because of the limited nature of the provisions of this supplementary regulation, the Director of Price Stabilization found it unnecessary and impractical to consult formally with representatives of this industry. However, affected individuals were met with informally, and consideration was given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Who may apply.
3. How to file an application.
4. Action on applications.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation permits a producer of secondary aluminum ingot, whose production of such ingot was stopped by an act of nature during all or part of the period from July 13, to August 13, 1951, inclusive, to apply to the Office of Price Stabilization for permission to deliver, after August 13, 1951, secondary aluminum ingot at ceiling prices determined in accordance with the General Ceiling Price Regulation.

SEC. 2. *Who may apply.* If you are a producer of secondary aluminum ingot whose production of such ingot was stopped by an act of nature during all or part of the period from July 13, 1951, to August 13, 1951, inclusive, you may file an application pursuant to this regulation, requesting permission to deliver secondary aluminum ingot at a price in excess of the ceiling price established in Ceiling Price Regulation 54 after August 13, 1951, provided that:

(a) Before June 29, 1951, you bought or contracted to buy aluminum scrap or secondary aluminum ingot at prices in excess of the ceiling prices established in Ceiling Price Regulation 54 and such scrap materials or ingot were received by, or were in transit to you before July 14, 1951, and

(b) The quantity of secondary aluminum ingot delivered by you since June 28, 1951, does not exceed the weight of the aluminum scrap or secondary aluminum ingot which was on hand on June 28, 1951, plus that which was received by you, or in transit to you between June 29 and July 14, 1951, and for which you paid prices in excess of the ceiling prices established in Ceiling Price Regulation 54.

SEC. 3. *How to file an application.* If you are a producer covered by this regulation, you may file an application by mail with the Office of Price Stabilization, Washington 25, D. C. Any such application must contain the following information:

(a) Your name and address;

(b) The total quantity of secondary aluminum ingot specified in contracts entered into by you before June 29, 1951, and which had not been completed by July 13, 1951, and the quantity of secondary aluminum ingot you must deliver to complete such contracts.

(c) The quantity of aluminum scrap and the quantity of secondary aluminum ingot on hand and in transit to you, as of July 13, 1951, for which you paid prices in excess of the ceiling prices established under Ceiling Price Regulation 54.

(d) Your average daily production of secondary aluminum ingot during June 1951; and

(e) The date upon which you resumed the production of secondary aluminum ingot.

SEC. 4. *Action on applications.* (a) Any authority granted by the Office of Price Stabilization pursuant to this supplementary regulation will be set forth in a letter order and will be limited to the lower of (1) the quantity of secondary aluminum ingot you would have delivered if your production had not been stopped, or (2) the quantity of such ingot required to complete the contracts you entered into before June 29, 1951, and which had not been completed by July 13, 1951. Any such authority will also require that the prices charged for deliveries pursuant thereto do not exceed ceiling prices determined in accordance with the General Ceiling Price Regulation.

(b) If you file an application pursuant to this supplementary regulation and the Office of Price Stabilization has not acted thereon within fifteen days after the date of mailing, you may deliver secondary aluminum ingot at prices not in excess of the ceiling prices determined under the General Ceiling Price Regulation until a letter order is issued with respect to your application.

Effective date. This supplementary regulation to Ceiling Price Regulation 54 shall become effective August 13, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 13, 1951.

[F. R. Doc. 51-9741; Filed, Aug. 13, 1951; 4:57 p. m.]

[Ceiling Price Regulation 56, Amendment 1]

CPR 56—CERTAIN PROCESSED FRUITS AND AND BERRIES OF THE 1951 PACK

FURTHER EXTENSION OF EFFECTIVE DATE OF REGULATION AND EXTENSION OF TIME FOR FILING REPORTS ON CEILING PRICES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended by the Defense Production Act Amendments of 1951 (Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 56 is issued.

STATEMENT OF CONSIDERATIONS

This amendment is issued to extend the effective date of CPR 56 to the same effective date for CPR 55, the companion regulation covering processed vegetables. Additional time is needed to permit processors to make the computations of their ceiling prices under this regulation. Since the provisions for reporting the ceiling prices are closely related to the effective date, the time for filing the reports of ceiling prices is also extended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 56 is amended in the following respects:

1. Section 19, paragraph (b), is amended by deleting the period at the end thereof and adding the following: "or by August 20, 1951, whichever date is later."

2. The effective date of Ceiling Price Regulation 56 is amended to read as follows:

Effective date. The effective date of this regulation is August 20, 1951, or such earlier date between August 10, 1951, and August 20, 1951, as you may select. If you select an earlier date, the regulation becomes effective as to you on that date for all of your items covered by this regulation.

(Sec. 704, Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.)

Effective date. This amendment is effective August 13, 1951.

HAROLD LEVENTHAL,
Acting Director of Price Stabilization.

AUGUST 13, 1951.

[F. R. Doc. 51-9740; Filed, Aug. 13, 1951; 4:56 p. m.]

Chapter XV—Federal Reserve System

[Regulation X, Interpretations 38, 39]

REG. X—REAL ESTATE CREDIT

INT. 38—UNAVOIDABLE DELAY IN CREDIT EXTENSION

Section 5 (k) of Regulation X provides that the regulation does not apply to real estate construction credit extended prior to 32 days after certain new construction is completed. Credit extended after the 32-day period is exempt, however, in cases where the extension of credit is necessarily delayed by title difficulties, pending litigation with respect to the property, or comparable circumstances.

INT. 39—CASUALTY EXEMPTION FOR TENANTS

In answer to an inquiry concerning section 5 (e) of Regulation X with respect to exemptions to real estate construction credit due to casualties, it is the opinion of the Board of Governors of the Federal Reserve System that the applicability of the exemption extends to tenants as well as owners of structures destroyed or substantially damaged by flood, fire, or other similar casualties.

(Sec. 704, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp. Interprets or applies sec. 602, Pub. Law 774, 81st Cong.)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 51-9627; Filed, Aug. 14, 1951; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 344]

UNION STOCK YARDS CO. OF OMAHA, (LTD.)

NOTICE OF PETITION FOR CANCELLATION OF EXISTING RATE SCHEDULE AND PUBLICATION OF NEW SCHEDULE

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the respondent has been authorized to assess the current charges for stockyard services by an order issued on August 12, 1949 (8 A. D. 877), as continued in effect and amended by orders dated July 8, 1950 (9 A. D. 791), November 27, 1950 (9 A. D. 1333), and March 6, 1951 (10 A. D. 333).

By petition filed on July 31, 1951, respondent requested authority to cancel its existing Schedule No. 14 of Charges and all Supplements thereto and to publish and file with the Secretary a new Schedule No. 15 of Charges, which makes the following changes in its existing rate schedule:

Section 4 in Schedule 15 will replace sections 4, 5, 6, and 9 of Schedule 14 and will provide as follows:

Subject	Section No.	Application and charges
		For use of facilities
Testing, vaccinating, branding, castrating, dehorning, dipping, spraying.	4	Testing cattle (tuberculosis and/or brucellosis) "R"—$0.75 per head.[1] Vaccinating cattle $0.05 per head.[1] Branding cattle "A"—$0.05 per head.[1] Castrating cattle "A"—$0.05 per head.[1] Dehorning cattle "A"—$0.05 per head.[1] Temperaturing and/or vaccinating hogs "A"—$0.10 per head. Spraying hogs (includes labor and material) $0.10 per head, $5 minimum.[1] Dipping sheep (including labor and material) "A"—$0.10 per head, $10 minimum.[2] Spraying cattle (includes labor and material) "A"—$0.20 per head.[2]

[1] The service of testing and vaccinating cattle and hogs is performed by accredited veterinarians authorized by the stock yards company to perform these services under the supervision and regulations of the Federal and State authorities. The authorized veterinarians, whose service charges are filed with the United States Department of Agriculture, will collect the above charges for the account of this company.

[2] The services of spraying cattle and dipping sheep are performed by this company under the supervision of Federal and State authorities. Charges for these services will be paid by the owner or his representative to the stock yards company.

The above-mentioned services are performed at the owner's risk. The stock yards company will not assume responsibility for loss or damage to livestock incident thereto.

Section 7 in Schedule 14 will be renumbered as Section 5 in Schedule 15.

Section 8 in Schedule 14 will be renumbered as Section 6 in Schedule 15 and will provide as follows:

Subject	Section No.	Application and charges
Auction sales	6	This company maintains auction facilities for special livestock sales. Arrangements for the use of such facilities and services in connection therewith will be by special agreement made in advance of the sale.

Section 10 in Schedule 14 will be renumbered as Section 7 in Schedule 15 and will provide as follows:

Subject	Section No.	Application and charges
Weighing	7	Weights will be furnished as basis for freight charges, on request of line carrier, for a charge of "A" $1.50 per car.

Section 11 in Schedule 14 will be renumbered as Section 8 in Schedule 15 and will provide as follows:

Subject	Section No.	Application and charges
Boarding barn..	8	Horses will be boarded at our regular boarding barn and charged for as follows: Saddle horses: $1 per head, per day. Saddle horses: $27.50 per head, per month.

Section 12 in Schedule 14 will be renumbered as Section 9 in Schedule 15.

In Schedule 15 at the bottom of page three thereof the following will appear:

"R" Indicates Reduction
"A" Indicates Advance

If authorized, the new schedule of charges will produce additional revenue for the respondent and increase the expenses of marketing livestock. It appears, therefore, that the notice of the filing of the petition and its contents should be given to the public.

All interested parties who wish to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days following the publication of this notice.

Done at Washington, D. C., this 9th day of August, 1951.

[SEAL] KATHERINE L. MASON,
Hearing Clerk.

[F. R. Doc. 51-9638; Filed, Aug. 14, 1951; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 10]

UNIFORM SYSTEM OF ACCOUNTS FOR STEAM RAILROADS

TRAIN AND YARD MOTORMEN

AUGUST 7, 1951.

Pursuant to the provisions of section 20 (3) of the Interstate Commerce Act, the Commission has approved modification of the Uniform System of Accounts for Steam Railroads to eliminate accounts 381, Yard Motormen, and 393, Train Motormen, the requirements of which will be consolidated into accounts 380, Yard Enginemen, and 392, Train Enginemen, respectively.

Any interested party may on or before August 30, 1951, file with the Commission written views or arguments to be considered in this connection. Unless otherwise found necessary after consideration of all representations so received, an order will be entered to make the modifications outlined above effective October 1, 1951.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9643; Filed, Aug. 14, 1951; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

TWO AND ONE-QUARTER PERCENT TREASURY BONDS OF 1951-53

NOTICE OF CALL FOR REDEMPTION

1. Public notice is hereby given that all outstanding 2¼ percent Treasury Bonds of 1951-53, dated December 22, 1939, due December 15, 1953, are hereby called for redemption on December 15, 1951, on which date interest on such bonds will cease.

2. Holders of these bonds may, in advance of the redemption date, be offered the privilege of exchanging all or any part of their called bonds for other interest-bearing obligations of the United States, in which event public notice will hereafter be given and an official circular governing the exchange offering will be issued.

3. Full information regarding the presentation and surrender of the bonds for cash redemption under this call will be found in Department Circular No. 666, dated July 21, 1941.

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

AUGUST 14, 1951.

[F. R. Doc. 51-3676; Filed, Aug. 14, 1951; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

HANDLING OF MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

DETERMINATION THAT HEARING SHOULD NOT BE HELD

Provisions of the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area (7 CFR Part 927) requires that whenever there is a difference of more than 6 points for each of 3 consecutive months between the index of cost of production and the index of wholesale prices a public hearing shall be called to consider those and other economic conditions or announcement of a determination that such a hearing should not be held together with reasons for such a determination.

Existence of a difference of more than 6 points between the cost of production index and the wholesale price index for each of the months of November 1950 through February 1951 resulted in the issuance on April 10, 1951 (16 F. R. 3264) of a determination that a public hearing should not be held to consider that and other economic conditions affecting the supply of and demand for milk in the New York metropolitan area. The wholesale price index has now continued to exceed the cost of production index by more than 6 points for the consecutive months of March, April, May, and June, 1951. The difference, however, has declined from 11.6 points in March to 7.2 points in June. The index of the cost of production has increased from 100 for March to 103 for June, whereas the index of wholesale prices has declined from 111.6 for March to 110.2 for June.

Other factors in the Class I-A pricing formula have tended to offset the price increasing effect of the wholesale price index with the result that Class I-A prices themselves and production costs have been at approximately the same level during recent months in relation to 1948.

Although the volume of pool milk in excess of that utilized for Class I purposes continues high in relation to 1948, June 1951 is the first month since July 1950 in which the percentage of pool milk used in Class I was lower than in the same month a year earlier. Up to June 1951, when sales of milk for fluid consumption were slightly lower than in June 1950, the volume of milk used for fluid distribution in each month during the past year has exceeded that in the same month a year earlier in amounts ranging up to 8 percent.

Total production in May and June 1951 exceeded that of a year earlier by about 1.5 percent after having been lower in each of the preceding 8 months in amounts ranging from 1 to 5.8 percent. The number of producers delivering milk to pool plants increased from 44,965 in January 1949 to 49,493 in January 1950, an increase of 4,528. By June 1951 there were 390 fewer producers of pool milk than in June 1950, but the June 1951 number remained higher for the month than in any year (except 1950) since 1944.

The influence of such factors as shortage of good farm labor and relatively high beef prices on the future supply of milk is difficult to predict, but it seems reasonable that such factors might tend to result in a lower supply than would otherwise be expected. Weather, of course, is an extremely important factor and yet is extremely uncertain.

In view of these and other considerations, and despite the fact that differences between the cost of production and wholesale price indices (although declining) continue to exceed 6 points, it is concluded that Class I-A prices in prospect for the next several months are prices which properly reflect economic conditions affecting the supply of and demand for milk in the New York metropolitan area. Accordingly, it is hereby determined that a public hearing should not be held.

Issued at Washington, D. C., this 10th day of August 1951.

[SEAL] C. J. MCCORMICK,
Acting Secretary.

[F. R. Doc. 51-9701; Filed, Aug. 14, 1951; 8:55 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 342]

WEINREICH BROS. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Weinreich Bros. Co., 383 Fifth Avenue, New York 16, N. Y. has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of simulated pearls manufactured by Weinreich Bros. Co., 385 Fifth Avenue, New York 16, N. Y., having the brand name(s) "Marvella" shall be the proposed retail ceiling prices listed by Weinreich Bros. Co. in its application dated July 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Weinreich Bros. Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}
$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9548; Filed, Aug. 8, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 343]

CARMAN MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Carman Manufacturing Company, 801 East Twenty-fifth Street, Tacoma, Washington, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the

applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Carman Manufacturing Company, 801 East Twenty-fifth Street, Tacoma, Washington, having the brand name(s) "Spring Air", "Carman 400", and "Carman Orthopedic" shall be the proposed retail ceiling prices listed by Carman Manufacturing Company in its application dated March 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 24, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Carman Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51-9549; Filed, Aug. 8, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 344]

EAGLE MATTRESS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Eagle Mattress Company, Inc., 38–42 Everett Street, Allston, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price

Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Eagle Mattress Company, Inc., 38–42 Everett Street, Allston, Massachusetts, having the brand name(s) "Sealy Sleep Charm", "Sealy Dreamer", "Sealy Park Lane", "Sealy Good Homekeeper", "Sealy Enchanted Night", "Sealy Natural Rest", "Sealy Air Vent", "Sealy Rest", "Sealy Cotton Boll", "Sealy Sunspun", "Sealy Orthopedic Firmo-Rest", "Sealy Junior Posturepedic", "Sealy Supreme", "Sealy Foamspun Deluxe", "Sealy Baby Posturepedic", and "Sealy Beddy Bye" shall be the proposed retail ceiling prices listed by Eagle Mattress Company, Inc., in its application dated March 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 8, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 8, 1951, Eagle Mattress Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 7, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 7, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 8, 1951.

[F. R. Doc. 51–9550; Filed, Aug. 8, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 346]

M. A. MEAD AND CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, M. A. Mead and Company, Inc., 109 North Wabash Avenue, Chicago 2, Illinois (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's watches sold at wholesale by M. A. Mead and Company, Inc., 109 North Wabash Avenue, Chicago 2, Illinois, having the brand name(s) "Boulevard" shall be the proposed retail ceiling prices listed by M. A. Mead and

Company, Inc., in its application dated May 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 13, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 9, 1951, M. A. Mead and Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9586; Filed, Aug. 9, 1951; 4:27 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 347]

THE GARDNER CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Gardner Corporation, 350 Fifth Avenue, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of snow suits manufactured by The Gardner Corporation, 350 Fifth Avenue, New York 1, New York, having the brand name(s) "Nylon Snowsuit by Gardner" "Nyloquilt by Gardner" shall be the proposed retail ceiling prices listed by The Gardner Corporation in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, The Gardner Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9587; Filed, Aug. 9, 1951; 4:28 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 349]

GOTHIC JARPROOF WATCH CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Gothic Jarproof Watch Corporation, 37 West Fifty-Seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's and ladies' watches manufactured by Gothic Jarproof Watch Corporation, 37 West Fifty-seventh Street, New York 19, New York, having the brand name(s) "Gothic Jarproof Watches" shall be the proposed retail ceiling prices listed by Gothic Jarproof Watch Corporation, in its application dated May 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Gothic Jarproof Watch Corporation, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes

the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9588; Filed, Aug. 9, 1951; 4:28 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 350]

H. H. CUTLER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, H. H. Cutler Company, 120 Ionia Avenue SW., Grand Rapids 2, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of baby pants manufactured by H. H. Cutler Company, 120 Ionia Avenue SW., Grand Rapids 2, Michigan, having the brand name(s) "Cutler's Cuvver-Ups" shall be the proposed retail ceiling prices listed by H. H. Cutler Company in its application dated June 1, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation having the same selling price and terms of sale to the retailer, same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, H. H. Cutler Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if

any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9589; Filed, Aug. 9, 1951; 4:28 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 351]

IRENE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Irene, Inc., 3350 Hayden Avenue, Culver City, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's dresses, coats and suits manufactured by Irene, Inc., 3350 Hayden Avenue, Culver City, California, having the brand name(s) "Irene" shall be the proposed retail ceiling prices listed by in its application dated June 1, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Irene, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment,

the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9590; Filed, Aug. 9, 1951; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 352]

CONVERSE RUBBER CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Converse Rubber Corporation, Malden, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's and women's basket ball shoes manufactured by Converse Rubber Corporation, Malden, Massachusetts, having the brand name(s) "Converse" shall be the proposed retail ceiling prices listed by Converse Rubber Corporation in its application dated May 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Converse Rubber Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.}	Terms{net, percent EOM, etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9591; Filed, Aug. 9, 1951; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 353]

S. W. FARBER, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, S. W. Farber, Inc., 415 Bruckner Boulevard, New York 54, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of stainless steel cooking ware and small electrical houseware appliances manufactured by S. W. Farber, Inc., 415 Bruckner Boulevard, New York 54, New York, having the brand name(s) "Farberware" shall be the proposed retail ceiling prices listed by S. W. Farber, Inc., in its application dated June 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, S. W. Farber, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9592; Filed, Aug. 9, 1951; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 354]

KOPS BROTHERS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kops Brothers, Inc., 385 Fifth Avenue, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the

judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of girdles, pantie girdles, corsets and combinations manufactured by Kops Brothers, Inc., 385 Fifth Avenue, New York 16, New York, having the brand name(s) "Nemo" shall be the proposed retail ceiling prices listed by Kops Brothers, Inc., in its application dated April 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Kops Brothers, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9593; Filed, Aug. 9, 1951; 4:29 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 355]

CORDELIA OF HOLLYWOOD BRASSIERE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Cordelia of Hollywood Brassiere Company, 3107 Beverly Boulevard, Los Angeles 4, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The special order contains provisions basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres manufactured by Cordelia of Hollywood Brassiere Company, 3107 Beverly Boulevard, Los Angeles 4, California, having the brand name(s) "Cordelia", "Cordelette", and "Cora-nita" shall be the proposed retail ceiling prices listed by Cordelia of Hollywood Brassiere Company, in its application dated April 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Cordelia of Hollywood Brassiere Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9594; Filed, Aug. 9, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 356]

OKLAHOMA CLOTHING MANUFACTURERS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Oklahoma Clothing Manufacturers, Inc., 710 Leonhardt Building, Oklahoma City 2, Oklahoma, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of blue jeans and jackets manufactured by Oklahoma Clothing Manufacturers, Inc., 710 Leonhardt Building, Oklahoma City 2, Oklahoma, having the brand name(s) "Tuffies Out of the West" and "Ruffles Out of the West" shall be the proposed retail ceiling prices listed by Oklahoma Clothing Manufacturers, Inc., in its application dated April 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July

24, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Oklahoma Clothing Manufacturers, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9595; Filed, Aug. 9, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 357]

INTERNATIONAL MOLDED PLASTICS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, International Molded Plastics, Inc., 4387 West Thirty-fifth Street, Cleveland 9, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of plastic dinnerware manufactured by International Molded Plastics, Inc., 4387 West Thirty-fifth Street, Cleveland 9, Ohio, having the brand name(s) "Brookpark" shall be the proposed retail ceiling prices listed by International Molded Plastics, Inc., in its application dated April 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, International Molded Plastics, Inc. must

mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9596; Filed, Aug. 9, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 358]

THE CHATHAM MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Chatham Manufacturing Company, Elkin, North Carolina, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of electric blankets sold at wholesale by The Chatham Manufacturing Company, Elkin, North Carolina, having the brand name(s) "Chatham Electric Blanket" shall be the proposed retail ceiling prices listed by The Chatham Manufacturing Company in its application dated May 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 9, 1951, The Chatham Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon isssuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article,

with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9597; Filed, Aug. 9, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 359]

BESSON, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Besson, Incorporated, 1100 Broadway, San Antonio 6, Texas (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brass musical instruments sold at wholesale by Besson, Incorporated, 1100 Broadway, San Antonio 6, Texas, having the brand name(s) "Besson" shall be the proposed retail ceiling prices listed by Besson, Incorporated, in its application dated July 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 9, 1951, Besson, Incorporated, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount

terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9598; Filed, Aug. 9, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 360]

THE FRANK H. LEE CO., AND DISNEY, INC., A SUBSIDIARY

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Frank H. Lee Company and Disney, Inc., a subsidiary, Shelter Rock Road, Danbury, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's hats, manufactured by The Frank H. Lee Company and Disney, Inc., a subsidiary, Shelter Rock Road, Danbury, Connecticut, having the brand names "Lee Leisure", "All American", "York", "Corral", "Cameo", "Alps", "Warren", "Vento-Lite", "Santa Fe", "Telecrown", "San Antonio", "Bon Voyage", "Fairway", "Durable", "Duo Edge", "Silkway", "Whirl", "Commentator", "Drive", "Fairway", "Rocket", "Jet", "Trinity", "Adventure", "Scotty", "Pheasant Felt", "Round Town", "University", "State", "Pan-Am", "Robert Mont", "Hunter", "Palm Springs", "Overbrook", "Madison", "Advance", "Homburg", "Skytop", "Tiffany", "Desert Tone", "Ivy", "Dorset", "Lee Lite", "Double Edge", "Edgeworth", "Pork Pie", "Kingway", "Prom No. 1", "Prom No. 2", "Prom No. 3", "Deauville", "Smart Set", "Las Vegas", "Treasure Island", "Lee T. V.", "Tritone", "Trail", "Edgelee", "Light Lee", "Harmony", "Twister", "Promenade", "Fort Worth", "Villyn", "Romany", "Lorenzo", "Doe Sheen", "Handlee", "Yosemite", "Lee 15", "Ascot 15", "Lee Twenty", "Gold Label Beav.", "Ascot 20", "Lee Forty", "10th Hole", "Balford", "Coolaire", "Frigidbreeze", "Cocoanut", "Leghorn", "Sea Cove", "Leghorn No. 2", "Hinoki", "Pandang", "Nassau Cocanut", "Ivy Cocoanut", "Cola", "Yacht", "Pineapple", "Rio Panama", "Mesh Panama", "Screen Weave Pan", "Poncha Panama", "Planter Panama", Linette Panama", "Burley Panama", "Baker", "Italian Milan", "Swiss Milan", "Grand Plantation", "South Terrific", "Select Planation", "Select Panama", "Select Linette", "Italian Milan", "Round up Panama", "Fino Panama", "Supreme Panama", "Shantung", "Super Fino", "Wispabout", "Regent", "Frisco", "Delite", "Essex", "Hunt Club", "Breeze", "Bayside", "Downtown", "Park Avenue", "Whipcord", "So and So", "Angora", "Strand", "Century", "Double Brim", "Warwick", "Trend", "Miami", "Velvo", "Finnegan Twist", "Disney Lite", "Twister", "Station Wagon", "Oxford $12.50", "Mr. Pickwick", "Review", "Ahwahnee", "Oxford 15", "Otter", "Yosemite", "Palm Beach", "Disney 15", "Gotham 15", "Robin Hood", "Oxford Twenty", "Gold Label Beav.", "Disney 20", "Golden West", "Riviera", "Alamo", "Berkshire", "Disney Forty", shall be the proposed retail ceiling prices listed by The Frank H. Lee Company and Disney, Inc., a subsidiary, in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 18, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, The Frank H. Lee Company and Disney, Inc., a subsidiary, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article, a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of

this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. $percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9599; Filed, Aug. 9, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 361]

MANCHESTER HOISERY MILLS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Manchester Hosiery Mills, Manchester, New Hampshire has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's full fashioned hosiery manufactured by Manchester Hosiery Mills, Manchester, New Hampshire, having the brand name(s) "Lady Hampshire" shall be the proposed retail ceiling prices listed by Manchester Hosiery Mills in its application dated March 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 12, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Manchester Hosiery Mills must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any), issued prior to the date of the delivery. The

manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9600; Filed, Aug. 9, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 362]

B. J. BROCK & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, B. J. Brock & Company, Inc., 4513 West 153d Street, Lawndale, Calif., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of earthenware pottery manufactured by B. J. Brock & Company, Inc., 4513 West 153d Street, Lawndale, California having the brand name(s) "California Brock Ware," shall be the proposed retail ceiling prices listed by B. J. Brock & Company, Inc. in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 2, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, B. J. Brock & Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser

to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9601; Filed, Aug. 9, 1951; 4:32 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 345]

GANT MADELEINE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Gant Madeleine, Inc., 437 Fifth Avenue, New York 16, New York (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies cotton fabric gloves sold at wholesale by Gant Madeleine, Inc., 437 Fifth Avenue, New York 16, New York, having the brand name(s) "Gant Madeleine" shall be the proposed retail ceiling prices listed by Gant Madeleine, Inc., in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 9, 1951, Gant Madeleine, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9611; Filed, Aug. 10, 1951; 9:02 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 348]

SCHAEFER TAILORING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Schaefer Tailoring Company, 224 E. Eighth Street, Cincinnati 2, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's and women's outerwear manufactured by Schaefer Tailoring Company, 224 E. Eighth Street, Cincinnati 2, Ohio, having the brand name(s) "Schaefer," shall be the proposed retail retail ceiling prices listed by Schaefer Tailoring Company in its application dated May 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Schaefer Tailoring Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}
$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9612; Filed, Aug. 10, 1951; 9:02 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 363]

CORNING GLASS WORKS

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Corning Glass Works, Foot of Walnut Street, Corning, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of heat resistant ovenware and flatware sold through wholesalers and retailers and having the brand name(s) "Pyrex" shall be the proposed retail ceiling prices listed by Corning Glass Works, Foot of Walnut Street, Corning, New York, hereinafter referred to as the "applicant" in its application dated May 31, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 9, 1951, Corning Glass Works must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale, other than a retailer, with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9613; Filed, Aug. 10, 1951; 9:03 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 364]

WELMAID PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Welmaid Products, Inc., 1529 Armitage Avenue, Chicago 22, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him,

including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ironing board pads and covers, dust cloths, dish cloths, scrub cloths, pressing cloths, laundry bags, pastry canvas, pot holders, basket liners, sleeve board and covers, ironer pads manufactured by Welmaid Products, Inc., 1529 Armitage Avenue, Chicago 22, Illinois, having the brand name(s) "Welmaid" and "Challenger" shall be the proposed retail ceiling prices listed by Welmaid Products, Inc., in its application dated June 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Welmaid Products, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9614; Filed, Aug. 10, 1951; 9:03 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 365]

THOMAS SHIRT, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Thomas Shirt, Inc., 224 East Eleventh Street, Los Angeles 15, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's shirts manufactured by Thomas Shirt, Inc., 224 East Eleventh Street, Los Angeles 15, California, having the brand name(s) "Thomas Shirt" shall be the proposed retail ceiling prices listed by Thomas Shirt, Inc. in its application dated July 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Thomas Shirt, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9615; Filed, Aug. 10, 1951; 9:04 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 366]

STROMBERG-CARLSON CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Stromberg-Carlson Company, 100 Carlson Road, Rochester 3, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of radio and television receivers sold through wholesalers and retailers and having the brand name(s) "Stromberg-Carlson" shall be the proposed retail ceiling prices listed by Stromberg-Carlson Company, 100 Carlson Road, Rochester 3, New York, hereinafter referred to as the "applicant" in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 9, 1951, Stromberg-Carlson

Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9616; Filed, Aug. 10, 1951; 9:04 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 367]

DOROTHY HUBBS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompany special order, Dorothy Hubbs, Inc., 1400 Broadway, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's and misses' dresses manufactured by Dorothy Hubbs, Inc., 1400 Broadway, New York 18, New York, having the brand name(s) "Dorothy Hubbs" shall be the proposed retail ceiling prices listed by Dorothy Hubbs, Inc. in its application dated June 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 13, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the

same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Dorothy Hubbs, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9617; Filed, Aug. 10, 1951; 9:05 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 368]

HOOSIER FACTORIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hoosier Factories, Inc., Tenth and Sheridan Streets, Michigan City, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's slacks manufactured by Hoosier Factories, Inc., Tenth and Sheridan Streets, Michigan City, Indiana, having the brand name(s) "Convert'able" shall be the proposed retail ceiling prices listed by Hoosier Factories, Inc., in its application dated June 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 9, 1951, Hoosier Factories, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is to ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9618; Filed, Aug. 10, 1951; 9:05 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 81, Amdt. 1]

UNION UNDERWEAR CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 81 under section 43 of Ceiling Price Regulation 7, issued on June 25, 1951, established ceiling prices for sales at retail of men's and boys' underwear manufactured by Union Underwear Company, Inc. The special order required the manufacturer to mark each article listed in the special order with the retail ceiling price fixed under the special order or to attach to each article a label, tag, or ticket stating the retail ceiling price. Applicant was required to comply with this preticketing provision on and after July 26, 1951.

Union Underwear Company, Inc., has filed an application for an extension of time in which to meet this preticketing requirement. The application points out that the applicant has on hand a large number of items covered by the special order. These items are already packaged. In addition, the applicant's ceiling prices as a manufacturer are now being recalculated under the provisions of Ceiling Price Regulation 45. This recalculation may make it necessary for the applicant to apply for new retail ceiling prices at a future date. Applicant, in such a case, would then be required to open thousands of cartons, remove old price labels, and affix new labels reflecting prices determined under Ceiling Price Regulation 45.

Under these special circumstances, the Director has determined that the special order be amended.

Amendatory provisions. Special Order 81 under Ceiling Price Regulation 7, Section 43, is amended in the following respects:

1. In paragraph 3, substitute for the date "July 26, 1951" the date "November 26, 1951."

2. In paragraph 3, substitute for the date "August 25, 1951," wherever it appears, the date "December 26, 1951."

Effective date. This amendment shall become effective on August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9584; Filed, Aug. 9, 1951; 4:27 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 27, Amendment 1]

HONEYBUGS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 27 under section 43 of Ceiling Price Regulation 7, issued on May 25, 1951, established ceiling prices for sales at retail of women's footwear manufactured by Honeybugs, Inc. The special order required the manufacturer to mark each article listed in the special order with the retail ceiling price fixed under the special order or to attach to each article a label, tag, or ticket stating the retail ceiling price. Applicant was required to comply with this preticketing provision on and after June 25, 1951.

Honeybugs, Inc., has filed an application for an extension of time in which to meet this preticketing requirement. The application points out that the applicant has on hand a large number of items covered by the special order which cannot be preticketed within the period of time set forth in the special order.

Applicant further requests permission to permit the marking of the retail ceiling prices established by the special order on invoices sent to retailers rather than on the items covered by the special order. To permit such a method of marking the ceiling prices established would, in the opinion of the Director, be inconsistent with the intent of section 43, Ceiling Price Regulation 7.

Under the special circumstances set forth, the Director has determined that the special order be amended by granting an extension of time to meet the preticketing requirement of the special order.

Amendatory provisions. Special Order 27 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 3, substitute for the date "June 25, 1951" the date "September 25, 1951."

2. In paragraph 3, substitute for the date "July 25, 1951," wherever it appears, the date "October 25, 1951."

Effective date. This amendment shall become effective on August 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9585; Filed, Aug. 9, 1951; 4:27 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8736, 8975, 8976, 9175; Mimeo 66241]

RULES, REGULATIONS, AND ENGINEERING STANDARDS CONCERNING TELEVISION BROADCAST SERVICE

NOTICE OF ORDER OF TESTIMONY

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and engineering standards concerning the television broadcast service, Docket No. 9175; utilization of frequencies in the band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. Attached hereto is the Order of Testimony (Mimeos 66026 and 66188) that will be followed by the Commission in the event an oral hearing is held in the above-entitled matters.

2. The first party to be heard will be Allen B. DuMont Laboratories, Inc., to be followed by parties who have filed oppositions to the comments filed by Allen B. DuMont Laboratories, Inc. A list of the parties who have filed such oppositions is attached hereto as Mimeo 66026.

3. The Order of Testimony that will be followed after the above testimony is heard is set forth in Mimeo 66188 attached hereto. With the exception of those comments and oppositions which are listed in Mimeo 66026, all comments filed pursuant to paragraph 12 of the Commission's Third Notice of Further Proposed Rule Making in the above-entitled matters are listed in Mimeo 66188. This Mimeo first lists parties who have filed counterproposals to the Commission's assignment table described in Appendix C of the Third Notice of Further Proposed Rule Making. Those parties who have filed oppositions to such counterproposals have been listed directly beneath the party against whose comment the opposition has been directed.[1] After each counterproposal and opposition thereto set forth in Mimeo 66188 are listed those comments which support the assignment table proposed by the Commission in its Third Notice of Further Proposed Rule Making.

4. The parties listed in Mimeo 66188 have been arranged in accordance with the geographical areas with respect to which their comments are related. Parties in each geographical group will be heard in the order in which the parties are listed therein. A number has been designated for each party within a group and if the same party appears more than once, the same number has been used. A party within a group will, however, be permitted to give all his testimony at one time even though his name may appear more than once within a group. However, where a party is listed within more than one group, testimony will be heard on matters relating to each separate group at different times.

[1] For the convenience of the parties, a list of oppositions is attached hereto as Mimeo 66048, and the numbers used in connection with the oppositions are explained therein.

5. The attached Order of Testimony is issued solely for the purpose of expediting the hearing process and for convenience of the parties. It does not relieve parties of the responsibility of meeting any issues that might be raised by the pleadings that have been filed. The listing of any party in the Order of Testimony shall not be deemed as a determination in any way that a comment filed by such party is proper, or that testimony pursuant to such comment is appropriate and in accordance with the provisions of paragraphs 11 and 12 of the Third Notice of Further Proposed Rule Making.

6. Any errors or omissions in the attached Order of Testimony should be reported in writing to the Chief, Rules and Standards Division of the Broadcast Bureau of the Commission.

Released: July 18, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[Mimeo 66026]

OPPOSITIONS TO COMMENTS FILED BY ALLEN B. DUMONT LABORATORIES, INC.

K 67	Radio Voice of New Hampshire, Inc., Manchester, N. H.
K 128	WKNE Corp., Keene, N. H.
K 117	WTAG, Inc., Worcester, Mass.
K 126	The Outlet Co., Providence, R. I.
K 139	Travelers Broadcasting Service Corp., Hartford, Conn.
K 148	Greylock Broadcasting Co., Pittsfield, Mass.
K 325	Hampden-Hampshire Corp., Holyoke, Mass.
K 26	Bell Telephone Laboratories, Inc.
K 141	WPIX, Inc., New York City, N. Y.
K 145	N. B. C.
K 196	A. S. Abell Co., Baltimore, Md.
K 178	Hearst Radio, Inc., Baltimore, Md.
KE 262	Joint Committee on Educational Television.
K 17	Tri-City Broadcasting Co., Wheeling, W. Va.
K 119	The Fort Industry Co., Wheeling, W. Va.
K 289	Community Broadcasting, Inc., Wheeling, W. Va.
K 133	Greater Huntington Radio Corp., Huntington, W. Va.
K 151	Williamson Broadcasting Corp., Williamsson, W. Va.
K 194	Crosley Broadcasting Corp., Cincinnati, Columbus, Dayton, Ohio.
K 285	Joint: Cleveland Broadcasting Co., Inc.; United Broadcasting Co.; WGAR Broadcasting Co.; WJW, Inc.
K 286	WSTV, Inc., Steubenville, Ohio.
K 35	Miami Valley Broadcasting Corp., Dayton, Ohio.
K 194	Crosley Broadcasting Corp., Cincinnati, Columbus, Dayton, Ohio.
K 222	Radio Cincinnati, Inc., Cincinnati, Ohio.
K 229	Picture Wave, Inc., Columbus, Ohio.
K 188	Ashland Broadcasting Co., Ashland, Ky.
K 66	WJIM, Inc., Lansing, Mich.
K 68	Evening News Association (WWJ-TV), Detroit, Mich.
KE 51	State Board of Agriculture, Michigan State College, East Lansing, Mich.
K 103	The Fort Industry Co., Toledo, Ohio.
K 104	The Adrian Broadcasting Co., Adrian, Mich.
K 254	The Adrian Broadcasting Co., Adrian, Mich.
K 244	The Trebit Corp., Flint, Mich.
K 287	Community Broadcasting Co., Toledo, Ohio.
KE 308	The Goodwill Station, Inc., Detroit, Mich.
K 118	Fetzer Broadcasting Co., Kalamazoo, Mich.
KE 237	The Music Broadcasting Co., Grand Rapids, Mich.
K 294	Delta Broadcasting Co., Escanaba, Mich.
K 60	Johnson-Kennedy Radio Corp., Chicago, Ill.
K 174	Balaban Katz, Chicago, Ill.
KE 259	Lake Broadcasting Co., Inc., Gary, Ind.
K 131	WCNT, Inc., Centralia, Ill.
K 197	Sangamon Valley Television Corp., Springfield, Ill.
K 293	The Journal Co., Milwaukee, Wis.
K 208	Northwest Broadcasting Co., Fort Dodge, Iowa.
K 219	Keokuk Broadcasting Co., Keokuk, Iowa.
KE 226	Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa.
K 281	The Gazette Co., Cedar Rapids, Iowa.
K 291	KFEQ, Inc., St. Joseph, Mo.
K 322	Courier-Post Publishing Co., Hannibal, Mo.
K 230	Lincoln Broadcasting Corp., Lincoln, Nebr.
K 210	Central Willamette Broadcasting Co., Albany, Oreg.
K 225	KVOS, Inc., Bellingham, Wash.
K 71, 280.	A. B. C., San Francisco and Los Angeles, Calif.
K 296	Radio Diablo, Inc., San Francisco, Calif.
K 29	Houston Post Co., Houston, Tex.
K 4	Lufkin Amusement Co., Beaumont, Tex.
K 110	Bell Broadcasting Co., Temple, Tex.
K 227	Lack's Stores, Inc., Victoria, Tex.
K 275	South Texas Television Co., Houston, Tex.
K 108	Red River Valley Publishing Co., Sherman, Tex.
K 190	Trinity Broadcasting Corp., Dallas, Tex.
K 251	Red River Valley Broadcasting Corp., Sherman, Tex.
K 209	Texoma Broadcasting Co., Wichita Falls, Tex.
K 330	Wichtex Radio & TV Co., Wichita Falls, Tex.
K 14	International Broadcasting Corp., Shreveport, La.
K 238	Harold L. Sudbury, Blytheville, Ark.
K 283	WSM, Inc., Nashville, Tenn.
K 13	News-Journal Corp., Daytona Beach, Fla.
K 152	Ken-Sell, Inc., West Palm Beach, Fla.
K 102	The Fort Industry Co., Miami, Fla.
K 195	WJNO, Inc., West Palm Beach, Fla.
K 220	Orlando Broadcasting Co., Orlando, Fla.
K 73	Board of Regents, University System of Georgia behalf of Georgia Institute of Technology.
K 72	WJHL, Inc., Johnson City, Tenn.
K 62	Appalachian Broadcasting Corp., Bristol, Va.
K 64	WDOD Broadcasting Corp., Chattanooga, Tenn.
K 136	Tri-State Telecasting Corp., Chattanooga, Tenn.
K 121	WPTF Radio Co., Raleigh, N. C.
K 240	The High Point Enterprises, Inc., High Point, N. C.
K 332	City of Columbia, S. C.
K 339	Palmetto Broadcasting Corp., Columbia, S. C.
K 256	Louis H. Peterson, Petersburg, Va.

[Mimeo 66188]

GROUP A

COUNTERPROPOSALS

Lewiston, Maine

1 The Travelers Broadcasting Service Corp., Hartford, Conn.
K 303, Lewiston-Auburn Broadcasting Corp.
2 Hartford Times, Inc., Hartford, Conn.
K 155, Lewiston-Auburn Broadcasting Corp.
3 Regional TV Corp., Springfield, Mass.
K 306, Lewiston-Auburn Broadcasting Corp.
4 Hampden-Hampshire Corp., Springfield, Mass.
K 305, Lewiston-Auburn Broadcasting Corp.
5 CBS, Inc., Boston, Mass.
K 325, Hampden-Hampshire Corp.
K 307, Regional TV Corp.

Portland, Maine

5 CBS, Inc., Boston, Mass.
K 325, Hampden-Hampshire Corp.

Augusta, Maine

5 CBS, Inc., Boston, Mass.

Orono, Maine

5 CBS, Inc., Boston, Mass.

Calais, Maine

5 CBS, Inc., Boston, Mass.
K 325, Hampden-Hampshire Corp.

Lewiston, Maine, Montpelier, Vt.

6 Greylock Broadcasting Co., Pittsfield, Mass.
K 304, Lewiston-Auburn Broadcasting Corp.

SUPPORTS F. C. C.

Orono, Maine

9 University of Maine.

COUNTERPROPOSALS

Hanover, Rochester, Concord, N. H.

7 Trustees of Dartmouth College, Hanover, N. H.
K 124, Mid-Hudson Broadcasters, Inc.

Manchester, Berlin, Rochester, N. H.

8 Matheson Radio Co., Inc., Boston, Mass.
K 3, Grandview, Inc., Manchester, N. H.
K 67, Radio Voice of New Hampshire.

Manchester, N. H.

5 CBS, Inc., Boston, Mass.
K 67, Radio Voice of New Hampshire.

SUPPORTS F. C. C.

Manchester, N. H.

10 Grandview, Inc.

Durham, N. H.

11 University of New Hampshire.

COUNTERPROPOSALS

Montpelier, Vt.

1 The Travelers Broadcasting Service Corp., Hartford, Conn.
2 Hartford Times, Inc., Hartford, Conn.
3 Regional TV Corp., Springfield, Mass.
4 Hampden-Hampshire Corp., Springfield, Mass.

SUPPORTS F. C. C.

Burlington, Vt.

12 University of Vermont & State Agricultural College.

GROUP B

COUNTERPROPOSALS

Boston, Springfield, Worcester, New Bedford, Fall River, Barnstable, Brockton, Mass.

1 Matheson Radio Co., Inc., Boston, Mass:
K 117, WTAG, Inc.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.

Brockton, Boston, Mass.

2 Enterprise Publishing Co., Brockton, Mass.:
K 45, Cowles Broadcasting Co.
K 177, Matheson Radio Co., Inc.

Boston, Mass.

3 CBS, Boston, Mass.
K 117, WTAG, Inc.
K 141, WPIX, Inc.
K 307, Regional TV Corp.

Springfield-Holyoke, Mass.

4 Regional TV Corp., Springfield, Mass.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
5 Hampden-Hampshire Corp., Springfield-Holyoke, Mass.
K 117, WTAG, Inc.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 148, BWRK—Greylock Broadcasting Co.
K 307, Regional TV Corp.

Worchester, Mass.

6 WTAG, Inc.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 325, Hampden-Hampshire Corp.

Lowell, Springfield, Brockton, Mass.

7 Trustees of Dartmouth College, Hanover, N. H.

Pittsfield, Mass., New London, Conn.

8 Greylock Broadcasting Co., Pittsfield, Mass.:
K 15, Stromberg-Carlson Co., Rochester, N. Y.
K 307, Regional TV Corp.
K 313, Buffalo Courier Express.
K 325, Hampden-Hampshire Corp.

SUPPORTS F. C. C.

Boston, Mass.

11 Lowell Institute Co-Op Broadcasting Council.
12 Franklin Technical Institute.
13 Emerson College.

COUNTERPROPOSALS

Providence, R. I.

9 The Travelers Broadcasting Service Corp., Hartford, Conn.
K 126, The Outlet Co.
K 325, Hampden-Hampshire Corp.
1 Matheson Radio Co. Inc, Boston, Mass.
K 126, The Outlet Co.
5 Hampden-Hampshire Corp., Springfield, Mass.
K 126, The Outlet Co.
6 WTAG, Inc., Worcester, Mass.
K 126, The Outlet Co.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 325, Hampden-Hampshire Corp.
8 CBS, Inc., Boston, Mass.
K 126, The Outlet Co.
K 141, WPIX, Inc.
K 325, Hampden-Hampshire Corp.

SUPPORTS F. C. C.

Providence, R. I.

14 Superintendent of Schools.
15 Catholic School System.
16 Rhode Island State Department of Education.
17 Rhode Island School for the Deaf.
18 Rhode Island College of Education.
19 Providence Bible Institute.
20 Providence College.
21 Cherry & Webb Broadcasting Co.
K 117, WTAG, Inc.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 325, Hampden-Hampshire Corp.
22 Brown University.
K 336, Travelers Broadcasting Service Corp., Hartford, Conn.
23 The Outlet Co.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 325, Hampden-Hampshire Corp.

COUNTERPROPOSALS

Hartford, New London, Conn.

9 Travelers Broadcasting Service Corp., Hartford, Conn.
K 117, WTAG, Inc.
K 148, WBRK—Greylock Broadcasting Co.
K 307, Regional TV Corp.
K 325, Hampden-Hampshire Corp.

Hartford, New Haven, New London, Conn.

10 Hartford Times, Inc., Hartford, Conn.
K 142, WAVZ Broadcasting Co., New Haven, Conn.
K 164, Matheson Radio Co., Inc., Boston, Mass.
K 307, Regional TV Corp.
K 325, Hampden-Hampshire Corp.

Storrs, Hartford, Conn.

1 Matheson Radio Co., Inc., Boston, Mass.

New London, Conn.

4 Regional TV Corp., Springfield, Mass.
5 Hampden-Hampshire Corp., Springfield, Mass.

SUPPORTS F. C. C.

Storrs, Conn.

24 University of Connecticut.

Hartford, Conn.

25 State Department of Education.

New London, Conn.

26 The Thames Broadcasting Corp.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 307, Regional TV Corp.
K 325, Hampden-Hampshire Corp.

New Haven, Conn.

27 Connecticut Radio Foundation, Inc.
28 The Elm City Broadcasting Corp.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.

GROUP C

COUNTERPROPOSALS

Buffalo, Rochester, New York, Malone, Poughkeepsie, N. Y.

1 University of State of New York.
K 124, Mid-Hudson Broadcasters, Inc.
K 333, North County Broadcasting Co., Inc., Malone, N. Y.

Syracuse, N. Y.

2 WAGE, Inc. and Onondaga Radio Broadcasting Corp., Syracuse, N. Y.
K 91, Clark Associates, Inc., Binghamton, N. Y.
K 201, Brockway Co., Watertown, N. Y.

Buffalo, Niagara Falls, N. Y.

3 Buffalo Courier Express, Inc., WGR Broadcasting Corp., WKBW, Inc., Buffalo, N. Y.
K 276, Corning Leader, Inc., Corning, N. Y.

Albany, Schenectady, Troy, Watertown, N. Y.

4 Meredith Champlain Television Corp.
K 193, Troy Broadcasting Co., Inc.

Troy, Oneonta, N. Y.

5 Troy Broadcasting Co., Inc.
K 273, Meredith Champlain Television Corp.

Binghamton, N. Y.

6 Binghamton Broadcasters Inc., Binghamton, N. Y.
K 70, American Broadcasting Co.
K 207, Buffalo Courier-Express Inc., Buffalo, N. Y.
K 278, Meredith Syracuse Television Corp., Syracuse, N. Y.

Watertown, N. Y.

7 The Rockway Co., Watertown, N. Y.

Kingston, N. Y.

8 Kingston Broadcasting Corp., Kingston, N. Y.

Corning, N. Y.

9 Corning Leader, Inc., Corning, N. Y.
K 235, Buffalo Courier-Express, Inc., Buffalo, N. Y.
K 278, Meredith Syracuse Television Corp., Syracuse, N. Y.

Ithaca, Buffalo, Rochester, Syracuse, Niagara Falls, N. Y.

10 Cornell University, Ithaca, N. Y.
K 148, WBRK—Greylock Broadcasting Co.
K 170, Buffalo Courier-Express, Inc., WGR Broadcasting Corp., and WKBW, Inc.
K 201, Brockway Co., Watertown, N. Y.
K 202, WBEN, Inc., Buffalo N. Y.

Syracuse, Rochester, N. Y.

11 Greylock Broadcasting Co., Pittsfield, Mass.
K 15, Stromberg-Carlson Co., Rochester, N. Y.
K 313, Buffalo Courier-Express, Inc., Buffalo, N. Y.

Albany, N. Y.

12 CBS.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.
K 325, Hampden-Hampshire Corp.

OPPOSITION

New York, N. Y.

13 Hearst Radio Inc., Baltimore, Md.

SUPPORTS

Rochester, N. Y.

14 University of Rochester.
15 Rochester Institute of Technology.
16 Rochester Board of Education.
17 Veterans Broadcasting Co., Inc.
18 WHEC, Inc.

Syracuse, N. Y.

19 LeMoyne College.
20 Syracuse University.

Niagara Falls, N. Y.

21 Niagara Falls Gazette Publishing Co.

Albany, N. Y.

22 College of St. Rose.

Troy, N. Y.

23 Troy Lions Club.

Buffalo, N. Y.

24 New York State College for Teachers.
25 D'Youville College.

Albany, N. Y.

26 State University of New York.

Buffalo, N. Y.

27 Superintendent of Schools.
28 Board of Education, University of Buffalo, Canisius College.

New York, N. Y.

29 The New York School for Social Research.
30 Fordham University and WFUV–FM.
31 New York University.
32 Board of Education, City of New York.
33 City College of the College of the City of New York.
34 Barnard College (Columbia University).
35 Child Education Foundation.

Albany, Schenectady-Troy, Binghamton, Ithaca, Syracuse, Utica-Rome, N. Y.

1 University of State of New York.

GROUP D

COUNTERPROPOSALS

Trenton, Atlantic City, New Brunswick, Paterson, N. J.

1 State Department of Education.
K 213, Chanticleer Broadcasting Co.
K 282, Neptune Broadcasting Corp, Atlantic City, N. J.
K 292, Trent Broadcasting Corp.

Newark, N. J.

2 Bremer Broadcasting Corp., Newark, N. J.
K 141, WPIX, Inc.

Jersey City, N. J.

3 New Jersey Audio Visual Education Association.

New Brunswick, N. J.

4 Rutgers University.

Newark, N. J.

5 Newark N. J. Board of Education.

Princeton, N. J.

6 Princeton University.

New Brunswick, N. J.

7 Chanticleer Broadcasting Co.

OPPOSITION TO F. C. C.

Newark, N. J.

8 Hearst Radio Inc., Baltimore, Md.

GROUP E

COUNTERPROPOSALS

Lancaster, Pa.

1 Peoples Broadcasting Co., Lancaster, Pa.
K 182, WGAL, Inc., Lancaster, Pa.

Philadelphia, Pa.

2 Pennsylvania Broadcasting Co., Philadelphia, Pa.
K 87, Clark Associates, Inc., Binghamton, N. Y.

Reading, Lebanon, Pa.

3 Eastern Radio Corp., Reading, Pa.
K 162, Lebanon Broadcasting Co., Lebanon, Pa.

Philadelphia, Pa.

4 The Chamber of Commerce of Greater Philadelphia.
K 55, Binghamton Broadcasters, Inc., Binghamton, N. Y.
K 84, Peoples Broadcasting Co., Lancaster, Pa.
K 150, WJZ–TV, WDEL, WMAL–TV.
K 257, Clark Associates, Inc., Binghamton, N. Y.

5 The Daily News Television Co.
K 55, Binghamton Broadcasters, Inc., Binghamton, N. Y.
K 84, Peoples Broadcasting Co., Lancaster, Pa.
K 150, WJZ–TV, WDEL, WMAL–TV.
K 312, Clark Associates, Inc.

6 City of Philadelphia.
K 55, Binghamton Broadcasters, Inc., Binghamton, N. Y.
K 84, Peoples Broadcasting Co., Lancaster, Pa.
K 150, WJZ–TV, WDEL, WMAL–TV.
K 311, Clark Associates, Inc.

7 Pennsylvania Broadcasting Co.
K 55, Binghamton Broadcasters, Inc., Binghamton, N. Y.
K 84, Peoples Broadcasting Co., Lancaster, Pa.
K 145, National Broadcasting Co.

Harrisburg, Pa.

8 The Patriot-News Co.

Pottsville, Pa.

9 City of Pottsville, et al.

Wilmington, Del.

7 Pennsylvania Broadcasting Co., Philadelphia, Pa.
K 200, Elm City Broadcasting Corp.

4 Chamber of Commerce, Philadelphia, Pa.
K 150, WJZ–TV, WDEL, WMAL–TV.
K 200, Elm City Broadcasting Corp.

SUPPORTS

Wilmington, Del.

12 Wilmington Public Schools.
13 WDEL, Inc.

State College, Pa.

14 Pennsylvania State College.

Philadelphia, Pa.

15 Board of Public Education of the School District of Philadelphia.
16 The Franklin Institute.

COUNTERPROPOSALS

Scranton, Pa.

10 The Scranton Times.

SUPPORTS

Scranton, Pa.

17 Appalachian Co.
18 School District of Scranton.

OPPOSITION TO F. C. C.

Wilmington, Del.

11 Hearst Radio Inc., Baltimore, Md.
K 150, WJZ–TV, WDEL, WMAL–TV

GROUP F

COUNTERPROPOSALS

Washington D. C.

1 U. S. Conference of Mayers.

OPPOSITION

Baltimore, Md.

2 Hearst Radio, Inc., Baltimore, Md.

SUPPORTS

Baltimore, Md.

3 City of Baltimore.
4 Goucher College.

Washington, D. C.

5 Archdiocese of Washington.
6 Howard University.
7 George Washington University.
8 The American University.

GROUP G

COUNTERPROPOSALS

Washington, Pa., Wheeling, W. Va.

1 Washington Broadcasting Co., Washington, Pa.
K 40, Tri-City Broadcasting Co.
K 123, The Fort Industry Co.
K 179, WCAE, Inc.
K 286, WSTV, Inc.
K 289, Community Broadcasting, Inc.
K 324, Pittsburgh Radio Supply House.

Pittsburgh, Pa., Wheeling, W. Va.

2 Westinghouse Radio Stations, Inc., Pittsburgh, Pa.
K 37, Fort Industry Co.
K 39, Tri-City Broadcasting Co.
K 194, Crosley Broadcasting Corp.
K 286, WSTV, Inc.
K 289, Community Broadcasting, Inc.

Pittsburgh, Washington, Pa., Wheeling, W. Va.

3 WCAE, Inc., Pittsburgh, Pa.
K 37, Fort Industry Co.
K 42, Tri-City Broadcasting Co.
K 73, WBVP, Inc.
K 285, Cleveland Broadcasting Co., Inc., etc.
K 286, WSTV, Inc.
K 289, Community Broadcasting, Inc.
K 324, Pittsburgh Radio Supply House.

Pittsburgh, Pa., Wheeling, W. Va.

4 Allegheny Broadcasting Corp., Pittsburgh, Pa.
K 37, Fort Industry Co.
K 99, Tri-City Broadcasting Co.
K 194, Crosley Broadcasting Corp.
K 286, WSTV, Inc.
K 289, Community Broadcasting, Inc.
5 Pittsburgh Radio Supply House, Inc., Pittsburgh, Pa.
K 37, Fort Industry Co.
K 43, Tri-City Broadcasting Co.
K 73, WBVP, Inc.
K 285, Cleveland Broadcasting Co., Inc., etc.
K 286, WSTV, Inc.
K 289, Community Broadcasting, Inc.
K 194, Crosley Broadcasting Corp.
6 Chamber of Commerce, Pittsburgh, Pa.

Pittsburgh, Pa.

7 WWSW, Inc., Pittsburgh, Pa.
K 194, Crosley Broadcasting Corp.
8 WGAR, WERE, WHK, WJW, Cleveland, Ohio
K 73, WBVP, Inc.
K 165, WCAE, Inc.
K 324, Pittsburgh Radio Supply House.

Altoona, Pa.

9 The Gable Broadcasting Co., Altoona, Pa.

Braddock, Pa.

10 Matta Broadcasting Co., Braddock, Pa.
K 24, WWSW, Inc., Pittsburgh, Pa.
K 194, Crosley Broadcasting Corp.
K 324, Pittsburgh Radio Supply House.

Pittsburgh, Pa.

11 Tri-City Broadcasting Co., McKeesport, Pa.
K 25, WWSW, Inc., Pittsburgh, Pa.
K 169, WCAE, Inc.
K 324, Pittsburgh Radio Supply House.

Beaver Falls, Pa.

12 WBVP, Inc., Beaver Falls, Pa.
K 185, WCAE, Inc., Pittsburgh, Pa.
K 285, Cleveland Broadcasting Co., Inc., etc.
K 324, Pittsburgh Radio Supply House.

SUPPORTS

Pittsburgh, Pa.

15 Board of Public Education of Pittsburgh, Pa.
16 Mount Mercy College.
17 University of Pittsburgh.
18 Duquesne University.
19 Carnegie Institute.
20 Catholic School Board Diocese of Pittsburgh.
21 Pennsylvania College for Women.
22 State Teachers College, Slippery Rock, Pa.
23 Thiel College, Greenville, Pa.
24 Geneva College, Beaver Falls, Pa.
25 State Teachers College, Edinboro, Pa.
26 St. Vincent College, Latrobe, Pa.
27 Westminster College, New Wilmington, Pa.
28 State Teachers College, California, Pa.
29 W. & J. College, Washington, Pa.
30 Waynesburg College, Waynesburg, Pa.
31 City Council, Pittsburgh, Pa.

Wheeling, W. Va.

32 Fort Industry Co.
K 286, WSTV, Inc.
K 324, Pittsburgh Radio Supply House.
33 Board of Education, County of Ohio.
34 Board of Trade, Bellaire, Ohio.

COUNTERPROPOSALS

DuBois, Pa.

8 WGAR, WERE, WJW, WHK (Cleveland).
K 109, Tri-County Broadcasting Co.
K 324, Pittsburgh Radio Supply House.

Wheeling, W. Va.

13 WSTV, Inc. (Valley Broadcasting Co.) Steubenville, Ohio.
K 41, Tri-City Broadcasting Co.
K 122, The Fort Industry Co.
K 167, WCAE, Inc.
K 324, Pittsburgh Radio Supply House.

Washington, Pa.

14 L. B. Wilson, Inc., Cincinnati, Ohio.

GROUP H

COUNTERPROPOSALS

Erie, Pa.

1 Presque Isle Broadcasting Co., Erie, Pa.
K 215, Dispatch, Inc.

Erie, Oil City, Pa.

2 Erie Television Corp.

Lock Haven, Pa.

3 Lock Haven Broadcasting Corp.

SUPPORTS F. C. C.

Erie, Pa.

4 St. John Kanty Prep.

GROUP I

COUNTERPROPOSALS

Beckley, W. Va.

1 Joe L. Smith, Jr., Beckley, W. Va.
K 264, Winston-Salem Broadcasting Co., N. C.

Huntington, W. Va

2 WSAZ, Inc., Huntington, W. Va.
K 133, Greater Huntington Radio Corp.

Princeton, W. Va.

3 Daily Telegraph Printing Co., Bluefield, W. Va.
K 264, Winston-Salem Broadcasting Co., N. C.

Clarksburg, W. Va.

4 L. B. Wilson, Cincinnati, Ohio.
K 158, Scripps-Howard, Inc.
5 Ohio State University, Columbus, Ohio.
K 30, Clarksburg Broadcasting Co., Clarksburg, W. Va.
K 134, Greater Huntington Radio Corp.
K 140, William H. Block Co., Indianapolis, Ind.
K 146, Radio Indianapolis.
K 191, Ohio Valley Broadcasting Co., Clarksburg, W. Va.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 315, Radio Indianapolis, Inc.
6 Southeast Ohio Broadcasting System, Zanesville, Ohio.

Huntington, Charleston, Clarksburg, W. Va.

7 Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.
K 133, Greater Huntington Radio Corp.
K 191, Ohio Valley Broadcasting Co., Clarksburg, W. Va.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.

Huntington, W. Va.

4 L. B. Wilson, Cincinnati, Ohio.
K 133, Greater Huntington Radio Corp.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
5 Ohio State University, Columbus, Ohio.
K 134, Greater Huntington Radio Corp.
K 30, Clarksburg Broadcasting Co., Clarksburg, W. Va.
K 140, William H. Block Co., Indianapolis, Inc.
K 146, Radio Indianapolis.
K 191, Ohio Valley Broadcasting Co., Clarksburg, W. Va.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 315, Radio Indianapolis, Inc.

Cumberland, Md.

Ohio State University, Columbus, Ohio.
K 146, Radio Indianapolis.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 315, Radio Indianapolis, Inc.
K 140, William H. Block Co., Indianapolis, Ind.

SUPPORTS

Morgantown, W. Va.

8 West Virginia University.

Huntington, W. Va.

9 Marshall College.

Charleston, W. Va.

10 Kanawha County Schools.
11 Morris Harvey College.

Williamson, W. Va.

12 Williamson Broadcasting Corp.

GROUP J

COUNTERPROPOSALS

Cleveland, Ohio

1 WERE, WHK, WJW, WGAR, Cleveland, Ohio.
K 243, Trebit Corp.
K 109, Tri-County Broadcasting.

Akron, Ohio

2 Wooster Republican, Inc., Wooster, Ohio.
K 74, Board of Education, Akron City School District, Akron, Ohio.
K 132, Summit Radio Corp., Sherry, Ohio.

Massillon, Marion, Gallipolis, Findlay, Lorain, Ohio; Lexington, Ky.

1 WERE, WHK, WJW, WGAR, Cleveland, Ohio.
3 WIBC, Inc., Indianapolis, Ind.

Steubenville, Ohio

4 WSTV, Inc. (Valley Broadcasting Co.)
K 41, Tri-City Broadcasting Co.
K 122, The Fort Industry Co.
K 167, WCAE, Inc.
K 324, Pittsburgh Radio Supply House.

Wooster, Ohio

5 Wooster Republican, Inc.
K 74, Board of Education, Akron City School District, Akron, Ohio.
K 132, Summit Radio Corp., Sherry, Ohio.

Sandusky, Ohio

1 WERE, WHK, WJW, WGAR.

Youngstown, Ohio

6 Vindicator Printing Co.

Lexington, Ky.

7 University of Kentucky.
K 337, American Broadcasting Corp., Lexington, Ky.

Steubenville, Ohio

8 L. B. Wilson, Inc., Cincinnati, Ohio.
K 168, WCAE, Inc.

SUPPORTS

Cleveland, Ohio

9 NBC.
10 Empire Coil Co.
11 Public Schools.

Warren, Ohio

12. Warren Tribune, R. S., Inc.

Akron, Ohio

13 University of Akron.
14 Board of Education.
15 Kent State University, Kent, Ohio.

GROUP K

COUNTERPROPOSALS

Cincinnati, Ohio

1 L. B. Wilson, Inc.
K 140, William H. Block Co., Indianapolis, Ind.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 236, Wabash Valley Broadcasting Corp.
K 241, WHAS, Inc., Louisville, Ky.
K 315, Radio Indianapolis, Inc.
2 Ohio State University, Columbus, Ohio.
K 146, Radio Indianapolis.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.

Cincinnati, Zanesville, Ohio

3 South East Ohio Broadcasting System, Inc.
K 191, Ohio Valley Broadcasting Co., Clarksburg, W. Va.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
4 Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.

Columbus, Ohio

2 Ohio State University.
K 27, Universal Broadcasting Co., Inc.
K 134, Greater Huntington Radio Corp.
K 140, William Block Co., Indianapolis, Ind.
K 146, Radio Indianapolis.
K 194, Crosley Broadcasting Corp.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 315, Radio Indianapolis, Inc.

Bellefontaine, Ohio

5 WCAE, Inc., Pittsburgh, Pa.
K 285, Cleveland Broadcasting Co., Inc., etc.

Hamilton-Middletown, Ohio

Pittsburgh, Pa.

SUPPORTS

Cincinnati, Ohio

6 City of Cincinnati.
7 Public School System.

Dayton, Ohio

8 WHIO–TV.
9 University of Dayton.
10 City Commission.

Columbus, Ohio

11 Public Schools.

Oxford, Ohio

12 Miami University.

GROUP L

COUNTERPROPOSALS

Louisville, Ky.

1 Radio Kentucky, Inc., Louisville, Ky.
2 Mid-American Broadcasting Corp.
3 L. B. Wilson, Cincinnati, Ohio.
K 241, WHAS, Inc., Louisville, Ky.
4 Southern Illinois University, Carbondale, Ill.
K 140, William H. Block Co., Indianapolis, Ind.
K 241, WHAS, Inc., Louisville, Ky.
5 South East Ohio Broadcasting System, Zanesville, Ohio.

SUPPORTS

Louisville, Ky.

6 WHAS, Inc.
7 Nazareth College.
8 Southern Baptist Theological Seminary.
9 The Louisville Presbyterian Seminary.
10 Louisville Free Public Library.
11 Shenandoah Valley Broadcasting Corp.

Danville, Ky.

12 Centre College of Kentucky.

Paducah, Ky.

13 Southern Illinois University, Carbondale, Ill.

Middlesboro, Ky.

14 Spartan Radiocasting Co., Spartanburg, S. C.

GROUP M

COUNTERPROPOSALS

Owensboro, Ky.

1 Owensboro-on-the-Air, Inc.
K 140, William H. Block Co., Indianapolis, Ind.

Evansville, Ind.

2 WQUA, Moline, Ill.
K 69, Evansville Television, Inc., Evansville, Ind.
3 Chamber of Commerce, Evansville, Ind.

SUPPORTS

Evansville, Ind.

4 Evansville College.
5 South Central Broadcasting Corp.

GROUP N

COUNTERPROPOSALS

Indianapolis, Ind.

1 Ohio State University, Columbus, Ohio.
K 27, Universal Broadcasting Co., Inc.
K 140, William H. Block Co., Indianapolis, Ind.
K 146, Radio Indianapolis.
K 191, Ohio Valley Broadcasting Co., Clarksburg, W. Va.
K 194, Crosley Broadcasting Corp.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 290, Indianapolis Broadcasting, Inc.
K 315, Radio Indianapolis, Inc.
2 Universal Broadcasting Co.
3 WIBC, Inc.
K 194, Crosley Broadcasting Corp.
4 Indianapolis Broadcasting, Inc.
5 Radio Indianapolis, Inc.
6 L. B. Wilson, Cincinnati, Ohio.
K 130, Dispatch Printing Co.
K 140, William H. Block Co., Indianapolis, Ind.
K 143, WFBM, Inc.
K 194, Crosley Broadcasting Corp.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
K 290, Indianapolis Broadcasting, Inc.
7 William H. Block.
K 130, Dispatch Printing Co.
8 Southern Illinois University, Carbondale, Ill.
K 140, William H. Block Co., Indianapolis, Ind.
K 161, WFBM, Inc., Indianapolis, Ind.
K 194, Crosley Broadcasting Corp.
9 CBS
K 27, Universal Broadcasting Co., Inc.
K 140, William H. Block Co., Indianapolis, Ind.
K 146, Radio Indianapolis.
K 166, WCAE, Inc.
K 194, Crosley Broadcasting Corp.
K 290, Indianapolis Broadcasting, Inc.

Terre Haute, Ind.

3 WIBC, Inc., Indianapolis, Inc.
K 236, Wabash Valley Broadcasting Corp.
10 Logansport Broadcasting Corp., Logansport, Ind. Owensboro - on - the - Air, Inc., Owensboro, Ky.
K 140, William H. Block Co., Indianapolis, Ind.
K 236, Wabash Valley Broadcasting Corp.
7 Wm. H. Block, Indianapolis, Ind.
K 236, Wabash Valley Broadcasting Corp.
8 Southern Illinois University, Carbondale, Ill.
6 L. B. Wilson, Cincinnati, Ohio.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.

Bloomington, Ind.

3 WIBC, Inc., Indianapolis, Ind.
8 Southern Illinois University, Carbondale, Ill.
K 259, Lake Broadcasting Co., Inc., Gary, Ind.
6 L. B. Wilson, Inc., Cincinnati, Ohio.

Connersville, Kokomo, Marion, Ind.

5 Radio Indianapolis, Inc., Indianapolis, Ind.

Muncie, Connersville, Ind.

6 L. B. Wilson.
K–146, Radio Indianapolis.
K 315, Radio Indianapolis, Ind.

Muncie, Connersville, Ind.

9 CBS.
K 146, Radio Indianapolis.
K 315, Radio Indianapolis, Inc.

Logansport, Ind.

3 WIBC, Inc., Indianapolis, Ind.
10 Logansport Broadcast Corp., Owensboro-on-the-Air, Inc., Owensboro, Ky.
K 48, State Board of Agriculture, Michigan State College.
K 140, William H. Block Co., Indianapolis, Ind.
K 308, WJR Goodwill Station.

Vincennes, Ind.

3 WIBC, Inc., Indianapolis, Ind.

Fort Wayne, Ind.

11 Indiana Technical College.
K 145, National Broadcasting Co.
K 194, Crosley Broadcasting Corp.
K 237, Music Broadcasting Co., Grand Rapids, Mich.

Muncie, Ind.

13 Ball State Teachers College and School City of Muncie.

Muncie, Anderson, Ind.

12 WCAE, Inc., Pittsburgh, Pa.

SUPPORTS

Indianapolis, Ind.

14 Indiana Central College.

South Bend, Ind.

15 University of Notre Dame.

LaFayette, Ind.

16 Purdue University.

Terre Haute, Ind.

17 Indiana State Teachers College.

Michigan City, Ind.

18 W. H. C. Higgins.

Bloomington, Ind.

19 Indiana University.
20 Sarkes Tarzian, Inc.

GROUP O

COUNTERPROPOSALS

Bay City, Mich.

1 Board of Education, Detroit, Mich.
K 138, Booth Radio & TV Stations, Inc.
K 115, Toledo Blade Co.
K 9, Maumee Valley Broadcasting Co., Toledo, Ohio.
2 Bay Broadcasting Co., Bay City, Mich.
K 12, WJIM, Onc., Lansing, Mich.
K 156, Scripps-Howard, Inc. Cleveland, Ohio.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
3 Public Schools, Bay City, Mich.
K 133, Booth Radio & TV Stations, Inc.

Flint, Mich.

4 Trebit Corp., Flint, Mich.
K 49, State Board of Agriculture, Michigan State College.
K 175, Trebit Corp., Flint, Mich.
K 303, WSR Goodwill Station.
5 Board of Education, Detroit, Mich.
K 9, Maumee Valley Broadcasting Co., Toledo, Ohio.
K 105, Adrian Broadcasting Co., Adrian, Mich.
K 115, Toledo Blade Co.
K 133, Booth Radio & TV Stations, Inc.
K 310, The Trebit Corp., Flint, Mich.
6 Saginaw Broadcasting Co., Saginaw, Mich.
K 133, Booth Radio & TV Stations, Inc.
7 WJR, The Goodwill Station, Inc., Detroit, Mich.
3 Public Schools, Bay City, Mich.

Lansing, Mich.

7 WJR, The Goodwill Station, Inc., Detroit, Mich.
K 50, State Board of Agriculture, Michigan State College.
K 65, WJIM, Inc.
K 309, The Trebit Corp. Flint, Mich.
8 WGRD, Grand Rapids, Mich.
K 216, WJIM Inc. Lansing, Mich.
K, 294, Delta Broadcasting Co.
9 Booth Radio Stations, Detroit, Mich.
K 16, WJIM, Inc., Lansing, Mich.

East Lansing, Mich.

7 WJR, The Goodwill Station, Inc., Detroit, Mich.
10 State Board of Agriculture, Michigan State College, East Lansing, Mich.
K 133, Booth Radio & TV Stations, Inc.
K 224, Trebit Corp.
K 308, WJR Goodwill Station.

Detroit, Mich.

7 WJR, The Goodwill Station, Inc., Detroit, Mich.
K 228, Picture Waves, Inc., Columbus, Ohio.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
9 Booth Radio Stations, Detroit, Mich.
K 16, WJIM, Inc., Lansing, Mich.
K 184, Trebit Corp., Flint, Mich.
K 228, Picture Waves, Inc., Columbus, Ohio.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
5 Board of Education, Detroit, Mich.
K 9, Maumee Valley Broadcasting Co., Toledo, Ohio.
K 115, Toledo Blade Co.
K 194, Crosley Broadcasting Corp.
K 253, Adrian Broadcasting Co.
K 287, Community Broadcasting Co.
K 310, The Trebit Corp., Flint, Mich.
11 WJBK, Cleveland, Ohio.
12 WXYZ, Cleveland, Ohio.
13 WJW, Cleveland, Ohio.
14 WKAR, Cleveland, Ohio.

Coldwater, Mich.

15 Twin Valley Broadcasting.
K 52, State Board of Agriculture, East Lansing, Mich., Michigan State College.
K 130, Dispatch Printing Co.
K 175, Trebit Corporation, Flint, Mich.
K 308, WJR Goodwill Station.

Toledo, Ohio

5 Board of Education, Detroit, Mich.
K 9, Maumee Valley Broadcasting Co., Toledo, Ohio.
K 115, Toledo Blade Co.
K 194, Crosley Broadcasting Corp.
K 253, Adrian Broadcasting Co.
K 287, Community Broadcasting Co.

SUPPORTS

Toledo, Ohio

16 Community Broadcasting Co.
17 University of Toledo.
18 Maumee Valley Broadcasting.
19 City of Toledo.
20 Board of Education.

Detroit, Mich.

21 Mercy College.
22 Fort Industry Co.

Flint, Mich.

23 School District.

Ann Arbor, Mich.

24 University of Michigan.
25 City of Ann Arbor.

GROUP P

COUNTERPROPOSALS

Grand Rapids, Mich.

1 WQUA, Moline, Ill.
K 98, State Board of Agriculture, East Lansing, Mich., Michigan State College.
K 187, Hearst Radio, Inc., Milwaukee, Wis.
K 223, Trebit Corp.
K 303, WJR Goodwill Station.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis.
2 WGRD, Grand Rapids, Mich.
K 8, Green Bay Newspaper Co., Green Bay, Wis.
K 157, Scripps-Howard, Inc.
K 186, Hearst Radio, Inc., Milwaukee, Wis.
K 308, WJR Goodwill Station.
K 326, Milwaukee Broadcasting Co.

Ludington, Mich.

3 WJR, Detroit, Mich.

Cadillac, Mich.

WJR, Detroit, Mich.

Cadillac, Calumet, Essexville, Hancock, Marquette, Traverse City, Mich.

4 Delta Broadcasting Co., Escanaba, Mich.
K 237, Music Broadcasting Co., Grand Rapids, Mich.

Traverse City, Mich.

2 WGRD, Grand Rapids, Mich.
5 Booth Radio Stations, Detroit, Mich.

Saginaw, Midland, Mich.

6 Saginaw Broadcasting Co., Saginaw, Mich.
K 133, Booth Radio & TV Stations, Inc.
K 308, WJR Goodwill Station.

Traverse City, Mich.

7 Bay Broadcasting Co., Bay City, Mich.
K 12, WJIM, Inc., Lansing, Mich.
K 237, Music Broadcasting Co., Grand Rapids, Mich.

Alpena, Mich.

5 Booth Radio Stations, Detroit, Mich.

Escanaba, Mich.

4 Delta Broadcasting Co., Escanaba, Mich.
K 237, Music Broadcasting Co., Grand Rapids, Mich.

SUPPORTS

Sault Ste. Marie, Mich.

8 Public Schools.

GROUP Q

COUNTERPROPOSALS

Gary, Ind.

1 Board of School Trustees.
2 Lake Broadcasting Co., Inc.

Chicago, Ill.

1 Board of School Trustees, Gary, Ind.
K 60, Johnson Kennedy Radio Corp.
2 Lake Broadcasting Co., Gary, Ind.
K 60, Johnson Kennedy Radio Corp.
3 L. B. Wilson, Cincinnati, Ohio.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.
4 Northwestern University.
5 CBS.
K 140, William H. Block Co., Indianapolis, Ind.
K 146, Radio Indianapolis.
K 154, Booth Radio & TV Stations, Inc.
K 194, Crosley Broadcasting Corp.
K 259, Lake Broadcasting Co., Gary, Ind.
K 290, Indianapolis Broadcasting, Inc.
K 315, Radio Indianapolis, Inc.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis.

Bloomington, Ill.

5 CBS.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.

Urbana, Ill.

3 L. B. Wilson.
K 260, University of Illinois, Urbana, Ill.
6 Peoria Broadcasting Co., Peoria, Ill.
K 260, University of Illinois, Urbana, Ill.
7 W. Central Broadcasting Co., Peoria, Ill.
K 260, University of Illinois, Urbana, Ill.

Champaign, Ill.

8 Champaign News-Gazette, Inc.
K 174, Balaban & Katz Corp., Chicago, Ill.
K 192, Davenport Broadcasting Co.

Rockford, Ill.

3 L. B. Wilson, Cincinnati, Ohio.
K 127, Rockford Broadcasters, Inc.
9 WQUA, Moline, Ill.
5 CBS.
K 127, Rockford Broadcasters, Inc.
K 260, University of Illinois, Urbana, Ill.
K 281, Gazette Co., Cedar Rapids, Iowa.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis.

DeKalb, Ill.

30 Northern Illinois State Teachers College.

SUPPORTS

Chicago, Ill.

10 Chicago Public Schools.
11 Board of Education.
12 University of Chicago.
13 Illinois Institute of Technology.
14 Columbia College.
15 George Williams College.

Rockford, Ill.

16 Public Schools.
17 City of Rockford.
18 Rockford College.

Urbana, Ill.

19 University of Illinois.
20 Public Schools.

Chicago, Ill.

21 Balaban & Katz.

GROUP R

COUNTERPROPOSALS

Peoria, Ill.

1 West Central Broadcasting Co.
K 197, Sangamon Valley Television Corp.
K 281, Gazette Company, Cedar Rapids, Iowa.
2 Peoria Broadcasting Co.
K 192, Davenport Broadcasting Co.

Olney, Lincoln, Ill.

3 WIBC, Inc., Indianapolis, Ind.

Centralia, Ill.

2 Peoria Broadcasting Co., Peoria, Ill.
K 131, WCNT Inc., Centralia, Ill.
K 174, Balaban & Katz Corp., Chicago, Ill.

Springfield, Ill.

4 L. B. Wilson, Cincinnati, Ohio.
5 Champaign News-Gazette, Inc., Champaign, Ill.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.
K 174, Balaban & Katz Corp., Chicago, Ill.
K 197, Sangamon Valley Television Corp.
6 WQUA, Moline, Ill.
K 260, University of Illinois, Urbana, Ill.

Centralia, Ill.

5 Champaign News-Gazette, Inc., Champaign, Ill.
K 131, WCNT, Inc., Centralia, Ill.
6 WQUA, Moline, Ill.

Quincy, Ill.

6 WQUA, Moline, Ill.

Carbondale, Ill.

7 Keokuk Broadcasting Co., Keokuk, Iowa
8 Southern Illinois University.
K 140, William H. Block Co., Indianapolis, Ind.
K 192, Davenport Broadcasting Co.

SUPPORTS

Peoria, Ill.

9 Bradley University.
10 Illinois State Normal University, Normal, Ill.

Springfield, Ill.

11 Board of Education.
12 Springfield Junior College.
13 Chamber of Commerce.

GROUP S

COUNTERPROPOSALS

Milwaukee, Wis.

1 CBS.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.
K 11, WJIM, Inc., Lansing, Mich.
K 120, Central Broadcasting Co.
K 176, Hearst Radio, Inc., Radio Station.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis.
2 WQUA, Moline, Ill.
K 187, Hearst Radio, Inc., Milwaukee, Wis.
K 293, The Journal Co.
3 Milwaukee Broadcasting Co.
K 6, WJIM, Inc.
K 120, Central Broadcasting Co.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
4 Hearst Radio, Wisconsin Broadcasting System.
K 6, WJIM, Inc.
K 120, Central Broadcasting Co.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
K 328, City of Milwaukee.

Madison, Wis.

2 WQUA, Moline, Ill.
5 Radio Wisconsin, Inc.
K 34, Monona Broadcasting Co., Madison, Wis.

Green Bay, Wis.

4 Hearst Radio, Wisconsin Broadcasting System.
K 6, WJIM, Inc.
K 8, Green Bay Newspaper Co., Green Bay, Wis.
3 Milwaukee Broadcasting Co., Milwaukee, Wis.
K 6, WJIM, Inc.
K 8, Green Bay Newspaper Co., Green Bay, Wis.
6 Delta Broadcasting Co., Escanaba, Mich.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
7 Green Bay Newspaper Co.
K 237, Music Broadcasting Co., Grand Rapids, Mich.
8 WGRD, Grand Rapids, Mich.
K 8, Green Bay Newspaper Co., Green Bay, Wis.
1 CBS.
K 8, Green Bay Newspaper Co., Green Bay, Wis.
K 11, WJIM, Inc. Lansing, Mich.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis.

Wausau, Wis.

2 WQUA, Moline, Ill.

Clintonville, Wis.

8 WGRD, Grand Rapids, Mich.

Iron Mountain, Mich.

9 Booth Radio Stations, Detroit, Mich.
2 WQUA, Moline, Ill.
K 237, Music Broadcasting Co., Grand Rapids, Mich.

Racine, Wis.

20 Racine Public Library, Racine, Wis.

SUPPORTS

Madison, Wis.

10 Badger Broadcasting Co.

Wilwaukee, Wis.

11 Board of Vocational and Adult Education.
12 University of Wisconsin.
12 Marquette University (withdrawn).
14 Journal Co.
15 Public Schools.
16 City Council.

Wausau, Wis.

17 Alvin E. O'Konaski.

Marinette, Wis.

18 Marinette Public Schools.
19 M & M Broadcasting Co.

GROUP T

COUNTERPROPOSALS

Austin, Minn.

1 WQUA, Moline, Ill.
K 239, Cedar Valley Broadcasting Co.

Rochester, Minn.

1 WQUA, Moline, Ill.

La Crosse, Wis.

1 WQUA, Moline, Ill.

Reedsburg, Wis.

2 The Gazette Co., Cedar Rapids, Iowa.
KE 192, Davenport Broadcasting Co.

Mankato, Minn.

3 Southern Minnesota Supply Co., Mankato, Minn.
K 57, Independent Broadcasting Co., Minneapolis, Minn.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.

New Ulm, Minn.

4 KNUJ, Inc., New Ulm, Minn.
K 231, Gazette Co., Cedar Rapids, Iowa.

Minneapolis-St. Paul, Minn.

5 College of St. Thomas, St. Paul, Minn.
KE 323, City of St. Paul.
KE 320, St. Paul Public Library.
KE 319, St. Paul Department of Education.

Eau Claire, Wis.

1 WQUA, Moline, Ill.

Brainerd, Minn.

3 Southern Minnesota Supply Co., Mankato, Minn.

Duluth, Minn. (Superior, Wis.)

1 WQUA, Moline, Ill.

Hibbing, Minn.

3 Southern Minnesota Supply Co., Mankato, Minn.

SUPPORTS

St. Paul, Minn.

6 Concordia College.
7 College of St. Catherine.

Minneapolis, Minn.

8 University of Minnesota.
9 Minneapolis Public Schools.

Eau Claire, Wis.

10 Eau Claire State College.

GROUP

COUNTERPROPOSALS

Keokuk, Iowa

1 Keokuk Broadcasting Co., Keokuk, Iowa.
KE 192, Davenport Broadcasting Co.

Chariton, Iowa

2 The Gazette Co., Cedar Rapids, Iowa.

Des Moines, Iowa

3 Central Broadcasting Co., Des Moines, Iowa.
KE 192, Davenport Broadcasting Co.
4 Cowles Broadcasting Co., Des Moines, Iowa.
KE 192, Davenport Broadcasting Co.
5 Davenport Broadcasting Co., Davenport, Iowa.
K 113, Cowles Broadcasting Co.
K 159, Independent Broadcasting Co.
6 Murphy Broadcasting Co., Des Moines, Iowa.
KE 192 Davenport Broadcasting Co.
7 Independent Broadcasting Co., Des Moines, Iowa.
K 125, Rock Island Broadcasting Co.
KE 192, Davenport Broadcasting Co.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.

Ames, Iowa

3 Central Broadcasting Co., Des Moines, Iowa.
4 Cowles Broadcasting Co., Des Moines, Iowa.
KE 192, Davenport Broadcasting Co.
6 Murphy Broadcasting Co., Des Moines, Iowa.
KE 192, Davenport Broadcasting Co.

Cedar Rapids, Iowa

2 The Gazette Co., Cedar Rapids, Iowa.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.
KE 192, Davenport Broadcasting Co.
8 Champaign News-Gazette, Inc., Champaign, Ill.
9 WQUA, Moline, Ill.
K 281, Gazette Co., Cedar Rapids, Iowa.

18 Coe College, Cedar Rapids, Iowa.
K 334, American Broadcasting Station, Inc., Cedar Rapids, Iowa.
K 335, The Gazette Co., Cedar Rapids, Iowa.
10 Peoria Broadcasting Co., Peoria, Ill.
K 281, Gazette Co., Cedar Rapids, Iowa.

Atalissa, Iowa

5 Davenport Broadcasting Co., Davenport, Iowa.
K 113, Cowles Broadcasting Co.

Iowa City, Iowa

5 Davenport Broadcasting Co., Davenport, Iowa.
K 281, Gazette Co., Cedar Rapids, Iowa.
K 293, Central Broadcasting Co.
8 Champaign News-Gazette, Inc., Champaign, Ill.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
9 WQUA, Moline, Ill.
K 7, Blackhawk Broadcasting Co., Waterloo, Iowa.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
K 218, Keokuk Broadcasting Co., Keokuk, Iowa.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis.
10 Peoria Broadcasting Co., Peoria, Ill.

Davenport, Iowa (Rock Island and Moline, Ill.)

9 WQUA, Moline, Ill.
KE 192, Davenport Broadcasting Co.

Dubuque, Iowa

11 Telegraph Herald, Dubuque, Iowa.
KE 60, Johnson Kennedy Radio Corp.
K 120, Central Broadcasting Co.
K 159, Independent Broadcasting Co.
KE 192, Davenport Broadcasting Co.
KE 226, Iowa State College of Agriculture and Mechanical Arts.
K 145, National Broadcasting Co.

Waterloo, Iowa

12 Black Hawk Broadcasting Co., Waterloo, Iowa.
KE 192, Davenport Broadcasting Co.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
K 281, Gazette Co., Cedar Rapids, Iowa.
9 WQUA, Moline, Ill.

Fort Dodge, Iowa

13 Northwest Broadcasting Co., Fort Dodge, Iowa.
K 31, Mid-Continent Radio-Television, Inc., Minneapolis, Minn.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa.

Mason City, Iowa

2 The Gazette Co., Cedar Rapids, Iowa.
KE 192, Davenport Broadcasting Co.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
8 Champaign News-Gazette, Inc., Champaign, Ill.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
9 WQUA, Moline, Ill.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
14 Southern Minnesota Supply Co., Mankato, Minn.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.
12 Black Hawk Broadcasting Co., Waterloo, Iowa.
KE 192, Davenport Broadcasting Co.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa.

Sioux City, Iowa

13 Northwest Broadcasting Co., Fort Dodge, Iowa.
K 31, Mid-Continent Radio-Television, Inc., Minneapolis, Minn.
7 Independent Broadcasting Co., Des Moines, Iowa.
KE 192, Davenport Broadcasting Co.

SUPPORTS

Cedar Rapids, Iowa

15 Mount Mercy College.
16 Independent School District.
17 Public Schools of Cedar Rapids.

Des Moines, Iowa

19 Board of Directors, Polk County, Ind., School District.
20 City Council.
21 Des Moines Public Schools.
22 Harlan Miller.
23 Des Moines Council of P. T. A.
24 Drake University.

Davenport, Iowa

25 Central Broadcasting Co.
26 (Numerous letters from individuals, q. v.)

Sioux City, Iowa

27 City of Sioux City, et al.

Mount Pleasant, Iowa

28 Iowa Wesleyan College.

Iowa City, Iowa

29 State University of Iowa.
KE 192, Davenport Broadcasting Co.

Ames, Iowa

30 Iowa State College of Agriculture & Mechanical Arts.

GROUP V

COUNTERPROPOSALS

Cape Giradeau, Mo.

1 Southern Illinois University, Carbondale, Ill.
KE 192, Davenport Broadcasting Co.

Springfield, Mo.

2 WQUA, Moline, Ill.

Joplin, Mo.

3 Midland Broadcasting Co., KCMO Broadcasting Co., WHB Broadcasting Co., Kansas City, Mo.
K 255, Four States Broadcasters, Inc., Joplin, Mo.
2 WQUA, Moline, Ill.

St. Louis, Mo.

2 WQUA, Moline, Ill.
K 274, Pulitzer Publishing Co.

St. Joseph, Mo.

2 WQUA, Moline, Ill.
K 291, KFEQ, Inc.
3 Midland Broadcasting Co., KCMO Broadcasting Co., WHB Broadcasting Co., Kansas City, Mo.
K 291, KFEQ, Inc.

Jefferson City, Mo.

2 WQUA, Moline, Ill.

Sedalia, Mo.

2 WQUA, Moline, Ill.
K 112, Milton J. Hinlein.

Kansas City, Mo.

3 Midland Broadcasting Co., Kansas City, Mo.
2 WQUA, Moline, Ill.
4 University of Kansas City, Kansas City, Mo.
5 City of Kansas City, Kansas City, Mo.
3 Midland Broadcasting Co., KCMO Broadcasting Co., WHB Broadcasting Co., Kansas City, Mo.
K 28, KFAB Broadcasting Co.
K 321, Courier-Post Publishing Co.

Grandview, Mo.

3 WHB Broadcasting Co., Midland Broadcasting Co., Kansas City, Mo.

Trenton, Mo.

6 The Gazette Co., Cedar Rapids, Iowa.
KE 192, Davenport Broadcasting Co.

Brookfield, Mo.

7 West Central Broadcasting Co., Peoria, Ill.
8 Black Hawk Broadcasting Co., Waterloo, Iowa.

Kirksville, Mo.

9 Peoria Broadcasting Co., Peoria, Ill.
10 Champaign News-Gazette, Inc., Champaign, Ill.
7 West Central Broadcasting Co., Peoria, Ill.
2 WQUA, Moline, Ill.
8 Black Hawk Broadcasting Co., Waterloo, Iowa.
6 The Gazette Co., Cedar Rapids, Iowa.
KE 192, Davenport Broadcasting Co.

Hannibal, Mo.

11 Keokuk Broadcasting Co., Keokuk, Iowa.
K 23, Courier Post Publishing Co., Hannibal, Mo.
2 WQUA, Moline, Ill.

Columbia, Mo.

12 University of Missouri.
KE 221, KFRU, Inc., Columbia, Mo.

SUPPORTS

Columbia, Mo.

13 Stephens College.

St. Joseph, Mo.

14 School District.

St. Louis, Mo.

15 Public School System.
16 St. Louis Educational Agencies.
17 Council of Catholic Men.
18 Lutheran Synod.
19 P. T. A. Council.

Springfield, Mo.

20 Springfield Public Schools, et al.

GROUP W

COUNTERPROPOSALS

Grand Forks, N. Dak.

1 Southern Minn. Supply Co., Mankato, Minn.

SUPPORTS F. C. C.

Grand Forks, N. Dak.

8 University of North Dakota.

COUNTERPROPOSALS

Sioux Falls, S. Dak.

2 Sioux Falls College, Sioux Falls, S. Dak.
3 Augustana College, Sioux Falls, S. Dak.

SUPPORTS F. C. C.

Sioux Falls, S. Dak.

9 Midcontinent Broadcasting Co.

COUNTERPROPOSALS

Vermillion, S. Dak.

4 Northwest Broadcasting Co., Fort Dodge, Iowa.
K 226, Iowa State College of Agriculture & Mechanical Arts.
5 Independent Broadcasting Co., Des Moines, Iowa.

SUPPORTS F. C. C.

Vermillion, S. Dak.

10 University of South Dakota.

COUNTERPROPOSALS

Pierre, S. Dak.

6 KNUJ, Inc., New Ulm, Minn.

SUPPORTS F. C. C.

Pierre, S. Dak.

11 Pierre Public Schools.

COUNTERPROPOSALS

Watertown, S. Dak.

6 KNUJ, Inc., New Ulm, Minn.

Mitchell, S. Dak.

4 Northwest Broadcasting Co., Fort Dodge, Iowa.

COUNTERPROPOSALS

Omaha, Nebr.

7 KFAB Broadcasting Co., Omaha, Nebr.
K 230, Lincoln Broadcasting Corp., Lincoln, Nebr.

SUPPORTS F. C. C.

Omaha, Nebr.

12 School District of Omaha, Nebr.
13 Creighton University.

COUNTERPROPOSALS

Lincoln, Nebr.

7 KFAB Broadcasting Co., Omaha, Nebr.
K 230, Lincoln Broadcasting Corp.

SUPPORTS F. C. C.

Lincoln, Nebr.

14 Inland Broadcasting Co., Lincoln, Nebr.

GROUP X

COUNTERPROPOSALS

Butte, Mont.

1 Copper Broadcasting Co., Inc., Butte, Mont.

SUPPORTS F. C. C.

Butte, Mont.

2 Montana State University.

Billings, Mont.

3 City Council, City of Billings, Mont.
2 Montana State University.
4 Group Organizations in Billings, Mont.

Bozeman, Mont.

5 Montana State College.
2 Montana State University.

Miles City, Mont.

2 Montana State University.

Missoula, Mont.

2 Montana State University.

Great Falls, Mont.

2 Montana State University.
6 Great Falls Public Library.

GROUP Y

COUNTERPROPOSALS

Boulder, Colo.

1 Sen. E. C. Johnson, Denver, Colo.
K 183, Western Slope Broadcasting Co. et al.

SUPPORTS F. C. C.

Boulder, Colo.

5 University of Colorado.

COUNTERPROPOSALS

Denver, Colo.

1 Sen. E. C. Johnson, Denver, Colo.
KE 331, Board of Education, Denver, Colo.
K 183, Western Slope Broadcasting Co. et al.
KE 316, University of Denver.

SUPPORTS F. C. C.

Denver, Colo.

6 University of Denver.
11 Adult Education Council of Denver.

COUNTERPROPOSALS

Colorado Springs, Colo.

1 Sen. E. C. Johnson, Denver, Colo.
K 183, Western Slope Broadcasting Co. et al.

Craig, Colo.

2 Northwestern Colorado Broadcasting Co., Craig, Colo.

Durango, Colo.

3 San Juan Broadcasting Co., Inc., Durango, Colo.

Grand Junction, Colo.

4 Western Slope Broadcasting Co., Grand Junction, Colo.

SUPPORTS F. C. C.

Pueblo, Colo.

7 Public Schools.
8 Junior College.

COUNTERPROPOSALS

Cheyenne, Wyo.

1 Sen. E. C. Johnson, Denver, Colo.
K 183, Western Slope Broadcasting Co. et al.

Rawlins, Wyo.

1 Sen. E. C. Johnson, Denver, Colo.
K 183, Western Slope Broadcasting Co. et al.

Laramie, Wyo.

9 Warren M. Mallory.

SUPPORTS F. C. C.

Laramie, Wyo.

10 University of Wyoming.
K 338, Warren M. Mallory.

COUNTERPROPOSALS

Alliance, Nebr.

1 Sen. E. C. Johnson, Denver, Colo.
K 183, Western Slope Broadcasting Co. et al.

GROUP Z

COUNTERPROPOSALS

Salt Lake City, Utah

1 Salt Lake City Broadcasting Co., Salt Lake City, Utah.

SUPPORTS F. C. C.

Salt Lake City, Utah

9 State Department of Public Instruction.
10 Public School of Salt Lake City.
11 University of Utah.

COUNTERPROPOSALS

Ogden, Utah

2 Eastern Utah Broadcasting Co., Price, Utah.
K 231, Salt Lake City Broadcasting Co.
1 Salt Lake City Broadcasting Co., Salt Lake City, Utah.
3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.
4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

SUPPORTS F. C. C.

Ogden, Utah

12 Weber College.
13 Ogden Public Schools.
14 City Board of Education.

COUNTERPROPOSALS

Provo, Utah

2 Eastern Utah Broadcasting Co., Price, Utah.
K 231, Salt Lake City Broadcasting Co.
1 Salt Lake City Broadcasting Co., Salt Lake City, Utah.
3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.
4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

SUPPORTS F. C. C.

Provo, Utah

15 Brigham Young University.

COUNTERPROPOSALS

Price, Utah

2 Eastern Utah Broadcasting Co., Price, Utah.
K 231, Salt Lake City Broadcasting Co.
1 Salt Lake City Broadcasting Co., Salt Lake City, Utah.
3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231 Salt Lake City Broadcasting Co.
4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

Logan, Utah.

2 Eastern Utah Broadcasting Co., Price, Utah.
K 231 Salt Lake City Broadcasting Co.
1 Salt Lake City Broadcasting Co., Salt Lake City, Utah.
3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.
5 Utah State Agricultural College, Logan, Utah.
4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

Tooele, Utah

2 Eastern Utah Broadcasting Co., Price, Utah.
K 231, Salt Lake City Broadcasting Co.
3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.
4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

St. George, Utah

2 Eastern Utah Broadcasting Co., Price, Utah.
K 231, Salt Lake City Broadcasting Co.

Wendover, Utah

3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.

Vernal, Utah

6 Uintah Broadcasting Co., Vernal, Utah.

Montrose, Colo.

4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

COUNTERPROPOSALS

Walsenburg, Colo.

4 Uncompahgre Broadcasting Co., Montrose, Colo.
K 231, Salt Lake City Broadcasting Co.

Boise, Idaho.

7 KIDO, Inc., Boise, Idaho.
8 Boise Valley Broadcasters, Inc., Boise, Idaho.

SUPPORTS F. C. C.

Moscow, Idaho

16 University of Idaho.

COUNTERPROPOSALS

Montpelier, Idaho

3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.

Ely, Nev.

3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.

McGill, Nev.

3 Oquirrh Radio & TV Co., Tooele, Utah.
K 231, Salt Lake City Broadcasting Co.

GROUP AA

COUNTERPROPOSALS

Seattle, Wash.

1 Fisher's Blend Station, Inc., and Totem Broadcasters, Inc., Seattle, Wash.
K 225, KVOS, Inc., Bellingham, Wash.
2 Queen City Broadcasting Co., Seattle, Wash.
K 225, KVOS, Inc., Bellingham, Wash.

SUPPORTS F. C. C.

Seattle, Wash.

10 Educational Agencies of Seattle.
10 Seattle Pacific College.
10 Seattle Branch for the AAUW.
10 Seattle Public Schools.
10 Seattle University.
10 Seattle Public Library.
10 King County School Director's Association.
10 YMCA Technical Schools.
10 Seattle Committee on Adult Education.
10 City Council of Seattle.

COUNTERPROPOSALS

Longview, Wash.

3 Twin City Broadcasting Corp., Longview, Wash.
K 225, KVOS, Inc., Bellingham, Wash.
K 147, KING Broadcasting Co.
K 103, Fisher's Blend Stations, Inc.

Tacoma, Wash.

4 Tom Olsen, Olympia, Wash.
K 199, Tribune Publishing Co.

SUPPORTS F. C. C.

Tacoma, Wash.

11 Tacoma Public School Board.
12 Tacoma Vocational-Technical School.

COUNTERPROPOSALS

Olympia, Wash.

4 Tom Olsen, Olympia, Wash.
K 199, Tribune Publishing Co.

SUPPORTS F. C. C.

Pullman, Wash.

13 Washington State College.

Ellensburg, Wash.

14 Central Washington Broadcasters, Inc.

COUNTERPROPOSALS

Bellingham, Wash.

5 KVOS, Inc., Bellingham, Wash.
K 103, Fisher's Blend Stations, Inc.

Walla Walla, Wash.

6 Salt Lake Pipe Line Co., San Francisco, Calif.

SUPPORTS F. C. C.

State of Washington

15 Washington State Board of Education.
16 Office of the Superintendent of Public Instructions.
17 Allied Committee of Sixteen.

COUNTERPROPOSALS

Portland, Oreg.

7 Central Willamette Broadcasting Co., Albany, Oreg.
K 147, KING Broadcasting Co.

SUPPORTS F. C. C.

Portland, Oreg.

18 KOIN, Inc.
19 Oregon Public School System.
20 University of Portland.

COUNTERPROPOSALS

Eugene, Oreg.

8 KUGN, Inc.
9 Lane Broadcasting Co.

SUPPORTS F. C. C.

Eugene, Oreg.

21 Eugene, Oregon, Public Schools.

COUNTERPROPOSALS

Albany, Oreg.

7 Central Willamette Broadcasting Co., Albany, Oreg.
K 147, KING Broadcasting Co.

Salem, Oreg.

7 Central Willamette Broadcasting Co., Albany, Oreg.
K 147, KING Broadcasting Co.

Medford, Oreg.

9 Lane Broadcasting Co., Eugene, Oreg.

SUPPORTS F. C. C.

Corvallis, Oreg.

22 Oregon State Agricultural College.

GROUP BB

COUNTERPROPOSALS

Reno, Nev.

1 McClatchy Broadcasting Co., Sacramento, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.
2 Tribune Building Co., San Francisco, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 295, KCRA, Inc.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
3 KROW, Inc., San Francisco, Calif.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 263, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 111, E. F. Peffer, Stockton, Calif.
K 71, American Broadcasting Co.
K 295, KCRA, Inc.
K 301, Monterey Radio-Television Co.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
4 Television California, San Francisco, Calif.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
5 Harmco, Inc., Sacramento, Calif.
K 301, Monterey Radio-Television Co.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 71, American Broadcasting Co.
6 KCRA, Inc., Sacramento, Calif.
K 301, Monterey Radio-Television Co.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 71, American Broadcasting Co.
7 Columbia Broadcasting System, San Francisco, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 59, San Jose TV Broadcasting Co., San Jose, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 295, KCRA, Inc.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 163, San Francisco Bay Area Public Schools TV Council.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 263, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
8 Kenyon Brown, Reno, Nev.
K 295, KCRA, Inc.

SUPPORTS F. C. C.

Reno, Nev.

10 Reno United Parent-Teachers Association.
11 Reno School District No. 10.
12 City of Reno.
13 University of Nevada.

COUNTERPROPOSALS

Ely, Nev.

9 George Harm Station, Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.

Goldfield, Nev.

1 McClatchy Broadcasting Co., Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.
9 George Harm Station, Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.

Tonopah, Nev.

1 McClatchy Broadcasting Co., Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.
9 George Harm Station, Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.

Las Vegas, Nev.

1 McClatchy Broadcasting Co. Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.

GROUP CC

COUNTERPROPOSALS

Bakersfield, Calif.

1 McClatchy Broadcasting Co., Bakersfield, Calif.
2 Paul R. Bartlett, Bakersfield, Calif.

Monterey, Calif.

1 McClatchy Broadcasting Co., Bakersfield, Calif.
3 Salinas Broadcasting Co., Salinas, Calif.
K 301, Monterey Radio-Television Co.
K 295, KCRA, Inc.
4 KROW, Inc., San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 71, American Broadcasting Co.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.

K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area, Public Schools TV Council.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 301, Monterey Radio-Television Co.
K 300, McClatchy Broadcasting Co.

5 Harmco, Inc., Sacramento, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 301, Monterey Radio-Television Co.
K 71, American Broadcasting Co.

6 KCRA, Inc., Sacramento, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 301, Monterey Radio-Television Co.
K 71, American Broadcasting Co.

SUPPORTS F. C. C.

Monterey, Calif.

15 Steven A. Cisler.
K 295, KCRA, Inc.

16 Monterey Radio Television Co.

COUNTERPROPOSALS

Salinas, Calif.

3 Salinas Broadcasting Co., Salinas, Calif.
K 301, Monterey Radio-Televison Co.
K 295, KCRA, Inc.

7 Columbia Broadcasting System, San Francisco, Calif.
K 63, KPIX, Inc.
K 59, San Jose TV Broadcasting Co.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 111, E. F. Peffer, Stockton, Calif.

Santa Barbara, Calif.

8 Radio KIST, Inc., Santa Barbara, Calif.
K 234, Earle C. Anthony, Inc.
K 280, American Broadcasting Co.
K 172, Kennedy Broadcasting Co., San Diego, Calif.

Fresno, Calif.

1 McClatchy Broadcasting Co., Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.

9 George Harm Station, Fresno, Calif.
K 61, KPIX, Inc.
K 71, American Broadcasting Co.

10 California Inland Broadcasting Co., Fresno, Calif.
K 295, KCRA, Inc.

SUPPORTS F. C. C.

Fresno, Calif.

17 Fresno City Schools.

COUNTERPROPOSALS

Visalia, Calif.

11 Tribune Building Co., San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 295, KCRA, Inc.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo Inc.

10 California Inland Broadcasting Co., Fresno, Calif.
K 295, KCRA, Inc.

Stockton, Calif.

4 KROW, Inc., San Francisco, Calif.
K 71, American Broadcasting Co.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
K 301, Monterey Radio-Television Co.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo Inc.

11 Tribune Building Co., San Francisco, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.

12 Television California, San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.

7 Columbia Broadcasting System, San Francisco, Calif.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 59, San Jose TV Broadcasting Co., San Jose, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School, District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.

SUPPORTS F. C. C.

Stockton, Calif.

18 City of Stockton.

COUNTERPROPOSALS

Sacramento, Calif.

4 KROW, Inc., San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 71, American Broadcasting Co.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 301, Monterey Radio-Television Co.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.

1 McClatchy Broadcasting Co., Sacramento, Calif.
K 180, Chronicle Publishing Co., San Francisco, Calif.

12 Television California, San Francisco, Calif.
K 111, S. F. Peffer, Stockton, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.

5 Harmco, Inc., Sacramento, Calif.
K 301, Monterey Radio-Television Co.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 71, American Broadcasting Co.

6 KCRA, Inc., Sacramento, Calif.
K 301, Monterey Radio-Television Co.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 71, American Broadcasting Co.

30 Grant Technical College.

7 CBS, San Francisco, Calif.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 63, KPIX, Inc., San Francisco, Calif.
K 59, San Jose TV Broadcasting Co., San Jose, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.

SUPPORTS F. C. C.

Sacramento, Calif.

19 Sacramento City Unified School District.

COUNTERPROPOSALS

San Francisco, Calif.

4 KROW, Inc., San Francisco, Calif.
K 266, John Swett Union High School, Crockett, Calif.
K 267, Castro Valley School District, Castro Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 71, American Broadcasting Co.
K 301, Montery Radio-Television Co.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
K 77, Piedmont Public Schools, Piedmont, Calif.
K 78, Hayward Elementary Schools.
K 81, Hayward Union High School District.
K 83, Marin County Superintendent of Schools, Marin County, Calif.
K 85, California State Department of Education.

K 88, Mount Eden Elementary School, Mount Eden, Calif.
K 89, Sonoma County Schools, Santa Rosa, Calif.
K 90, Richmond Schools, Richmond, Calif.
K 92, Walnut Creek School District, Walnut Creek, Calif.
K 94, San Mateo County Schools, Redwood City, Calif.
K 95, Los Gatos Union High School, Los Gatos, Calif.
K 96, San Rafael City Schools, San Rafael, Calif.
K 97, Irvington School District, Irvington, Calif.
11 Tribune Building Co., San Francisco, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 180, Chronicle Publishing Co., San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
12 Television California, San Francisco, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
7 CBS, San Francisco, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 59, San Jose TV Broadcasting Co., San Jose, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
K 266, John Swett, Union High School, Crockett, Calif.
K 263, Campbell Union School District, Valley, Calif.
K 268, Campbell Union School District, Campbell, Calif.
K 269, Contra Costa County Schools, Martinez, Calif.
K 270, Ravenwood Elementary School District, Palo Alto, Calif.
K 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.
K 272, Acalanes Union High School.
K 163, San Francisco Bay Area Public Schools TV Council.
K 77, Piedmont Public Schools, Piedmont, Calif.
K 78, Hayward Elementary Schools.
K 81, Hayward Union High School District.
K 83, Marin County Superintendent of Schools, Marin County, Calif.
K 85, California State Department of Education.
K 88, Mount Eden Elementary School, Mount Eden, Calif.
K 89, Sonoma County Schools, Santa Rosa, Calif.
K 90, Richmond Schools, Richmond, Calif.
K 92, Walnut Creek School District, Walnut Creek, Calif.
K 94, San Mateo County Schools, Redwood City, Calif.
K 95, Los Gatos Union High School, Los Gatos, Calif.
K 96, San Rafael City School, San Rafael, Calif.
K 97, Irvington School District, Irvington, Calif.

SUPPORTS F. C. C.

San Francisco, Calif.

20 Cogswell Polytechnical College.
21 University of California.
22 Sixth District, California Congress of Parents and Teachers.

COUNTERPROPOSALS

Pittsburg, Calif.

13 KECC, Inc., Pittsburg, Calif.

COUNTERPROPOSALS

Madera, Calif.

7 CBS, San Francisco, Calif.
K 111, E. F. Peffer, Stockton, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 59, San Jose TV Broadcasting Co., San Jose, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.

SUPPORTS F. C. C.

Santa Clara, Calif.

23 Santa Clara County Board of Education.
24 University of Santa Clara.

COUNTERPROPOSALS

San Jose, Calif.

7 CBS, San Francisco, Calif.
K 63, KPIX, Inc., San Francisco, Calif.
K 59, San Jose TV Broadcasting Co., San Jose, Calif.
K 300, McClatchy Broadcasting Co.
K 296, Radio Diablo, Inc.
K 295, KCRA, Inc.
K 111, E. F. Peffer, Stockton, Calif.
K 71, American Broadcasting Co.

SUPPORTS F. C. C.

San Jose, Calif.

25 Standard Radio & TV Co.
26 San Jose State College.
27 San Jose Unified School District.
28 San Jose City Council.
29 San Jose City Council of Parents and Teachers.

COUNTERPROPOSALS

Yuba City, Calif.

14 Yuba City Mills, Yuba City, Calif.

GROUP DD

COUNTERPROPOSALS

San Diego, Calif.

1 Television Broadcasting Co., San Diego, Calif.
K 284, Earle C. Anthony, Inc.
K 280, American Broadcasting Co.
2 Chas. E. Salik, San Diego, Calif.
K 284, Earle C. Anthony, Inc.
K 280, American Broadcasting Co.
3 Airfan Radio Corp., Ltd., San Diego, Calif.
K 284, Earle C. Anthony, Inc.
K 280, American Broadcasting Co.

SUPPORTS F. C. C.

San Diego, Calif.

14 Board of Education, San Diego, Calif.
K 280, American Broadcasting Co.
15 San Diego City Schools.

Los Angeles, Calif.

4 College of Medical Evangelists.
5 Chapman College.
6 Occidental College.
7 University of Southern California.
8 Mount St. Marys College.
9 L. A. State College of Applied Arts and Science.
10 L. A. City College.
11 University of California.

San Bernardino, Calif.

12 San Bernardino City School.
13 San Bernardino Valley College.

GROUP EE

COUNTERPROPOSALS

Yuma, Ariz.

1 American Broadcasting Co., Los Angeles, Calif.
K 172, Kennedy Broadcasting Co., San Diego, Calif.

SUPPORTS F. C. C.

Tucson, Ariz.

2 University of Arizona.

Phoenix, Ariz.

3 Phoenix College.

Sante Fe, N. Mex.

4 St. Michael's College of Sante Fe.

Albuquerque, N. Mex.

5 Board of Education.
6 University of New Mexico.

GROUP FF

COUNTERPROPOSALS

Amarillo, Tex.

1 Plains Radio Broadcasting Co., Lubbock, Tex.

SUPPORTS F. C. C.

Amarillo, Tex.

2 Amarillo Public Schools.

COUNTERPROPOSALS

Lubbock, Tex.

1 Plains Radio Broadcasting Co., Lubbock, Tex.

Monahans, Tex.

1 Plains Radio Broadcasting Co., Lubbock, Tex.

SUPPORTS F. C. C.

El Paso, Tex.

3 Independent School District.
4 Texas Western College.

GROUP GG

SUPPORTS F. C. C.

Beaumont, Tex.

8 Beaumont Broadcasting Corp.

COUNTERPROPOSALS

Houston, Tex.

1 South Texas TV Co., Houston, Tex.
K 29, Houston Post Co.
K 206, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.
2 KTRH Broadcasting Co. and Shamrock Broadcasting Co., Houston, Tex.
K 29, Houston Post Co.
K 5, Lufkin Amusement Co.
K 205, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

Houston, Tex.

9 University of Houston.

COUNTERPROPOSALS

Galveston, Tex.

1 South Texas TV Co., Houston, Tex.
K 29, Houston Post Co.
K 206, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.
2 KTRH Broadcasting Co. and Shamrock Broadcasting Co., Houston, Tex.
K 29, Houston Post Co.
K 5, Lufkin Amusement Co.
K 205, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

Galveston, Tex.

10 Independent School District.

COUNTERPROPOSALS

Port Arthur, Tex.

1 South Texas TV Co., Houston, Tex.
K 29, Houston Post Co.
K 206, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.

2 KTRH Broadcasting Co. and Shamrock Broadcasting Co., Houston, Tex.
K 29, Houston Post Co.
K 5, Lufkin Amusement Co.
K 205, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

College Station, Tex.

11 Agricultural and Mechanical College of Texas.

Austin, Tex.

12 University of Austin.

COUNTERPROPOSALS

San Antonio, Tex.

3 Lack's Stores, Inc., Victoria, Tex.
K 302, Howard W. Davis-Walmac Co.
K 204, Texas State Network, Inc., Fort Worth, Tex.

SUPPORTS F. C. C.

San Antonio, Tex.

13 Planning Board, San Antonio and Bexar County, Inc.
13 St. Mary's University of San Antonio.
13 Trinity University.
13 Our Lady of the Lake College.

COUNTERPROPOSALS

Victoria, Tex.

3 Lack's Stores, Inc., Victoria, Tex.
K 302, Howard W. Davis-Walmac Co.
K 204, Texas State Network, Inc., Fort Worth, Tex.

Fredericksburg, Tex.

2 KTRH Broadcasting Co. and Shamrock Broadcasting Co., Houston, Tex.
K 29, Houston Post Co.
K 5, Lufkin Amusement Co.
K 205, Radio Station KTBS, Inc.
K 190, Trinity Broadcasting Corp.

Karnes City, Tex.

2 KTRH Broadcasting Co. and Shamrock Broadcasting Co., Houston, Tex.
K 29, Houston Post Co.
K 5, Lufkin Amusement Co.
K 205, Radio Stations KTBS, Inc.
K 190, Trinity Broadcasting Corp.

COUNTERPROPOSALS

Temple, Tex.

4 Bell Broadcasting Co., Temple, Tex.

SUPPORTS F. C. C.

Corpus Christi, Tex.

14 Del Mar College.

COUNTERPROPOSALS

Brownsville, Tex.

5 Harbenito Broadcasting Co., Harlingen, Tex.
K 107, Brownsville Broadcasting Co.
K 29, Houston Post Co.
6 McAllen TV Co., McAllen, Tex.
K 107, Brownsville Broadcasting Co.
7 Taylor Radio & TV Corp., Weslaco, Tex.
K 19, McAllen Television Co., McAllen, Tex.
K 29, Houston Post Co.
K 107, Brownsville Broadcasting Co.

Harlingen, Tex.

5 Harbenito Broadcasting Co., Harlingen, Tex.
K 107, Brownsville Broadcasting Co.
K 29, Houston Post Co.

McAllen, Tex.

6 McAllen TV Co., McAllen, Tex.
K 107, Brownsville Broadcasting Co.

Weslaco, Tex.

7 Taylor Radio & TV Corp., Weslaco, Tex.
K 29, Houston Post Co.
K 19, McAllen Television Co., McAllen, Tex.
K 107, Brownsville Broadcasting Co.

GROUP HH

COUNTERPROPOSALS

Breckenridge, Tex.

1 Stephens County Broadcasting Co., Breckenridge, Tex.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

San Angelo, Tex.

12 City of San Angelo

COUNTERPROPOSALS

Sherman, Tex.

2 Sherman TV Co., Sherman, Tex.
3 Red River Valley Publishing Co., Sherman, Tex.
K 29, Houston Post Co.
3 Red River Valley Broadcasting Corp., Sherman, Tex.
K 190, Trinity Broadcasting Corp.

Denton, Tex.

3 Red River Valley Publishing Co., Sherman, Tex.
K 29, Houston Post Co.
3 Red River Valley Broadcasting Corp., Sherman, Tex.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

Denton, Tex.

13 North Texas State College

COUNTERPROPOSALS

Fort Worth, Tex.

4 Trinity Broadcasting Corp., Dallas, Tex.
K 149, KGKB, Tyler, Tex.
K 44, Julius M. Gordon and Associates
K 314, Oil Belt Television Co.
3 Red River Valley Publishing Co., Sherman, Tex.
K 29, Houston Post Co.
3 Red River Valley Broadcasting Corp., Sherman, Tex.
K 190, Trinity Broadcasting Corp.

Dallas, Tex.

4 Trinity Broadcasting Corp., Dallas, Tex.
K 44, Julius M. Gordon and Associates
K 149, KGKB, Tyler, Tex.

SUPPORTS F. C. C.

Dallas, Tex.

14 A. H. Belo Corp.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

Waco, Tex.

15 KTWX Broadcasting Co., Inc.
16 Baylor University.

COUNTERPROPOSALS

Waco, Tex.

4 Trinity Broadcasting Corp., Dallas, Tex.
K 44, Julius M. Gordon and Associates.
K 314, Oil Belt Television Co.
K 149, KGKB, Tyler, Tex.

Weatherford, Tex.

3 Red River Valley Publishing Co., Sherman, Tex.
K 29, Houston Post Co.
3 Red River Valley Broadcasting Corp., Sherman, Tex.
K 190, Trinity Broadcasting Corp.

Waxahachie, Tex.

3 Red River Valley Publishing Co., Sherman, Tex.
K 29, Houston Post Co.
8 Red River Valley Broadcasting Corp., Sherman, Tex.
K 190, Trinity Broadcasting Corp.

Hillsboro, Tex.

8 Red River Valley Publishing Co., Sherman, Tex.
K 29, Houston Post Co.
3 Red River Valley Broadcasting Corp., Sherman, Tex.
K 190, Trinity Broadcasting Corp.

SUPPORTS F. C. C.

Texarkana, Tex.

7 Texarkana Public Schools.

COUNTERPROPOSALS

Tyler, Tex.

8 Hoyt B. Wooten, Memphis, Tenn.
9 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
4 Trinity Broadcasting Corp., Dallas, Tex.
K 44, Julius M. Gordon and Associates.
K 314, Oil Belt Television Co.

COUNTERPROPOSALS

Longview, Tex.

5 East Texas TV Co., Longview, Tex.
K 46, Julius M. Gordon and Association.
K 33, Forest Capital Broadcasting Co., Lufkin, Tex.
K 190, Trinity Broadcasting Corp.
6 Voice of Longview, Longview, Tex.
K 22, East Texas Television Co., Longview, Tex.
K 21, Sherman Television Co., Sherman, Tex.

Lufkin, Tex.

5 East Texas TV Co., Longview, Tex.
K 46, Julius M. Gordon and Association.
K 33, Forest Capital Broadcasting Co., Lufkin, Tex.
K 190, Trinity Broadcasting Corp.
4 Trinity Broadcasting Corp., Dallas, Tex.
K 44, Julius M. Gordon and Association.
K 314, Oil Belt Television Co.
K 149, KGKB, Tyler, Tex.

GROUP II

COUNTERPROPOSALS

Lawrence, Kans.

1 Midland Broadcasting Co., KCMO, WHB, Kansas City, Mo.
K 234, Pittsburg Broadcasting Co., Inc.
K 58, University of Kansas, Lawrence, Kans.
2 WQUA, Moline, Ill.
K 144, Pittsburg Broadcasting Co., Inc.

SUPPORTS F. C. C.

Lawrence, Kans.

12 University of Kansas.
13 Lawrence Public Schools.

COUNTERPROPOSALS

Pittsburg, Kans.

1 Midland Broadcasting Co., KCMO, WHB, Kansas City, Mo.
K 234, Pittsburg Broadcasting Co., Inc.
K 58, University of Kansas, Lawrence, Kans.
K 144, Pittsburg Broadcasting Co., Inc.
2 WQUA, Moline, Ill.
K 144, Pittsburg Broadcasting Co., Inc.

Wichita, Kans.

3 Wichita Beacon Broadcasting Co., Wichita, Kans.
4 Taylor Radio & TV Corp., Wichita, Kans.
K 198, Cameron Television, Inc., Tulsa, Okla.
K 330, Wichtex Radio & TV Co., Wichita Falls, Tex.
5 KFBI, Inc., Wichita, Kans.
K 198, Cameron Television, Inc., Tulsa, Okla.
K 330, Wichtex Radio & TV Co., Wichita Falls, Tex.

Dodge City, Kans.

4 Taylor Radio & TV Corp., Wichita, Kans.
K 198, Cameron Television, Inc., Tulsa, Okla.
5 KFBI, Inc., Wichita, Kans.
K 198, Cameron Television, Inc., Tulsa, Okla.
6 KTOK, Inc., Oklahoma City, Okla.

SUPPORTS F. C. C.

Manhattan, Kans.

14 Kansas State College.

Topeka, Kans.

15 Washburn Municipal University.

COUNTERPROPOSALS

Wichita Falls, Tex.

4 Taylor Radio & TV Corp., Wichita, Kans.
K 198, Cameron Television, Inc., Tulsa, Okla.
K 330, Wichtex Radio & TV Co., Wichita Falls, Tex.
5 KFBI, Inc., Wichita, Kans.
K 193, Cameron Television, Inc., Tulsa, Okla.
K 330, Wichtex Radio & Television Co.

Tulsa, Okla.

4 Taylor Radio & TV Corp., Wichita, Kans.
K 198, Cameron Television, Inc., Tulsa, Okla.
5 KFBI, Inc., Wichita, Kans.
K 193, Cameron Television, Inc., Tulsa, Okla.
7 WKY Radiophone Co., Oklahoma City, Okla.
K 214, All Oklahoma Broadcasting Co.
8 All Oklahoma Broadcasting Co., Tulsa, Okla.
9 Southwestern Sales Corp., Tulsa, Okla.

Oklahoma City, Okla.

7 WKY Radiophone Co., Oklahoma City, Okla.
K 214, All Oklahoma Broadcasting Co.
6 KTOK, Inc., Oklahoma City, Okla.

SUPPORTS F. C. C.

Oklahoma City, Okla.

16 City of Oklahoma City.
17 Board of Education.
18 Superintendent of Schools.

COUNTERPROPOSALS

Lawton, Okla.

4 Taylor Radio & TV Corp., Wichita, Kans.
K 193, Cameron Television, Inc., Tulsa, Okla.
5 KFBI, Inc., Wichita, Kans.
K 193, Cameron Television, Inc., Tulsa, Okla.
10 Southwestern Sales Corp., Tulsa, Okla.
6 KTOK, Inc., Oklahoma City, Okla.
22 Trinity Broadcasting Corp., Dallas, Tex.
K 149, KGKB, Tyler, Tex.
K 44, Julius M. Gordan and Associates, Lufkin, Tex.
K 311, Oil Belt TV Co., Breckenridge, Tex.

COUNTERPROPOSALS

Muskogee, Okla.

9 Southwestern Publishing Co., Fort Smith, Ark.
7 WKY Radiophone Co., Oklahoma City, Okla.
K 214, All Oklahoma Broadcasting Co.
8 All Oklahoma Broadcasting Co., Tulsa, Okla.

Elk City, Okla.

10 Southwestern Sales Corp., Tulsa, Okla.
6 KTOK, Inc., Oklahoma City, Okla.

Woodward, Okla.

6 KTOK, Inc., Oklahoma City, Okla.

Norman, Okla.

11 University of Oklahoma.

SUPPORTS F. C. C.

Lawton, Okla.

19 Cameron State Agricultural College.

Wichita Falls, Tex.

20 Bowley Brown Broadcasting Co.
21 Midwestern University.

GROUP JJ

COUNTERPROPOSALS

Cookeville, Tenn.

1 WHUB, Inc., Cookeville, Tenn.
K 38, Fort Industry Co., Atlanta, Ga.
K 10, Capitol Broadcasting Co., Nashville, Tenn.

Nashville, Tenn.

2 WLAC Broadcasting Service and WSIX Broadcasting Station, Nashville, Tenn.
3 Capitol Broadcasting Co., Nashville, Tenn.

Jackson, Tenn.

4 Hoyt B. Wooten, Memphis, Tenn.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Memphis, Tenn.

4 Hoyt B. Wooten, Memphis, Tenn.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Baton Rouge, La.

6 Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.
K 53, Loyola University.

New Orleans, La.

6 Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.
7 Loyola University of the South, New Orleans, La.
KE 80, Orleans Parish School Board.
K 29, Houston Post Co., Houston, Tex.

Houma, La.

8 Charles W. Lamar, Jr., Houma, La.
K 86, Loyola University.

Alexandria, La.

4 Hoyt B. Wooten, Memphis, Tenn.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Monroe, La.

5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
4 Hoyt B. Wooten, Memphis, Tenn.
K 29, Houston Post Co., Houston, Tex.

Shreveport, La.

4 Hoyt B. Wooten, Memphis, Tenn.
K 29, Houston Post Co., Houston, Tex.
9 Voice of Longview, Longview, Tex.
K 21, Sherman Television Co., Sherman, Tex.
K 22, East Texas Television Co., Longview, Tex.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Pine Bluff, Ark.

5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
4 Hoyt B. Wooten, Memphis, Tenn.

El Dorado, Ark.

9 Voice of Longview, Longview, Tex.
K 21, Sherman Television Co., Sherman, Tex.
K 22, East Texas Television Co., Longview, Tex.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
4 Hoyt B. Wooten, Memphis, Tenn.

Fort Smith, Ark.

10 Southwestern Publishing Co., Fort Smith, Ark.
K 153, All Oklahoma Broadcasting Co.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
4 Hoyt B. Wooten, Memphis, Tenn.

Blytheville, Ark.

4 Hoyt B. Wooten, Memphis, Tenn.
K 238, Harold Sudbury.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Little Rock, Ark.

4 Hoyt B. Wooten, Memphis, Tenn.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Jonesboro, Ark.

4 Hoyt B. Wooten, Memphis, Tenn.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Hot Springs, Ark.

4 Hoyt B. Wooten, Memphis, Tenn.
5 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

SUPPORTS

North Little Rock, Ark.

11 Mayor, North Little Rock, Ark.

Fayetteville, Ark.

12 University of Arkansas.

Memphis, Tenn.

13 Southwestern at Memphis.

Nashville, Tenn.

14 Vanderbilt University.

New Orleans, La.

15 Tulane University.
16 Xavier University of Louisiana.

Lake Charles, La.

17 Joint Committee on Educational TV.
18 Calcasieu Broadcasting Co.

Baton Rouge, La.

19 Louisiana State University & Agricultural and Mechanical College.

Shreveport, La.

20 International Broadcasting Co.

GROUP KK

COUNTERPROPOSALS

Pensacola, Fla.

1 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
2 Deep South Broadcasting Co., Montgomery, Ala.
3 Lamar Life Insurance Co., Jackson, Miss.

Mobile, Ala.

3 Lamar Life Insurance Co., Jackson, Miss.
K 181, Kenneth R. Giddens and T. J. Roster.
K 29, Houston Post Co., Houston, Tex.
1 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.

Montgomery, Ala.

2 Deep South Broadcasting Co., Montgomery, Ala.
K 56, Loyola University.

University, Ala.

4 Spartan Radiocasting Co., Spartanburg, S. C.
5 Johnston Broadcasting Co., Birmingham, Ala.
1 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
KE 93, University of Alabama.
6 Voice of Dixie, Birmingham, Ala.
KE 93, University of Alabama.

Tuscaloosa, Ala.

1 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
K 100, Pape Broadcasting Co., Mobile, Ala.
K 329, Meridian Broadcasting Co.

Birmingham, Ala.

5 Johnston Broadcasting Co., Birmingham, Ala.
K 329, Meridian Broadcasting Co.
6 Voice of Dixie, Birmingham, Ala.

Biloxi, Miss.

2 Deep South Broadcasting Co., Montgomery, Ala.
K 56, Loyola University.

Hattiesburg, Miss.

7 Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.
K 53, Loyola University.

Meridian, Miss.

7 Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.
8 Meridian Broadcasting Co., Meridian, Miss.
6 Voice of Dixie, Inc., Birmingham, Ala.
K 329, Meridian Broadcasting Co.
2 Deep South Broadcasting Co., Montgomery, Ala.
K 329, Meridian Broadcasting Co.

State College, Miss.

4 Spartan Radiocasting Co., Spartanburg, S. C.
5 Johnston Broadcasting Co., Birmingham, Ala.
1 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
6 Voice of Dixie, Inc., Birmingham, Ala.
9 Hoyt B. Wooten, Memphis, Tenn.

West Point, Miss.

1 Tuscaloosa Broadcasting Co., Tuscaloosa, Ala.
6 Voice of Dixie, Inc., Birmingham, Ala.

Jackson, Miss.

3 Lamar Life Insurance Co., Jackson, Miss.
K 181, Kenneth R. Giddens and T. J. Rester.
K 29, Houston Post Co., Houston, Tex.

SUPPORTS F. C. C.

University, Ala.

1 University of Alabama.

Mobile, Ala.

11 Mobile Public Schools.

Birmingham, Ala.

12 Birmingham Broadcasting Co.

State College, Miss.

13 Mississippi State College.

GROUP LL

COUNTERPROPOSALS

Miami, Fla.

1 Miami Broadcasting Co., Miami, Fla.
2 Gore Publishing Co., Fort Lauderdale, Fla.
K 135, Miami Broadcasting Co., Miami, Fla.
K 327, WKAT, Inc., Miami, Fla.
3 Isle of Dreams Broadcasting Corp., Miami, Fla.
4 The Fort Industry Co., Miami, Fla.
KE 114, Dade County Board of Public Instruction.
5 WKAT, Inc., Miami Beach, Fla.

Fort Lauderdale, Fla.

2 Gore Publishing Co., Fort Lauderdale, Fla.
K 135, Miami Broadcasting Co., Miami, Fla.
K 101, Fort Industry Co.
K 327, WKAT, Inc.

West Palm Beach, Fla.

1 Miami Broadcasting Co., Miami, Fla.
2 Gore Publishing Co., Fort Lauderdale, Fla.
K 135, Miami Broadcasting Co., Miami, Fla.
3 Isle of Dreams Broadcasting Corp., Miami, Fla.
K 195, WJNO, Inc., West Palm Beach, Fla.
4 The Fort Industry Co., Miami, Fla.
K 217, Ken-Sell, Inc., West Palm Beach, Fla.
K 195, WJNO, Inc., West Palm Beach, Fla.
5 WKAT, Inc., Miami Beach, Fla.

Fort Myers, Fla.

1 Miami Broadcasting Co., Miami, Fla.
2 Gore Publishing Co., Fort Lauderdale, Fla.
3 Isle of Dreams Broadcasting Corp., Miami, Fla.
4 The Fort Industry Co., Miami, Fla.
5 WKAT, Inc., Miami Beach, Fla.

Fort Pierce, Fla.

4 The Fort Industry Co., Miami, Fla.

Tampa-St. Petersburg, Fla.

3 Isle of Dreams Broadcasting Corp., Miami, Fla.
5 WKAT, Inc., Miami Beach, Fla.
Tampa Times Co.
KE 242, Pinellus Broadcasting Co., St. Petersburg, Fla.
KE 79, Hillsborough County School System, Hillsborough City, Fla.

Orlando, Fla.

3 Isle of Dreams Broadcasting Corp., Miami, Fla.
6 Central Florida Broadcasting Co., Orlando, Fla.
K 36, City of Jacksonville, Jacksonville, Fla.
K 327, WKAT, Inc.
5 WKAT, Inc., Miami Beach, Fla.

Daytona Beach, Fla.

7 City of Jacksonville, Jacksonville, Fla.
K 13, News Journal Corp., Daytona Beach, Fla.
3 Isle of Dreams Broadcasting Corp., Miami, Fla.
K 13, News Journal Corp., Daytona Beach, Fla.
6 Central Florida Broadcasting Co., Orlando, Fla.
K 36, City of Jacksonville, Jacksonville, Fla.
K 13, News Journal Corp., Daytona Beach, Fla.
5 WKAT, Inc., Miami Beach, Fla.
K 13, News Journal Corp., Daytona Beach, Fla.

Jacksonville, Fla.

7 City of Jacksonville, Jacksonville, Fla.
3 Isle of Dreams Broadcasting Corp., Miami, Fla.
8 Jacksonville Broadcasting Corp., Jacksonville, Fla.
K 47, Tribune Co., Tampa, Fla.

Tallahassee, Fla.

7 City of Jacksonville, Jacksonville, Fla.

Thomasville, Ga.

7 City of Jacksonville, Jacksonville, Fla.

SUPPORTS

Miami, Fla.

9 City of Miami.

Coral Gables, Fla.

10 University of Miami.

Dade County (Miami), Fla.

11 Dade County Board of Public Instruction.

West Palm Beach, Fla.

12 Board of Public Instruction.

Jacksonville, Fla.

13 Duval County Board of Public Instruction.

Tallahassee, Fla.

14 Florida State University.

OPPOSITION

Tampa, Fla.

15 The Tribune Co.
KE 265, Pinellas County School System, Pinellas City, Fla.
KE 242, Pinellas Broadcasting Co., St. Petersburg, Fla.
KE 79, Hillsborough County School System, Hillsborough City, Fla.

Gainsville, Fla.

16 University of Florida.

GROUP MM

COUNTERPROPOSALS

Atlanta, Ga.

1 Radio Athens, Inc., Athens, Ga.
K 20, Board of Regents, University System of Georgia.
2 Board of Regents, University System of Georgia, Atlanta, Ga.

Macon, Ga.

3 Southeastern Broadcasting Co. and Middle Georgia Broadcasting Co., Macon, Ga. (joint petition).
K 332, City of Columbia, S. C.
K 173, Marseco Broadcasting Co.
K 339, Palmetto Broadcasting Corp.
K 129, The Broadcasting Co. of the South.
K 20, Board of Regents, University System of Georgia.

Athens, Ga.

1 Radio Athens, Inc., Athens, Ga.
K 203, Broadcasting, Inc.
KE 318, University of Georgia.
K 72, WJHL, Inc., Johnson City, Tenn.

Augusta, Ga.

4 The Broadcasting Co. of the South and Inter-city Advertising Co., Charlotte, N. C.
K 288, Radio Augusta, Inc.

Rome, Ga.

5 Spartan Radiocasting Co., Spartanburg, S. C.

Chattanooga, Tenn.

5 Spartan Radiocasting Co., Spartanburg, S. C.

Knoxville, Tenn.

5 Spartan Radiocasting Co., Spartanburg, S. C.
6 University of Tennessee, Knoxville, Tenn.

Kingsport, Tenn.

7 The Kingsport Broadcasting Co., Kingsport, Tenn.

Spartanburg, S. C.

5 Spartan Radiocasting Co., Spartanburg, S. C.
K 332, City of Columbia, S. C.
K 173, Marseco Broadcasting Co.
K 129, The Broadcasting Co. of the South.

Columbia, S. C.

5 Spartan Radiocasting Co., Spartanburg, S. C.
K 173, Marseco Broadcasting Co.
K 129, The Broadcasting Co. of the South.
K 339, Palmetto Broadcasting Corp.
4 The Broadcasting Co. of the South and Inter-city Advertising Co., Charlotte, N. C.

Charleston, S. C.

4 The Broadcasting Co. of the South and Inter-city Advertising Co., Charlotte, N. C.

Charlotte, N. C.

4 The Broadcasting Co. of the South and Inter-city Advertising Co., Charlotte, N. C.

Wilmington, N. C.

4 The Broadcasting Co. of the South and Inter-city Advertising Co., Charlotte, N. C.

Chapel Hill, Raleigh, N. C.

WSAZ, Inc., Huntington, W. Va.
K 121, WPTF Radio Co.

Winston-Salem, N. C.

8 Piedmont Publishing Co., Winston-Salem, N. C.
K 240, High Point Enterprises, Inc., N. C.
K 137, Havens & Martin, Inc.

9 Winston-Salem Broadcasting Co., Winston-Salem, N. C.
K 240, High Point Enterprises, Inc., N. C.
K 137, Havens & Martin, Inc.

Bristol, Va.

10 Appalachian Broadcasting Corp., Bristol, Va.

SUPPORTS

Atlanta, Ga.

11 City of Atlanta.
12 Atlanta Public School System.

Athens, Ga.

13 University of Georgia.

Atlanta, Ga.

14 Atlanta Newspapers, Inc.
15 The Fort Industry Co.

Macon, Ga.

16 Wesleyan College.

Chattanooga, Tenn.

17 Chattanooga Public School System.
18 Mayor, City of Chattanooga.

Bristol, Tenn.

19 WOPI, Inc.

Knoxville, Tenn.

20 Fulton High School.

Greenville, S. C.

21 Greenville City Schools.
22 Furman University.

Clemson, S. C.

23 Clemson Agricultural College.

Chapel Hill, N. C.

24 The Consolidated University of North Carolina.

Greensboro, N. C.

24 The Consolidated University of North Carolina.
25 Board of Trustees of the Greensboro Administrative School Unit.

Raleigh, N. C.

24 The Consolidated University of North Carolina.
26 Meredith College.
27 Raleigh Public School System.
28 City of Raleigh.
29 WPTF Radio Co.
30 Capitol Broadcasting Co.

Wilmington, N. C.

31 Wilmington College.
32 City of Wilmington.

Durham, N. C.

33 Durham City Schools.
34 Durham Broadcasting Enterprises, Inc.

Winston-Salem, N. C.

35 Winston-Salem Teachers College.

Asheville, N. C.

36 Skyway Broadcasting Corp.

Danville, Va.

37 Piedmont Broadcasting Corp.

Blacksburg, Va.

38 Virginia Polytechnic Institute.

OPPOSITION

Greenville, S. C.

39 Greenville News-Piedmont Co., Greenville, S. C.

GROUP NN

COUNTERPROPOSALS

Charlottesville, Va.

1 City of Charlottesville et al. (WCHV), Charlottesville, Va.

K 256, Louis H. Peterson.

Richmond, Va.

2 Larus & Bros., Inc., Richmond, Va.
K 256, Louis H. Peterson.
3 Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.
4 WTAR Radio Corp., Norfolk, Va.
5 Richmond Newspapers, Inc., Richmond, Va.
K 256, Louis H. Peterson.

Harrisonburg, Va.

3 Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.
K 222, Radio Cincinnati, Inc., Cincinnati, Ohio.

Petersburg, Va.

5 Richmond Newspapers, Inc., Richmond, Va.
2 Larus & Bros., Inc., Richmond, Va.
1 City of Charlottesville, Charlottesville, Va.

Newport News, Va.

6 Hampton Roads Broadcasting Corp., Newport News, Va.
K 82, Commonwealth Broadcasting Corp., Norfolk, Va.
K 1, Beachview Broadcasting Co., Norfolk, Va.

Norfolk-Portsmouth, Va.

3 Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.
4 WTAR Radio Corp., Norfolk, Va.
K 196, A. S. Abell Co., Baltimore, Md.
6 Hampton Roads Broadcasting Corp., Newport News, Va.
K 196, A. S. Abell Co., Baltimore, Md.
K 82, Commonwealth Broadcasting Corp., Norfolk, Va.
K 1, Beachview Broadcasting Co., Norfolk, Va.

SUPPORTS F. C. C.

Norfolk-Portsmouth, Va.

7 City of Portsmouth.
8 School Board, City of Norfolk.
9 The College of William and Mary.
10 Virginia Polytechnic Institute of Norfolk.

Richmond, Va.

11 City of Richmond.
12 Havens & Martin, Inc.

Charlottesville, Va.

13 University of Virginia.

Lynchburg, Va.

14 Old Dominion Broadcasting Corp.

[Mimeo 66048]

Oppositions to counterproposals to the Table of Assignments proposed in Appendix C of the "Third Notice of Further Proposed Rule Making" issued on March 21, 1951, in Dockets 8736, 8975, 8976, and 9175 are listed on the attached pages. These oppositions are assigned a number preceded by the letter K and listed in numerical order. If a particular opposition in some manner refers to educational television, an E follows the K in the numbering system. It will be noted that certain parties are repeated which indicate that said parties filed separate oppositions to various counterproposals.

Number and Petitioner	*Opposes*
K 1, Beachview Broadcasting Co., Norfolk, Va	Hampton Roads.
K 2, Lufkin Amusement Co., Beaumont, Tex	South Texas TV Co.
K 3, Grandview, Inc., Manchester, N. H	Matheson.
K 4, Lufkin Amusement Co., Beaumont, Tex	Dumont.
K 5, Lufkin Amusement Co., Beaumont, Tex	KTRH & Shamrock.
K 6, WJIM, Inc., Lansing, Mich	Wisconsin Broadcasting, Hearst, Milwaukee Broadcasting.
K 7, Black Hawk Broadcasting Co., Waterloo, Iowa	Gazette Co., Quad City, Champaign, Southern Minnesota, Northwest Broadcasting, CBS.
K 8, Green Bay Newspaper Co., Green Bay, Wis	Milwaukee Broadcasting, Wisconsin Broadcasting, Hearst, Music Broadcasting, CBS.
KE 9, Maumee Valley Broadcasting Co., Toledo, Ohio	Wayne University, Detroit, Board of Education.
K 10, Capitol Broadcasting Co., Nashville, Tenn	WHUB, Inc.
K 11, WJIM, Inc., Lansing, Mich	CBS.
K 12, WJIM, Inc., Lansing, Mich	Bay Broadcasting Co.
K 13, News Journal Corp., Daytona Beach, Fla	City of Jacksonville, Isle of Dreams, WKHT Inc., Central Florida, Dumont.
K 14, International Broadcasting Corp., Shreveport, La	Dumont.
K 15, Stromberg-Carlson Co., Rochester, N. Y	Greylock.
K 16, WJIM, Inc., Lansing, Mich	Booth.
K 17, Tri-City Broadcasting Co., Wheeling, W. Va	Dumont.
K 18, Corpus Christi Broadcasting Co., Corpus Christi, Tex	F. C. C.
K 19, McAllen Television Co., McAllen, Tex	Taylor Radio & TV.
K 20, Board of Regents, University System of Georgia	Dumont, Radio Athens, Southeast Broadcasting.
K 21, Sherman Television Co., Sherman, Tex	KFRO.
K 22, East Texas Television Co., Longview, Tex	KFRO.
K 23, Courier Post Publishing Co., Hannibal, Mo	Keokuk Broadcasting.
K 24, WWSW, Inc., Pittsburgh, Pa	Matta.
K 25, WWSW, Inc., Pittsburgh, Pa	Tri-City.
K 26, Bell Telephone Laboratories	Dumont.
KE 27, Universal Broadcasting Co., Inc., Indianapolis, Ind	CBS, Ohio State University.
K 28, KFAB Broadcasting Co., Omaha, Nebr	Midland, KCMO, WHB.
K 29, Houston Post Co., Houston, Tex	WWL, KTRH, WMPS and WRGC, South Texas, KGBS, WJDX, KRGB, Dumont, Red River Valley.

Number and Petitioner	Opposes
KE 30, Clarksburg Broadcasting Co., Clarksburg, W. Va	Ohio State University.
K 31, Mid-Continent Radio-Television, Inc., Minneapolis, Minn.	Northwest Broadcasting.
KE 32, Philadelphia Board of Public Education	Commercial Radio Companies of Philadelphia.
K 33, Forest Capital Broadcasting Co., Lufkin, Tex	East Texas TV.
K 34, Monona Broadcasting Co., Madison, Wis	Radio Wisconsin.
K 35, Miami Valley Broadcasting Corp., Dayton, Ohio	Dumont.
K 36, City of Jacksonville, Jacksonville, Fla	Central Florida.
K 37, Fort Industry Co., Wheeling, W. Va	KQV, WJAS, WCAE, KDKA.
K 38, Fort Industry Co., Atlanta, Ga	WHUB, Inc.
K 39, Tri-City Broadcasting Co., Wheeling, W. Va	KDKA.
K 40, Tri-City Broadcasting Co., Wheeling, W. Va	Washington Broadcasting.
K 41, Tri-City Broadcasting Co., Wheeling, W. Va	WSTV, Inc.
K 42, Tri-City Broadcasting Co., Wheeling, W. Va	WCAE, Inc.
K 43, Tri-City Broadcasting Co., Wheeling, W. Va	WJAS.
K 44, Julius M. Gordon and Associates, Lufkin, Tex	Trinity Broadcasting.
K 45, Cowles Broadcasting Co., Boston, Mass	Enterprise Publishing Co.
K 46, Julius M. Gordon and Associates, Lufkin, Tex	East Texas.
K 47, Tribune Co., Tampa, Fla	Jacksonville Broadcasting.
KE 48, State Board of Agriculture, Michigan State College, East Lansing, Mich.	Logansport WSAL, Owensboro WVJS.
KE 49, State Board of Agriculture, Michigan State College, East Lansing, Mich.	Trebit Corp. WFDF.
KE 50, State Board of Agriculture, Michigan State College, East Lansing, Mich.	Goodwill Station WJR.
KE 51, State Board of Agriculture, Michigan State College, East Lansing, Mich.	Dumont.
KE 52, State Board of Agriculture, Michigan State College, East Lansing, Mich.	Twin Valley.
KE 53, Loyola University, New Orleans, La	Baton Rouge Broadcasting.
KE 54, WTOP, Inc., Washington, D. C	JCET.
KE 55, Binghamton Broadcasters, Inc., Binghamton, N. Y	Philadelphia, Pa., Broadcasting Co.; Daily News TV Co.
KE 56, Loyola University, New Orleans, La	Deep South Broadcasting Co.
K 57, Independent Broadcasting Co., Minneapolis, Minn	Southern Minnesota Supply.
KE 58, University of Kansas, Lawrence, Kans	Midland, KCMO, WHB.
K 59, San Jose TV Broadcasting Co., San Jose, Calif	CBS.
KE 60, Johnson Kennedy Radio Corp., Chicago, Ill	Lake Broadcasting, Public Schools, Gary; Telegraph Herald, Dumont.
K 61, KPIX, Inc., San Francisco, Calif	KARM and McClatchy.
K 62, Appalachian Broadcasting Corp., Bristol, Va	Dumont.
K 63, KPIX, Inc., San Francisco, Calif	TV California, CBS.
K 64, WDOD Broadcasting Corp., Chattanooga, Tenn	Dumont.
K 65, WJIM, Inc., Lansing, Mich	WJR, The Goodwill Station.
K 66, WJIM, Inc., Lansing, Mich	Dumont.
K 67, Radio Voice of New Hampshire, Manchester, N. H	Matheson, Dumont, CBS.
K 68, Evening News Association, Detroit, Mich	Dumont.
K 69, Evansville Television Inc., Evansville, Ind	Quad City.
K 70, American Broadcasting Co., New York, N. Y	Binghamton Broadcasters.
K 71, American Broadcasting Co., San Francisco, Calif	Dumont, KARM, McClatchy.
K 72, WJHL, Inc., Johnson City, Tenn	Radio Athens, Dumont.
K 73, WBVP, Inc., Beaver Falls, Pa	Cleveland Group, WCAE, Pittsburgh Radio Supply House.
KE 74, Board of Education, Akron City School District, Akron, Ohio.	Wooster Republican Printing Co.
KE 75, Greenville City Schools, Greenville, S. C	Bob Jones University.
KE 76, Board of Education of Louisville, Ky., and Louisville Free Public Library.	Radio Kentucky, Inc.
KE 77, Piedmont Public Schools, Piedmont, Calif	CBS, KROW.
KE 78, Hayward Elementary Schools, Hayward, Calif	CBS, KROW.
KE 79, Hillsborough County School System, Hillsborough City, Fla.	Tampa Times, Tribune Co.
KE 80, Orleans Parish School Board, New Orleans, La	
KE 81, Hayward Union High School District, Hayward, Calif.	CBS, KROW.
K 82, Commonwealth Broadcasting Corp., Norfolk, Va	Hampton Roads Broadcasting Corp.
KE 83, Marin County Superintendent of Schools, Marin County, Calif.	CBS, KROW.
K 84, Peoples Broadcasting Co., Lancaster, Pa	Pennsylvania Broadcasting Co.; Chamber Commerce, Philadelphia, Pa.; City of Philadelphia; Daily News TV Co.
KE 85, California State Department of Education	CBS, KROW.
KE 86, Loyola University, New Orleans, La	Charles W. Lamar, Jr.
K 87, Clark Associates, Inc., Binghamton, N. Y	Pennsylvania Broadcasting Co.
KE 88, Mount Eden Elementary School, Mount Eden, Calif	CBS, KROW.
KE 89, Sonoma County Schools, Santa Rosa, Calif	CBS, KROW.
KE 90, Richmond Schools, Richmond, Calif	CBS, KROW.
K 91, Clark Associates, Inc., Binghamton, N. Y	WAGE, Onondaga Broadcasting.
KE 92, Walnut Creek School District, Walnut Creek, Calif	CBS, KROW.
KE 93, University of Alabama, University, Ala	Voice of Dixie.
KE 94, San Mateo County Schools, Redwood City, Calif	CBS, KROW.
KE 95, Los Gatos Union High School, Los Gatos, Calif	CBS, KROW.
KE 96, San Rafael City Schools, San Rafael, Calif	CBS, KROW.
KE 97, Irvington School District, Irvington, Calif	CBS, KROW.
KE 98, State Board of Agriculture, Michigan State College, East Lansing, Mich.	Quad City Broadcasting Corp.
K 99, Tri-City Broadcasting Co., Wheeling, W. Va	Alleghany Broadcasting Corp.
K 100, Pape Broadcasting Co,. Mobile, Ala	Tuscaloosa Broadcasting.
K 101, Fort Industry Co., Miami, Fla	Gore Publishing Co.
K 102, Fort Industry Co., Miami, Fla	Dumont.
K 103, Fort Industry Co., Toledo, Ohio	Dumont.
K 104, Adrian Broadcasting Co., Adrian, Mich	Dumont.
K 105, Adrian Broadcasting Co., Adrian, Mich	Wayne University, Detroit Board of Education.
K 106, Fisher's Blend Station, Inc., Seattle, Wash	Twin City Broadcasting.
K 107, Brownsville Broadcasting Co., Brownsville, Tex	Harbenito Broadcasting Co., McAllen TV Co., Taylor Radio and TV Corp.
K 108, Red River Valley Publishing Co., Sherman, Tex	Dumont.
K 109, Tri-County Broadcasting, DuBois, Pa	Cleveland Broadcasting, Inc., UBC, WGAR, WWJ.
K 110, Bell Broadcasting Co., Temple, Tex	Dumont.
K 111, E. F. Peffer, Stockton, Calif	KROW, CBS, TV California, Tribune Bldg. Co.
K 112, Milton J. Hinlein, Sedalia, Mo	Quad City.
K 113, Cowles Broadcasting Co., Des Moines, Iowa	Davenport Broadcasting.
KE 114, Dade County Board of Public Instruction, Fla	Fort Industry.
KE 115, Toledo Blade Co., Toledo, Ohio	Wayne University and Board of Education.
K 117, WTAG, Inc., Worcester, Mass	Matheson, Travelers, Hampden-Hampshire, CBS, Dumont, Cherry & Webb.
K 118, Fetzer Broadcasting Co., Kalamazoo, Mich	Dumont.
K 119, Fort Industry Inc., Wheeling, W. Va	Dumont.
K 120, Central Broadcasting Co., Davenport, Iowa	CBS, Wisconsin Broadcasting, Hearst, Milwaukee Broadcasting.
K 121, WPTF Radio Co., Raleigh, N. C	Dumont, WSAZ.
K 122, Fort Industry Co., Wheeling, W. Va	Valley Broadcasting.
K 123, Fort Industry Co., Wheeling, W. Va	Washington Broadcasting.
KE 124, Mid-Hudson Broadcasters, Inc., Poughkeepsie, N. Y	Dartmouth College, Board of Regent, New York.
K 125, Rock Island Broadcasting Co., Rock Island, Ill	Independent Broadcasting Co.

Number and Petitioner	Opposes
K 126, The Outlet Co., Providence, R. I.	CBS, Hampden - Hampshire, Travelers, Matheson, WTAG, Inc., Dumont.
K 127, Rockford Broadcasters, Inc., Rockford, Ill.	CBS, L. B. Wilson.
K 128, WKNE Corp., Keene, N. H.	Dumont.
K 129, The Broadcasting Co. of the South, Columbia, S. C.	Dumont, Southeast Broadcasting Co., Middle Georgia, Spartan.
K 130, Dispatch Printing Co., Columbus, Ohio	Wm. Block, Twin Valley, L. B. Wilson.
K 131, WCNT, Inc., Centralia, Ill.	Peoria Broadcasting, Champaign News - Gazette, Dumont.
K 132, Summit Radio Corp., Akron, Ohio	Wooster Republican.
K 133, Greater Huntington Radio Corp., Huntington, W. Va.	WSAZ, L. B. Wilson, Dumont, Shenandoah Valley.
KE 134, Greater Huntington Radio Corp., Huntington, W. Va.	Ohio State University.
K 135, Miami Broadcasting Co., Miami, Fla.	Gore Publishing Co.
K 136, Tri-State Telecasting Corp., Chattanooga, Tenn.	Dumont.
K 137, Havens & Martin, Inc., Richmond, Va.	Dumont, Winston - Salem Broadcasting, Piedmont Publishing.
KE 138, Booth Radio and TV Stations, Inc., Flint, Mich.	Bay City Public Schools, Saginaw Broadcasting Co., Michigan State College, Wayne University and Board of Education, Detroit.
K 139, Travelers Broadcasting Service Corp., Hartford, Conn.	CBS, WTAG, Hampden-Hampshire, Thames Broadcasting Corp., Cherry & Webb, Outlet Co., Matheson, Regional TV, Greylock, Dumont, Elm City, Brockway Co.
KE 140, William H. Block Co., Indianapolis, Ind.	Logansport Broadcasting Co., Owensboro on the Air, Ohio State University, L. B. Wilson, CBS, Southern Illinois University.
K 141, WPIX, Inc., New York, N. Y.	CBS, Dumont, Bremer Broadcasting.
K 142, WAVZ Broadcasting Co., New Haven, Conn.	Hartford Times.
K 143, WFBM, Inc., Indianapolis, Ind.	L. B. Wilson.
K 144, Pittsburg Broadcasting Co., Inc., Pittsburg, Kans.	Quad City.
KE 145, National Broadcasting Co.	Indiana Technical, Telegraph Herald, Pennsylvania Broadcasting Co., Dumont, Radio Virginia.
KE 146, Radio Indianapolis, Indianapolis, Ind.	Ohio State, L. B. Wilson, CBS.
K 147, KING Broadcasting Co., Seattle, Wash.	Twin City, Central Willamette.
KE 148, WERK-Greylock Broadcasting Co., Pittsfield, Mass.	Hampden-Hampshire, Travelers Broadcasting, Thames Broadcasting, Dumont, Cornell, Buffalo Courier-Express, et al.
K 149, KGKB, Tyler, Tex.	Trinity Broadcasting.
K 150, WJZ-TV, WDEL, WMAL-TV	Chamber of Commerce, Philadelphia; City of Philadelphia; Daily News; Hearst.
K 151, Williamson Broadcasting Co., Williamson, W. Va.	Dumont.
K 152, Ken-Sell Inc., West Palm Beach, Fla.	Dumont.
K 153, All Oklahoma Broadcasting Co., Tulsa, Okla.	Southwest Publishing Co.
KE 154, Booth Radio & TV Stations, Inc., Milwaukee, Wis.	CBS, Educational Reservation.
K 155, Lewiston-Auburn Broadcasting Corp, Lewiston, Maine.	Hartford Times.
K 156, Scripps-Howard Inc., Cleveland, Ohio	Bay City.
K 157, Scripps-Howard Inc., Cleveland, Ohio	Music Broadcasting Co.
K 158, Scripps-Howard Inc., Cleveland, Ohio	L. B. Wilson.
K 159, Independent Broadcasting Co., Des Moines, Iowa	Davenport Broadcasting Co., Telegraph-Herald.
KE 161, WFBM, Inc., Indianapolis, Ind.	Southern Illinois University.
K 162, Lebanon Broadcasting Co., Lebanon, Pa.	Eastern Radio Corp.
KE 163, San Francisco Bay Area Public Schools TV Council.	CBS and KROW.
K 164, Matheson Radio Co. Inc., Boston, Mass.	Hartford Times.
K 165, WCAE, Inc., Pittsburgh, Pa.	WERE, WHK, WGAR, WSW.
K 166, WCAE, Inc., Pittsburgh, Pa.	CBS.
K 167, WCAE, Inc., Pittsburgh, Pa.	WSTV-TV.
K 168, WCAE, Inc., Pittsburgh, Pa.	L. B. Wilson.
K 169, WCAE, Inc., Pittsburgh, Pa.	Tri-City.
KE 170, Buffalo Courier-Express, Inc., WGR Broadcasting Corp. and WKBW, Buffalo, N. Y.	Cornell.
KE 171, Allen B. DuMont Laboratories, Inc.	General.
K 172, Kennedy Broadcasting Co., San Diego, Calif.	ABC, KIST, Inc.
K 173, Marseco Broadcasting Co., Columbia, S. C.	Southeast Broadcasting Co., Middle Georgia, Spartanburg.
K 174, Balaban & Katz Corp., Chicago, Ill.	Peoria Broadcasting, Champaign News-Gazette, Dumont.
K 175, Trebit Corp., Flint, Mich.	Twin Valley Broadcasting.
K 176, Hearst Radio Inc., Radio Station, Milwaukee, Wis.	CBS.
K 177, Matheson Radio Co., Inc., Boston, Mass.	Enterprise Publishing.
K 178, Hearst Radio, Inc., Baltimore, Md.	Dumont.
K 179, WCAE, Inc., Pittsburgh, Pa.	Washington Broadcasting.
K 180, Chronicle Publishing Co., San Francisco, Calif.	Tribune Co., KCRA, McClatchy.
K 181, Kenneth R. Giddens and T. J. Rester, Mobile, Ala.	Lamar Life Insurance Co.
K 182, WCAL, Inc., Lancaster, Pa.	Peoples Broadcasting Co.
K 183, Western Slope Broadcasting Co., et al.	Edwin C. Johnson.
K 184, Trebit Corp., Flint, Mich.	Booth Radio.
K 185, WCAE, Inc., Pittsburgh, Pa.	WBVP, Inc.
K 186, Hearst Radio, Inc., Milwaukee, Wis.	Music Broadcasting.
K 187, Hearst Radio, Inc., Milwaukee, Wis.	Quad City.
K 188, Ashland Broadcasting Co., Ashland, Ky.	Dumont.
KE 189, Ashland Broadcasting Co., Ashland, Ky.	Ohio State University.
K 190, Trinity Broadcasting Corp., Dallas, Tex.	A. H. Belo, KFBI, Taylor Radio & TV, KTRH, Shamrock, South Texas TV, Red River Valley Broadcasting, Stephens County Broadcasting, Dumont.
KE 191, Ohio Valley Broadcasting Co., Clarksburg, W. Va.	Southeast Ohio, Shenandoah, Ohio State University.
KE 192, Davenport Broadcasting Co., Davenport, Iowa.	Gazette Co., Cowles, Telegraph - Herald, Blackhawk Broadcasting, Keokuk Broadcasting, Murphy Broadcasting, Independent Broadcasting, Central Broadcasting, State University of Iowa, Southern Illinois University, Champaign - News Gazette, Peoria Broadcasting, Quad City.
K 193, Troy Broadcasting Co., Inc., Troy, N. Y.	Meredith Champlain.

Number and Petitioner	Opposes
KE 194, Crosley Broadcasting Corp., Ohio and Indiana	Indiana Technical, Dumont, Southern Illinois University, WIBC, L. B. Wilson, Matta Broadcasting, Alleghany Broadcasting, Pittsburgh Radio Supply House, Westinghouse, WWSW, CBS, Ohio State University, Wayne University and Board of Education, Detroit.
K 195, WJNO, Inc., West Palm Beach, Fla	Isle of Dreams, Fort Industry, Dumont.
K 196, A. S. Abell Co., Baltimore, Md	Hampton Roads, WTAR, Dumont.
K 197, Sangamon Valley Television Corp., Springfield, Ill	Peoria Broadcasting, Champaign-News Gazete, Dumont.
K 198, Cameron Television, Inc., Tulsa, Okla	KFBI, Taylor Radio & TV.
K 199, Elm City Broadcasting Corp., New Haven, Conn	ABC and General Teleradio.
K 200, Elm City Broadcasting Corp., New Haven, Conn	Pennsylvania Broadcasting, Philadelphia Chamber of Commerce.
KE 201, Brockway Co., Watertown, N. Y	WAGE, WFBL, Cornell.
KE 202, WBEN, Inc., Buffalo, N. Y	Cornell University.
K 203, Broadcasting, Inc., Atlanta, Ga	Radio Athens.
K 204, Texas State Network, Inc., Fort Worth, Tex	Lack's Stores.
K 205, Radio Station KTBS, Inc., Shreveport, La	KTRH, Inc., Shamrock.
K 206, Radio Station KTBS, Inc., Shreveport, La	South Texas TV.
K 207, Buffalo Courier-Express Inc., et al., Buffalo, N. Y	Binghamton Broadcasters.
K 208, Northwest Broadcasting Co., Fort Dodge, Iowa	Independent Broadcasting, Gazette Co., Blackhawk Broadcasting, Southern Minnesota Supply, Champaign-News Gazette, Quad City Broadcasting, Dumont.
K 209, Texoma Broadcasting Co., Wichita Falls, Tex	Dumont.
K 210, Central Willamette Broadcasting Co., Albany, Oreg	Dumont.
K 212, Havens & Martin, Inc., Richmond, Va	Radio Virginia, Radio Kentucky.
KE 213, Chanticleer Broadcasting Co., New Brunswick, N. J	State Department of Education, New Jersey.
K 214, All Oklahoma Broadcasting Co., Tulsa, Okla	WKY.
K 215, Dispatch, Inc., Erie, Pa	Presque Isle.
K 216, WJIM, Inc., Lansing, Mich	Music Publishing.
K 217, Ken-Sell, Inc., West Palm Beach, Fla	Fort Industry.
K 218, Keokuk Broadcasting Co., Keokuk, Iowa	Quad City.
K 219, Keokuk Broadcasting Co., Keokuk, Iowa	Dumont.
K 220, Orlando Broadcasting Co., Inc., Orlando, Fla	Dumont.
KE 221, KFRU, Inc., Columbia, Mo	University of Missouri.
KE 222, Radio Cincinnati, Inc., Cincinnati, Ohio	L. B. Wilson, Southeast Ohio, Shenandoah Valley, Ohio State University, Dumont.
K 223, Trebit Corp., Flint, Mich	Quad City Broadcasting.
KE 224, Trebit Corp., Flint, Mich	Michigan State College.
K 225, KVOS, Inc., Bellingham, Wash	Twin City Broadcasting, KCMO - KJR - KIRO, Dumont.
KE 226, Iowa State College, Agricultural and Mechanical Arts, Ames, Iowa.	Telegraph Herald, Northwest Broadcasting, Central Broadcasting, Cowles Broadcasting, Murphy Broadcasting.
K 227, Lack's Stores, Inc., Victoria, Tex	Dumont.
K 228, Picture Waves, Inc., Columbus, Ohio	Booth Radio, WJR.
K 229, Picture Waves, Inc., Columbus, Ohio	Dumont.
K 230, Lincoln Broadcasting Corp., Lincoln, Nebr	KFAB Broadcasting.
K 231, Salt Lake City Broadcasting Co., Utah	Eastern Utah, Uncompahgre, Oquirrh.
K 232, WGAL, Inc., Lancaster, Pa	Easton Publishing Co.
K 233, WGAL, Inc., Lancaster, Pa	Trent Broadcasting Corp.
K 234, Pittsburg Broadcasting Co., Inc., Pittsburg, Kans	Midland and WHB.
K 235, Buffalo Courier-Express, Inc., et al., Buffalo, N. Y	Corning Leader.
K 236, Wabash Valley Broadcasting Corp., Terre Haute, Ind	Wm. H. Block, WIBC Logansport, L. B. Wilson.
KE 237, Music Broadcasting Co., Grand Rapids, Mich	Indiana Technical, Bay City Broadcasting, Delta Broadcasting, Green Bay Newspaper, Dumont, WJR, Booth Radio, Milwaukee Broadcasting, Hearst, Moline Broadcasting, CBS.
K 238, Harold Sudbury, Blytheville, Ark	WREC, Dumont.
K 239, Cedar Valley Broadcasting Co., Austin, Minn	Quad City.
K 240, High Point Enterprises, Inc., N. C	Winston-Salem Broadcasting Co., Piedmont Publishing Co., Dumont.
KE 241, WHAS, Inc., Louisville, Ky	L. B. Wilson, South Illinois University.
KE 242, Pinellas Broadcasting Co., St. Petersburg, Fla	Tampa Times, Tribune Co.
K 243, Trebit Corp., Flint, Mich	WERE, WHK, WGAR and WJW.
K 244, Trebit Corp., Flint, Mich	Dumont.
K 251, Red River Valley Broadcasting Corp., Sherman, Tex	Dumont.
KE 252, Adrian Broadcasting Co., Flint, Mich	Bay City Public Schools.
KE 253, Adrian Broadcasting Co., Toledo, Ohio	Wayne University and Detroit Board of Education.
K 254, Adrian Broadcasting Co., Flint, Mich	Dumont.
K 255, Four States Broadcasters, Inc., Joplin, Mo	Midland, WHB.
K 256, Louis H. Peterson, Petersburg, Va	Larus & Bro., WCHV, Dumont.
K 257, Clark Associates, Inc., Binghamton, N. Y	Philadelphia Chamber of Commerce.
KE 259, Lake Broadcasting Co., Inc., Gary, Ind	Dumont, CBS, South Illinois University.
KE 260, University of Illinois, Urbana, Ill	West Central, CBS, L. B. Wilson, Peoria Broadcasting, Quad City.
KE 261, Joint Committee on Educational TV	NARTB.
KE 262, Joint Committee on Educational TV	Dumont.
KE 263, Joint Committee on Educational TV	Federal Communications Bar Association.
K 264, Winston-Salem Broadcasting Co., N. C	Joe L. Smith (WJLS), Daily Telegraph Printing Co.
KE 265, Pinellas County School System, Pinellas City, Fla	Tampa Times, Tribune Co.
KE 266, John Swett Union High, Crockett, Calif	CBS and KROW.
KE 267, Castro Valley School District, Castro Valley, Calif	CBS and KROW.
KE 268, Campbell Union School District, Campbell, Calif	CBS and KROW.
KE 269, Contra Costa County Schools, Martinez, Calif	CBS and KROW.
KE 270, Ravenswood Elementary School District, Palo Alto, Calif.	CBS and KROW.
KE 271, San Lorenzo Elementary Schools, San Lorenzo, Calif.	CBS and KROW.
KE 272, Acalanes Union High School, Lafayette, Calif	CBS and KROW.
K 273, Meredith Champlain TV Corp., Albany, N. Y	Troy Broadcasting.
K 274, Pulitzer Publishing Co., St. Louis, Mo	Quad City.
K 275, South Texas TV Co., Houston, Tex	Dumont.
K 276, Corning Leader, Inc., Corning, N. Y	Buffalo Courier-Express, et al.
K 278, Meredith Syracuse TV Corp., Syracuse, N. Y	Binghamton Broadcasters, Buffalo Courier-Express et al., Corning Leader.
KE 279, Joint Committee on Educational Television	CBS.

Number and Petitioner	Opposes
KE 280, American Broadcasting Co., Los Angeles, Calif	Airfan, Charles E. Salik, TV Broadcasting Co., Dumont, San Diego County Board of Education.
K 281, Gazette Co., Cedar Rapids, Iowa	Quad City, Peoria, West Central, Black Hawk, KNUJ, Inc., CBS, Davenport Broadcasting, Dumont.
KE 282, Neptune Broadcasting Corp., Atlantic City, N. J	Department of Education, N. J.
K 283, WSM, Inc., Nashville, Tenn	Dumont.
K 284, Earle C. Anthony, Inc., Los Angeles, Calif	Airfan, TV Broadcasting Co., Salik, KIST, Inc.
K 285, Cleveland TV Applicants (WERE, WHK, WGAR, WJW), Cleveland, Ohio.	Trebit, WCAE, WBVP, Pittsburgh Radio Supply House, Dumont.
K 286, WSTV, Inc., Steubenville, Ohio	Allegheny Broadcasting, Washington Broadcasting, Fort Industry Co., Dumont, Pittsburgh Radio Supply House, WCAE, Westinghouse.
K 287, Community Broadcasting Co., Toledo, Ohio	Dumont. Wayne University and Board of Education, Detroit.
K 288, Radio Augusta, Inc., Augusta, Ga	Broadcasting Co. of Louisiana and Inter-City Advertising Co.
K 289, Community Broadcasting, Inc., Wheeling, W. Va	Washington Broadcasting Co., Allegheny Broadcasting Corp., Pittsburgh Radio Supply House, WCAE, Inc., Westinghouse, Dumont.
K 290, Indianapolis Broadcasting, Inc., Indianapolis, Ind	CBS, Ohio State, L. B. Wilson.
K 291, KFEQ, Inc., St. Joseph, Mo	Midland, WHB, Quad City, Dumont.
KE 292, Trent Broadcasting Corp., Trenton, N. J	State Department of Education.
K 293, The Journal Co., Milwaukee, Wis	Dumont.
K 294, Delta Broadcasting Co., Escanaba, Mich	Dumont, Music Broadcasting.
K 295, KCRA, Inc., Sacramento, Calif	TV California, California Inland Broadcasting, Monterey Radio-TV Co., Kenyon Brown, Tribune Building Co., Salinas Broadcasting Co., CBS, Steven A. Cisler, KROW.
K 296, Radio Diablo, Inc., Mount Diablo, Calif	TV California, KROW, Inc., Tribune Building, CBS.
KE 297, NARTB-TV	Bell Telephone Co., JCET.
K 298, Central Broadcasting Co., Des Moines, Iowa	Davenport Broadcasting.
K 299, Tribune Publishing Co., Tacoma, Wash	Tom Olsen.
K 300, McClatchy Broadcasting Co., Calif	CBS, KROW, Inc., Tribune Building, TV California.
K 301, Monterey Radio-TV Co., Monterey, Calif	Salinas, Harmco, KCRA, KROW.
K 302, Howard W. Davis-Walmac Co., San Antonio, Tex	Lack's Stores.
K 303, Lewiston-Auburn Broadcasting Corp., Lewiston, Maine.	Travelers.
K 304, Lewiston-Auburn Broadcasting Corp., Lewiston, Maine.	Greylock.
K 305, Lewiston-Auburn Broadcasting Corp., Lewiston, Maine.	Hampden-Hampshire.
K 306, Lewiston-Auburn Broadcasting Corp., Lewiston, Maine.	Regional TV.
K 307, Regional TV Corp., Springfield, Mass	Greylock, Travelers Broadcasting, Thames Broadcasting, CBS, Hartford Times, Brockway Co.
KE 308, WJR Goodwill Station, Detroit, Mich	WGRD, Michigan State College, Trebit Corp., Quad City, WSAI-WVJS, Twin Valley Broadcasting, WSAM-WLEW, Dumont.
K 309, The Trebit Corp., Flint, Mich	WJR.
KE 310, The Trebit Corp., Flint, Mich	Wayne University and Board of Education, Detroit.
K 311, Clark Associates, Inc., Binghamton, N. Y	City of Philadelphia.
K 312, Clark Associates, Inc., Binghamton, N. Y	Daily News TV.
K 313, Buffalo Courier-Express, et al., Buffalo, N. Y	Greylock.
K 314, Oil Belt Television Co., Breckenridge, Tex	KLIF.
KE 316, University of Denver, Denver, Colo	Edwin C. Johnson.
KE 318, University of Georgia (supports FCC)	Radio Athens.
KE 319, St. Paul Department of Education (supports FCC)	Late comments and general opposition to commercial interests.
KE 320, St. Paul Public Library System (supports FCC)	Commercial interests.
K 321, Courier-Post Publishing Co., Hannibal, Mo	Midland, KCMO, WHB.
K 322, Courier-Post Publishing Co., Hannibal, Mo	Dumont.
KE 323, City of St. Paul	Commercial interests.
K 324, Pittsburgh Radio Supply House, Pittsburgh, Pa	WCAE, Inc., Matta Broadcasting, Tri-City Broadcasting WBVP, Inc., WSTV, Washington Broadcasting Co., Cleveland Broadcasters group, Fort Industry.
K 325, Hampden-Hampshire Corp., Holyoke, Mass	Travelers, Hartford Times, WTAG, CBS, Brockway Co., Dumont, Outlet Co., Cherry & Webb, Thames Broadcasting.
K 326, Milwaukee Broadcasting Co., Milwaukee, Wis	Music Broadcasting, CBS, Quad City.
K 327, WKAT, Inc., Miami, Fla	Gore, Central Florida.
KE 328, City of Milwaukee, Milwaukee, Wis	Wisconsin Broadcasting, Hearst.
K 329, Meridian Broadcasting Co., Meridian, Wis	Voice of Dixie, Deep South Broadcasting, Johnston Broadcasting, Tuscaloosa Broadcasting.
K 330, Wichtex Radio & TV Co., Wichita Falls, Tex	KFBI, Taylor Radio and TV, Dumont.
KE 331, Board of Education, Denver, Colo	Edwin C. Johnson.
K 332, City of Columbia, S. C	Spartan Radiocasting, Southeastern Broadcasting Co., Dumont.
KE 333, North Country Broadcasting Co., Inc., Malone, N. Y	Board Regents, State Department of Education, New York.
KE 334, American Broadcasting Stations, Inc., Cedar Rapids, Iowa.	Coe College.
KE 335, Gazette Co., Cedar Rapids, Iowa	Coe College.
KE 336, Travelers Broadcasting Service, Hartford, Conn	Brown University.
KE 337, American Broadcasting Corp., Lexington, Ky	University of Kentucky.
KE 338, Warren M. Mallory, Laramie, Wyo	University of Wyoming.
K 339, Palmetto Broadcasting Corp., Columbia, S. C	Dumont, Spartan Radio, Southeast Broadcasting, etc.

[F. R. Doc. 51-9728; Filed, Aug. 14, 1951; 9:29 a. m.]

[Docket Nos. 8736, 8975, 8976, 9175]

RULES AND REGULATIONS, AND ENGINEERING STANDARDS CONCERNING TELEVISION BROADCAST SERVICE

ADDENDUM TO NOTICE OF ORDER OF TESTIMONY

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the Band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. This Addendum supplements and corrects the Notice of Order of Testimony issued by the Commission July 18, 1951 (Mimeo 66241).[1]

2. The following corrections should be made:

(a) Add to Group A, page 1, Mimeo 66188:

COUNTER PROPOSAL

Honolulu, Hawaii

Pacific Frontier Broadcasting Co. Ltd.

SUPPORTS F. C. C.

Puerto Rico

Government of Puerto Rico, Department of Education.

(b) In group K, Mimeo 66188, entry for Hamilton-Middletown should read:

Hamilton-Middletown

5 WCAE, Inc., Pittsburgh, Pa.

(c) In group GG, Mimeo 66188, line 12 should read as follows:

Austin, Tex.

12 University of *Texas*.

(d) In Mimeo 66048 (List of Oppositions), entry for K 329 should be corrected to indicate location as Meridian, Miss.

(e) The Joint Committee on Educational Television has filed a comment in this proceeding which supports each channel reservation for non-commercial educational stations proposed in the Commission's Third Notice of Further Proposed Rule Making issued March 22, 1951, in this proceeding. The name of the Joint Committee should be added to each group containing a city in which the Commission proposes to reserve a channel for non-commercial educational use. Where cities in which the Commission proposes to reserve channels are not listed in the Order of Testimony, the name of the Joint Committee should be added to each group which first contains the states in which such cities are located.

3. Any errors or omissions in the Order of Testimony as corrected above should be reported in writing to the Chief, Rules and Standards Division of the Broadcast Bureau of the Commission at the earliest practicable date.

Released: July 25, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9769; Filed, Aug. 14, 1951; 10:29 a. m.]

[1] See F. R. Doc. 51-9728, *supra*.

DEPARTMENT OF THE INTERIOR
Bureau of Land Management

ALASKA

NOTICE OF OPENING OF LAND TO ENTRY UNDER SMALL TRACT ACT

AUGUST 7, 1951.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management under Order No. 319 of July 19, 1948 (43 CFR 50.451 (b) (3), 13, F. R. 4278), and § 2.21 of Order No. 427, approved by the Secretary of the Interior August 16, 1950 (15 F. R. 5641), the following described public lands in the Anchorage, Alaska land district were classified by Alaska Small Tract Classification Order Nos. 18 and 36 dated November 16, 1949 and February 2, 1951, respectively, as chiefly valuable for lease and sale for home and/or cabin sites under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C., Sec. 682a), as amended, to become effective for filing under the act after due notice by publication:

For leasing and sale: Conor's Lake Unit; for home sites.

SEWARD MERIDIAN

T. 12 N., R. 4 W.,
Sec. 2: S½SW¼SE¼NE¼, NW¼SW¼SE¼NE¼, W½NE¼SE¼, W½E½NE¼SE¼.

Jewel Lake Unit; for home and cabin sites.

SEWARD MERIDIAN

T. 12 N., R. 4 W.,
Sec. 10: W½SE¼NW¼NW¼SE¼, SW¼NW¼NW¼SE¼, W½E½SW¼NW¼SE¼, W½SW¼NW¼SE¼, NE¼SW¼, N½NW¼SE¼SW¼, W½E½SE¼SW¼, S½N½NE¼SW¼SE¼, S½NE¼SW¼SE¼, N½SE¼SW¼SE¼, SE¼SE¼SW¼SE¼.

The areas above described comprise 87 small tracts aggregating approximately 107.87 acres.

2. The lands described in the Conor's Lake Unit are located four miles southwest of the City of Anchorage and are accessible to within one quarter mile by all-weather Raspberry Road. The Jewel Lake Unit, located seven miles southwest of the City of Anchorage, is accessible along the south boundary by all-weather Sand Lake Road, and on the north by secondary roads. The tracts vary in size from 0.65 of an acre to 5 acres in the Conor's Lake Unit and 0.56 of an acre to 1.63 acres in the Jewel Lake Unit. Eight tracts in the Jewel Lake Unit abut on Jewel Lake and one tract on Sundi Lake. The tracts in the Conor's Lake Unit do not abut on the water. Electric service is presently available to portions of each unit and it is contemplated that similar service will be made available to both areas classified in the early future by extension of Rural Electrification Administration transmission lines. Adequate water supply for domestic uses can be obtained from wells and sewage disposal may be made by the use of cesspools or septic tanks. Churches, hospital, schools and market facilities are available in Anchorage. The climate is a favorable combination of the temperate coastal climate of south central Alaska and the extreme continental climate of Interior Alaska.

3. A multiplicity of filings by those persons entitled to claim veterans' preference for service in World War II is anticipated during the simultaneous filing period. Therefore, in accordance with the provisions of 43 CFR 257.8, Cir. 1764, containing small tract regulations approved September 11, 1950, the special procedure and drawing outline therein will be used. The special procedure does not apply to veterans of other wars of the United States.

4. Commencing at 10:00 a. m. on August 7, 1951, and continuing until close of business on August 28, 1951, the lands described herein shall be subject to the filing of drawing entry cards only by those persons entitled to claim World War II veterans' preference under the act of September 27, 1944 (58 Stat. 743, 43 U. S. C. secs. 279–284), as amended. Such veterans, desiring to participate in the drawing, may apply to the Manager, Anchorage Land Office, P. O. Box 1749, Anchorage, Alaska, for a drawing entry card Form 4–775, upon which the veteran will print clearly his name, post office address, and sign his full name in the space provided on the card, certifying that he is a citizen of the United States, over 21 years of age, or the head of a family, and entitled to veterans' preference based upon service in World War II and honorable discharge from such service. Only one drawing entry card may be filed by an entrant. No filing fee or additional papers should accompany the drawing entry card. All drawing entry cards when completed as indicated shall be mailed to the above mentioned Manager and must be forwarded in time to reach him not later than 10:00 a. m. on August 29, 1951. All cards of qualified entrants received not later than the hour and the date mentioned will be placed in a box and at 2:00 p. m. on August 29, 1951, thoroughly mixed in the presence of such persons as may desire to be present. The cards will then be drawn by a disinterested party, one at a time, and numbered in the order drawn to establish an adequate list of eligibles and of alternates to whom the available tracts will be allocated in consecutive order. The numbers assigned in the drawing will fix the order in which the tracts will be allocated to the successful entrants.

5. Each successful entrant to whom a tract is awarded will be sent by registered mail a decision making appropriate requirements with an offer to lease Form 4–776, in duplicate, bearing the description of the tract. The forms must be completely filled out, signed and returned by the successful entrant within the time allowed, accompanied by a $10.00 filing fee and $10.00 representing rental for a 2-year period; also a complete photostat, or other copy (both sides) of his certificate of honorable discharge, or of an official document of the branch of the service which shows clearly his honorable discharge, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. An award to a successful entrant who was not qualified to enter the drawing, or who for any reason fails within the time allowed to comply with

the requirements of the decision accompanying the lease forms, will be canceled upon the records, and the lot will become available to the alternate next in line as determined by the drawing. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease. The tracts embraced in the Jewel Lake Small Tract Unit, may not, however, be purchased until after the plat of resurvey of the section is officially filed.

6. Each entrant to whom no lot is allocated will be informed thereof by the return of his drawing entry card carrying a notation to that effect.

7. The lots, if any, which are not leased as a result of the drawing, will not become subject to application by veterans who do not participate in the drawing or by the general public until a further order has been issued granting veterans of World War II a preference right of application for a period of 90 days.

8. All sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease, provided, however, that if said tract abuts upon any stream, lake or other body of fresh water no sewage disposal facility shall be placed within 100 feet of such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendation of the Alaska Territorial Department of Health.

9. The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width on each side of the tract or as shown on the classification maps on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State, or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-9621; Filed, Aug. 14, 1951; 8:45 a. m.]

IDAHO

AIR-NAVIGATION SITE WITHDRAWAL NO. 272

AUGUST 8, 1951.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and in accordance with Departmental Order No. 2583, § 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Idaho are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 272:

BOISE MERIDIAN

T. 14 S., R. 34 E.,
Sec. 14, S½NE¼SW¼ and N½SE¼SW¼.

The areas described aggregate 40 acres.

This order shall take precedence over, but not otherwise affect, the order of the Secretary of the Interior of November 3, 1936, establishing Idaho Grazing District No. 2, so far as it affects the above-described lands.

It is intended that the above-described lands shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

MARION CLAWSON,
Director.

[F. R. Doc. 51-9623; Filed, Aug. 14, 1951; 8:45 a. m.]

ARIZONA

AIR-NAVIGATION SITE WITHDRAWAL NO. 271

AUGUST 8, 1951.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and in accordance with Departmental Order No. 2583, § 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Arizona are hereby withdrawn from all forms of appropriation under the public-land laws and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air-Navigation Site Withdrawal No. 271:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 6 W.,
Sec. 1, E½SW¼ and W½SE¼.

The areas described aggregate 160 acres.

This order shall take precedence over, but not otherwise affect, the order of the Secretary of the Interior of July 14, 1938, establishing Arizona Grazing District No. 3, so far as it affects the above-described lands.

It is intended that the above-described lands shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

MARION CLAWSON,
Director.

[F. R. Doc. 51-9622; Filed, Aug. 14, 1951; 8:45 a. m.]

DEPARTMENT OF COMMERCE

National Production Authority

[NPA Delegation 3, Revocation]

DELEGATION OF AUTHORITY TO NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

NPA Delegation 3, as amended February 12, 1951, is hereby revoked. Under NPA Delegation 1, as amended June 30, 1951, the Secretary of Defense is authorized to make allotments of controlled materials, and to apply or assign to others the right to apply DO ratings and allotment numbers and symbols, with respect to contracts and purchase orders to meet authorized programs for which the Department of Defense is claimant under Defense Production Administration Order No. 1, including programs of the National Advisory Committee for Aeronautics. The authority delegated to the Secretary of Defense under NPA Delegation 1 may be redelegated to the National Advisory Committee for Aeronautics with respect to authorized programs of that agency. Accordingly, there is no further need for NPA Delegation 3.

This revocation does not affect the validity of any action taken pursuant to NPA Delegation 3 prior to the effective date of this revocation.

This revocation shall take effect on August 14, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9735; Filed, Aug. 13, 1951; 5:15 p. m.]

[NPA Delegation 4, Revocation]

DELEGATION OF AUTHORITY TO THE UNITED STATES COAST GUARD

NPA Delegation 4, as amended February 12, 1951, is hereby revoked. Under NPA Delegation 1, as amended June 30, 1951, the Secretary of Defense is authorized to make allotments of controlled materials, and to apply or assign to others the right to apply DO ratings and allotment numbers and symbols, with respect to contracts and purchase orders to meet authorized programs for which the Department of Defense is claimant under Defense Production Administration Order No. 1, including programs of the United States Coast Guard. The authority delegated to the Secretary of Defense under NPA Delegation 1 may be redelegated to the United States Coast Guard with respect to authorized programs of that agency. Accordingly, there is no further need for NPA Delegation 4.

This revocation does not affect the validity of any action taken pursuant to NPA Delegation 4 prior to the effective date of this revocation.

This revocation shall take effect on August 14, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9736; Filed, Aug. 13, 1951; 5:15 p. m.]

Office of International Trade

[Case No. 106]

AMERICAN INDUSTRIAL PRODUCTS CO. AND THOMAS A. LYNCH

ORDER REVOKING AND DENYING LICENSE PRIVILEGES

In the matter of Ching Sen Lee, d/b/a American Industrial Products Company, Thomas A. Lynch, 111 Broadway, New York 6, New York. Case No. 106.

This proceeding was begun on the issuance by the Investigation Staff, Office of International Trade, of a charging letter dated April 10, 1951, as amended on May 10, 1951, to Ching Sen Lee, doing business as American Industrial Products Company, and Thomas A. Lynch, export manager thereof, New York City (hereinafter referred to as respondents) and other respondents against whom the proceedings have been severed and who are therefore not the subject of this order, charging them with having violated the Export Control Act of 1949 (63 Stat. 7) and the regulations issued thereunder.

It is alleged in said charging letter that the above-named respondents knowingly exported from the United States, during March and April 1949, some ninety net tons of tinplate to a named consignee in Shanghai, China, by using a validated export license issued to and held by another licensee, Yangtze Trading Corporation, New York City, which said license did not authorize the exportation. Further, that said respondents permitted the same Yangtze Trading Corporation to use a validated export license issued to respondent American Industrial Products Company to effectuate, during August 1949, two exportations of tinplate, totalling some nine tons, to Yangtze's customer in Taku Bar, China, and that said license did not authorize such exportations.

It is further alleged that said respondents in effectuating the exportations hereinabove described made false representations and certifications on each of the shipper's export declarations filed with and authenticated by the Collector of Customs at New York, New York, as to the identity of the purchaser and ultimate consignee and that the specific license named therein authorized such exportation.

In addition, it is alleged that said respondents using and permitting the use of validated export licenses, shipper's export declarations and bills of lading to effect exportations thereunder with Yangtze Trading Corporation, without the authorization of the Office of International Trade, constituted illegal trafficking in such export control documents.

The above-named respondents, after receiving the said charging letters and following discussions by respondent Lynch and their counsel with officials of the Office of International Trade and with the Compliance Commissioner, submitted to the Office of International Trade, with the advice of and through their counsel, a statement in which they admitted, for the purposes of this compliance proceeding only, the charges made in said amended charging letter of May 10, 1951, and that they waived all right to a hearing on such charges and consented to the entry of an order the terms of which were to be established by the Compliance Commissioner and which are, accordingly, set forth hereinbelow.

The investigation report and other evidentiary material in the possession of the Investigation Staff, together with the said charging letters and the above-mentioned proposal for a consent order have been submitted to the Compliance Commissioner for review. Upon the basis of such review and upon the discussions as aforesaid he has found that respondents have violated the export control laws and regulations as charged in that between March and August 1949 they knowingly engaged in trafficking in export licenses, effected and caused to be effected unauthorized exportations of tinplate from the United States, and made false representations on export documents relating thereto. The other company involved in these transactions, Yangtze Trading Corporation and its export manager, E. Y. Soong, also named as respondents in the said charging letters, had previously consented to an order revoking and denying their export privileges respecting Positive List commodities for a period of three years, but such respondents were found by the Compliance Commissioner to have also committed other and more serious violations of the export control regulations than those of which the instant respondents have been found guilty.

The Compliance Commissioner has accordingly found, to the extent above indicated, that the charges as set forth in the charging letters with regard to respondents are supported by the evidence, and that pursuant to the authority vested in him by the terms of the consent letter as aforesaid he has recommended that respondents be denied export privileges for Positive List commodities for a period of eighteen months, that their outstanding validated licenses be revoked, and that an order to this effect be issued applicable also to any person, firm, corporation or business organization with which respondents are related in the conduct of export trade.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the above-described evidentiary material, the charging letters, and the proposal for a consent order, and it appears that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) All outstanding export licenses held by or issued to respondents or any of them are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.

(2) Respondents, and each of them, are hereby denied the privileges of directly or indirectly exporting or receiving abroad or otherwise participating in any exportation of any commodity on the Positive List, as such list may be constituted at the time of any proposed shipment from the United States to any foreign destination, including Canada, for a period of eighteen (18) months from the date of this order. Such denial of export privileges shall be deemed to include and prohibit participation directly or indirectly in any capacity (a) in the obtaining or using of validated export licenses and general licenses, (b) as a party or as a representative of a party to any export license application or to any exportation, and (c) in the financing, forwarding, transporting or other servicing of exports, for any of the aforesaid Positive List commodities.

(3) Such revocation and denial of export license privileges shall extend not only to the named respondents, and each of them, but also to any person, firm, corporation, or other business organization with which they or any of them may be now or hereafter related by ownership, control, position of responsibility or other connection in the conduct of trade involving exports from the United States.

Dated: August 8, 1951.

WALLACE S. THOMAS,
Acting Assistant Director for Export Supply.

[F. R. Doc. 51-9674; Filed, Aug. 14, 1951; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3153]

CHICAGO AND SOUTHERN AIR LINES, INC.; SERVICE TO MARACAIBO, VENEZUELA

NOTICE OF ORAL ARGUMENT

In the matter of the application of Chicago and Southern Air Lines, Inc., for amendment of its certificate of public convenience and necessity for its foreign route so as to include Maracaibo, Venezuela, as an intermediate point between the present intermediate point Curacao, Netherlands West Indies, and the terminal point Caracas, Venezuela.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on September 6, 1951, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 9 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-9659; Filed, Aug. 14, 1951; 8:51 a. m.]

[Docket No. 3661]

THROUGH SERVICE INVESTIGATION; TWIN CITIES-WASHINGTON AND DETROIT-WASHINGTON

NOTICE OF ORAL ARGUMENT

In the matter of a proceeding to determine whether public convenience and necessity require elimination or suspension of certain uneconomic competitive service between Minneapolis-St. Paul,

Minn., and Washington, D. C., and between Detroit, Mich., and Washington, D. C., and the establishment of certain through air transportation in lieu thereof by means of interchange arrangements.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on September 20, 1951, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 9, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-9656; Filed, Aug. 14, 1951; 8:50 a. m.]

[Docket No. 4228 et al.]

PAN AMERICAN WORLD AIRWAYS, INC. AND TRANS WORLD AIRLINES, INC.; PHILADELPHIA-TRANSATLANTIC SERVICE CASE

NOTICE OF ORAL ARGUMENT

In the matter of the temporary suspension of transatlantic service by Pan American World Airways, Inc., and Trans World Airlines, Inc., at Philadelphia, Pennsylvania.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-indicated proceeding is assigned to be held on September 10, 1951, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 9, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-9657; Filed, Aug. 14, 1951; 8:50 a. m.]

[Docket No. 4387 et al.]

WISCONSIN CENTRAL AIRLINES, INC.; WISCONSIN CENTRAL CERTIFICATE RENEWAL CASE

NOTICE OF ORAL ARGUMENT

In the matter of the application of Wisconsin Central Airlines, Inc., for renewal of its certificate of public convenience and necessity.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on September 24, 1951, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 10, 1951.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Acting Secretary.

[F. R. Doc. 51-9658; Filed, Aug. 14, 1951; 8:51 a. m.]

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Defense Mobilization

[Defense Mobilization Order 11]

POLICY DIRECTIVE GOVERNING ISSUANCE OF TAX AMORTIZATION CERTIFICATES UNDER SECTION 124A OF THE INTERNAL REVENUE CODE, AND DEFINING THE EXTENT TO WHICH ACCELERATED AMORTIZATION CAN BE ALLOWED AS A COST IN NEGOTIATED CONTRACT PRICING

By virtue of the authority vested in me by Executive Order 10193 of December 16, 1950, it is hereby ordered as follows:

1. To assure consistency between the granting of necessity certificates and the determination of expansion goals, certificates shall be granted only for facilities that are included within expansion goals determined by the Defense Production Administration to be necessary to meet established requirements.

2. Certificates of necessity for tax amortization shall be based on a percentage that reflects the best available estimates of post-five-year period usefulness and additional incentives to the minimum amount deemed necessary to secure the needed expansion.

3. The determination of amortization percentages shall be closely related by the Defense Production Administration to the provision of other financial incentives by the Government to encourage the construction of facilities, such as direct government loans, guarantees, and contractual arrangements. The objective shall be to use these incentives separately or in combination to secure the needed expansion at minimum cost to the Treasury.

4. For purposes of effective administration the Defense Production Administration may establish percentage certification patterns for individual industries. These shall provide a basis from which adjustments upward or downward shall be made on account of special factors such as size of enterprise, extent of integration, promotion of competition, new or improved technology, geographical location, and the relative expansion needed. A major objective of this procedure will be to insure that individual firms will not be unduly benefited or prejudiced, as they would be by the flat application of industry-wide percentages.

5. The Defense Production Administration shall assure that the need for the dispersal of facilities in accord with the new pattern established by the National Security Resources Board and approved by the President is adequately recognized when certificates are granted.

6. For purposes of cost computations in negotiated contract pricing, accelerated amortization shall be allowed only to the extent that the percentage certified is based on an estimate of post-five-year period usefulness. Percentages of amortization attributable to other incentives shall not be included as an element of cost in contract pricing.

7. The Defense Production Administration, in cooperation with the procurement agencies concerned, shall immediately undertake a review of those tax amortization actions which, under the policy statement above, will affect negotiated contract pricing with a view to determining the part of percentages that should be considered as costs with respect to certificates already granted. On the basis of this review, procedures shall be established for similar determinations with respect to certificates to be granted in the future.

8. This order shall take effect on August 14, 1951.

OFFICE OF DEFENSE MOBILIZATION,
C. E. WILSON,
Director.

[F. R. Doc. 51-9749; Filed, Aug. 14, 1951; 9:41 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1690]

CALIFORNIA-PACIFIC UTILITIES CO.

ORDER FIXING DATE OF HEARING

AUGUST 8, 1951.

On May 22, 1951, California-Pacific Utilities Company (Applicant), a California corporation of San Francisco, California, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of certain natural-gas facilities, subject to the jurisdiction of the Commission, as are fully described in the application on file with the Commission and subject to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 9, 1951 (16 F. R. 5504).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 27, 1951, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,*

That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 9, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-9661; Filed, Aug. 14, 1951; 8:51 a. m.]

[Docket Nos. G-1692, G-1706]

SOUTHERN CALIFORNIA GAS CO. ET AL.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

AUGUST 8, 1951.

In the matters of Southern California Gas Company, Southern Counties Gas Company of California, Docket No. G-1692; El Paso Natural Gas Company, Docket No. G-1706.

On May 24, 1951, Southern California Gas Company and Southern Counties Gas Company of California, California corporations of Los Angeles, California, filed a joint application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, and on June 11, 1951, El Paso Natural Gas Company, a Delaware corporation of El Paso, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing construction and operation in case of emergency, of certain pipe-line facilities connecting the systems of the applicants, as fully described in each application on file with the Commission and open to public inspection.

The Commission finds:

(1) Good cause exists and it would be in the public interest to consolidate the above-named proceedings for purposes of hearing.

(2) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicants having requested that their applications be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the applications, including publication in the FEDERAL REGISTER on July 3, 1951 (16 F. R. 6479) and July 12, 1951 (16 F. R. 6762), respectively.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 28, 1951, at 9:30 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 9, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-9662; Filed, Aug. 14, 1951; 8:51 a. m.]

[Docket No. G-1700]

PACIFIC GAS AND ELECTRIC CO.

ORDER FIXING DATE OF HEARING

AUGUST 8, 1951.

On June 11, 1951, Pacific Gas and Electric Company (Applicant), a California corporation having its principal place of business at San Francisco, California, filed an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 12, 1951 (16 F. R. 6762).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on August 27, 1951, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 9, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-9663; Filed, Aug. 14, 1951; 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26314]

CLASS AND COMMODITY RATES BETWEEN POINTS IN OKLAHOMA AND TEXAS

APPLICATION FOR RELIEF

AUGUST 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for Beaver, Meade and Englewood Railroad Company, Missouri-Kansas-Texas Railroad Company, and Missouri-Kansas-Texas Railroad Company of Texas.

Commodities involved: Class and commodity rates, less-than-carloads, any quantity, and volume lots of 10,000 pounds or less.

Between: Points in Oklahoma and Texas.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3977.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9642; Filed, Aug. 14, 1951; 8:50 a. m.]

[4th Sec. Application 26315]

CLASS AND COMMODITY RATES BETWEEN POINTS IN OKLAHOMA AND TEXAS

APPLICATION FOR RELIEF

AUGUST 10, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the aggregate-of-intermediates provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for Beaver, Meade and Englewood Railroad Company, Missouri-Kansas-Texas Railroad Company, and Missouri-Kansas-Texas Railroad Company of Texas.

Commodities involved: Class and commodity rates, less-than-carloads, any quantity, and volume lots of 10,000 pounds or less.

Between: Points in Oklahoma and Texas.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3977.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9641; Filed, Aug. 14, 1951; 8:49 a. m.]

[4th Sec. Application 26316]

CLASS AND COMMODITY RATES BETWEEN CERTAIN POINTS

APPLICATION FOR RELIEF

AUGUST 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Illinois Central Railroad Company.

Commodities involved: Class and commodity rates, less-than-carloads, any quantity, and lots of 10,000 pounds or less.

Between: Memphis, Tenn., Helena, Ark., Vicksburg and Natchez, Miss., and certain points in Louisiana east of the Mississippi River, on the one hand, and points in Louisiana west of the Mississippi River, on the other.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates;

Agent D. Q. Marsh's tariff I. C. C. No. 3977.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9640; Filed, Aug. 14, 1951; 8:49 a. m.]

[4th Sec. Application 26317]

CLASS AND COMMODITY RATES BETWEEN CERTAIN POINTS

APPLICATION FOR RELIEF

AUGUST 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the aggregate-of-intermediates provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Illinois Central Railroad Company.

Commodities involved: Class and commodity rates, less-than-carloads, any quantity, and lots of 10,000 pounds or less.

Between: Memphis, Tenn., Helena, Ark., Vicksburg and Natchez, Miss., and certain points in Louisiana east of the Mississippi River, on the one hand, and points in Louisiana west of the Mississippi River, on the other.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: Agent D. Q. Marsh's tariff I. C. C. No. 3977.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9639; Filed, Aug. 14, 1951; 8:49 a. m.]

[Rev. S. O. 874, Rev. General Permit 7]

RICE BRAN, RICE POLISH AND/OR RICE HULLS

LOADING REQUIREMENTS

Pursuant to the authority vested in me in Paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), permission is granted for any common carrier by railroad, subject to the Interstate Commerce Act to disregard the provisions of Revised Service Order No. 874 insofar as they apply to any car loaded with rice bran, rice polish and/or rice hulls because the high moisture content of the commodities during the harvesting season cause it to heat, cake and mold when such cars are loaded to at least 40,000 pounds.

The waybills shall show reference to this revised general permit and any consignor forwarding cars under this revised general permit shall furnish the Permit Agent with the car numbers, initials, weights, and destinations of the cars shipped under this revised general permit, as well as the car numbers, initials, and weights of all cars loaded with rice bran, rice polish and/or rice hulls shipped; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., August 9th, 1951, and shall expire at 11:59 p. m., September 15th, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this revised general permit has been served upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this Permit shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 8th day of August 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-9644; Filed, Aug. 14, 1951; 8:50 a. m.]

[S. O. 878, Rev. General Permit 4-F]

EXEMPTION OF CERTAIN LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to carload freight consisting of commodities named in Appendix A when packed in glass in cartons, in tin in cartons; in paperboard, fiber, cellophane, and/or plastic containers in cartons; in bags, barrels, boxes, and/or mats, in mixed carloads when such cars are loaded to at least 60,000 pounds or more.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish

the Permit Agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., August 9, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 8th day of August 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-9645; Filed, Aug. 14, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-188]

EASTERN UTILITIES ASSOCIATES ET AL.

MEMORANDUM OPINION AND ORDER DENYING MOTION TO CONSOLIDATE STEPS OF PLAN FOR HEARING AND DISPOSITION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of August A. D. 1951.

In the matter of Eastern Utilities Associates and its subsidiary companies; File No. 54-188.

By notice of and order for hearing,[1] dated April 16, 1951, we separated for hearing and disposition the transactions set forth as Step 2 (a) of the amended reorganization plan of Eastern Utilities Associates ("EUA")[2] and all issues or questions which might arise in this proceeding in connection therewith from the other transactions of the plan, including those set forth as Step 2 (b) thereof.[3] Generally speaking, Step 2 (a) of the plan, as amended on August 7, 1951, provides for the merger of Brockton, Fall River and Montaup into Eastern Edison Company, Inc. ("New Company") and the refinancing of the system by the issuance and sale of securities of New Company. Step 2 (a) involves, among other things, the acquisition by New Company of EUA's holdings of the common stock of Blackstone and makes provision for the minority public holders of the common stocks of Brockton, Fall River and Blackstone. Step 2 (b) of the plan provides for the allocation of New Company common stock between the common and convertible shareholders of EUA.

On May 14, 1951,[4] the Cromwell Committee, a protective committee representing EUA's common shareholders, filed a motion to consolidate for hearing and disposition the transactions and issues of Steps 2 (a) and 2 (b). EUA and the Rohach and Ellis Committees, representing EUA's convertible shareholders, oppose the motion and have filed briefs in support of this position. On May 25, 1951, we heard oral argument on the motion.

In substance, the position of the Cromwell Committee is that the consolidation of Steps 2 (a) and 2 (b) would be conducive to a prompt closing of the record on the entire case without a material, if any, delay in the proposed financing. Those opposing the motion contend that the transactions proposed in Step 2 (b) involve the more difficult and complicated questions and problems and that the continued separation of Steps 2 (a) and 2 (b) not only would not delay the adducing of evidence with respect to Step 2 (b) and the closing of the record thereon, but also would permit an orderly, prompt and economical disposition of the transactions proposed in Step 2 (a) thereby permitting an early consummation of the proposed financing. Although we recognize that there is some weight to the contention of the Cromwell Committee, at the present time there does not appear to be a compelling reason to change the adopted procedure and, consequently, we will deny the motion.

At the argument, all of the parties stressed the importance of proceeding as rapidly as possible with the adducing of evidence with respect to the transactions set forth in both Steps 2 (a) and 2 (b). The record contains and, since May 10, 1951, there has been available to all parties, a substantial amount of financial data reflecting on the transactions proposed in both Steps 2 (a) and 2 (b). We understand that EUA's affirmative case on Step 2 (a), as amended, may be completed at the next hearing. Accordingly, after hearings on Step 2 (a) are concluded (exclusive of such supplemental hearings as may be necessary in connection with the sale of securities), hearings should go forward promptly with respect to Step 2 (b), without awaiting our decision on Step 2 (a).

We are aware, of course, that evidence adduced in reference to Step 2 (a) may also have a material bearing upon Step 2 (b), and that such evidence may be deemed objectionable for that reason by certain participants. Since all the participants will have full opportunity to elaborate or supplement the record when the hearings go forward on Step 2 (b), we see no necessity for the exclusion of testimony germane to Step 2 (a) merely because it may also be significant to the issues in Step 2 (b). On the other hand, evidence which is germane only to Step 2 (b) should, in accordance with our ruling herein, be excluded at this time. Thus, cross-examination which is directed to issues not clearly relevant to Step 2 (a) should be deferred until the proceedings on Step 2 (b) are resumed.

It is hereby ordered, That the motion of the Cromwell Committee, be, and the same hereby is, denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9626; Filed, Aug. 14, 1951; 8:46 a. m.]

[File No. 70-2069]

COLUMBIA GAS SYSTEM, INC., AND COLUMBIA GAS SYSTEM SERVICE CORP.

ORDER AUTHORIZING ISSUANCE AND SALE OF NOTES AND ACQUISITION OF SUCH NOTES BY PARENT COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of August A. D. 1951.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and Columbia Gas System Service Corporation ("Columbia Service"), a wholly-owned subsidiary company of Columbia rendering service to associate companies in the Columbia Holding Company System, having filed a joint application-declaration with the Commission pursuant to sections 6, 7, 9 and 10 of the Public Utility Holding Company Act of 1935 and Rule U-43 promulgated thereunder with respect to the following transaction:

Columbia Service proposes to issue and sell at par $150,000 principal amount of 3¼ percent Installment Promissory Notes and Columbia proposes to acquire such Notes. The Notes are to be registered and the principal amounts thereunder are to be payable in twenty-five equal annual installments on February 15 of the years 1953 to 1977, inclusive. Interest on the unpaid principal amount thereunder at the rate of 3¼ percent per annum is to be paid semi-annually on February 15 and August 15. The application-declaration states that the proceeds to be derived from the proposed transactions will be used to reimburse Columbia in the amount of $100,000, representing non-interest bearing advances made by Columbia during 1950-1951, and the remaining $50,000 will be

[1] See Holding Company Act Release No. 10503.

[2] EUA is a registered holding company and has three direct public utility subsidiary companies, namely, Brockton Edison Company ("Brockton"), Blackstone Valley Gas and Electric Company ("Blackstone") and Fall River Electric Light Company ("Fall River") and one indirect public utility subsidiary company, Montaup Electric Company ("Montaup").

[3] Step 1 of the plan, approved by us on August 17, 1950 (see Eastern Utilities Associates and New England Electric System, Holding Company Act Release No. 10040), covered the acquisition by EUA of 113,161 shares of Fall River capital stock from NEES and 11,721 shares of such stock from other Fall River stockholders. As a result of the consummation of Step 1, EUA now holds 98.5 percent of the total voting power of the Fall River stock.

[4] The hearings on the plan were reconvened on May 8, 1951 to consider the transactions proposed in Step 2 (a) of the plan. The hearings, after being postponed at the request of EUA, are scheduled to resume on September 25, 1951.

used as additional working capital required in its operations.

Said application-declaration having been filed on July 13, 1951, and notice of said application-declaration having been given in the form and manner prescribed in Rule U-23 promulgated under the act, and the Commission not having received a request for a hearing with respect to said application-declaration within the time specified in said notice or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935, that said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9624; Filed, Aug. 14, 1951; 8:46 a. m.]

[File No. 70-2675]

UNITED GAS CORP.

NOTICE REGARDING PROPOSED ACQUISITION OF PRIOR PREFERRED PROMISSORY NOTES AND SHARES OF COMMON STOCK OF NON-UTILITY COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of August A. D. 1951.

Notice is hereby given that United Gas Corporation ("United"), a gas utility subsidiary company of Electric Bond and Share Company, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935. Applicant has designated sections 9 (a) (1), 10 (a) (1), 10 (b) and 10 (c) of the act as being applicable to the proposed transaction.

Notice is further given that any interested person may, not later than August 21, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

All interested persons are referred to said application, which is on file in the office of this Commission, for a complete statement of the transaction therein proposed which may be summarized as follows:

United proposes to acquire 115.845 units (each unit consisting of a $10,000 Prior Preferred 6 Percent Promissory Note and 75 shares of common stock, par value $1.00 per share) from Carthage Hydrocol, Inc. ("Hydrocol") for a cash consideration of $1,167,138.37.

This Commission by orders dated March 14, 1946, March 8, 1948, September 16, 1949, and December 5, 1950 (Holding Company Act Release Nos. 6478, 8022, 9344, and 10264) authorized the purchase by United of certain notes and shares of common stock of Hydrocol. Hydrocol, at a cost of approximately $42,000,000 has completed the construction of a plant near Brownsville, Texas, for the purpose of manufacturing gasoline from natural gas by a synthetic process known as the "Hydrocol Process." The cost of construction, together with funds for working capital and other corporate purposes was obtained by means of a loan from the Reconstruction Finance Corporation ("RFC") in the amount of $18,500,000, and through the issuance and sale by Hydrocol to certain selected subscribers, including United, of units, each consisting of one $10,000 6 Percent Promissory Note and 75 shares of common stock, $1.00 par value. There are presently outstanding 2,250 units comprising $18,237,500 principal amount of 6 Percent Promissory Notes due October 1, 1960, $4,262,500 of Preferred 6 Percent Promissory Notes due October 1, 1960, and 200,625 shares of common stock. All of the notes are subordinate to the indebtedness owing to RFC and the 6 Percent Preferred Notes are preferred as to interest and principal over the 6 Percent Promissory Notes.

Of the outstanding securities of Hydrocol, United owns $1,950,000 principal amount of 6 Percent Promissory Notes, $639,250 principal amount of Preferred 6 Percent Promissory Notes, and 19,419⅜ shares (9.68 percent) of the common stock.

Hydrocol is now offering subscriptions to 550 additional units, consisting in the aggregate of $5,500,000 principal amount of Prior Preferred 6% Promissory Notes and 41,250 shares of common stock, to present holders of its notes and common stock on the basis of their respective holdings at June 1, 1951. On this basis, United is entitled to subscribe for 63.295 units. However, an additional subscription of 52.550 units is necessary because of the failure of all other stockholders, except The Texas Company, to exercise their subscription rights. The Texas Company proposes to subscribe for the remaining 434.155 units. The notes proposed to be issued will be preferred as to principal and interest over all outstanding Promissory Notes and Preferred Promissory Notes but will rank subordinate to the indebtedness owing from Hydrocol to the RFC. In order to accomplish this United and each of the other security holders of Hydrocol propose to submit the Notes and Preferred Notes held by them for overstamping to evidence the proposed subordination.

Upon consummation of the proposed transaction, Hydrocol will have 241,875 shares of common stock outstanding, of which United will own 28,107¾ shares (11.62 percent).

The application states that Hydrocol will use the proceeds from the sale amounting to $5,500,000, together with $2,400,000 to be realized from the sale of processed products as follows: (1) $900,000 to cover expenditures to March 31, 1951 and to maintain working capital of $1,500,000 required by RFC; (2) $3,600,000 to provide for overhead and interest to RFC to December 31, 1951; and (3) $3,400,000 to provide for additional equipment.

United and its two wholly-owned subsidiaries, United Gas Pipe Line Company and Union Producing Company, are principally engaged in the production, purchasing, transportation, distribution and sale of natural gas, and Union Producing Company is the owner of extensive gas reserves. The application states that the Hydrocol Process can possibly result in important benefits to the United System by increasing the value of its gas reserves and widening the market for its products. The application further states that representation on the Board of Directors of Hydrocol (each subscriber being entitled to one member on the board of Hydrocol on the basis of one director for each 100 units owned) would permit a close appraisal of the general and technical operations of the plant thereby enabling the management of United to formulate an opinion as to the commercial feasibility of the process in relation to United's business.

Applicant requests that the Commission issue an order granting the application as soon as practicable and that said order be effective upon issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9625; Filed, Aug. 14, 1951; 8:46 a. m.]

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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Dept. Reg. 108.133]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11, *Designation of differential posts*, is amended as follows, effective on the date indicated:

1. Effective as of the beginning of the first pay period following July 21, 1951, paragraph (d) is amended by the addition of the following post:

Berlin, Germany.

(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

Issued: July 26, 1951.

For the Secretary of State.

W. K. SCOTT,
Deputy Assistant Secretary.

[F. R. Doc. 51-9715; Filed, Aug. 15, 1951; 8:47 a. m.]

[Dept. Reg. 108.134]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11, *Designation of differential posts*, is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (a) is amended by the deletion of the following post:

Lahore, Pakistan.

2. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (b) is amended by the deletion of the following posts:

Belgrade, Yugoslavia.
Merida, Mexico.
Moscow, U. S. S. R.
Philippines, all posts except Baguio, Cagayan, Cebu, Davao, Iloilo, Legaspi, Subic Bay, Tubabao (Guiuan), and Zamboanga.

3. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (d) is amended by the deletion of the following posts:

Guaymas, Mexico.
Tampico, Mexico.

4. Effective as of the beginning of the first pay period following July 7, 1951, paragraph (a) is amended by the addition of the following post:

Calama, Chile.

5. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (a) is amended by the addition of the following post:

Moscow, U. S. S. R.

6. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (b) is amended by the addition of the following posts:

Philippines, all posts except Baguio City, Cagayan, Cebu, Davao, Iloilo, Legaspi, Subic Bay, Tubabao (Guiuan), and Zamboanga.

7. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (c) is amended by the addition of the following posts:

Guaymas, Mexico.
Merida, Mexico.
Tampico, Mexico.

8. Effective as of the beginning of the first pay period following August 4, 1951, paragraph (d) is amended by the addition of the following post:

Vienna, Austria.

(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

Issued: August 1, 1951.

For the Secretary of State.

W. K. SCOTT,
Deputy Assistant Secretary.

[F. R. Doc. 51-9716; Filed, Aug. 15, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 954—MILK IN DULUTH-SUPERIOR MARKETING AREA

ORDER AMENDING THE ORDER, AS AMENDED, REGULATING THE HANDLING

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FEDERAL REGISTER

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inafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Duluth, Minnesota, on May 15, 1951, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Duluth-Superior, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making effective not later than September 1, 1951, this order amending the said order, as amended. This action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Accordingly, any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the Duluth-Superior marketing area. The provisions of the said amendatory order are well known to handlers—the public hearing having been held May 15, 1951, and the decision having been executed by the Secretary on July 26, 1951. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (see sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong. 60 Stat. 237).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order amending the order, as amended,) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Duluth-Superior marketing area, refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (April 1951), were engaged in the production of milk for sale in the said marketing area.

Order Relative to Handling

It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Duluth-Superior, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Delete § 954.41 (a) and substitute therefor the following:

(a) Class I milk shall be all skim milk and butterfat (1) disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, and cream for fluid consumption (including any mixture of cream and milk or skim milk containing less butterfat than the minimum requirement for cream), (2) used in the production of concentrated milk, not sterilized, for fluid consumption, and (3) not specifically accounted for as used to produce a Class II product.

2. Delete § 954.51 and substitute therefor the following:

§ 954.51 *Butterfat differentials to handlers*—(a) *Class I milk.* If the average butterfat content of the milk disposed of as Class I milk by any handler is more or less than 3.5 percent, there shall be added to the Class I price computed pursuant to § 954.50 (a) for each one-tenth of 1 percent that the average butterfat content of such milk is above 3.5 percent, or subtracted for each one-tenth of 1 percent that the average butterfat content of such milk is below 3.5 percent, an amount computed by multiplying by 1.40 the simple average of the daily wholesale selling prices per pound of Grade A (92-score) bulk creamery butter as reported by the United States Department of Agriculture for the Chicago market during the period from the 25th day of the month second preceding

such delivery period through the 24th day of the month immediately preceding such delivery period and divide the result by 10.

(b) *Class II milk.* If the average butterfat content of the Class II milk disposed of by any handler is more or less than 3.5 percent there shall be added to the class price computed pursuant to § 954.50 (b) for each one-tenth of 1 percent that the average butterfat content of such milk is above 3.5 percent or subtracted for each one-tenth of 1 percent that the average butterfat content of such milk is below 3.5 percent, an amount computed by multiplying by 1.25 the simple average of the daily wholesale selling prices per pound of Grade A (92-score) bulk creamery butter as reported by the United States Department of Agriculture for the Chicago market during the period from the 25th day of the month second preceding such delivery period through the 24th day of the month immediately preceding such delivery period and divide the result by 10.

3. Amend § 954.81 by deleting therefrom the reference "§ 954.51" and substituting therefor "§ 954.51 (b)."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 13th day of August 1951 to be effective on and after the 1st day of September 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9746; Filed, Aug. 15, 1951; 8:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5805]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HENRY MODELL & CO., INC., ET AL.

Correction

In Federal Register Document 51-9628, published at page 8040 of the issue for Wednesday, August 15, 1951, the authority citation should read:

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45)

[Docket 5826]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

S. WAXMAN ET AL.

Correction

In Federal Register Document 51-9629, appearing at page 8041 of the issue for Wednesday, August 15, 1951, the authority citation should read:

(Sec. 6, 38 Stat. 722, sec. 6, 54 Stat. 1131; 15 U. S. C. 46, 68d. Interprets or applies sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U. S. C. 45, 68-68c)

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I — Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

[Hearing Docket CE-P 7]

PART 150—ORDERS OF THE COMMODITY EXCHANGE COMMISSION

LIMITS ON POSITION AND DAILY TRADING IN EGGS FOR FUTURE DELIVERY

Findings of fact. Pursuant to the provisions of section 4a of the Commodity Exchange Act (7 U. S. C. 6a), the Commodity Exchange Commission, after investigation and full consideration of the record made at public hearing held in Washington, D. C., on February 5 and 6 and April 2, 1951, of which due public notice had been given and at which all persons were given opportunity to hear, present, refute, and comment on evidence in the premises, does hereby find:

(a) Trading in eggs for future delivery on or subject to the rules of a contract market by a person who holds or controls a speculative net position, long or short, of more than (1) 150 carlots in any one egg future maturing in any delivery month from February to September, inclusive, (2) 100 carlots in the October egg future, (3) 75 carlots in the November egg future, (4) 50 carlots in the December egg future, (5) 50 carlots in the January egg future, or (6) 150 carlots in all egg futures combined, on or subject to the rules of such contract market, tends to cause sudden or unreasonable fluctuations or changes in the price of eggs not warranted by changes in the conditions of supply or demand.

(b) Speculative buying or selling by a person during one business day of more than (1) 150 carlots in any one egg future maturing in any delivery month from February to September, inclusive, (2) 100 carlots in the October egg future, (3) 75 carlots in the November egg future, (4) 50 carlots in the December egg future, (5) 50 carlots in the January egg future, or (6) 150 carlots in all egg futures combined, on or subject to the rules of a contract market, tends to cause sudden or unreasonable fluctuations or changes in the price of eggs not warranted by changes in the conditions of supply or demand.

Conclusions. Upon the foregoing facts, it is concluded that in order to prevent excessive speculation in egg futures which will cause sudden, unreasonable, or unwarranted fluctuations or changes in price resulting in an undue and unnecessary burden on interstate commerce in eggs, it is necessary to establish limits on the amount of speculative trading under contracts of sale of eggs for future delivery on or subject to the rules of contract markets which may be done by any person; that the amounts set forth in paragraphs (a) and (b), respectively, of the above Findings of Fact are reasonable limits on the net long or net short speculative position which any person may hold or control, and upon the daily speculative purchases or sales which any person may make, in egg futures on or subject to the rules of any contract market.

§ 150.5 *Limits on position and daily trading in eggs for future delivery.* The following limits on the amount of trading under contracts of sale of eggs for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after October 1, 1951.

(a) *Position limit.* The limit on the maximum net long or net short position which any person may hold or control in eggs on or subject to the rules of any one contract market is 150 carlots in any one future or in all futures combined: *Provided,* That no person may hold or control a net long or net short position in excess of (1) 100 carlots in the October egg future, (2) 75 carlots in the November egg future, (3) 50 carlots in the December egg future, or (4) 50 carlots in the January egg future.

(b) *Daily trading limit.* The limit on the maximum amount of eggs which any person may buy, and on the maximum amount which any person may sell, on or subject to the rules of any one contract market during any one business day is 150 carlots in any one future or in all futures combined: *Provided,* That no person may buy or sell during any one business day more than (1) 100 carlots in the October egg future, (2) 75 carlots in the November egg future, (3) 50 carlots in the December egg future, or (4) 50 carlots in the January egg future.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions, as defined in section 4a (3) of the Commodity Exchange Act (7 U. S. C. 6a (3)).

(d) *Manipulation; corners; responsibility of contract market.* Nothing contained in this section shall be construed to affect any provisions of the Commodity Exchange Act relating to manipulation or corners, nor to relieve any contract market or its governing board from responsibility under section 5 (d) of the Commodity Exchange Act (7 U. S. C. 7 (d)) to prevent manipulation and corners.

(e) *Definition.* As used in this section, the word "person" includes individuals, associations, partnerships, corporations, and trusts.

(Sec. 4a, 49 Stat. 1492; 7 U. S. C. 6a)

Issued this 13th day of August 1951.

COMMODITY EXCHANGE COMMISSION,
[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture, Chairman.
CHARLES SAWYER,
Secretary of Commerce.
PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 51-9748; Filed, Aug. 15, 1951; 8:53 a. m.]

[Hearing Docket CE-P 7]

PART 150—ORDERS OF THE COMMODITY EXCHANGE COMMISSION

LIMITS ON POSITION AND DAILY TRADING IN SOYBEANS FOR FUTURE DELIVERY

Findings of fact. Pursuant to the provisions of section 4a of the Commodity Exchange Act (7 U. S. C. 6a), the Commodity Exchange Commission, after investigation and full consideration of the record made at public hearing held in Washington, D. C. on February 5 and 6 and April 2, 1951, of which due public notice had been given and at which all persons were given opportunity to hear, present, refute, and comment on evidence in the premises, does hereby find:

(a) Trading in soybeans for future delivery on or subject to the rules of a contract market by a person who holds or controls a speculative net position of more than 1,000,000 bushels, long or short, in any one future or in all futures combined in soybeans, on or subject to the rules of such contract market, tends to cause sudden or unreasonable fluctuations or changes in the price of soybeans not warranted by changes in the conditions of supply or demand.

(b) Speculative buying or selling by a person during one business day of more than 1,000,000 bushels in any one future or in all futures combined in soybeans, on or subject to the rules of a contract market, tends to cause sudden or unreasonable fluctuations or changes in the price of soybeans not warranted by changes in the conditions of supply or demand.

Conclusions. Upon the foregoing facts, it is concluded that in order to prevent excessive speculation in soybean futures which will cause sudden, unreasonable, or unwarranted fluctuations or changes in price resulting in an undue and unnecessary burden on interstate commerce in soybeans, it is necessary to establish limits on the amount of speculative trading under contracts of sale of soybeans for future delivery on or subject to the rules of contract markets which may be done by any person; that 1,000,000 bushels is a reasonable limit on the net long or net short speculative position which any person may hold or control, and upon the daily speculative purchases or sales which any person may make, in any one future or in all futures combined in soybeans on or subject to the rules of any contract market.

§ 150.4 *Limits on position and daily trading in soybeans for future delivery.* The following limits on the amount of trading under contracts of sale of soybeans for future delivery on or subject to the rules of any contract market, which may be done by any person, are hereby proclaimed and fixed, to be in full force and effect on and after October 1, 1951.

(a) *Position limit.* The limit on the maximum net long or net short position which any person may hold or control in soybeans on or subject to the rules of any one contract market is 1,000,000 bushels in any one future or in all futures combined.

(b) *Daily trading limit.* The limit on the maximum amount of soybeans which any person may buy, and on the maximum amount which any person may sell, on or subject to the rules of any one contract market during any one business day is 1,000,000 bushels in any one future or in all futures combined.

(c) *Bona fide hedging.* The foregoing limits upon position and upon daily trading shall not be construed to apply to bona fide hedging transactions, as defined in section 4a (3) of the Commodity Exchange Act (7 U. S. C. 6a (3)).

(d) *Manipulation; corners; responsibility of contract market.* Nothing contained in this section shall be construed to affect any provisions of the Commodity Exchange Act relating to manipulation or corners, nor to relieve any contract market or its governing board from responsibility under section 5 (d) of the Commodity Exchange Act (7 U. S. C. 7 (d)) to prevent manipulation and corners.

(e) *Definition.* As used in this section, the word "person" includes individuals, associations, partnerships, corporations, and trusts.

(Sec. 4a, 49 Stat. 1492; 7 U. S. C. 6a)

Issued this 13th day of August 1951.

COMMODITY EXCHANGE COMMISSION,
[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture, Chairman.
CHARLES SAWYER,
Secretary of Commerce.
PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 51-9747; Filed, Aug. 15, 1951; 8:53 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter V—Foreign Assets Control, Department of the Treasury

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

CUSTOMS PROCEDURES: MERCHANDISE OF CHINESE OR KOREAN ORIGIN

AUGUST 13, 1951.

31 CFR 500.808, 16 F. R. 2179, is hereby amended by the amendment of paragraph (a) and by the addition of paragraphs (g) and (h) and as so amended shall read as follows:

§ 500.808 *Customs procedures: Merchandise of Chinese or Korean origin.* (a) Collectors of customs after March 7, 1951, shall not accept or allow any:

(1) Entry for consumption (including any appraisement entry or entry of goods imported in the mails, regardless of value, but excluding other informal entries);

(2) Entry for immediate exportation;

(3) Entry for transportation and exportation;

(4) Withdrawal from warehouse;

(5) Transfer or withdrawal from a foreign-trade zone, or

(6) Manipulation or manufacture in a warehouse or in a foreign-trade zone with respect to merchandise arriving in the United States from any country after that date if the country of origin of such merchandise is China (except Formosa) or North Korea until

(i) A specific license pursuant to this chapter is presented, or

(ii) The provisions of paragraph (e) of this section shall have been complied with, or

(iii) Instructions from the Foreign Assets Control either directly or through the Federal Reserve Bank of New York authorizing the transaction are received.

(b) Whenever a specific license is presented to a collector of customs in accordance with this section, two additional legible copies of the entry, withdrawal or other appropriate document with respect to the merchandise involved shall be filed with the collector of customs at the port where the transaction is to take place. Each copy of any such entry, withdrawal or other appropriate document including the two additional copies shall bear plainly on its face the number of the license pursuant to which it is filed. The original copy of the specific license shall be presented to the collector in respect of each such transaction and shall bear a notation in ink by the licensee or person presenting the license showing the description, quantity, and value of the merchandise to be entered, withdrawn or otherwise dealt with. This notation should be so placed and so written that there will exist no possibility of confusing it with anything placed on the license at the time of its issuance. If the license in fact authorizes the entry, withdrawal or other transaction with regard to the merchandise the collector, or other authorized customs employee, shall verify the notation by signing or initialing it after first assuring himself that it accurately describes the merchandise it purports to represent. The license shall thereafter be returned to the person presenting it and the two additional copies of the entry, withdrawal or other appropriate document shall be forwarded by the collector to the Federal Reserve Bank of New York.

(c) (1) The collector of customs at any port at which merchandise is to be entered or withdrawn pursuant to the terms of a specific license may waive the requirement of presentation of the original copy of such license: *Provided,* That:

(i) The person presenting the entry or withdrawal presents to the collector an affidavit stating:

(*a*) Facts indicating that it would be a hardship for him to present the original copy of the license, and

(*b*) That the entry or withdrawal is one of a large number which are to be made pursuant to the same license, and

(*c*) That all the entries or withdrawals are to be made at the same port; and

(ii) The collector receiving such an affidavit is satisfied that the circumstances in fact warrant the waiver; and

(iii) There is presented to the collector either a photostatic copy of the original license or a copy of the license signed by the officer who issued and signed the original.

(2) If such waiver is granted, the collector shall retain the copy of the license presented to him and shall note on it, or cause to be noted on it, the description, quantity, and value of all merchandise entered or withdrawn from time to time pursuant to the authority therein contained.

(3) When such waiver is granted and all the merchandise authorized to be entered or withdrawn under a specific license has been entered or withdrawn, the copy of the license on file with the collector shall be endorsed to indicate this fact and shall be forwarded to the Federal Reserve Bank of New York. When a license expires, unless it is renewed and the collector is advised of its renewal, any copy thereof which is on file with the collector shall be endorsed to show the expiration and shall be forwarded to the Federal Reserve Bank of New York.

(d) The requirement that two additional copies of each entry or withdrawal be filed in connection with every transaction under a specific license shall remain in effect notwithstanding any waiver of the requirement of presenting the original copy of the license.

(e) Whenever a person shall present an entry, withdrawal or other appropriate document and shall assert that the entry, withdrawal or other transaction with respect to the merchandise affected by this section is authorized pursuant to § 500.534 he shall be required to file two additional legible copies of the entry, withdrawal or other appropriate document upon the face of each of which shall appear the statement, "Effected pursuant to § 500.534 of the Foreign Assets Control Regulations". He shall also attach to each of the two additional copies a signed additional statement setting forth full details regarding all payments made or to be made with respect to the merchandise or its importation, including the names of all persons who have been or will be paid in connection therewith and the manner of such payment. This statement shall include a declaration with respect to the name of the domestic bank or banks in which payments have been or will be made and the names of blocked account or accounts in such banks which have been or will be credited and shall specify the amount or amounts so credited or to be credited. The two additional copies of the entry, withdrawal or other appropriate document together with the attached copies of the additional statement, shall be forwarded by the collector of customs to the Federal Reserve Bank of New York.

(f) Whenever a person shall present an entry, withdrawal or other appropriate document affected by this section and shall assert that no Foreign Assets Control license is required in connection therewith, the collector of customs shall withhold action thereon and shall advise such person to communicate directly with the Federal Reserve Bank of New York to request that instructions be issued to the collector to authorize him to take action with regard thereto.

(g) Articles which are the growth, produce, or manufacture of China (except Formosa) or North Korea shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa) or North Korea notwithstanding that they may have been subjected to one or any combination of the following in another country:

1, Grading; 2, testing; 3, checking; 4, shredding; 5, slicing; 6, peeling or splitting; 7, scraping; 8, cleaning; 9, washing; 10, soaking; 11, drying; 12, cooling, chilling, or refrigerating; 13, roasting; 14, steaming; 15, cooking; 16, curing; 17, combining of fur skins into plates; 18, blending; 19, flavoring; 20, preserving; 21, pickling; 22, smoking; 23, dressing; 24, salting; 25, dyeing; 26, bleaching; 27, tanning; 28, packing; 29, canning; 30, labeling; 31, any process similar to any of the foregoing.

(h) Any article wheresoever manufactured shall be deemed for the purposes of this chapter to be merchandise whose country of origin is China (except Formosa) or North Korea, if there shall have been added to such article any embroidery, needle point, petit point, lace or any other article of adornment which is the product of China (except Formosa) or North Korea notwithstanding that such addition to the merchandise may have occurred in a country other than China (except Formosa) or North Korea.

(Sec. 5, 40 Stat. 415, as amended; 50 U. S. C. App. 5; E. O. 9193, July 6, 1942, 7 F. R. 5205, 3 CFR 1943 Cum. Supp., E. O. 9989, Aug. 20, 1948, 13 F. R. 4891; 3 CFR 1948 Supp.)

[SEAL] JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 51—9737; Filed, Aug. 15, 1951; 12:00 p. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 16, Amdt. 5]

CPR 16—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

ADJUSTMENT FOR CERTAIN RETAILERS WHO ALSO OPERATE AS WHOLESALERS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Ceiling Price Regulation 16 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits certain retail stores pricing under CPR 16, which also operate as wholesalers under CPR 14, to compute ceiling prices for sales at retail of items which they also exclusively distribute at wholesale by applying the appropriate markup in Table A of CPR 16 to a "net cost" established by using their wholesale "net cost" plus the appropriate markup in Table A of CPR 14.

A small number of grocery operations exist today which sell a private label merchandise at retail in their own stores, as well as at wholesale to retail stores directly in competition with themselves. In these instances the operators which originally sold their own private label goods only at retail built up such a consumer acceptance for their goods that competitive retailers purchased the goods for distribution at retail. Contrary to general experience in the food distribution business these operations flourished and proved to be successful. The continued success of such an operation was primarily due to the fact that the same prices for such items were maintained in their own and other retail stores. The provisions of CPR's 14 and 16 have made it impossible for such an operation to continue this historic practice without substantial loss because under section 22 of CPR 16, prior to this amendment, such stores could only use as a basis for their "net costs" as a retailer their wholesale "net cost" plus the appropriate markup in Table A of CPR 14 allowed for a class 1 (retailer-owned cooperative) wholesaler. Consequently, the distributor must sell his merchandise at retail at a price lower than his retail customers must sell the same merchandise.

Ordinarily, the provisions of section 22 of CPR 16 are fair and equitable in pricing most food items but result in a hardship when applied to private label items sold at wholesale by such a retailer-wholesaler. The reason for this is that this type of operator assumes full responsibility for his private label and for the cost of product promotion which is normally the function of the food manufacturer or processor. Therefore, this operator purchases his private label merchandise from a manufacturer or a processor at a lower price than he purchases other comparable items. Available data indicates that in these cases an adjustment is necessary to permit such operators to recapture their cost of product promotion as well as to permit them to continue to maintain the historic price structure for the sale of their private label goods in their own retail stores as well as in the stores of their retail customers.

Prior to the issuance of this amendment, the Director consulted with industry representatives and has given consideration to their recommendations.

AMENDATORY PROVISIONS

1. Section 22 is amended by adding paragraph (c) to read as follows:

(c) If you qualify under paragraph (a) of this section, and (1) your sales of food to independent retail stores not owned or controlled by you were equal to at least 25 percent of the total sales of food made by you at retail; and (2) at least 80 percent of such wholesale food sales were of items sold at wholesale by you only; and (3) during your fiscal year 1950 the average wholesale markup on all food items sold at wholesale by you only was at least 18 percent on cost;

you may file an application for permission to use as the basis of your "net cost", in figuring your retail ceiling prices on items sold at wholesale by you only, your wholesale ceiling prices of such items figured under Ceiling Price Regulation No. 14. Such application

must be filed in duplicate with the Distribution Branch, Food & Restaurant Division, OPS, Washington, D. C., and shall contain the following information:

(1) That you have previously qualified under section 22, CPR 16 by submitting a certified copy of the letter submitted to your local OPS office in compliance with paragraph (b) of that section.

(2) A breakdown of total sales, for the fiscal year 1950, showing that your sales to independent retail stores were equal to at least 25 percent of total sales at retail.

(3) A breakdown of the above sales at wholesale to show that at least 80 percent of the items were sold by you only.

(4) A statement that during the fiscal year 1950 the average wholesale markup on all food items sold at wholesale only by you was at least 18 percent on cost.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date: This amendment shall become effective on the 17th day of August 1951.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 14, 1951.

[F. R. Doc. 51-9776; Filed, Aug. 14, 1951; 3:47 p. m.]

[Ceiling Price Regulation 22, Amdt. 22]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

CUT-OFF DATE FOR CHOCOLATE LIQUOR

Pursuant to the Defense Production Act of 1950 as amended by Defense Production Act Amendments of 1951 (Pub. Law 774, 81st Cong.; Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 22 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Under the present provisions of Ceiling Price Regulation (CPR) 22 candy manufacturers who manufacture their own chocolate coatings from imported cocoa beans are permitted, by Appendix B, to figure the cost increases of those beans to them up to March 15, 1951. Candy manufacturers who buy chocolate coating containing any of the products listed in Appendix C, such as sugar or milk solids, may, under the provisions of section 21, figure the increased cost to them of that coating up to a current date.

However, those manufacturers who purchase what is known as chocolate liquor, a product made by pulverization of the cocoa bean and one which contains none of the products listed in Appendix C, are limited to figuring the cost increases of that product up to December 31, 1950. In view of the fact that the price of chocolate liquor has increased since December 31, 1950, the present provisions of CPR 22 have resulted in confusion in the industry and have, in particular, caused some manufacturers who purchase that product to be placed in a disadvantageous position.

Since chocolate liquor is used to make chocolate coating and since only about 6 percent of the chocolate coating used by candy manufacturers is purchased by them in the form of chocolate liquor, there is no reason to maintain these widely divergent cut-off dates for use in figuring the costs of those commodities. This amendment, therefore, by placing chocolate liquor in Appendix B, permits increases in the price of chocolate liquor (as well as in the price of the imported cocoa bean itself) to be computed up to March 15, 1951. Of course, the cost of chocolate coating containing any Appendix C commodity may still be calculated up to a current date.

AMENDATORY PROVISIONS

Appendix B of Ceiling Price Regulation 22 is amended by the addition of the following:

9. Chocolate liquor.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9853; Filed, Aug. 15, 1951; 12:12 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 1, Direction 3 as Amended Aug. 14, 1951]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 3—RESTRICTIONS ON PLACING AUTHORIZED CONTROLLED MATERIAL ORDERS

This direction as amended under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

This amendment affects Dir. 3 to CMP Regulation No. 1 by substituting a new section 1. As so amended, Dir. 3 to CMP Regulation No. 1 reads as follows:

SECTION 1. (a) Subject to the limitations of section 17 (a) of CMP Regulation No. 1 and unless previously authorized in writing by NPA, no prime consumer who has received an allotment of controlled materials shall place orders calling for delivery of more than 35 percent of the quantity of controlled materials stated in such allotment during any one month of the quarter for which the said allotment is valid: *Provided, however,* That any prime consumer who has received an advance allotment of controlled materials, as provided in section 10 of CMP Regulation No. 1, may place orders calling for delivery of not in excess of 50 percent of the quantity of controlled materials stated in such advance allotment during any one month of the quarter for which the said advance allotment is valid.

(b) Notwithstanding the provisions of this direction, no person shall be required to reduce any delivery order below the minimum mill quantity specified in Schedule IV of CMP Regulation No. 1. Notwithstanding the provisions of this direction and of CMP Regulation No. 2, no person whose quarterly allotment or advance allotment of carbon steel is equal to or more than a carload lot shall be required to reduce his delivery order for such material below a carload lot.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

This direction as amended shall take effect on August 14, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9803; Filed, Aug. 14, 1951; 4:37 p. m.]

[NPA Order M-62 as Amended August 14, 1951]

M-62—HORSEHIDES, HORSEHIDE PARTS, GOATSKINS, CABRETTAS, SHEEPSKINS, SHEARLINGS, AND KANGAROO SKINS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of this order as amended consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

This order as now amended embodies the amendments contained in Amendment No. 1 of June 29, 1951, and Amendment No. 2 of August 1, 1951. In addition, the following new changes have been made: The second sentence of the opening paragraph has been deleted and a new sentence substituted in its stead; certain portions of section 1 have been deleted; portions of paragraphs (b) and (c) of section 2 have been deleted; paragraph (q) of section 2 has been deleted and the subsequent paragraphs in that section redesignated accordingly; sections 3 and 4 have been deleted and the subsequent sections of the order renumbered accordingly; and certain changes have been made in section 4 (as renumbered). As so amended, NPA order M-62 reads as follows:

Sec.

1. What this order does.
2. Definitions.
3. Limitations on processing of hides and skins.

Sec.
4. Exemption.
5. Reports.
6. Records.
7. Audit and inspection.
8. Applications for adjustment or exception.
9. Communications.
10. Violations.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 779, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to conserve and to provide for an equitable distribution, through the normal channels of distribution, of the hides and skins affected hereby so as best to serve the interests of national defense. This order limits the number of horsehides, horsehide parts, goatskins (including kidskins), cabrettas, sheepskins (including lambskins), shearlings, and kangaroo skins which a tanner may put into process or a contractor may cause to be put into process. While percentage limitations are established for the period from May 1, 1951, to July 31, 1951, only, it is the present intention of NPA to establish percentage limitations for subsequent periods. This order also calls for reports on the number of hides and skins subject to such percentage limitations, which were put into the tanning process during the calendar year 1950.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes agencies of the United States or any other government.

(b) "Tanner" means a person engaged in the business of tanning, dressing, or similarly processing hides or skins who, during the 12-month period commencing January 1, 1950, put into process 12,000 or more goatskins or sheepskins, or 1,200 or more horsehides, horsehide fronts, horsehide butts, horsehide shanks, cabrettas, shearlings, or kangaroo skins, or who, in any calendar month after the effective date of this order, puts into process any such hides or skins in quantities equal to one-twelfth or more of the amounts specified in this paragraph with respect to each type of hide or skin.

(c) "Contractor" means a person engaged in the business of causing hides and skins to be tanned, dressed, or similarly processed, for his account in any tannery not owned or controlled by him, who, during the 12-month period commencing January 1, 1950, caused to be put into process for his account 12,000 or more goatskins or sheepskins, or 1,200 or more horsehides, horsehide fronts, horsehide butts, horsehide shanks, cabrettas, shearlings, or kangaroo skins, or who, in any calendar month after the effective date of this order, causes to be put into process for his account any such hides or skins in quantities equal to one-twelfth or more of the amounts specified in this paragraph with respect to each type of hide or skin.

(d) "Horsehide" means the hide or skin of a horse, colt, mule, ass, donkey, or pony, except dry pony hides to be processed for furs.

(e) "Horsehide front" means the forepart of the hide or skin of a horse, colt, mule, ass, donkey, or pony commercially known in the trade as a "front," whether or not still attached to other parts of the hide or skin.

(f) "Horsehide butts" and "horsehide shanks" mean those parts of a horse commercially so known, whether or not still attached to other parts of the horsehide.

(g) "Goatskin" means the skin of a goat or kid in the raw or in the pickle, except when processed for fur purposes.

(h) "Cabretta" means the skin of a hair sheep in the raw or in the pickle.

(i) "Sheepskin" means the skin of a wool sheep or wool lamb, in the raw or in the pickle, and includes slats.

(j) "Slat" means a sheepskin imported into the continental United States in the dried, untanned condition, which has no wool or hair, or which has wool or hair less than one-fourth of an inch in length, such wool or hair lacking any commercial value.

(k) "Shearling" means any sheepskin which has been sheared shortly before slaughter, on which the wool remains, and which is to be used for leather or for fur purposes (including mouton).

(l) "Kangaroo skin" means the skin of an Australian or Tasmanian kangaroo or wallaby in the hair or in the pickle, except when processed for fur purposes.

(m) "Put into process" means: (1) In the case of raw skins or hides, the first step in the conversion of such skins or hides into leather at a tannery or in the conversion of mouton into fur. (2) In the case of semitanned skins, the first step in the conversion of such skins into leather. (3) In the case of pickled skins, the first step beyond the pickle in the conversion of such skins into leather.

(n) "Raw skins or hides" means skins or hides from which the hair or wool has not been removed.

(o) "Semitanned skins" means skins that have been imported in a tanned but not a finished condition, including skins imported "in the rough," in the crust," "in the white," "in the blue," or "in the pearl."

(p) "Pickled skins" means skins from which the hair or wool has been removed and which have been pickled in a salt or other solution for preservation prior to tanning.

(q) "Base period" means the 12-month period ending December 31, 1950.

(r) "NPA" means National Production Authority.

SEC. 3. *Limitations on processing of hides and skins.* (a) Unless specifically directed by NPA no tanner shall put into process and no contractor shall cause to be put into process during the period from May 1, 1951, to September 30, 1951, a total number of any of the following types of hides, parts, or skins in excess of 600 percent of the monthly average number of each such type put into process by him, or for his account, during the base period:

Horsehides	Cabrettas
Horsehide fronts	Sheepskins
Horsehide butts	Shearlings
Horsehide shanks	Kangaroo skins
Goatskins	

In the case of each type of skin listed above, the ratio of raw, semi-tanned, and pickled skins, respectively, to the total number of skins of such type so put into process, shall be the same as the ratio of raw, semi-tanned, and pickled skins, respectively, to the total number of skins of such type put into process during the base period.

(b) Raw skins shall not be processed beyond the pickle stage, whether or not they are actually processed through the pickle stage, except in the same proportion as they were so processed during the base period.

SEC. 4. *Exemption.* The provisions of paragraph (a) of section 3 of this order shall not apply to the operations of a wool puller.

SEC. 5. *Reports.* (a) Every tanner and contractor must report the number of goatskins, horsehides, horsehide fronts, horsehide butts, horsehide shanks, cabrettas, sheepskins, shearlings, or kangaroo skins, put into process by him or for his account, as the case may be, during the calendar year 1950, by completing and filing with NPA report Form NPAF–73 on or before June 10, 1951.

(b) Every contractor shall report to NPA each month on Form NPAF–72 his wettings and raw stock, and every tanner shall report to NPA each month on such form, his wettings and raw stock, if any, and his leather production, for each calendar month commencing with the month of May 1951, as well as such other information as may be called for by such form. Such form shall be filed with NPA on or before June 10, 1951, and on or before the 10th day of each month thereafter.

(c) Persons subject to this order shall make such records and submit such other reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 6. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be maintained in the form of microfilm or other photographic copies instead of the originals.

SEC. 7. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 8. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA

a request for adjustment or exception upon the ground that his business operation was commenced during the base period or prior to the effective date of this order, that any such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing, shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. *Communications.* All communications or reports concerning this order shall be addressed to the National Production Authority, Washington 25, D. C. Ref: M–62.

SEC. 10. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the NPA, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 4, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9804; Filed, Aug. 14, 1951; 4:37 p. m.]

Chapter IX—Petroleum Administration for Defense, Department of the Interior

[PAD Order No. 2]

LIMITATION ON THE USE OF NATURAL GAS

This order is found necessary and appropriate to promote the national defense in that increased gas requirements for national defense and other purposes and scarcity of materials for the construction of pipe lines and other gas facilities have impaired and threaten to impair the adequacy of gas deliveries to defense industries and for essential civilian uses. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.
1. What this order does.
2. Definitions.
3. Limitations on deliveries of natural gas.
4. Changes in areas to which limitations are applicable.
5. Applications.
6. Records and reports.
7. Communications.
8. Defense against claims for damages.
9. Violations.

AUTHORITY: Sections 1 to 9 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* In order to prevent shortages of gas needed for defense production and essential civilian uses, this order restricts expansion of natural gas markets by imposing limitations on the delivery of natural gas for space heating and large volume use.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other Government, or any of its political subdivisions, or any agency of any of the foregoing.

(b) "Natural gas" means either natural gas unmixed, or any mixture of natural and any other gas which mixture has a heat value in excess of 600 B. t. u. per cubic foot measured in accordance with the usual standards used by the natural gas seller.

(c) "Natural gas seller" means any person (including a pipeline company) selling natural gas in any of the forty-eight States or the District of Columbia for consumption by the purchaser.

(d) "Affiliate." Two persons shall be considered "affiliates" if one owns, controls or holds with power to vote in excess of 50 percent of the voting stock of the other, or if more than 50 percent of the voting stock of each is owned, controlled, or held with power to vote by the same person.

(e) "Standby facilities" means equipment in serviceable operating condition designed to use oil, electricity, coal or other fuel to replace natural gas.

(f) "Central space heating equipment" means one or more pieces of equipment used for the purpose of raising atmospheric temperature in any structure and intended, because of its or their size, type, or location or number to heat more than one room, or to heat a room having more than 400 square feet of floor space.

(g) "Large volume consumer" means a person whose consumption of natural gas purchased from a natural gas seller is expected to equal or exceed 500 therms on any day.

(h) "State commission" means the regulatory body of the State, or the District of Columbia, having jurisdiction over gas public utility operations in the State, or the District of Columbia, respectively, or, in the absence of such a body, any public regulatory body of a political subdivision of the State having regulatory jurisdiction over gas public utility operations within such political subdivision.

(i) "Community" means one or more contiguous and adjoining urban areas served by a single natural gas seller by means of a single local distribution system.

SEC. 3. *Limitation on deliveries of natural gas.* The limitations provided in this section are subject to the provisions of section 704 of the Defense Production Act of 1950, as amended. Certifications pursuant to that section shall be filed with the Petroleum Administration for Defense Department of the Interior. Washington 25, D. C. Upon receipt of such a certification, the Petroleum Administration for Defense will notify each natural gas seller in the jurisdiction to which the certification applies, and will publish notice of such certification in the FEDERAL REGISTER. The limitations of this section shall cease to apply to deliveries by any natural gas seller in a jurisdiction for which a certification has been filed upon receipt by such seller of notification by the Petroleum Administration for Defense of the filing or on the date of the first publication of the certification in the FEDERAL REGISTER, whichever is the earlier.

(a) No natural gas seller shall deliver natural gas to a large volume consumer for the operation of any gas-fired equipment in an area listed in Schedule A, and no large volume consumer shall accept such delivery, unless

(1) Such equipment was installed prior to August 22, 1951, or

(2) The natural gas seller had agreed in writing prior to August 22, 1951, to make the delivery of natural gas, if to a new customer, or to increase its delivery of natural gas, if to an existing customer, for the operation of such equipment, or

(3) The equipment replaces other gas-fired equipment, using within 5 percent of the same volume of gas, or

(4) Such delivery of natural gas is fully interruptible at the request of the natural gas seller and neither the natural gas seller nor any interconnected affiliate thereof nor any natural gas supplier of such seller operates underground storage, or

(5) Such delivery of natural gas is to be used for lease operations or well drilling, or

(6) The natural gas seller has facilities for manufacturing gas in sufficient volume and of a heat content adequate to meet, on a sustained basis, all of its requirements for gas, and certifies in writing to the Petroleum Administration for Defense that such facilities are in operating condition and that such seller has adequate supplies to operate, and will operate, such facilities continuously if so requested by the Petroleum Administration for Defense, or

(7) Such delivery has been approved by the Petroleum Administration for Defense.

(b) No natural gas seller shall deliver natural gas in an area listed in Schedule

A for the operation of central space heating equipment installed subsequent to August 22, 1951, and no person shall accept such delivery, unless.

(1) The total number of such deliveries commenced by the natural gas seller in any community during the twelve months following August 22, 1951, does not exceed 1 percent of the natural gas seller's customers on August 22, 1951, in that community and such deliveries are commenced in such order as may be approved by the appropriate State commission, or

(2) The equipment replaces other central space heating equipment, using within 5 percent of the same volume of gas, or

(3) The central space heating equipment, if in a new structure, was specified in a written construction contract for the structure and work on the foundation under the new structure was commenced prior to August 22, 1951, or

(4) In the case of a conversion from another fuel to gas, work on such conversion was commenced prior to August 22, 1951, or

(5) The natural gas seller had entered into a written agreement prior to August 22, 1951, to deliver natural gas for the operation of the central space heating equipment during the 1951–52 heating season, or

(6) Such delivery of natural gas is part of the consideration for the granting of a right-of-way, or

(7) The natural gas seller has facilities for manufacturing gas in sufficient volume and of a heat content adequate to meet, on a sustained basis, all of its requirements for gas, and certifies in writing to the Petroleum Administration for Defense that such facilities are in operating condition and that such seller has adequate supplies to operate, and will operate, such facilities continuously if so requested by the Petroleum Administration for Defense, or

(8) The central space heating equipment was completely installed or converted to the use of gas during the twenty-four month period following the date of commencement of natural gas service in any community which previously had not had any gas distribution service or which had had distribution service of other than natural gas to fewer than 5,000 customers at the time of the commencement of natural gas service in that community, or

(9) The central space heating equipment was completely installed or converted to the use of gas during the twenty-four month period following the date of commencement of natural gas service in a community which had previously had distribution service of other than natural gas to 5,000 or more customers: *Provided,* That central space heating customers shall not be added during such period, or any portion thereof subsequent to the effective date of this order, at an annual rate in excess of 5 percent of the number of gas customers served in such community by the natural gas seller, or its predecessor, at the time of commencement of natural gas service.

(Each separate apartment or other similar residential unit and each separately operated commercial or industrial enterprise, in a multiple-unit building or development which building or development is served through a single meter, shall be considered as a separate "delivery" or "customer" in applying subparagraphs (1) and (9) of this paragraph.)

(c) No natural gas seller shall deliver natural gas, in an area listed in Schedule A, for the operation of central space heating equipment or to a large volume consumer for the operation of any gas-fired equipment, and no person shall accept such delivery, if the delivery or acceptance is prohibited by a State or local limitation on the delivery or the use of gas.

SEC. 4. *Changes in areas to which limitations are applicable.* From time to time as conditions warrant, Schedule A will be revised by the addition of new areas or the elimination of already listed areas. Any natural gas seller, any person from whom a natural gas seller purchases its natural gas supplies and any State commission may request the Petroleum Administration for Defense to add new areas to Schedule A.

SEC. 5. *Applications.* (a) Application may be made by a natural gas seller, operating in an area to which section 3 of this order is applicable, in writing to the Petroleum Administration for Defense, Department of the Interior, Washington 25, D. C., Ref: PAD Order No. 2, for an exemption from or for a modification of all or a part of the limitations imposed by this order, for a period not in excess of twelve months. Such application shall include:

(1) A statement of the precise exemption or modification desired;

(2) A statement of the gas sales during the preceding year made from Applicant's system or that portion thereof for which exemption or modification is requested;

(3) A statement of estimated gas requirements for the period of 2 years following the date of the application;

(The data furnished under subparagraphs (2) and (3) of this paragraph, should show peak day, monthly and annual figures, broken down between firm and interruptible service and by classes of customers, and also should show the number of new space heating customers proposed to be served.)

(4) A statement of the supply of gas, by sources, available to meet such requirements;

(5) A statement from Applicant's natural gas supplier, if such supplier is a pipeline company, showing the natural gas available from the supplier to meet Applicant's requirements;

(6) Any other information which in Applicant's opinion will support the application;

(7) A recommendation or recommendations, in respect of the application, by the State commission or State commissions in whose geographic jurisdiction the exemption or modification will apply, together with a statement of the facts supporting such recommendation or recommendations.

(The recommendation and statement of supporting facts must be subscribed by an appropriate officer of the State commission. If the recommendation and statement of supporting facts of a State commission cannot be obtained, such fact shall be stated, together with the reasons therefor.)

(b) Application, pursuant to section 3 (a) (7), may be made by a natural gas seller, operating in an area to which section 3 of this order is applicable, in writing to the Petroleum Administration for Defense, Department of the Interior, Washington 25, D. C., Ref.: PAD Order No. 2, for approval of delivery of natural gas to a large volume consumer. Such application shall state:

(1) The name, address and business of the large volume consumer;

(2) Whether it is feasible to use another fuel, and, if not, the reasons therefor;

(3) The daily, monthly and annual volume of gas proposed to be delivered;

(4) The facts showing Applicant's ability to deliver such volume, and the effect thereof upon Applicant's other customers and Applicant's underground storage operations;

(5) The manufacturing or other process or operation in which the gas will be used, including the product or products of such process or operation;

(6) The type of equipment in which the gas will be used;

(7) Why standby facilities cannot be used to an extent which will permit the service to be fully interruptible;

(8) Whether the proposed delivery of natural gas requires authorization by a State commission or by the Federal Power Commission. If such authorization is required, a copy of the order or orders, by which it is granted, should be attached;

(9) All other information which in Applicant's opinion justifies the delivery in the interest of national defense.

(c) If a natural gas seller notifies the Petroleum Administration for Defense on or before August 22, 1951, that it will, prior to September 15, 1951, apply, pursuant to paragraph (a) of this section, for exemption from or modification of all or a part of the limitations of this section, none of said limitations shall apply to such natural gas seller until September 15, 1951, and any natural gas seller making such application prior to September 15, 1951, shall continue to be exempt from the limitations of this section until such time as the Petroleum Administration for Defense acts on such application for exemption or modification.

SEC. 6. *Records and reports.* (a) Each natural gas seller covered by this order shall retain in his possession for at least two years records in sufficient detail to permit an audit to determine that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be maintained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available, at the usual place of business where maintained, for inspection and audit by duly authorized representatives of the Petroleum Administration for Defense.

(c) Natural gas sellers subject to this order shall keep such records and submit such reports to the Petroleum Administration for Defense as it shall require in addition to those required herein, subject to the terms of the Federal Reports Act of 1942 (56 Stat. 1078, 5 U. S. C. 139–139f).

(d) Each natural gas seller operating in an area listed in Schedule B shall make a comprehensive report to the Petroleum Administration for Defense on May 1 of each year, in such form as the seller may find appropriate, showing its peak day and annual market requirements by classes of customers for the ensuing twelve months and its ability to supply such requirements. Sources of gas supply must be shown, together with supporting statements by any pipeline companies supplying the natural gas seller with natural gas.

SEC. 7 *Communications.* All communications concerning this order shall be addressed to the Petroleum Administration for Defense, Department of the Interior, Washington 25, D. C., Ref: PAD Order No. 2.

SEC. 8. *Defense against claims for damages.* No person shall be held liable for damages or penalties for any default under contract or order which shall result directly or indirectly from compliance with this order of the Petroleum Administration for Defense, or any direction, directive, or other instruction issued pursuant thereto, notwithstanding that such order, direction, directive or instruction shall thereafter be declared by judicial or other competent authority invalid.

SEC. 9. *Violations.* Any person who wilfully violates any provision of this order, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and upon conviction may be punished by fine or imprisonment, or both.

This order shall take effect on August 22, 1951.

Dated: August 14, 1951.

BRUCE K. BROWN,
Deputy Administrator,
Petroleum Administration for Defense.

SCHEDULE A

Areas subject to limitations contained in PAD Order No. 2.
Connecticut.
Delaware.
District of Columbia.
Kentucky (only those portions served with gas supplied by a subsidiary of The Columbia Gas System, Inc., or by Louisville Gas & Electric Co.).
Maryland.
Massachusetts.
Michigan.
New Hampshire.
New Jersey.
New York.
Ohio.
Pennsylvania.
Rhode Island.
Virginia.
West Virginia (only those portions served with gas supplied by a subsidiary of The Columbia Gas System, Inc.).
Wisconsin.

SCHEDULE B

Alabama.	Missouri.
Connecticut.	Nebraska.
Delaware.	New Hampshire.
District of Columbia.	New Jersey.
Florida.	New York.
Georgia.	North Carolina.
Illinois.	Ohio.
Indiana.	Pennsylvania.
Iowa.	Rhode Island.
Kentucky.	South Carolina.
Maryland.	South Dakota.
Massachusetts.	Tennessee.
Michigan.	Virginia.
Minnesota.	West Virginia.
	Wisconsin.

[F. R. Doc. 51-9818; Filed, Aug. 15, 1951; 8:47 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

GULF OF MEXICO OFF MATAGORDA PENINSULA AND MATAGORDA ISLAND, TEX.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), and Chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), § 204.162, establishing and governing navigation within Air Force practice gunnery, bombing, and rocket firing ranges in the Gulf of Mexico off Matagorda Peninsula and Matagorda Island, Texas, is hereby prescribed, effective on and after its publication in the FEDERAL REGISTER due to the urgent necessity on the part of the Air Force for commencing operations at the earliest possible time, as follows:

§ 204.162 *Gulf of Mexico off Matagorda Peninsula and Matagorda Island, Tex.; Air Force practice gunnery, bombing, and rocket firing ranges*—(a) *The danger zones*—(1) *Air-to-air gunnery range off Matagorda Peninsula.* An area approximately 59 statute miles long and 29 statute miles wide, with its northwest boundary generally parallel to and about 15 statute miles offshore, described as follows: Beginning at latitude 28°41', longitude 95°17'; thence to latitude 28°21', longitude 94°59'; thence to latitude 27°55', longitude 95°52'; thence to latitude 22°16', longitude 96°08; and thence to the point of beginning. This area will be used daily from sunrise to sunset, weather permitting, for air-to-air gunnery.

(2) *Aerial gunnery, bombing, and rocket firing range off Matagorda Island.* The waters of the Gulf of Mexico encompassed by an arc of a circle having a radius of five statute miles centered at latitude 28°17', longitude 96°32'. This area will be used daily from sunrise to sunset, weather permitting, for air-to-ground gunnery, dive bombing, rocket firing, horizontal bombing, and firing at radio controlled target aircraft.

(b) *The regulations.* (1) Except in an emergency involving danger to life or property, no vessel shall enter or remain in either danger zone between sunrise and sunset unless authorized to do so in writing by the enforcing agency.

(2) Vessels making scheduled trips over prescribed routes will be given prior written permission to transit the danger zones by the enforcing agency. Vessels so authorized to transit the danger zones shall pass directly through without unnecessary delay and shall display such identification as may be required by the enforcing agency.

(3) The regulations in this section shall be enforced by the Commanding Officer, Bergstrom Air Force Base, Austin, Texas, and such agencies as he may designate.

[Regs. July 31, 1951, 800.2121–ENGWO] (Sec. 4, 28 Stat. 362 as amended; 33 U. S. C. 1. Interprets or applies 40 Stat. 892; 33 U. S. C. 3)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51-9713; Filed, Aug. 15, 1951; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Subchapter G—Exchanges

[Circular No. 1797]

PART 145—GENERAL REGULATIONS GOVERNING EXCHANGES

REVOCATION OF PART

Part 145, containing §§ 145.1 to 145.6 inclusive, outlining a procedure in connection with proposed exchanges of lands in grazing districts, under which the State and private owners may confer informally with field representatives of the Bureau of Land Management with respect to the various features involved in proposed exchanges, in advance of the filing of formal applications, is revoked in its entirety.

(R. S. 2478; 43 U. S. C. 1201)

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 9, 1951.

[F. R. Doc. 51-9703; Filed, Aug. 15, 1951; 8:45 a. m.]

Appendix—Public Land Orders

[Public Land Order 741]

WISCONSIN

RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH THE TOTOGATIC CONSERVATION AREA

Whereas the act of September 2, 1937, 50 Stat. 917 (16 U. S. C. 669–669j), provides for Federal aid to States in wildlife-restoration projects; and

Whereas the State of Wisconsin has established a Federal-aid wildlife-restoration project, and has acquired title

to certain lands in Sawyer County which are administered by the State of Wisconsin through its Conservation Department as the Totogatic Conservation Area; and

Whereas certain public land of the United States within the said project possesses wildlife value and could be administered advantageously in connection with the Totogatic Conservation Area; and

Whereas the act of March 10, 1934, as amended by the act of August 14, 1946, 48 Stat. 401, 60 Stat. 1080 (16 U. S. C. 661–666c), authorizes the Secretary of the Interior to cooperate with Federal, State, and other agencies in developing a nation-wide program of wildlife conservation and rehabilitation:

Now, therefore, by virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Sawyer Colunty, Wisconsin, is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Conservation Department of the State of Wisconsin in connection with the Totogatic Conservation Area, under such conditions as may be prescribed by the Secretary of the Interior:

FOURTH PRINCIPAL MERIDIAN

T. 42 N., R. 9 W.,
Sec. 20, SW¼NE¼.

The area described contains 40 acres.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 9, 1951.

[F. R. Doc. 51-9705; Filed, Aug. 15, 1951; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

MISCELLANEOUS AMENDMENTS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of August 1951;

The Commission having under consideration the matter of amending certain sections of Parts 7 and 8 of its rules governing Stations on Land in the Maritime Services, and rules governing Stations on Shipboard in the Maritime Services, respectively, for the purpose of correcting minor editorial irregularities and omissions; and

It appearing, that the amendments will not change the substantive provisions of the sections involved, and, therefore, notice and public procedure thereon, as specified in sections 4 (a) and (c) of the Administrative Procedure Act are unnecessary;

It is ordered, That effective immediately, Parts 7 and 8 of the Commission's rules governing Stations on Land in the Maritime Services, and rules governing Stations on Shipboard in the Maritime Services, respectively, are amended as set forth below.

Released: August 9, 1951.

FEDERAL COMMUNICATIONS COMMISSION
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend Part 8 of the Commission's rules governing Stations on Shipboard in the Maritime Services as follows:

a. Section 8.4 (p): Change "above-wave" to "above-water".

b. Section 8.5 (c): Change title from *"Classification"* to *"Specific classification."*

Between the first two words "The classes" of the text, insert the word "specific".

After the words "maritime radiolocation service" add the parenthetical phrase "(including maritime radionavigation service)".

c. Section 8.34: In second sentence change the word "therein" to "thereon".

d. Section 8.37 (a): Change the word "therein" to "thereon".

e. Section 8.133 (c) (1): In the table, under emissions F1, F2, and F3 change, in each case, "35" to "30", "76" to "60", "156.35" to "156.25", and "162.05" to "157.45".

f. Section 8.303: Delete subparagraph indicator "(1)" and combine the text of paragraph (a) with that of subparagraph (1) so that paragraph (a) will read as follows:

(a) Unless prohibited by the terms of the station license or by other sections of this part relative to the limited use of a specifically designated frequency, each ship station shall, within the scope of its normal operations and without discrimination, acknowledge all calls directed to it and receive from stations operating in the maritime mobile service, all messages and communications which are addressed to the ship or to any person or persons on board and which are for termination on such ship.

Change subparagraph indicator "(2)" to paragraph indicator "(c)".

Paragraph (c) should be placed in its proper order after existing paragraph (b).

g. Section 8.330 (a) (3): In last sentence change "paragraph (e) of this section" to "subparagraph (5) of this paragraph".

h. Section 8.354 (c): Delete "the effective date of this section" and substitute therefor "July 23, 1951".

i. Section 8.360 (d) (1): Insert a comma between "governments" and "which".

j. Section 8.362 (c) (1): Delete the words "the involved ship station(s) while they are" and substitute therefor the words "each ship involved while such ship is".

k. Section 8.434: In the footnote referred to therein change the word "logs" to "records".

l. Section 8.525 (d): Between the words "operating" and "or" add the word "room".

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082; 47 U. S. C. 303)

2. Amend Part 7 of the Commission's rules governing Stations on Land in the Maritime Services as follows:

a. Section 7.6 (d): In the parenthetical phrase which reads "(including maritime radio navigation service)" change "radio navigation" to "radionavigation".

b. Section 7.206 (b) (6): Delete "the effective date of this section" and substitute therefor "July 23, 1951".

c. Section 7.304 (a): Delete "the effective date of this section" and substitute therefor "July 23, 1951".

d. Section 7.370 (a) (4): Add footnote designator "[7]" after "assigned frequency 156.8 Mc)" and append a footnote to read as follows:

[7] Pending further development of the use of very high frequencies, no watch is required to be maintained by limited coast stations or marine utility stations on shore under the existing provisions of Subpart G of this part.

e. Section 7.504 (a): In the footnote referred to therein change the word "logs" to "records", and the word "sign" to "signs".

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082; 47 U. S. C. 303)

[F. R. Doc. 51-9733; Filed, Aug. 15, 1951; 8:49 a. m.]

[Docket No. 9954]

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

CORRECTION

On July 18, 1951, the Commission adopted certain amendments to Parts 7 and 8 of the Commission's rules and regulations, effective as of that date. These amendments were published in the FEDERAL REGISTER of July 27, 1951 (16 F. R. 7357–7358), except that part of Appendix I to the order containing an amendment to § 8.81 (c) of the rules was omitted. Attached is the amendment to § 8.81 (c).

Effective July 23, 1951, the Commission recodified § 8.81 (c) as § 8.354 (a) (1) of the rules.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX I

2. Part 8, Rules Governing Ship Service, is amended in the following particulars:

Section 8.81 (c) is amended to read as follows with regard to the following frequencies:

(c) To ship telephone stations for communication with coastal-harbor stations:

2110 [a]	Boston, Mass. San Francisco, Calif. Eureka, Calif. Galveston, Tex.
2118	Miami, Fla. Great Lakes (U. S. and Canada).
2126 [a]	Seattle, Wash. New York, N. Y. Tampa, Fla. (day only). Los Angeles or San Diego Calif. (day only).
2134	Galveston, Tex. Hawaiian Islands. San Juan, P. R.
2142 [a]	Norfolk, Va. Quantico, Va. San Francisco and Eureka, Calif. (day only).
2206 [a]	New Orleans, La. Portland, Oreg. Astoria, Oreg. San Diego or Los Angeles, Calif. (day only).
2158 [a]	Tampa, Fla. Great Lakes (U. S. only). Boston, Mass. (day only.)
2166 [a]	Wilmington, Del. New York, N. Y. New Orleans, La. (day only).
2174 [a]	Charleston, S. C. Jacksonville, Fla. Los Angeles, Calif. Seattle, Wash. (day only).
2572	Mobile, Ala.
2198 [a]	New York, N. Y. Hawaiian Islands. Miami Beach, Fla. (day only).

[a] The use, when assigned, of the frequency 2110 kilocycles designated for communication with Galveston, Texas, and the use, when assigned, of the frequencies designated for use on "day only" basis, is authorized only upon the condition that no harmful interference will be caused to any government station operating on the same or adjacent frequencies; the frequencies 2142, 2198, and 2206 kilocycles where designated for use on a "day only" basis, shall, when assigned, be used subject to interference by government stations.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082; 47 U. S. C. 303)

[F. R. Doc. 51-9732; Filed, Aug. 15, 1951; 8:49 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter F—Alaska Commercial Fisheries

PART 119—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

CLOSED WATERS

Basis and purpose. In permitting fishing in the waters on the eastern side of Stephens Passage and Frederick Sound, from the latitude of Midway Island to Horn Cliffs, as announced by the Director of the Fish and Wildlife Service on July 31, 1951 (16 CFR 7684), the waters of Port Houghton and Windham Bay were not specifically closed, thus endangering the important runs in those bays to overfishing.

Therefore, in accordance with the authority cited, the following amendment is adopted effective immediately and continuing until the close of the specified open season at 6 p. m. September 1, 1951:

1. Section 119.10 is amended by adding the following paragraphs:

(a) Port Houghton, indenting mainland: All waters in Sanborn Canal .

(b) Windham Bay, indenting mainland: All waters of the bay east of 133 degrees, 21 minutes 57 seconds west longitude.

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

ALBERT M. DAY,
Director.

AUGUST 10, 1951.

[F. R. Doc. 51-9702; Filed, Aug. 15, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR Part 40]

EXCESS PROFITS TAXES: TAXABLE YEARS ENDING AFTER JUNE 30, 1950

NOTICE OF PROPOSED RULE MAKING

Amendment of Regulations 130 to provide regulations under sections 461 through 465 (Part II) of the Excess Profits Tax Act of 1950.

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62).

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

In order to conform Regulations 130 (26 CFR, Part 40) to Part II of the Excess Profits Tax Act of 1950, approved January 3, 1951, which part, consisting of sections 461 through 465, is set forth in Regulations 130 immediately after § 40.458–8, such regulations are hereby amended as follows:

PARAGRAPH 1. There is inserted immediately after section 461, the following:

§ 40.461–1 *Purpose and scope of Part II.* (a) The term "Part II" when used in the regulations in this part, means sections 461 through 465. Part II provides rules applicable to the use of the excess profits credit based on income and the method of computing such credit, in the case of "acquiring corporations" and of "component corporations". An acquiring corporation is a domestic corporation which has acquired property from a domestic corporation, partnership, or sole proprietorship in a transaction meeting the requirements set forth in section 461 (a), which transaction is sometimes referred to in the regulations in this part as a "Part II transaction". Each corporation, partnership, or sole proprietorship the properties of which are acquired by a corporation in a transaction described in section 461 (a) is designated a component corporation of the acquiring corporation. Furthermore, special rules are provided for the case in which an acquiring corporation later becomes a component corporation of another acquiring corporation. A foreign corporation cannot be an acquiring corporation and neither a foreign corporation, a foreign partnership, nor a foreign sole proprietorship can be a component corporation.

(b) Part II provides the rules for determining the base period experience and the capital changes of the transferee corporation by reference to the income experience and the capital changes of the transferor. For this purpose, Part II treats an acquiring corporation which was not actually in existence for part or all of its base period as having been in existence and having had taxable years for the period during which its component corporation was actually in existence. Special rules are provided for applying section 435 (e), 442, 443, 444, 445 or 446. Part II is also applicable to component corporations.

(c) Every corporation which is a party to a Part II transaction, whether as an acquiring corporation or as a component corporation, must compute its excess profits credit based on income under the provisions of Part II. However, in certain cases specifically set forth in section 462 (b), (c), and (d), the average base period net income of an acquiring corporation determined under the general average method of section 435 (d), under the growth alternative of section 435 (e), or under the alternative provided by section 442 (c) with respect to certain abnormalities, may be determined under Part II either with or without reference to the recomputation of excess profits net income under Part II, depending upon whichever produces the lesser excess profits tax. No similar alternative is available in the case of a component corporation or in the case of an acquiring corporation computing its average base period net income under an alternative method provided in section 442 (d), 443, 444, 445 or 446. In any case in which the determination of the average base period net income of the acquiring corporation is made without reference to the recomputation of excess profits net income under Part II, the base period capital addition and the net capital addition or reduction of the acquiring corporation shall not be adjusted under Part II.

§ 40.461–2 *Acquiring corporations.* (a) The types of transactions whereby a corporation becomes an acquiring corporation are specified in section 461 (a). In addition to statutory mergers and consolidations and the acquisition of property in a complete liquidation in which gain or loss is not recognized because of the provisions of section 112

(b) (6), only the following types of transactions are included:

(1) Under section 461 (a) (1) (A), the acquisition by one corporation, in exchange in whole or in part for all of its stock (except qualifying shares) of all classes, of substantially all the properties of another corporation. See section 112 (g) (1) (D).

(2) Under section 461 (a) (1) (B), the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of substantially all the properties of another corporation; but, in determining whether the exchange is solely for voting stock, the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded. See section 112 (g) (1) (C).

(3) Under section 461 (a) (1) (C), the acquisition before December 1, 1950, by one corporation of properties of another corporation solely as paid-in surplus or as a contribution to capital in respect of voting stock of the acquiring corporation owned by the transferor corporation; but, in determining whether the acquisition is solely as paid-in surplus or as a contribution to capital, the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded. In this type of transaction the transferor corporation must be forthwith completely liquidated pursuant to the plan under which the transfer of properties was made and the transaction of which the transfer is a part must have the effect of a statutory merger or consolidation.

(4) Under section 461 (a) (1) (D), the acquisition of substantially all the properties of a partnership in an exchange to which section 112 (b) (5), or so much of section 112 (c) or (e) as refers to section 112 (b) (5), is applicable. For the purpose of this paragraph, a business owned by a sole proprietorship shall be considered as owned by a partnership.

(5) Under section 461 (a) (1) (E), the acquisition of a part, as distinguished from all or substantially all, of the properties of a corporation (other than a corporation exempt under section 101) or of a partnership in an exchange, not otherwise described in this section or section 461 (a), to which section 112 (b) (4) or 112 (b) (5), or so much of section 112 (c) or (e) as refers to section 112 (b) (4) or 112 (b) (5), is applicable. Types of transactions under section 461 (a) (1) (E) include: (i) The transfer by the component corporation of a part of its properties to an acquiring corporation and the retention of the remaining part by the component corporation; (ii) The transfer of all or substantially all of the properties of a component corporation to two or more separate acquiring corporations; and (iii) The transfer of part of the properties to two or more separate acquiring corporations and the retention of the remaining part by the component corporation. A transaction which qualifies as a Part II transaction without regard to section 461 (a) (1) (E), is not a transaction described in section 461 (a) (1) (E) for the purpose of any special rule under Part II pertaining to transactions described in section 461 (a) (1) (E).

(b) The types of transactions set forth in section 461 (a), other than those set forth in section 461 (a) (1) (C), either are embraced within the definition of a reorganization contained in section 112 (g) (1), are transfers to a controlled corporation within the meaning of section 112 (b) (5) and related sections, or are complete liquidations within the meaning of section 112 (b) (6). Since Part II applies only to cases where there is a sufficient continuity of interest to justify treating a corporation which has acquired the assets of another corporation, a partnership, or a business owned by a sole proprietorship, as standing in the place of its predecessor, such transactions must satisfy all the requirements of the regulations prescribed under section 112 with respect to such transactions in order that the transferee corporation may be treated as an acquiring corporation.

§ 40.461–3 *Component corporations*—(a) *In general*—(1) *Section 461 (c) (1).* If a corporation is a component corporation in a transaction described in section 461 (a) (other than a transaction described in section 461 (a) (1) (E)), its base period experience for the period before the day after such transaction is made available to the acquiring corporation in such transaction or to an acquiring corporation of which the first acquiring corporation is a component corporation. If such component corporation remains in existence, it will not (after the transaction) receive any benefit from its experience on the day of and prior to such transaction, nor can its experience on the day of and prior to such transaction be made available to another acquiring corporation in a subsequent Part II transaction involving such component corporation, regardless of whether the first acquiring corporation actually utilizes such experience. However, the base period experience of the component corporation occurring after such first transaction may be available to another acquiring corporation in a subsequent Part II transaction involving such component corporation. The same rules are applicable to each successive Part II transaction described in section 461 (a) (other than a transaction described in section 461 (a) (1) (E)). Section 461 (c) (1) applies to all such types of Part II transactions, whether or not complete liquidation of the component corporation is specifically required in connection therewith.

(2) *Section 461 (c) (3).* If a corporation is a component corporation in a transaction described in section 461 (a) (1) (E), its base period experience for the period before the day after such transaction, to the extent allocable to the properties transferred, is made available to the acquiring corporation in such transaction or to an acquiring corporation of which the first acquiring corporation is a component corporation. If the component corporation remains in existence, it will not (after the transaction) receive any benefit from that portion of its base period experience which is made available to the acquiring corporation, regardless of whether the acquiring corporation actually utilizes such experience. Furthermore, only that part of the experience which is not made available to the acquiring corporation may be available to another acquiring corporation in a subsequent Part II transaction involving such component corporation. However, any part of the base period experience of the component corporation occurring after such first transaction may be available to another acquiring corporation in a subsequent Part II transaction involving such component corporation. The same rules are applicable to each successive Part II transaction described in section 461 (a) (1) (E).

(b) *Rules for application of section 461 (c).* (1) For taxable years of the component corporation beginning after the Part II transaction (unless such transaction is described in section 461 (a) (1) (E), in which case see subparagraphs (3) and (4) of this paragraph), the excess profits credit based on income of the component corporation shall be determined without regard to its base period experience for the period ending with the day of the Part II transaction and without regard to the capital changes of the component corporation occurring before such transaction. Thus, in such cases, any computations which section 435 (f), relating to the base period capital addition, requires to be made as of a time preceding the transaction shall, instead, be made as of the time immediately after the transaction. Similarly, in computing the net capital addition or reduction, if the transaction occurs after the beginning of the first taxable year ending after June 30, 1950, the computations which section 435 (g) requires to be made as of the first day of such taxable year shall, instead, be made as of the time immediately after the transaction.

(2) For the taxable year of the component corporation in which occurs the Part II transaction (other than a transaction described in section 461 (a) (1) (E), in which case, see subparagraphs (3) and (4) of this paragraph), if such taxable year ends after June 30, 1950, and if the component corporation does not terminate its existence in such transaction, the average base period net income and the base period capital addition of the component corporation shall be limited to amounts which are the same portions of its average base period net income and its base period capital addition, respectively, as the number of days in such taxable year before the day after such transaction is of the total number of days in such taxable year. If the component corporation is, by reason of the transaction, entitled to apply section 445, it may include in its excess profits credit a portion (determined on the basis of the number of days in the taxable year after the transaction) of the excess profits credit determined by the application of section 445. See § 40.461–4 (b) for the rules applicable in any such case. If the component corporation goes out of existence on the day of such Part II transaction with the result that its taxable year ends on the day of such transac-

tion, the component corporation is not required to prorate its average base period net income for the purpose of computing its excess profits credit for such year. (For a corresponding provision in the case of the acquiring corporation and for an illustration of the application of such corresponding provision and of section 461 (c) (2), see section 462 (j) (2) and § 40.462–11.)

(3) For taxable years of the component corporation beginning after a Part II transaction described in section 461 (a) (1) (E) (that is, a transaction involving a transfer of only a part, as distinguished from a transfer of all or substantially all, of the properties of the component corporation), the excess profits credit based on income of the component corporation shall be determined without regard to that portion of its base period experience for the period ending with the day of the Part II transaction which is allocable to the acquiring corporation, and without regard to that portion of the capital changes of the component corporation occurring before such transaction which is allocable to the acquiring corporation. See § 40.461–7 for the method of applying this rule.

(4) For the taxable year of the component corporation in which occurs a Part II transaction described in section 461 (a) (1) (E) (that is, a transfer by the component corporation of only a part, as distinguished from all or substantially all, of its properties), if such taxable year ends after June 30, 1950, the average base period net income of the component corporation shall be limited to the sum of (i) an amount which is the same portion of its average base period net income as the number of days in such taxable year before the day after such transaction is of the total number of days in such taxable year, and (ii) an amount which is the same portion of its average base period net income allocable to it after the application of subparagraph (3) of this paragraph, as the number of days in such taxable year after the day of such transaction is of the total number of days in such taxable year. A similar rule applies with respect to the base period capital addition of the component corporation.

(5) Section 461 (c) provides that the acquiring corporation shall not take into account, for the purpose of determining its average base period net income, the base period experience of the component corporation for any period beginning with the day after the Part II transaction.

(c) *Proration of excess profits net income.* If the Part II transaction, except a transaction described in section 461 (a) (1) (E), occurred in a taxable year of the component corporation beginning with or within its base period, the excess profits net income of such component corporation for the portion of the taxable year after the transaction and for the prior portion of the taxable year (which prior portion is to be taken into account only by the acquiring corporation in such transaction) shall be computed on the basis of its income as shown by its books if the accounts are so kept that excess profits net income for each of such portions can be clearly and accurately determined. If the accounts are not so kept, the excess profits net income for the portion of the taxable year after the transaction shall be considered to be an amount which bears the same ratio to the excess profits net income for such taxable year as the number of days in such taxable year after such transaction bears to the total number of days in such taxable year, and the excess profits net income for the prior portion of such taxable year shall be considered to be the balance of the excess profits net income for such taxable year. However, if items of income and deduction are clearly and accurately determined to be attributable to particular portions of the taxable year, such items may be eliminated before the above proration is made, and after the proration is made such items will be added to (if items of income) or deducted from (if deductible items) the excess profits net income determined by the proration for the period to which such items are attributable.

(d) *Example of application of section 461 (c) (1) and (2).* The application of the provisions of section 461 (c) (1) and (2) may be illustrated by the following example:

Example. The A Corporation, the B Corporation, and the C Corporation, which corporations make their income tax returns on the calendar year basis, commenced business before January 1, 1946. On December 31, 1947, the B Corporation acquired the properties of the A Corporation in a transaction described in section 461 (a) (1) (A). The A Corporation subsequently converted into new properties the stock of the B Corporation which it received in such transaction. It operated such new properties until October 19, 1951, when they were transferred to the C Corporation in a transaction described in section 461 (a) (1) (A). The A Corporation continued in business throughout 1951 and 1952, operating properties which it purchased with the proceeds of the conversion of the stock received in the second transaction. The operation of section 461 (c) (1) and (2) is as follows:

(1) As to the B Corporation. In determining its average base period net income under Part II for the purpose of the excess profits tax for 1950 and later excess profits tax taxable years, the B Corporation takes into account the A Corporation's base period experience for 1946 and 1947. Inasmuch as the transaction involving the B Corporation occurred prior to 1948, there is no base period capital addition of the A Corporation that could be transferred to the B Corporation. See section 464 and § 40.464–1.

(2) As to the A Corporation. In determining its average base period net income for the purpose of its excess profits tax for 1950, the A Corporation takes into account its base period experience for 1948 and 1949, but cannot use its base period experience for 1946 and 1947. The A Corporation takes into account, for the purpose of computing its excess profits credit for 1951, only four-fifths (the ratio of the number of days in the period January 1, 1951 to October 19, 1951, inclusive (292) over the number of days in 1951 (365)) of its average base period net income determined without regard to its base period experience for 1946 and 1947. The A Corporation also takes into account for such purpose for 1951 only four-fifths of its base period capital addition. See § 40.463–1 for the computation of the net capital addition or reduction for 1951. However, such corporation may be entitled to compute its average base period net income under section 445 as a new corporation, since for the purpose of that section a corporation that transfers substantially all of its properties in a Part II transaction is deemed not to have commenced business until after the day of such transaction. See section 461 (d). Assuming that the A Corporation may qualify under section 445 as a new corporation with respect to both Part II transactions (the one on December 31, 1947, and the one on October 19, 1951) it will compute its excess profits credit for 1951 by taking into account four-fifths of its excess profits credit determined by applying section 445 as if it commenced business on the day after the first Part II transaction (and ended its taxable year on October 19, 1951), and one-fifth of its excess profits credit determined by applying section 445 as if it commenced business on the day after the second Part II transaction (and as if its taxable year began on October 20, 1951). See § 40.461–4 (b). The A Corporation will be entitled to use the credit based on invested capital if such credit results in less tax. The A Corporation determines its excess profits credit for 1952, without regard to its base period experience, its base period capital addition, if any, and its net capital additions or reductions prior to the transaction on October 19, 1951. Thus, for the purpose of section 435 (g) (3) (B), its equity capital at the beginning of January 1, 1952, is compared with its equity capital at the beginning of October 20, 1951.

(3) As to the C Corporation. Section 461 (c) first affects the C Corporation with respect to 1951. In determining its average base period net income under Part II for the purpose of its excess profits tax for that year, the C Corporation takes into account one-fifth of the A Corporation's base period experience for 1948 and 1949 and one-fifth of its base period capital addition. See section 462 (j) (2) and § 40.462–11. In determining the C Corporation's average base period net income under Part II for the purpose of its excess profits tax for 1952, the C Corporation takes into account all of the A Corporation's base period experience for 1948 and 1949. Since the C Corporation commenced business before January 1, 1946, it may not use any average base period net income of the A Corporation determined under section 445 by reference to the first Part II transaction, except to the extent that such average base period net income may be available to the C Corporation under §§ 40.462–3 (c) and 40.462–11. For computations by the C Corporation involving the A Corporation's capital additions and reductions, see section 463, § 40.463–1, section 464, and § 40.464–1.

(e) *Example of application of section 461 (c) (3) and (4).* The application of the provisions of section 461 (c) (3) and (4) may be illustrated by the following example:

Example. The A Corporation and the B Corporation, which corporations make their income tax returns on the calendar year basis, commenced business before January 1, 1946. On December 31, 1947, the B Corporation acquired part of the properties of the A Corporation in a transaction described in section 461 (a) (1) (E). The A Corporation subsequently converted into new properties the stock in the B Corporation which it received in such transaction. It operated such new properties, together with the retained part of its old properties, until October 19, 1951, when, in a transaction described in section 461 (a) (1) (E), it transferred part of its properties to the C Corporation, a corporation created incident to the transaction. The A Corporation continued in business throughout 1951 and 1952. The operation of section 461 (3) and (4) is as follows:

(1) As to the B Corporation. In determining its average base period net income

under Part II for the purpose of the excess profits tax for 1950 and later excess profits tax taxable years, the B Corporation takes into account that portion of the A Corporation's base period experience for 1946 and 1947 which is allocable under section 462 (i) and § 40.462–9 to the properties which the A Corporation transferred to the B Corporation. Inasmuch as the transaction involving the B Corporation occurred prior to 1948, there is no base period capital addition of the A Corporation that could be transferred to the B Corporation. See section 464 and § 40.464–1.

(2) As to the A Corporation. In determining its average base period net income for the purpose of its excess profits tax for 1950, it takes into account its entire base period experience for 1948 and 1949, and that portion of its base period experience for 1946 and 1947 which is allocable under section 462 (i) and § 40.462–9 to the properties retained by the A Corporation. Inasmuch as the transaction involving the B Corporation occurred prior to 1948, the base period capital addition of the A Corporation is not affected by the transaction. The A Corporation takes into account, for the purpose of computing its excess profits credit for 1951, the sum of the following: (i) An amount which is four-fifths (the ratio of the number of days in the period January 1, 1951, to October 19, 1951, inclusive (292), over the number of days in 1951 (365)) of its average base period net income determined without regard to that portion of its base period experience for 1946 and 1947 which is allocable to the B Corporation, and (ii) an amount which is one-fifth of that portion of its average base period net income so determined under (i) as is allocable under section 462 (i) and § 40.462–9 to the properties retained by the A Corporation. A similar determination is made with respect to the base period capital addition of the A Corporation. See § 40.463–1 for the computation of the net capital addition or reduction for 1951. The A Corporation will be entitled to use the credit based on invested capital if such credit results in less tax. The A Corporation determines its excess profits credit for 1952 without regard to those portions of its base period experience, its base period capital addition, if any, and its capital additions and reductions prior to the transaction on October 19, 1951, as are allocable to the B Corporation or to the C Corporation. Thus, for the purpose of section 435 (g) (3) (B), proper adjustment shall be made in determining the excess of equity capital at the beginning of January 1, 1952, over equity capital at the beginning of January 1, 1950.

(3) As to the C Corporation. Section 461 (c) first affects the C Corporation with respect to 1951. In determining its average base period net income under Part II for the purpose of its excess profits tax for that year, the C Corporation takes into account that portion of the A Corporation's base period experience for 1946 and 1947 which is allocable under section 462 (i) and § 40.462–9 to those properties of the A Corporation which were not transferred to the B Corporation, and which is allocable to the properties of the A Corporation transferred to the C Corporation, and that portion of the A Corporation's base period experience for 1948 and 1949 which is allocable under section 462 (i) and § 40.462–9 to the properties of the A Corporation transferred to the C Corporation. See section 462 (j) (2) and § 40.462–11 for the rules applicable if the taxable year of the C Corporation began prior to October 19, 1951, the date of the Part II transaction. The C Corporation's average base period net income under Part II for the purpose of its excess profits tax for 1952, is similarly determined except that section 462 (j) (2) and § 40.462–11 are not applicable. The C Corporation is not eligible to compute its average base period net income under section 445. See sections 445 (g), 462 (g), and § 40.462–7. For computations by the C Corporation involving the A Corporation's capital additions and reductions, see section 463, § 40.463–1, section 464, and § 40.464–1.

§ 40.461–4 *Existence of acquiring and component corporations.* (a) An acquiring corporation is considered, for certain purposes, to have been in existence and to have had taxable years for any period during which it or any of its component corporations was in existence and to have commenced business on the earliest date on which it or any of its component corporations commenced business. Except as otherwise expressly provided in section 462, the above rule applies for the purpose of section 435 (e) (alternative based on growth), section 442 (abnormalities during base period), section 443 (change in products or services), section 444 (increase in capacity for production or operation), section 445 (new corporations), and section 446 (depressed industry subgroups). Thus, if the component corporation (but not the acquiring corporation) was in existence and commenced business before the first day of the base period of the acquiring corporation, the acquiring corporation will be considered to have been in existence and to have commenced business prior to such first day, and section 435 (e), 442, 443, 444, or 446, but not section 445, may (subject to the rules of section 462) be applicable to the acquiring corporation. In the case of an acquiring corporation which becomes a component corporation of another acquiring corporation, effect is given to the constructive existence of the first acquiring corporation in determining the constructive existence of the second acquiring corporation. During the period of constructive existence, the taxable years of the acquiring corporation will be determined on the basis of the annual accounting period established for its first taxable year of actual existence.

(b) Except for the purpose of paragraph (a) of this section a component corporation in a Part II transaction, other than a transaction described in section 461 (a) (1) (E), shall be deemed not to have been in existence or to have commenced business prior to the day after such Part II transaction in determining the applicability to such corporation after such transaction of section 435 (e), 442, 443, 444, 445, or 446. Under this rule, a component corporation which transferred substantially all of its properties in a Part II transaction occurring during or after its base period may qualify for the benefits of section 445 as a new corporation. If the taxpayer was a component corporation in two or more Part II transactions (other than transactions of a type described in section 461 (a) (1) (E)) occurring prior to the taxable year for which the excess profits credit is computed, then for the purpose of determining the applicability of section 435 (e), 442, 443, 444, 445, or 446, the component corporation shall be deemed not to have been in existence nor to have commenced business prior to the day after the last such Part II transaction. If the Part II transaction occurs during a taxable year ending after June 30, 1950, and if the component corporation is entitled to apply section 445 as if it began existence and commenced business on the day after such transaction, the excess profits credit of the component corporation for such taxable year (if determined with such application of section 445) shall be the sum of the following amounts of excess profits credit, each such amount being first reduced to an amount which is such portion thereof as the number of days in the period for which such credit is computed is of the number of days in the taxable year in which the transaction occurred:

(1) The excess profits credit determined as if the portion of the taxable year ending on the date of such transaction were a taxable year, and determined without regard to such application of section 445 (but with regard to any similar application of section 445 in respect to a previous Part II transaction); and

(2) The excess profits credit determined with such application of section 445 as if the portion of the taxable year after the day of the transaction were a taxable year.

§ 40.461–5 *Partnerships and sole proprietorships under Part II.* A partnership (or a business owned by a sole proprietorship) can be a component corporation in certain types of Part II transactions. A partnership may be a component corporation only in a section 461 (a) (1) (D) or (E) type transaction. See section 461 (b) (5) and (6) and § 40.461–2 (a) (4) and (5). A business owned by a sole proprietorship can be a component corporation only in a section 461 (a) (1) (D) type transaction. See section 461 (f). A partnership (or a business owned by a sole proprietorship) cannot be an acquiring corporation and, therefore, the base period experience of any predecessor of a partnership (or a business owned by a sole proprietorship) is not made available to the acquiring corporation of which such parnership (or such business) is a component corporation.

§ 40.461–6 *Component corporation which was an acquiring corporation in a previous transaction.* Section 40.462–1 (a) provides the method by which an acquiring corporation, in a transaction described in Part II, determines its average base period net income under section 435 (c) for the purpose of the excess profits credit based on income. In the event that such an acquiring corporation becomes a component corporation in a subsequent Part II transaction, the rules set forth in section 462 (a) and in § 40.462–1 (a) are subject to the provisions of section 461 (e) which section provides that, for the purpose of such subsequent Part II transaction—

(a) The average base period net income of such corporation is to be determined under section 435 (d), section 435 (e), or section 442 (c), with the application to the previous transaction of section 462 (b) and of section 462 (c) or (d) (where applicable), and

(b) The average base period net income of such corporation is to be determined under section 442 (d), section 443,

section 444, section 445, or section 446, with the application to the previous transaction of section 462 (d), (e), (f), (g), or (h) (where applicable).

For rules relating to the constructive existence of such corporation in certain cases, see § 40.461–4. For the purpose of the regulations under Part II, where a corporation created incident to a previous Part II transaction is a party to a subsequent Part II transaction, such corporation shall, with respect to the subsequent transaction, be treated in the same manner as if its actual existence corresponded to that of its most recently organized component corporation.

§ 40.461–7 *Provisions generally applicable under Part II*—(a) *Definition of "base period experience".* As used in the regulations under Part II, the term "base period experience" refers to the excess profits net income, to the average base period net income if computed under section 442, 443, 444, 445, or 446, and to any factor entering into the determination of an average base period net income.

(b) *Application of Part II in certain types of transactions described in section 461 (a) (1) (E).* In the case of a Part II transaction described in section 461 (a) (1) (E) which involves—

(1) A transfer by a component corporation to an acquiring corporation which was not created incident to the transaction, or

(2) A transfer to an acquiring corporation, whether or not the acquiring corporation was created incident to the transaction, of properties by more than one component corporation, where one or more of such component corporations transferred less than substantially all of its properties, the acquiring corporation shall compute its excess profits credit under Part II as though each component corporation in any such transaction which transferred less than substantially all of its properties had transferred those properties to a corporation created incident to the transaction in a transaction described in section 461 (a) (1) (E) and such corporation had immediately thereafter transferred all of such properties to the acquiring corporation in a Part II transaction other than a transaction described in section 461 (a) (1) (E). See section 461 (e), relating to component corporations which were acquiring corporations in a previous Part II transaction.

(c) *Excess profits credit of component corporations in Part II transactions described in section 461 (a) (1) (E)*—(1) *In general.* The excess profits credit of a component corporation in a transaction described in section 461 (a) (1) (E) shall be determined under Part II, for taxable years ending after the day of such transaction, in the same manner as though (in such transaction) such component corporation were an acquiring corporation in a transaction described in section 461 (a) (1) (E), and as though it had received in that transaction the properties which it in fact retained.

(2) *Special rule.* For the purpose of applying section 435 (f) and (g) (relating to capital changes) in the case of a component corporation which continues in existence after a Part II transaction described in section 461 (a) (1) (E), the consideration received by such component corporation in such transaction shall be considered as having been held by it at all such times prior to the transaction as are taken into account under section 435 (f) and (g). For example, in computing the adjustment with respect to inadmissible assets or, if applicable, stock in a member of a controlled group, the stock in an acquiring corporation received by the component corporation in the transaction will, for the purpose of section 435 (g), be deemed to have been held by the component corporation on the first day of its first taxable year ending after June 30, 1950, if the transaction takes place after the beginning of such taxable year.

PAR. 2. There is inserted immediately after section 462, the following:

§ 40.462–1 *General rules for determining average base period net income of an acquiring corporation*—(a) *Introductory.* (1) In the case of an acquiring corporation, its average base period net income, for the purpose of the excess profits credit based on income, computed under the general average method (section 435 (d)), may be determined by computing its excess profits net income either with or without reference to section 462 (b) of Part II, whichever results in the lesser excess profits tax. If computed without reference to section 462 (b), the excess profits net income of the acquiring corporation is computed with reference to its base period experience but without reference to the base period experience of its component corporations. If computed with reference to section 462 (b), the excess profits net income of the acquiring corporation shall be the excess profits net income or deficit in excess profits net income for each month of the acquiring corporation's base period (as defined in section 435 (b)), increased or decreased, as the case may be, by the addition or reduction resulting from including the excess profits net income or deficit in excess profits net income for that month of all component corporations in the manner provided in section 462 (b).

(2) In the case of an acquiring corporation, its average base period net income, for the purpose of the excess profits credit based on income, computed under the alternative based on growth (section 435 (e)), may be determined, subject to the rules provided in section 462 (c), by computing its excess profits net income either with or without reference to section 462 (b) of Part II, whichever results in the lesser excess profits tax. Under section 462 (c), the acquiring corporation's eligibility to use the growth alternative may be determined, in certain instances, with reference to its base period experience and either with or without reference to the base period experience of its component corporations. In other circumstances, it must be determined with reference to the base period experience of its component corporations. See § 40.462–2.

(3) In the case of an acquiring corporation, its average base period net income for the purpose of the excess profits credit based on income, computed under section 442 (c) (abnormalities in the base period adversely affecting not more than 12 months), may be determined, subject to the rules provided in section 462 (d), by computing its excess profits net income either with or without reference to section 462 (b) of Part II, whichever results in the lesser excess profits tax. Under section 462 (d), the acquiring corporation's eligibility to compute its average base period net income under section 442 (c) may be determined, in certain instances, with reference to its base period experience and either with or without reference to the base period experience of its component corporations. In other circumstances, it must be determined with reference to the base period experience of its component corporations. See § 40.462–4.

(4) In the case of an acquiring corporation, its average base period net income, for the purpose of the excess profits credit based on income, computed under section 442 (d) (abnormalities in the base period adversely affecting more than 12 months), section 443 (change in products or services), section 444 (increase in capacity for production or operation), section 445 (new corporations), or section 446 (depressed industry subgroups), shall be determined under the rules set forth in section 462 (d), (e), (f), (g) or (h). See §§ 40.462–8.

(b) *Method of recomputation of excess profits net income of acquiring corporation with reference to that of its component corporations*—(1) *In general.* The following steps are required for the recomputation of the excess profits net income of the acquiring corporation with reference to the base period experience of its component corporations:

(i) The excess profits net income (or deficit in excess profits net income) for each month in the base period of the acquiring corporation, and, for the purpose of section 435 (e) (2) (E) and (G), for each month in the additional period ending June 30, 1950, must be determined for the acquiring corporation and for each component corporation. Except as provided below with respect to the taxable year of the component corporation in which the Part II transaction occurs, the excess profits net income (or deficit in excess profits net income) of any corporation for any month during any part of which that corporation was actually in existence (or constructively in existence by reason of a previous Part II transaction) is determined by dividing the excess profits net income computed under section 433 (b) (or deficit in excess profits net income computed under section 433 (c)) for the taxable year of that corporation in which such month falls by the number of full calendar months in such taxable year, and, in the case of a transaction described in section 461 (a) (1) (E), by taking the portion thereof properly allocable to the properties transferred. In the case of the taxable year of the component corporation in which the Part II transaction occurs, the excess profits net income (or deficit in excess profits net income) for any month in such taxable year shall be determined under the rules provided in

§ 40.461–3 (c), and, in the case of a transaction described in section 461 (a) (1) (E), by taking the portion thereof properly allocable to the properties transferred. The excess profits net income of any corporation for any month during no part of which such corporation was actually in existence (or constructively in existence by reason of a previous Part II transaction) shall be zero, except as provided in subdivision (ii) of this subparagraph. If any corporation was an acquiring corporation in a previous Part II transaction, its excess profits net income for any month prior to such transaction shall be its excess profits net income for such month recomputed under section 462 (b) by reference to such previous Part II transaction. For the purpose of section 435 (e) (2) (E) and (G), the excess profits net income or deficit in excess profits net income is subject to the percentages specified in section 435 (e) (2) (E).

(ii) If the acquiring corporation was in existence (either actually in existence or, under section 461 (d), constructively in existence through a component corporation) at the beginning of its base period, the excess profits net income for each month prior to the Part II transaction, during all of which either the acquiring corporation or any component corporation was not actually in existence, is computed for such acquiring or component corporation under this subparagraph. The excess profits net income for any such month shall be 1 percent of such corporation's equity capital (as defined in section 437 (c) and § 40.437–5), reduced by an amount determined under the inadmissible asset ratio (computed under section 440 (b) and § 40.440–1), both determined as of the close of the day before the Part II transaction occurred, or at the close of the base period of such corporation, whichever date is earlier. See example, § 40.462–1 (c). There is no such determination for any month after the Part II transaction. For adjustments to equity capital, see § 40.462–1 (b) (3).

(iii) For each month of the acquiring corporation's base period, and, for the purpose of section 435 (e) (2) (E) and (G), for each month thereafter for the period ending June 30, 1950, the excess profits net income or deficit in excess profits net income of the acquiring corporation for that month, as determined under subdivisions (i) and (ii) of this subparagraph shall be increased or decreased, as the case may be, by the excess profits net income or deficit in excess profits net income of each component corporation for that month so determined; except that, if the acquiring corporation acquires only a part of the component corporation's properties in a transaction described in section 461 (a) (1) (E), then the increase or decrease shall be made for only that portion of such component corporation's excess profits net income or deficit in excess profits net income as is allocable under section 462 (i) and § 40.462–9 to the properties of the component corporation transferred to the acquiring corporation. The excess profits net income of the acquiring corporation for any month, recomputed as provided in the previous sentence, shall in no event be less than zero. All component corporations must be taken into consideration in making the recomputation of the excess profits net income of the acquiring corporation. In the case of a component corporation which does not terminate its existence in connection with the Part II transaction, its excess profits net income or deficit in excess profits net income for any month or part thereof after such transaction shall not be taken into account by the acquiring corporation in recomputing its excess profits net income for such month. See section 461 (c) and § 40.461–3 (b) (5).

(2) *Special rules for partnerships and sole proprietorships.* In the case of a component corporation which is a partnership or a business owned by a sole proprietorship (see § 40.461–5), its excess profits net income or deficit in excess profits net income for each month falling within the acquiring corporation's base period, and, for the purpose of section 435 (e) (2) (E) and (G), for each month thereafter for the period ending June 30, 1950, shall be determined as though such partnership or such business owned by a sole proprietorship had been a corporation. See section 462 (k). Among the adjustments which are necessary in such a case are the following:

(i) A reasonable deduction for salary or compensation to each partner or to the sole proprietor for personal services actually rendered shall be allowed;

(ii) The credit for dividends received shall be that applicable to corporation;

(iii) The treatment of capital gains and losses and of taxes (whether state, local, or other) shall be that applicable to corporations;

(iv) The deduction for charitable contributions shall be that allowed by section 23 (q).

(3) *Limitations.* The determination under subparagraph (1) (ii) of this paragraph, of excess profits net income computed at 1 percent of equity capital (hereinafter referred to as "constructive income") for any month during no part of which the corporation was in existence (hereinafter referred to as a "vacant month") is subject to each of the following limitations:

(i) Section 462 (b) (2) provides for an adjustment to prevent duplication in determining the equity capital factor, 1 percent of which is allowed as the excess profits net income. The cases generally covered by this limitation are those in which there was cross-ownership of stock between corporations prior to the Part II transaction, but it also covers cases where property or stock of one corporation has been transferred to another corporation as paid-in surplus or as a contribution to capital. As such, the primary purpose of this limitation is to prevent doubling up on the factor of equity capital upon which the constructive income allowed under section 462 (b) (2) is computed. Briefly stated, the limitation under section 462 (b) (2) provides that in case either the acquiring corporation or any component corporation owned stock in any other such corporation on the day for which the equity capital factor is determined, then such equity capital factor, upon which the constructive income allowed under section 462 (b) (2) with respect to vacant months of such corporations is computed, shall be adjusted to such extent as may be necessary to prevent such constructive income from reflecting money or property paid in by either of such corporations to the other for stock or as paid-in surplus or as a contribution to capital, or from reflecting stock of either paid in for stock of the other or as paid-in surplus or as a contribution to capital. For this purpose, stock in either such corporation which has in the hands of the other corporation a basis determined with reference to the basis of stock previously acquired by the issuance of such other corporation's own stock shall be deemed to have been paid in for the stock of such other corporation. The following example illustrates the nature of the adjustment to be made in cases to which this limitation under section 462 (b) (2) applies:

Example. The A Corporation, the B Corporation, and the C Corporation make their income tax returns on the calendar year basis. The A Corporation was in existence and commenced business prior to January 1, 1946. The B Corporation came into existence on January 1, 1948. The C Corporation came into existence on December 31, 1948, and on that day it issued all of its capital stock to the B Corporation for cash of the latter. The B Corporation held this stock continuously until January 15, 1950, at which time it acquired all of the properties of the A Corporation and the C Corporation in a transaction described in section 461 (a). Both the B Corporation and the C Corporation are entitled under section 462 (b) (2) to a constructive income for each of the months in the calendar years 1946 and 1947, and the C Corporation is entitled to a constructive income for each of the first 11 months in the year 1948. The constructive income for each such corporation is for each vacant month an amount equal to 1 percent of the equity capital of such corporation determined as of the close of December 31, 1949, such equity capital being reduced by an amount which is the same percentage of such equity capital as the percentage which the total of the adjusted bases of the inadmissible assets held by such corporation at the close of such day is of the total of the adjusted bases of the admissible and inadmissible assets held at the close of such day. In the case of the reduction for the B Corporation with respect to inadmissible assets, if the amount of such reduction attributable to the stock in the C Corporation is an amount which is less than the adjusted basis of such stock in the hands of the B Corporation at the close of December 31, 1949, a further adjustment must be made to the B Corporation's equity capital in order to eliminate duplication of the same equity capital. Assuming that the adjusted basis of the C Corporation's stock in the hands of the B Corporation is $50,000; that on December 31, 1949, the B Corporation owned shares in other domestic corporations having an adjusted basis of $10,000; that the B Corporation's equity capital at the close of December 31, 1949, is $450,000; and that the total of the adjusted bases of the admissible and inadmissible assets of the B Corporation at the close of December 31, 1949, is $600,000, the computation of the adjustment required under section 462 (b) (2) because of the ownership by the B Corporation of stock in the C Corporation may be illustrated as follows:

(A) Total inadmissible assets	$60,000
(B) Total admissible and inadmissible assets	600,000
(C) Percentage which the total inadmissible assets is of total admissible and inadmissible assets (percent)	10
(D) Equity capital	450,000
(E) Amount of reduction in equity capital for inadmissible assets—10 percent of item (D)	45,000
(F) Reduction in equity capital attributable to the stock in the C Corporation $\left(\frac{50,000}{60,000} \times 45,000\right)$	37,500
(G) Basis of the C Corporation's stock	50,000
(H) Additional adjustment to be made in equity capital in order to arrive at the equity capital under section 462 (b) (2) upon which constructive income is computed	12,500
(I) Equity capital	450,000
Adjustment for inadmissible assets (item (E) above) $45,000	
Adjustment under section 462 (b) (2) (item (H) above) 12,500	
	57,500
(J) Equity capital as adjusted under section 462 (b) (2) upon which constructive income is computed	392,500

(ii) Section 462 (j) (1) may require the exclusion of all or a part of the constructive income of a component corporation which is determined under section 462 (b) (2) for vacant months, if the acquiring corporation (or any corporation which later became a component corporation of the acquiring corporation) acquired for assets (other than its own stock) the stock of such component corporation. See § 40.462–10. The adjustment necessary under section 462 (j) (1) where constructive income for vacant months would otherwise be determined under section 462 (b) (2) is illustrated by the following example:

Example. The A Corporation was in existence and commenced business prior to January 1, 1946. The B Corporation came into existence on January 1, 1947. Both corporations make their income tax returns on the calendar year basis. The A Corporation sold certain assets for cash, and on January 1, 1948, it used such cash to purchase all of the stock of the B Corporation from the latter's stockholders. On December 31, 1950, the A Corporation acquired all of the properties of the B Corporation in a Part II transaction. By reason of section 462 (j) (1), the base period experience of the B Corporation prior to January 1, 1948, is to be excluded and, therefore, no constructive income need be determined for the B corporation for the year 1946.

(c) *General average method.* The computation of the average base period net income of an acquiring corporation, determined under the general average method of section 435 (d) by computing the excess profits net income with reference to section 462 (b), may be illustrated by the following example:

Example. The A Corporation came into existence and commenced business prior to January 1, 1946. The B Corporation and the C Corporation each came into existence on January 1, 1947. The A Corporation, the B Corporation, and the C Corporation each makes its income tax returns on the calendar year basis. The A Corporation acquired all of the properties of the B Corporation and of the C Corporation in a Part II transaction on January 1, 1949. The B Corporation and the C Corporation each had equity capital of $100,000 at the close of December 31, 1948 (the day before the Part II transaction). The excess profits net income for each of the corporations for the base period taxable years is as follows:

EXCESS PROFITS NET INCOME

	For taxable year—			
	1946	1947	1948	1949
A Corporation	−$36,000	$48,000	$60,000	$108,000
B Corporation	0	−24,000	24,000	
C Corporation	0	12,000	24,000	

The excess profits net income for each month in such taxable years is as follows:

EXCESS PROFITS NET INCOME

	For each month in calendar year—			
	1946	1947	1948	1949
A Corporation	−$3,000	$4,000	$5,000	$9,000
B Corporation	[1] 1,000	−2,000	2,000	
C Corporation	[1] 1,000	1,000	2,000	
Total	−1,000	3,000	9,000	9,000

[1] Constructive income computed under section 462 (b) (2). See paragraph (b) (1) (ii) of this section.

The excess profits net income of the A Corporation for each month as recomputed under section 462 (b) is the total excess profits net income for that month, as shown in the above table, except that, for each month in 1946, the recomputed excess profits net income is increased to zero. Since the 36 consecutive months in the years 1947, 1948, and 1949 have the highest aggregate excess profits net income, the average base period net income is such aggregate excess profits net income divided by 3. The average base period net income of the A Corporation, recomputed under section 462 (b), is $84,000, determined as follows:

Aggregate for months in 1947 (12×$3,000)	$36,000
Aggregate for months in 1948 (12×$9,000)	108,000
Aggregate for months in 1949 (12×$9,000)	108,000
Aggregate for 36 months	252,000
Aggregate divided by 3	84,000

This figure, subject to the percentage prescribed in section 435 (a), may be used by the A Corporation in computing its excess profits credit based on income for the purpose of determining its excess profits tax for 1950 and future excess profits tax taxable years.

§ 40.462–2 *Alternative average base period net income based on growth*—(a) *In general.* Section 462 (c) deals with the effect of a Part II transaction upon the right of an acquiring corporation to the use of the growth alternative provided in section 435 (e). See § 40.462–1 (a) (2). The rules for applying section 435 (e) in the case of a party to a Part II transaction may differ, depending upon whether eligibility under section 435 (e) (1) (A) or under section 435 (e) (1) (B) is involved, whether the Part II transaction is of a type described in section 461 (a) (1) (E), whether the acquiring corporation actually or constructively through a component corporation commenced business prior to the beginning of its base period, whether the acquiring corporation determines its excess profits net income with reference to the recomputation provided in section 462 (b), and whether the transaction occurs prior to or after certain dates.

(b) *Part II transactions other than a a transaction described in section 461 (a) (1) (E)*—(1) *Alternative under section 435 (e) (1) (A).* (i) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), section 462 (c) provides that an acquiring corporation shal be entitled to the use of an alternative average base period net income under section 435 (e) (1) (A), relating to growth, only—

(*a*) If the Part II transaction occurs after June 30, 1950, if such acquiring corporation was entitled under section 435 (e) (1) (A) to the use of an alternative average base period net income based on growth immediately prior to the date of the Part II transaction, and if the acquiring corporation determines its excess profits net income without reference to the recomputation provided in section 462 (b); or

(*b*) Regardless of the date on which the Part II transaction occurs, if the acquiring corporation (other than a corporation created incident to such transaction) and all the component corporations actually commenced business prior to the beginning of the acquiring corporation's base period, if the acquiring corporation recomputes its excess profits net income under section 462 (b), and if the acquiring corporation qualifies under the rules of section 435 (e) (1) (A) after applying the rules set forth in subdivision (ii) of this subparagraph.

(ii) For the purpose of subdivision (i) (*b*) of this subparagraph, the acquiring corporation shall combine its total assets on the date specified in section 435 (e) (1) (A) (i) with the total assets of each component corporation on such date (the total assets of each such corporation being determined under that section), and it shall combine with its total payroll and its total gross receipts for that portion of its base period which preceded such transaction the total payroll and total gross receipts of each such component corporation for that portion of such period. The allocation of payroll and gross receipts of a component corporation for its taxable year to any such portion of such period shall be made in accordance with the rules provided in section 435 (e) (4) and (5) subject, for the taxable year of the transaction, to the principles described in § 40.461–3 (c). In combining gross receipts, proper adjustment shall be made to prevent duplication, including the elimination of those gross receipts of a component corporation or the acquiring corporation which are attributable to transactions between either such component corporation and the acquiring corporation or such component corporation and another component corporation.

(iii) If the acquiring corporation does not qualify under subdivision (i) (*b*) of this subparagraph, for the use of an alternative average base period net income under section 435 (e) (1) (A) because any corporation a party to the Part II

transaction (other than a corporation created incident to such transaction), had not actually commenced business prior to the beginning of its base period or because the total of the assets of the acquiring corporation determined under subdivision (ii) of this subparagraph, exceeds $20 million, if the Part II transaction occurs after June 30, 1950, if the acquiring corporation determines its average base period net income under section 435 (d) after recomputing its excess profits net income under section 462 (b), and if any corporation a party to the Part II transaction (whether the acquiring corporation or a component corporation) was under section 435 (e) (1) (A) entitled immediately prior to the date of the transaction to the use of an alternative average base period net income based on growth, then one-twelfth of such alternative average base period net income of such corporation shall be treated as its monthly excess profits net income for the purpose of determining such average base period net income of the acquiring corporation under section 435 (d).

(2) *Alternative under section 435 (e) (1) (B).* (i) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), section 462 (c) provides that an acquiring corporation shall be entitled to the use of an alternative average base period net income under section 435 (e) (1) (b), relating to growth, only—

(*a*) If the Part II transaction occurs after December 31, 1950, if such acquiring corporation was entitled under section 435 (e) (1) (B) to the use of an alternative average base period net income based on growth immediately prior to the date of the Part II transaction, and if the acquiring corporation determines its excess profits net income without reference to the recomputation provided in section 462 (b); or

(*b*) If immediately prior to a Part II transaction occurring prior to January 1, 1951, the acquiring corporation (other than a corporation created incident to such transaction) and all component corporations were furnishing products or classes of products of the type described in section 435 (e) (1) (B) (ii), if the acquiring corporation (other than a corporation created incident to such transaction) and all component corporations actually commenced business prior to the beginning of the acquiring corporation's base period, if the acquiring corporation recomputes its excess profits net income under section 462 (b), and if the acquiring corporation qualifies under the rules of section 435 (e) (1) (B) after applying the rules set forth in subdivision (ii) of this subparagraph; or

(c) If immediately prior to a Part II transaction occurring after December 31, 1950, the acquiring corporation (other than a corporation created incident to such transaction) and all component corporations were entitled under section 435 (e) (1) (B) to the use of an alternative average base period net income based on growth, if the acquiring corporation (other than a corporation created incident to such transaction) and all component corporations actually commenced business prior to the beginning of the acquiring corporation's base period, if the acquiring corporation recomputes its excess profits net income under section 462 (b), and if the acquiring corporation qualifies under the rules of section 435 (e) (1) (B) after applying the rules set forth in subdivision (ii) of this subparagraph.

(ii) For the purpose of subdivision (i) (*b*) and (*c*) of this subparagraph, the acquiring corporation shall combine with its net sales for that portion of the period prior to January 1, 1951, which preceded such Part II transaction, the net sales of each such component corporation for such portion of such period. In combining net sales, proper adjustment shall be made to prevent duplication, including the elimination of those net sales of a component corporation or the acquiring corporation which are attributable to transactions between either such component corporation and the acquiring corporation or such component corporation and another component corporation.

(iii) If the Part II transaction occurs after December 31, 1950, if the acquiring corporation does not qualify under subdivision (i) (c) of this subparagraph, for the use of an alternative average base period net income under section 435 (e) (1) (B), if the acquiring corporation determines its average base period net income under section 435 (d) after recomputing its excess profits net income under section 462 (b), and if any corporation a party to the Part II transaction (whether the acquiring corporation or a component corporation) was entitled under section 435 (e) (1) (B), immediately prior to the date of the transaction, to the use of an alternative average base period net income based on growth, then one-twelfth of such alternative average base period net income of such corporation shall be treated as its monthly excess profits net income for the purpose of determining such average base period net income of the acquiring corporation under section 435 (d).

(c) *Part II transactions described in section 461 (a) (1) (E).*—(1) *Alternative under section 435 (e) (1) (A).* (i) In the case of a Part II transaction described in section 461 (a) (1) (E), section 462 provides that an acquiring corporation shall be entitled to the use of an alternative average base period net income under section 435 (e) (1) (A), relating to growth, only if it recomputes its excess profits net income under section 462 (b) and—

(*a*) If the transaction occurs after the close of the base period of the component corporation, and if immediately prior to the date of the transaction the component corporation qualified under section 435 (e) (1) (A) for the use of an alternative average base period net income under that section; or

(*b*) If the transaction occurred during the base period of the acquiring corporation, if the component corporation actually commenced business prior to the beginning of its base period, and if the acquiring corporation qualifies under the rules of section 435 (e) (1) (A) after applying the rules set forth in subdivision (ii) of this subparagraph.

(ii) For the purpose of subdivision (i) (*b*) of this subparagraph, the acquiring corporation shall be considered as having held the total assets of the component corporation as of the date specified in section 435 (e) (1) (A) (i) as determined under that section for that date, and it shall be treated as having had, for the period prior to the day of the transaction, an allocated share of the payroll and of the gross receipts of the component corporation. Such payroll and gross receipts shall be determined in accordance with the rules provided in section 435 (e) (4) and (5) subject, for the taxable year of the transaction, to the principles described in § 40.461–3 (c); and such allocation of such payroll and gross receipts shall be in the same ratio as that existing in the allocation of the excess profits net income. See section 462 (i) and § 40.462–9.

(2) *Alternative under section 435 (e) (1) (B).* (i) In the case of a Part II transaction described in section 461 (a) (1) (E), section 462 (c) provides that an acquiring corporation shall be entitled to the use of an alternative average base period net income under section 435 (e) (1) (B), relating to growth, only if it recomputes its excess profits net income under section 462 (b) and—

(*a*) If the transaction occurs after December 31, 1950, and if immediately prior to the date of the transaction the component corporation qualifies under section 435 (e) (1) (B) for the use of an alternative average base period net income under that section; or

(*b*) If the transaction occurred prior to January 1, 1951, if the component corporation actually commenced business prior to the beginning of its base period, if immediately prior to the transaction the component corporation was furnishing a product or class of products of the type described in section 435 (e) (1) (E), and if the acquiring corporation qualifies under the rules of section 435 (e) (1) (B) after applying the rules set forth in subdivision (ii) of this subparagraph.

(ii) For the purpose of subdivision (i) (*b*) of this subparagraph, the acquiring corporation shall be considered as having had, for the period prior to the date of the transaction, an allocated share of the net sales of the component corporation, such allocation of net sales being in the same ratio as that existing in the allocation of the excess profits net income. See section 462 (i) and § 40.462–9.

(3) *Special rules.* For special rules with respect to a Part II transaction described in section 461 (a) (1) (E) involving a transfer to an acquiring corporation not created incident to the transaction, or involving a transfer by more than one component corporation to an acquiring corporation, see § 40.461–7 (b).

§ 40.462–3 *Alternative average base period net income under section 442, 443, 444, 445, or 446.*—(a) In general. Section 462 (d), (e), (f), (g), and (h) provides special rules applicable in determining the average base period net income of an acquiring corporation under sections 442 to 446, inclusive. Certain rules generally applicable under

those subsections of section 462 are set forth in this section. Additional special rules provided in such subsections of section 462 are set forth in the sections immediately following this section. The rules for applying sections 442 to 446, inclusive, and section 462 (d) to (h), inclusive, may differ depending upon whether the Part II transaction is of a type described in section 461 (a) (1) (E) (relating to a transfer by a component corporation of a part, as distinguished from all or substantially all, of its properties), whether the transaction occurs before or after certain dates, and whether the acquiring corporation has actually or constructively through a component corporation (see section 461 (d)) commenced business on or before the first day of the base period.

(b) *Commencement of business.* If neither the acquiring corporation nor any component corporation was in existence and commenced business on or before the first day of the base period of the acquiring corporation, the acquiring corporation is not entitled to determine its average base period net income under section 442, 443, 444, or 446, or under section 462 (d), (e), (f), or (h). If either the acquiring corporation or any component corporation commenced business on or before the first day of the base period of the acquiring corporation, the acquiring corporation is not entitled to compute its average base period net income under section 445 or section 462 (g), except to the extent that such sections are involved under paragraph (c) of this section. See section 461 (d) as to constructive existence and constructive commencement of business.

(c) *Rule applicable if all parties were previously entitled to an alternative average base period net income.* If immediately prior to the transaction each of the corporations, parties to the Part II transaction, other than a corporation created incident to the Part II transaction, was entitled to compute its average base period net income under section 442 (d) (relating to abnormalities in base period), section 443 (relating to change in products or services), section 444 (relating to increase in capacity for production or operation), section 445 (relating to new corporations), or section 446 (relating to depressed industry subgroups), then the acquiring corporation (whether or not created incident to the Part II transaction) may determine its average base period net income after the transaction by computing its own average base period net income under whichever of such sections is applicable to it immediately prior to the transaction, and by adding thereto the average base period net income of each component corporation separately computed under whichever of such sections is applicable to such component corporation immediately prior to the transaction. However, in the case of a transfer by a corporation of a part, as distinguished from all or substantially all, of its properties to a corporation created incident to such transfer in a transaction to which section 461 (a) (1) (E) is applicable, only so much of the average base period net income of such component corporation, so computed, as is allocable under the rules of section 462 (i) and § 40.462–9 to the properties of such component corporation transferred to the acquiring corporation is available to such acquiring corporation under the rule set forth in the preceding sentence. The rules provided in this paragraph are not applicable in any case in which all of the corporations (other than a corporation created incident to the Part II transaction), parties to the Part II transaction, were entitled immediately prior to the transaction to the benefits of section 445. See § 40.462–7 for rules applicable in such case. See section 470 for rules applicable, in certain cases involving intercorporate stockholdings, in determining the total assets of a component corporation for the purpose of the separate computation under this paragraph of its average base period net income immediately prior to the transaction.

(d) *Method of determination.* An acquiring corporation not entitled to compute its average base period net income under paragraph (c) of this section may nevertheless be entitled, under the circumstances set forth in §§ 40.462–4 to 40.462–8, inclusive, to apply sections 442 to 446, inclusive, if it meets the requirements of those sections and of section 462 (d) through (h). The following rules are applicable for the purpose of determining whether, after the transaction, an acquiring corporation meets the requirements of section 442, 443, 444, 445, or 446 and § 40.462–4, § 40.462–5, § 40.462–6, § 40. 462–7, or § 40.462–8:

(1) *Assets.* For this purpose, the total assets of each component corporation held by it on a day for which the computation of total assets of the acquiring corporation is required by the applicable section, which day preceded the day on which the transaction occurred, shall be treated as having been held by the acquiring corporation on such day.

(2) *Interest.* For this purpose, the interest paid or incurred by each component corporation during the period prior to the date of the transaction, taken into account in computing the interest adjustment applicable in determining average base period net income, shall be considered as having been paid or incurred by the acquiring corporation at the time it was paid or incurred by such component corporation.

(3) *Gross receipts.* For this purpose, the gross receipts of each component corporation for the period prior to the date of the transaction, taken into account under such section in determining the industry classification of the acquiring corporation, shall be treated as the gross receipts of the acquiring corporation. Such gross receipts for any portion of a taxable year of the component corporation is determined in accordance with the rules provided in section 435 (e) (5) subject, for the taxable year of the transaction, to the principles described in § 40.461–3 (c).

In applying the foregoing rules, proper adjustment as to each item shall be made to prevent duplication, including the elimination of such portion of any item with respect to the component corporation or the acquiring corporation as is attributable to transactions between either such component corporation and the acquiring corporation or such component corporation and another component corporation.

(e) *Method of determination in case of transactions described in section 461 (a) (1) (E).* In the case of a transfer by a corporation of a part, as distinguished from all or substantially all, of its properties to a corporation created incident to such transfer in a transaction to which section 461 (a) (1) (E) is applicable, there shall be available to such acquiring corporation in determining its average base period net income under section 442, 443, 444, 445, or 446, only such portion of each item referred to in paragraph (d) of this section, as is allocable to the properties of such component corporation transferred to the acquiring corporation. Such portion shall be determined in a manner consistent with that used in the allocation to the acquiring corporation under section 462 (i) and § 40.462–9 of the excess profits net income of the component corporation.

(f) *Application for benefits of sections 442 to 446.* An acquiring corporation which computes its average base period net income under section 442, 443, 444, 445, or 446, and under section 462 (d), (e), (f), (g), or (h), must comply with the provisions of section 447 (e) with respect to the filing of an application for the benefits of such sections.

§ 40.462–4 *Application of section 442*—(a) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurred during the base period of an acquiring corporation, the acquiring corporation shall be entitled to determine its average base period net income under section 442 (c) or (d) if and to the extent that it satisfies the requirements of either such subsection and satisfies the other requirements of section 442 after the application of the rules provided in § 40.462–3 (b) and (d) and of the following rules:

(i) For this purpose, the excess profits net income (or deficit therein) of the component corporation for any part of the base period of the acquiring corporation prior to the transaction is attributed to the acquiring corporation in determining the excess profits net income (or deficit therein) of the acquiring corporation for any month of its base period for the purpose of section 442 (c) or (d), and the acquiring corporation shall recompute its monthly excess profits net income as provided in section 462 (b); however, the excess profits net income of the acquiring corporation for any month so recomputed may be less than zero, and in such case, such deficit is taken into account to the extent provided in section 442;

(ii) For this purpose, the business experience of the component corporation prior to the date of the transaction is attributed to the acquiring corporation for the purpose of determining the existence of an abnormality under section 442 (a).

(2) If any corporation, a party to a Part II transaction other than a transaction described in section 461 (a) (1)

(E), which transaction occurs after the close of the base period of the acquiring corporation, was entitled immediately prior to the transaction to compute its average base period net income under section 442 (c) or under section 442 (d), then in recomputing the acquiring corporation's excess profits net income under section 462 (b) for the purpose of the general average method of determining its average base period net income under section 435 (d)—

(i) The substitute excess profits net income for any month identified under section 442 (c) (1) and (3) of any corporation entitled to the benefits of section 442 (c) immediately prior to the transaction shall be considered the excess profits net income of that corporation for such month;

(ii) In the case of any corporation entitled to the benefits of section 442 (d) immediately prior to the transaction, one-twelfth of the average base period net income, separately computed, to which such corporation was entitled under section 442 (d) shall be considered the excess profits net income of that corporation for each month of its base period.

(3) An acquiring corporation shall also be entitled to apply section 442 to the extent provided in § 40.462–3 (c), relating to a Part II transaction involving corporations each of which was previously entitled to the benefits of section 442 (d), 443, 444, 445, or 446.

(b) *Part II transactions described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction described in section 461 (a) (1) (E), which occurred during the base period of an acquiring corporation, the acquiring corporation shall be entitled to determine its average base period net income under section 442 (c) or (d) if and to the extent that it satisfies the requirements of either such subsection and satisfies the other requirements of section 442 after the application of the rules prescribed in paragraph (a) (1) of this section, and in § 40.462–3 (b) and (e). In applying the rules of paragraph (a) (1) of this section, there shall be available to the acquiring corporation in determining its average base period net income under section 442 only such portion of each item of the component corporation's experience prior to the transaction as is allocable to the properties of such component corporation transferred to the acquiring corporation. Such portion shall be determined in a manner consistent with that used in the allocation to the acquiring corporation under section 462 (i) and § 40.462–9 of the excess profits net income of the component corporation.

(2) In the case of a Part II transaction described in section 461 (a) (1) (E), where the transaction occurs after the close of the base period of the acquiring corporation, and where the component corporation was entitled immediately prior to the transaction to compute its average base period net income under section 442 (c) or under section 442 (d), then in recomputing the acquiring corporation's excess profits net income under section 462 (b) for any month for the purpose of the general average method of determining its average base period net income under section 435 (d), the rules prescribed in paragraph (a) (2) of this section, shall be applicable, except that there shall be available to the acquiring corporation only such portion of the excess profits net income of the component corporation computed under paragraph (a) (2) of this section, as is allocable to the acquiring corporation under the rules of section 462 (i) and § 40.462–9.

(3) For special rules with respect to a Part II transaction described in section 461 (a) (1) (E) involving a transfer to an acquiring corporation not created incident to the transaction, or involving a transfer by more than one component corporation to an acquiring corporation, see § 40.461–7 (b).

§ 40.462–5 *Application of section 443*—(a) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction, other than a transaction described in section 461 (a) (1) (E), where any corporation a party to the transaction (other than an acquiring corporation created incident to such transaction) had not actually commenced business on or before the first day of the acquiring corporation's base period, the acquiring corporation shall not be entitled to compute its average base period net income under section 443 except to the extent provided in § 40.462–3 (c), or to the extent provided in subparagraph (3) of this paragraph.

(2) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), where, at the time of the transaction, one or more of the corporations, parties to the transaction, had made a substantial change, within the meaning of section 443 (a) (1) and § 40.443–1 (a) (1), in the products or services which it furnished, but where such corporations at the time of the transaction were not yet qualified to compute their average base period net income under section 443, the acquiring corporation shall be entitled to compute its average base period net income under section 443 with respect to such change if the requirements of such section are satisfied after the application of the rules provided in § 40.462–3 (b) and (d) and of the following rules:

(i) For this purpose, the acquiring corporation shall recompute its excess profits net income in the manner provided in section 462 (b), except that the excess profits net income so recomputed may be less than zero;

(ii) For this purpose, the gross income and the net income of all component corporations for the taxable years beginning with, within, and subsequent to the taxable year in which the first change in products or services was made, such taxable year being determined by reference to the corporation which made such change, shall be treated as the gross income and net income, respectively, of the acquiring corporation;

(iii) For this purpose, each change in products or services made by a component corporation shall be treated as having been made by the acquiring corporation at the time it was made by the component corporation.

(3) Where a corporation a party to the Part II transaction commenced business during the 36-month period ending on the last day of the base period of the acquiring corporation and the transaction occurred prior to December 1, 1950, the activities of that corporation shall be treated, for the purpose of section 443, as though they constituted a substantial change in products or services within the meaning of section 443 (a) (1) and § 40.443–1 (a) (1). In such a case, the rules prescribed in subparagraph (2) of this paragraph, and in § 40.462–3 (b) and (d) shall be applicable for the purpose of determining whether or not the acquiring corporation meets the requirements of section 443.

(4) In the case of a Part II transaction other than one described in section 461 (a) (1) (E), where subsequent to the date of the transaction there is a substantial change in the products or services furnished by the acquiring corporation within the meaning of section 443 (a) (1) and § 40.443–1 (a) (1), the acquiring corporation shall be entitled to determine its average base period net income under section 443 with respect to such change if it qualifies under such section after the application of the rules prescribed in subparagraph (2) of this paragraph and in § 40.462–3 (b) and (d).

(5) Except to the extent provided in subparagraph (3) of this section, an acquiring corporation shall not be deemed, for the purpose of section 443, to have made a substantial change in products or services furnished by it solely by reason of a change in such products or services resulting from the execution of a Part II transaction.

(6) An acquiring corporation shall also be entitled to apply section 443 to the extent provided in § 40.462–3 (c), relating to a Part II transaction involving corporations each of which was previously entitled to the benefits of section 442 (d), 443, 444, 445, or 446.

(b) *Part II transactions described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction described in section 461 (a) (1) (E), the acquiring corporation shall be entitled to compute its average base period net income under section 443 only—

(i) To the extent provided in § 40.462–3 (c); or

(ii) If there was, after the date of the transaction, a substantial change in the products or services furnished by the acquiring corporation within the meaning of section 443 (a) (1) and § 40.443–1 (a) (1), and if the acquiring corporation qualifies under section 443 after the application of the rules prescribed in paragraph (a) (2) of this section, and in § 40.462–3 (b) and (e). In applying the rules of paragraph (a) (2) of this section, there shall be available to the acquiring corporation in determining its average base period net income under section 443 only such portion of each item of the component corporation's experience prior to the transaction as is allocable to the properties of such component corporation transferred to the acquiring corporation. Such portion

shall be determined in a manner consistent with that used in the allocation to the acquiring corporation under section 462 (i) and § 40.462–9 of the excess profits net income of the component corporation.

(2) For special rules with respect to a Part II transaction described in section 461 (a) (1) (E) involving a transfer to an acquiring corporation not created incident to the transaction, or involving a transfer by more than one component corporation to an acquiring corporation, see § 40.461–7 (b).

§ 40.462–6 *Application of section 444*—(a) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), where at the time of the transaction one or more of the corporations, parties to the transaction, had made an addition or additions to its facilities or had replaced all or a part of its existing facilities, within the meaning of section 444 (b) and § 40.444–2, and where the transaction occurred prior to the close of the base period of the corporation making such addition or replacement, the acquiring corporation shall be entitled to compute its average base period net income under section 444, if the requirements of such section are satisfied after the application of the rules provided in § 40.462–3 (b) and (d) and of the following rules:

(i) For this purpose, the capacity for production or operation, the adjusted basis of the total facilities, and the basis (unadjusted) of the total facilities, determined in accordance with the rules applicable under section 444 (b) and § 40.444–2, of all component corporations as they existed on the day prior to the beginning of the 36-month period ending with the last day of the base period of the acquiring corporation, shall be treated as having been held by the acquiring corporation on such day for the purpose of determining whether an increase in capacity for production or operation shall be deemed to have occurred within the meaning of section 444 (b) and § 40.444–2;

(ii) For this purpose, each addition or additions to its facilities or replacement of all or part of its existing facilities by a component corporation shall be treated as having been made by the acquiring corporation at the time it was made by such component corporation;

(iii) For this purpose, if the Part II transaction occurred before the close of the base period of the acquiring corporation and after the last day of the taxable year of the acquiring corporation immediately preceding its first taxable year ending after June 30, 1950, then the computation under section 444 (c) (1) (relating to the determination of total assets) shall be made by reference to the last day of such base period, and the 12-month period referred to in section 444 (c) (2) (relating to the interest adjustment) shall be the 12-month period ending with the last day of such base period. See section 461 (d).

(2) Where a corporation a party to the Part II transaction commenced business during the 36-month period ending on the last day of the base period of the acquiring corporation and the Part II transaction occurred during the base period of the acquiring corporation, the acquisition of facilities by that corporation shall be treated, for the purpose of section 444, as though they constituted an addition or additions to facilities within the meaning of section 444 (b) and § 40.444–2. In such a case, the rules prescribed in subparagraph (1) of this paragraph and in § 40.462–3 (b) and (d) shall be applicable for the purpose of determining whether or not the acquiring corporation meets the requirements of section 444.

(3) In the case of a Part II transaction other than one described in section 461 (a) (1) (E), where subsequent to the date of the transaction there is an addition or additions to its facilities or a replacement of all or part of its existing facilities within the meaning of section 444 (b) and § 40.444–2, the acquiring corporation shall be entitled to determine its average base period net income under section 444 if it qualifies under such section after the application of the rules prescribed in subparagraph (1) of this paragraph and in § 40.462–3 (b) and (d).

(4) Except to the extent provided in subparagraph (2) of this paragraph, an acquiring corporation shall not be deemed, for the purpose of section 444, to have made an addition or additions to its facilities or to have replaced all or part of its facilities solely by reason of the additions or replacements to its facilities resulting from the execution of a Part II transaction.

(5) An acquiring corporation shall also be entitled to apply section 444 to the extent provided in § 40.462–3 (c), relating to a Part II transaction involving corporations each of which was previously entitled to the benefits of section 442 (d), 443, 444, 445, or 446.

(b) *Part II transactions described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction described in section 461 (a) (1) (E), the acquiring corporation shall be entitled to compute its average base period net income under section 444 only—

(i) To the extent provided in § 40.462–3 (c); or

(ii) If there was, after the date of the transaction, an addition or additions to its facilities or a replacement of all or part of its existing facilities by the acquiring corporation within the meaning of section 444 (b) and § 40.444–2, and if the acquiring corporation qualifies under section 444 after the application of the rules prescribed in paragraph (a) (1) of this section, and in § 40.462–3 (b) and (e). In applying the rules of paragraph (a) (1) of this section, there shall be available to the acquiring corporation in determining its average base period net income under section 444 only such portion of each item of the component corporation's experience prior to the transaction as is allocable to the properties of such component corporation transferred to the acquiring corporation. Such portion shall be determined in a manner consistent with that used in the allocation to the acquiring corporation under section 462 (i) and § 40.462–9 of the excess profits net income of the component corporation.

(2) For special rules with respect to a Part II transaction described in section 461 (a) (1) (E) involving a transfer to an acquiring corporation not created incident to the transaction, or involving a transfer by more than one component corporation to an acquiring corporation, see § 40.461–7 (b).

§ 40.462–7 *Application of section 445*—(a) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurred during the base period of the acquiring corporation, such acquiring corporation shall be entitled to compute its average base period net income under section 445, in the manner provided therein, if the requirements of such section are satisfied after the application of the rules provided in § 40.462–3 (b) and (d). In such a case, for the purpose of the computations under section 445 (see § 40.445–2), the taxable year of the acquiring corporation in which it is deemed to have commenced business under section 461 (d) (see § 40.461–4) and its two immediately succeeding taxable years shall be considered to be its first three taxable years.

(2) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurred after the close of the base period of the acquiring corporation, if the requirements of section 445 are satisfied after the application of the rules provided in § 40.462–3 (b) and (d), the average base period net income of the acquiring corporation after the transaction shall be determined, for the purpose of section 445, by whichever of the following three methods is applicable:

(i) Where the transaction occurs after the close of the third taxable year ending after the actual commencement of business of both the component corporation and the acquiring corporation (other than an acquiring corporation created incident to the transaction), the average base period net income of the acquiring corporation after the transaction shall be determined, in lieu of the manner provided by section 445, by adding together the average base period net income of the acquiring corporation and of the component corporation as separately determined under section 445 in each instance as of the first day of the fourth taxable year of the corporation; or

(ii) Where the transaction occurs prior to the close of the third taxable year ending after the actual commencement of business of either the acquiring corporation or the component corporation, but after the close of the third such taxable year of one such corporation, the average base period net income of the acquiring corporation after the transaction shall be determined, in lieu of the manner provided by section 445, by adding together (*a*) the average base period net income determined under section 445 as of the first day of the fourth such taxable year of the corporation in business for more than three taxable

years at the time of the transaction, and (b) an average base period net income for the corporation not in business for three taxable years at the time of the transaction, computed under section 445 as though the day immediately prior to the transaction were the first day of such corporation's fourth taxable year; or

(iii) Where the transaction occurs prior to the close of the third taxable year after the actual commencement of business of both the acquiring corporation and the component corporation, the average base period net income of the acquiring corporation after the transaction shall be determined by the method specified in section 445. In such a case, for the purpose of the computations under section 445 (see § 40.445–2), the taxable year of the acquiring corporation in which it is deemed to have commenced business under section 461 (d) (see § 40.461–4) and its two immediately succeeding taxable years shall be considered to be its first three taxable years. In making such computation under section 445, the net capital addition or reduction specified in section 445 (c) shall be the net capital addition or reduction of the acquiring corporation determined under the principles of section 463 and § 40.463–1.

(3) An acquiring corporation shall also be entitled to apply section 445 to the extent provided in § 40.462–3 (c), relating to a Part II transaction involving corporations each of which was previously entitled to the benefits of section 442 (d), 443, 444, 445, or 446.

(b) *Part II transactions described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction described in section 461 (a) (1) (E), which occurred during the base period of the acquiring corporation, such acquiring corporation shall be entitled to compute its average base period net income under section 445, in the manner provided therein, if the requirements of such section are satisfied after the application of the rules provided in § 40.462–3 (b) and (e). In such a case, for the purpose of the computations under section 445 (see § 40.445–2), the taxable year of the acquiring corporation in which it is deemed to have commenced business under section 461 (d) (see § 40.461–4) and its two immediately succeeding taxable years shall be considered to be its first three taxable years.

(2) In the case of a Part II transaction described in section 461 (a) (1) (E), which occurred after the close of the base period of the acquiring corporation, if the requirements of section 445 are satisfied after the application of the rules provided in § 40.462–3 (b) and (e), the average base period net income of the acquiring corporation after the transaction shall be determined, for the purpose of section 445, by whichever of the following methods is applicable:

(i) Where the transaction occurred after the close of the third taxable year ending after the actual commencement of business of the component corporation, the average base period net income of the acquiring corporation after the transaction shall be that portion of the average base period net income of the component corporation, determined under section 445, which is allocable to the acquiring corporation under section 462 (i) and § 40.462–9; or

(ii) Where the transaction occurs prior to the close of the third taxable year ending after the actual commencement of business of the component corporation, the average base period net income of the acquiring corporation after the transaction shall be determined by the methods specified in section 445 after the application of the rules prescribed in paragraph (a) (2) (iii) of this section. In applying the rules of paragraph (a) (2) (iii) of this section, there shall be available to the acquiring corporation in determining its average base period net income under section 445 only such portion of each item of the component corporation's experience prior to the transaction as is allocable to the properties of such component corporation transferred to the acquiring corporation. Such portion shall be determined in a manner consistent with that used in the allocation to the acquiring corporation under section 462 (i) and § 40.462–9 of the excess profits net income of the component corporation. For the purpose of the computations under section 445 (see § 40.445–2), the taxable year of the acquiring corporation in which it is deemed to have commenced business under section 461 (d) (see § 40.461–4) and its two immediately succeeding taxable years shall be considered to be its first three taxable years.

(3) For special rules with respect to a Part II transaction described in section 461 (a) (1) (E) involving a transfer to an acquiring corporation not created incident to the transaction, or involving a transfer by more than one component corporation to an acquiring corporation, see § 40.461–7 (b).

§ 40.462–8 *Application of section 446*—(a) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurred prior to the close of the base period of the acquiring corporation, the acquiring corporation shall be entitled to compute its average base period net income under section 446 if the requirements of such section are satisfied after the application of the rules provided in § 40.462–3 (b) and (d).

(2) An acquiring corporation shall also be entitled to apply section 446 to the extent provided in § 40.462–3 (c), relating to a Part II transaction involving corporations each of which was previously entitled to the benefits of section 442 (d), 443, 444, 445, or 446.

(b) *Part II transactions described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction described in section 461 (a) (1) (E), the acquiring corporation shall be entitled to compute its average base period net income under section 446 only—

(i) To the extent provided in § 40.462–3 (c); or

(ii) If the transaction occurred during the base period of the acquiring corporation, and if the acquiring corporation qualifies under section 446 after the application of the rules prescribed in § 40.462–3 (b) and (e).

(2) For special rules with respect to a Part II transaction described in section 461 (a) (1) (E) involving a transfer to an acquiring corporation not created incident to the transaction, or involving a transfer by more than one component corporation to an acquiring corporation, see § 40.461–7 (b).

§ 40.462–9 *Allocation rules in the case of Part II transactions described in section 461 (a) (1) (E)*—(a) *General rule.* (1) In the case of a Part II transaction described in section 461 (a) (1) (E) (that is, a transaction in which a part, as distinguished from all or substantially all, of the properties of a component corporation is transferred to an acquiring corporation, or in which all or substantially all of the properties of a component corporation are transferred to two or more acquiring corporations), the base period experience of the component corporation immediately prior to the transaction is allocated among the corporations in business after the transaction in proportion to the ratio that the fair market value of the properties of the component corporation which are held immediately after the transaction by each of the corporations which were parties to the transaction, bears to the fair market value of the total assets of the component corporation as they existed immediately prior to the transaction. This general rule of allocation is used in determining that part of the excess profits net income, or substitute excess profits net income if computed under section 442 (c), of the component corporation for any month prior to the transaction which may be used after the transaction by a surviving component corporation or, in recomputing its excess profits net income under section 462 (b), by the acquiring corporation subject, for the taxable year of the transaction, to the principles described in § 40.461–3 (c). This rule of allocation is also used in determining that portion of an alternative average base period net income determined under sections 442 (d), 443, 444, 445, or 446, to which the component corporation was entitled immediately prior to the transaction which may be availed of by the acquiring corporation under the rules set forth in §§ 40.462–3 to 40.462–8, inclusive. This rule is also applied wherever it is appropriate under such sections to allocate some particular item of the component corporation's base period experience prior to the Part II transaction, for example, its total assets, gross receipts, gross income, payroll, or net income. For rules of allocation as to net capital additions or reductions, see section 463 and § 40.463–1, and as to base period capital additions, see section 464 and § 40.464–1.

(2) For the purpose of subparagraph (1) of this paragraph, a determination of the fair market value of the properties of the component corporation immediately prior to the transaction described in section 461 (a) (1) (E) and the fair market value of the properties of the component corporation held after the transaction by each of the corporations

which are parties to the transaction, may be made by agreement between all persons (corporate or otherwise) which are parties to the transaction, where the Commissioner agrees thereto. The following rules are applicable to any such agreement:

(i) The agreement shall be in writing, shall fully describe the transaction involved, shall set forth in detail the facts upon which the parties rely in the determination of the fair market value of the properties, and shall be signed by each party to the Part II transaction.

(ii) Subject to subsequent approval by the Commissioner, a taxpayer which has made such an agreement may compute its tax on its return pursuant to such agreement, providing that the original agreement (or a duplicate original) is attached to the return. If the return is filed prior to the agreement, the original agreement (or a duplicate original) shall be attached to a claim for refund if the application of the agreement results in an overpayment, or to an amended return if the application of the agreement does not result in an overpayment.

(iii) In any case in which such an agreement is approved by the Commissioner, the fair market value of the properties and the allocation of the excess profits net income or average base period net income determined in such agreement shall be binding upon all parties to such agreement for the taxable year for which the determination is made and for all subsequent taxable years.

(3) In no case shall the aggregate of the allocated portions of the excess profits net income be in excess of 100 percent of the excess profits net income of the component corporation immediately prior to the transaction. Similarly, the aggregate of the allocated portions of the average base period net income shall not exceed 100 percent of the average base period net income of the component corporation immediately prior to the transaction. This limitation shall apply in the case of any other item which is allocated among the parties.

(b) *Alternative rule.* (1) In lieu of the allocation provided in paragraph (a) of this section, based on the fair market value of the properties, an allocation of base period experience may be made on the basis of the actual base period experience of the properties transferred to the acquiring corporation and of the properties retained by the component corporation, if all the parties to the transaction agree thereto and if it is established to the satisfaction of the Commissioner that such an allocation fairly represents an identifiable base period experience of each such group of assets transferred or retained. The following rules are applicable to any such agreement:

(i) The agreement shall be in writing, shall fully describe the transaction involved, shall set forth in detail the facts upon which the taxpayers rely in the determination of the base period experience of the properties transferred or retained and in the determination of the allocations based thereon, and shall be signed by each party to the Part II transaction.

(ii) The alternative rule of allocation shall only be available where the transferred assets and the retained assets each constituted, at all times involved in such allocations, a going business unit for which adequate and separate records were maintained.

(iii) Subject to subsequent approval by the Commissioner, a taxpayer which has made such an agreement may compute its tax on its return pursuant to such agreement, providing that the original agreement (or a duplicate original) is attached to the return. If the return is filed prior to the agreement, the original agreement (or a duplicate original) shall be attached to a claim for refund if the application of the agreement results in an overpayment, or to an amended return if the application of the agreement does not result in an overpayment.

(iv) In any case in which such an agreement is approved by the Commissioner, the allocations of base period experience determined in such agreement shall be binding upon all parties to such agreement for the taxable year for which the determination is made and for all subsequent taxable years.

(2) In no case shall the aggregate of the allocated portions of the excess profits net income or average base period net income exceed 100 percent of the excess profits net income or average base period net income, as the case may be, of the component corporation immediately prior to the transaction, unless the component corporation is a partnership and the transaction occurred before December 1, 1950. Thus, only in the case of a partnership may more than 100 percent of the excess profits net income of the component corporation be allocated to one party to the transaction by reason of a deficit in excess profits net income allocable to another party to the transaction.

§ 40.462–10 *Limitations under section 462 (j) (1) in case of certain stock acquisitions*—(a) *In general.* (1) Section 462 (j) (1) is designed to prevent certain duplications in base period income and transferred capital additions and reductions in certain cases where after December 31, 1945, assets of the taxpayer (or of a corporation which later becomes its component) are transferred for stock in another corporation which later becomes a component of the taxpayer. Section 462 (j) (1) contemplates that, after the Part II transaction, the component corporation's excess profits net income (including its excess profits net income determined under section 462 (c) (1) (B) or (d) (2) (B)), attributable to the acquired stock, for any month or part thereof before the acquisition of its stock shall be excluded in determining the taxpayer's average base period net income with reference to the recomputations provided under Part II. Similar exclusions are set forth in paragraph (d) of this section, with respect to other items involved in such recomputations of the base period experience of the component corporation. The adjustment under section 462 (j) (1) shall be made in the cases described in this section, and in all other cases to which section 462 (j) (1) may be applicable, in the manner consistent with the principles underlying such described cases.

(2) Except to the extent duplication of experience occurs, no adjustment is necessary under section 462 (j) (1) if, in view of all the circumstances of the transaction in which the stock of the component corporation is acquired, it is determined that no assets have left the group as a result of the transaction; for example—

(i) Where stock of the component corporation is acquired directly from the component corporation;

(ii) Where stock of the component corporation is acquired through the use of money obtained, for the purpose of such acquisition, through a bona fide increase in the capital structure (whether equity or borrowed) of the acquiring corporation, as in a case in which the acquiring corporation, for the purpose of the acquisition, issued stock or bonds for cash which it used to acquire the stock of the component corporation.

(3) The rules for the application of section 462 (j) (1) for the purpose of computing under Part II any average base period net income under the general average method (see section 435 (d) and section 462 (a)), under the alternative based on growth (see section 435 (e) and section 462 (c)), and under sections 442 through 446 and 462 (d) through (h) (see §§ 40.462–3 through 40.462–8) are set forth in this section. As to determination of excess profits net income for the purpose of section 462 (b) (2) (for any vacant month) under the limitations of section 462 (j) (1), see § 40.462–1 (b) (3) (ii). As to adjustment under section 462 (j) (1) of the net capital addition or reduction, see § 40.463–1 (e), and as to adjustment under section 462 (j) (1) of the base period capital addition, see § 40.464–1 (e). For treatment of cases involving sections 442 through 446 and section 462 (d) through (h), see paragraph (d) of this section.

(b) *Examples.* The general application of section 462 (j) (1) for the purpose of section 435 (d) or (e) may be illustrated by the following examples:

Example (1). The A Corporation and the B Corporation commenced business before January 1, 1946, and make their income tax returns on the calendar year basis. The A Corporation sold certain assets for cash, and on January 1, 1947, it used such cash to purchase all of the stock of the B Corporation from the stockholders of the B Corporation. On December 31, 1949, the A Corporation acquired all of the assets of the B Corporation in a Part II transaction. In determining the A Corporation's average base period net income under section 435 (d) or (e), the excess profits net income (or deficit) of the A Corporation will be determined under section 462 (b) without regard to the excess profits net income (or deficit) of the B Corporation for 1946.

Example (2). The C Corporation and the D Corporation commenced business before January 1, 1946, and make their income tax returns on the calendar year basis. The C Corporation sold certain assets for cash, and on January 1, 1951, it used such cash to purchase all of the stock of the D Corporation from the stockholders of the D Corporation. On December 31, 1951, the C Corporation acquired all of the assets of the D Corporation in a Part II transaction. In applying section 462 (b) or (c) in determining the average base period net income of the C Corporation, section 462 (j) (1) requires the exclusion of the D Corporation's entire experi-

ence for the base period, and also for the additional period up to June 30, 1950, for certain cases under section 435 (e). The D Corporation's base period capital addition and its net capital addition or reduction for 1950 are also required to be excluded. See §§ 40.463–1 and 40.464–1.

Example (3). The E Corporation commenced business before January 1, 1946, and makes its income tax returns on the calendar year basis. The F Corporation was organized on January 10, 1948. On January 15, 1948, the F Corporation issued its stock and bonds for cash, and on the same day, it used such cash to acquire all of the stock of the E Corporation from the stockholders of the E Corporation. On January 1, 1951, the F Corporation acquired all of the assets of the E Corporation in a Part II transaction. In determining the F Corporation's average base period net income under section 435 (d) or (e), based on a recomputation of its excess profits net income under section 462 (b), section 462 (j) (1) does not require the elimination of any part of the excess profits net income (or deficit) of the E Corporation for any part of its base period. See paragraph (a) (2) of this section. Under section 464, however, the F Corporation will not be allowed any base period capital addition for the cash paid in for its stock and bonds which was used in acquiring the stock of the E Corporation. See § 40.464–1.

Example (4). The G Corporation commenced business before January 1, 1946. The H Corporation was organized on January 15, 1948, and on the same day it issued its capital stock to the G Corporation in return for cash which was previously used by the G Corporation in its business. Shortly thereafter the H Corporation acquired the stock of the I Corporation from the stockholders of the I Corporation in return for the cash received from the G Corporation. The I Corporation had commenced business before January 1, 1946. Each corporation makes its income tax returns on the calendar year basis. On January 1, 1950, the G Corporation acquired all of the assets of the H Corporation and of the I Corporation in a Part II transaction. In determining the G Corporation's average base period net income under section 435 (d) or 435 (e), based on a recomputation of its excess profits net income under section 462 (b), section 462 (j) (1) requires the exclusion of the excess profits net income (or deficit) of the I Corporation for 1946 and 1947. A similar exclusion applies with respect to the H Corporation. See § 40.462–1 (b) (3) (ii). Under section 464, the H Corporation will not be allowed any base period capital addition for the money paid in by the G Corporation in return for the stock of the H Corporation. See § 40.464–1.

(c) *Special rules*—(1) *Partial acquisitions of stock.* In cases in which the taxpayer does not at one time or at any time prior to the Part II transaction acquire all of the other corporation's stock, only that part of the component corporation's base period experience before the acquisition which is attributable to the stock so acquired is to be excluded in computing the taxpayer's average base period net income under section 435 (d) or (e), based on a recomputation of its excess profits net income under section 462 (b). In cases in which the component corporation had a fixed number of shares of only one class of stock outstanding at all times prior to the Part II transaction, the portion of the component corporation's experience to be excluded under section 462 (j) (1) with respect to any part of the base period (and of the additional period through June 30, 1950, in certain cases under section 435 (e)), prior to the day of any such acquisition is an amount which bears the same ratio to the whole of the component corporation's experience for such part of such period as the number of shares of such stock acquired by the taxpayer after such part, and not disposed of prior to the Part II transaction, bears to the aggregate number of such shares outstanding at the time of the acquisition of such stock. If any of such shares of stock, whether acquired before or after the beginning of the base period, were disposed of prior to the Part II transaction, the shares disposed of shall, for the purpose of this computation, be deemed to be those most recently acquired. The adjustment under section 462 (j) (1) in cases described in this paragraph may be illustrated by the following examples:

Example (1). The J Corporation and the K Corporation commenced business before January 1, 1946, and make their income tax returns on the calendar year basis. The outstanding capital stock of the K Corporation consists of 1,000 shares, all of one class. On January 1, 1947, the J Corporation purchased for cash 510 shares of such stock from the stockholders of the K Corporation. The purchase was not of a type described in paragraph (a) (2) of this section. On December 31, 1951, the J Corporation issued stock in exchange for the balance of the stock of the K Corporation and acquired all of the assets of the K Corporation in a Part II transaction. For the purpose of computing the J Corporation's average base period net income under section 435 (d) or (e), based on a recomputation of its excess profits net income under section 462 (b), 51 percent of the K Corporation's excess profits net income (or deficit) for 1946 is to be excluded under section 462 (j) (1).

Example (2). Assume the same facts as in example (1), above, and the additional fact that on January 1, 1948, the J Corporation purchased for cash (which purchase was not of the type described in paragraph (a) (2) of this section) 340 additional shares of the K Corporation from the stockholders of the latter, making its total stock holding in the K Corporation 850 shares prior to the issuance of the J Corporation's own stock for the balance of the stock of the K Corporation and prior to the Part II transaction. There shall be excluded under section 462 (j) (1) an amount equal to 85 percent (51 percent plus 34 percent) of the K Corporation's excess profits net income (or deficit) for 1946 and 34 percent of its excess profits net income (or deficit) for 1947.

Example (3). Assume the same facts as in example (2) above, and the additional fact that on January 1, 1949, the J Corporation sold 350 shares of the K Corporation's stock to various individuals. Accordingly, immediately prior to the issuance of the J Corporation's own stock for the balance of the stock of the K Corporation and prior to the Part II transaction, the J Corporation will own 500 shares of the stock of the K Corporation acquired for assets since December 31, 1945. Therefore, 50 percent of the K Corporation's excess profits net income (or deficit) for 1946 will be excluded under section 462 (j) (1). No portion of such experience for 1947, 1948, or 1949 will be excluded since the 350 shares sold are presumed to include all of the 340 shares acquired on January 1, 1948 (as in example (2)), and only 10 shares of the 510 shares acquired on January 1, 1947.

Example (4). Assume the same facts as in example (1), (2), and (3), except that the original acquisition of 510 shares of the K Corporation's stock occurred prior to January 1, 1946. No adjustment will be necessary under section 462 (j) (1) because the 350 shares disposed of on January 1, 1949, are deemed to be out of the most recently acquired shares, including in this case all of the shares acquired since December 31, 1945, that is, the 340 shares acquired on January 1, 1948.

(2) *More than one class of stock.* Where the corporation whose stock is acquired has at the time of such acquisition more than one class of stock outstanding and the taxpayer does not, prior to the Part II transaction, acquire all of the stock of all classes for assets (other than its own stock), the experience for the base period (and for the additional period through June 30, 1950, in certain cases under section 435 (e)) of the component corporation which is to be excluded under section 462 (j) (1) must be determined upon the basis of the earnings which may be attributed to each class of stock. Where preferred stock is nonvoting and is also limited and preferred as to dividends, the base period excess profits net income may be allocated first to the preferred stock on the basis of the prescribed dividend rate per share. If the only other class is common stock, the balance of such excess profits net income may be allocated to the common stock. The portion of such base period excess profits net income which is attributable to the stock owned by the acquiring corporation is that portion of such base period excess profits net income allocated to the class to which such stock belongs proportionate to the number of shares of such class acquired by the acquiring corporation after December 31, 1945. This rule may be illustrated by the following example:

Example. The L Corporation commenced business before January 1, 1946, and makes its income tax returns on the calendar year basis. It has had outstanding at all times the following shares: 5,000 shares of nonvoting preferred stock of a par value of $100 per share, limited and preferred as to dividends to the extent of $6 per share annually; and 10,000 shares of no-par value common stock possessing sole voting power.

On January 1, 1948, the M Corporation purchased for cash (which purchase was not of a type described in (a) (2), above) 6,000 shares of the L Corporation's common stock from the stockholders of the L Corporation. The excess profits net income of the L Corporation for 1946 and 1947 was $100,000 each year. Of this amount, $30,000, representing the prescribed dividend rate of $6 a share on 5,000 shares, is allocable to the preferred stock. Of the balance of $70,000 which is allocable to the common stock, 60 percent (the ratio of the 6,000 shares of common stock acquired by the M Corporation since December 31, 1945, to the total of 10,000 shares of such stock outstanding), or $42,000, will be considered attributable to the stock so acquired by the M Corporation. Therefore, if the M Corporation subsequently acquired all of the assets of the L Corporation in a Part II transaction (no stock of the L Corporation having been purchased or disposed of in the interval), $42,000 of the L Corporation's excess profits net income for 1946 and 1947 is to be excluded under section 462 (j) (1) in computing the average base period net income of the M Corporation under section 435 (d) or (e), based on a recomputation of its excess profits net income under section 462 (b). If the L Corporation had a deficit in excess profits net income for either 1946 or 1947, or for both, such deficit would be considered attributable solely to the common stock for purposes of determin-

ing the portion to be excluded under section 462 (j) (1).

(3) *Stock acquisition during year.* If the acquisition of stock by the acquiring corporation occurs during a taxable year of the component corporation, which taxable year is a factor in determining the base period experience of the component corporation, the exclusion required by section 462 (j) (1) will apply, after the determination of the amount of the component corporation's excess profits net income (or deficit) for each month of such taxable year, to the amount so determined for each month prior to the acquisition, and, in the case of the month in which the acquisition was made, will apply to the part of the amount for such month proportionate to the number of days of such month prior to the date of the acquisition. In the case of an acquisition of stock in the same taxable year in which the Part II transaction occurred, see § 40.461–3 (c) for the principles applicable to the determination of the excess profits net income (or deficit) for the taxable year and for each month thereof.

Example. Corporation N and Corporation O commenced business before January 1, 1946, and make their income tax returns on the calendar year basis. Corporation N purchased all of the stock of Corporation O from the latter's stockholders on July 12, 1948, in a transaction to which section 462 (j) (1) is applicable, and on December 31, 1952, it acquired all of the assets of Corporation O in a Part II transaction. The excess profits net income (or deficit) of Corporation O for each month in 1948 is first determined without regard to the exclusion required by section 462 (j) (1). Under sections 462 (j) (1), the excess profits net income (or deficit) of Corporation O for 1946, for 1947, and for each month in 1948 prior to July is not available to Corporation N. Similarly, there is not available to Corporation N so much of the excess profits net income (or deficit) of Corporation O for July 1948 as the number of days prior to the data of the acquisition is of the total number of days in such month (11/31 of the excess profits net income (or deficit) for July).

(4) *Stock acquired for stock.* Section 462 (j) (1) does not apply where stock of one corporation is acquired by another corporation solely in exchange for the latter's stock. In case stock is acquired in exchange partly for the acquiring corporation's own stock and partly for other property, section 462 (j) (1) is applicable only to the extent that the acquisition is attributable to such other property. Stock which has, in the hands of the taxpayer, a basis determined with reference to the basis of stock previously acquired by the issuance of the taxpayer's own stock shall be considered as having been acquired in consideration of the issuance of the taxpayer's own stock. These rules may be illustrated by the following examples:

Example (1). Corporation P acquires, after December 31, 1945, stock in Corporation Q in exchange solely for the stock of Corporation P. In a subsequent nontaxable reorganization, Corporation P receives new shares of Corporation Q in exchange for the original shares. If the new shares take the basis of the original shares, the new shares are considered, for the purpose of section 462 (j) (1), to have been acquired for the stock of Corporation P, and such section is inapplicable.

Example (2). Corporations R and S commenced business before January 1, 1946. On January 1, 1947, Corporation R acquired all of the stock of Corporation S from the latter's stockholders in exchange for stock of Corporation R. On January 1, 1948, in a nontaxable reorganization, Corporation T was organized and acquired all the assets of Corporation S in exchange for Corporation T's stock. In connection with this reorganization, Corporation R exchanged its stock in Corporation S for all of the stock in Corporation T, and Corporation S was dissolved. On December 31, 1949, Corporation R acquired all of the assets of Corporation T in a Part II transaction. For the purpose of section 462 (j) (1), the stock in Corporation T acquired by Corporation R is regarded as having been acquired for its own stock and, therefore, no adjustment is required under section 462 (j) (1).

(5) *Multiple components.* Section 462 (j) (1) also applies in cases in which a component corporation (referred to as the "first corporation") of the taxpayer transfers assets for the stock in a corporation (referred to as the "second corporation") and both corporations become component corporations of the taxpayer (the second corporation becoming a component corporation either directly or as a component corporation of the first corporation). The statute also applies to any other corporation which becomes a component corporation of the taxpayer and which at the time of a stock acquisition by the taxpayer or first corporation (under the circumstances described in section 462 (j) (1) (A) or (B) was connected, directly or indirectly, through stock ownership with the corporation the stock of which was acquired. In the case of such a corporation connected through stock ownership, the statute applies regardless of the manner of acquisition of the stock of such connected corporation held at such time (for example, whether or not acquired for a consideration other than the issuance of stock). The statute also applies regardless of the date before such time that the corporation holding such stock, directly or indirectly, acquired such stock of such connected corporation. That is, it is immaterial whether the stock of such connected corporation held at such time was acquired before, on, or after December 31, 1945, as long as such stock was acquired before the time the acquisition of stock of the corporation to which it was so connected occurred in a transaction described in section 462 (j) (1) (A) or (B). In the case of any such corporation connected through stock ownership at such time, the amount of its excess profits net income (or deficit) which is to be eliminated under section 462 (j) (1) is to be determined by reference to that part of such amount which is attributable to the period prior to such time and which is attributable to the stock held, directly or indirectly, at such time, and not disposed of thereafter, by the corporation the stock of which was acquired at such time by the taxpayer or first corporation. Such experience to be eliminated is to be attributed to the period prior to such time and to such stock so held upon the basis of the principles previously stated in this section. To the extent that the stock of a corporation (later to become a component corporation) was not so held at such time but was subsequently acquired, after December 31, 1945, by the taxpayer or another corporation (a first or second corporation), for assets of the latter, the base period experience of such corporation is to be excluded in accordance with the rules previously set forth in this section for excluding the experience of a component corporation when the latter's stock is acquired after December 31, 1945, for such assets by the taxpayer. The application of these rules in such cases is illustrated by the following examples:

Example (1). The U, V, W, and X Corporations commenced business before January 1, 1946, and make their income tax returns on the calendar year basis. The V Corporation commenced business on January 1, 1945, and issued all of its stock to the stockholders of the W Corporation for the stock of the latter. On January 1, 1947, the V Corporation purchased for cash (which purchase was not of a type described in paragraph (a) (2) of this section) all of the stock of the X Corporation from stockholders of the X Corporation. On January 1, 1948, the U Corporation purchased for cash (which purchase was not of a type described in paragraph (a) (2) of this section) all of the stock of the V Corporation from the latter's stockholders. On December 31, 1950, the U corporation acquired all of the assets of the V, W, and X Corporations in a Part II transaction. In computing the average base period net income of the U Corporation under section 435 (d) or (e), based on a recomputation of its excess profits net income under section 462 (b), there is to be excluded under section 462 (j) (1) the experience of the V, W, and X Corporations for 1946 and 1947.

Example (2). Assume the same facts as in example (1), above, except that the V Corporation made the acquisition of the X Corporation's stock on January 1, 1949 (after the acquisition by the U Corporation of the stock of the V Corporation). There is to be excluded under section 462 (j) (1) the experience of both the V and W Corporations for 1946 and 1947 and the experience of the X Corporation for 1946, 1947, and 1948.

Example (3) The W, X, Y, and Z Corporations commenced business in 1945 and make their income tax returns on the calendar year basis. In July, 1945, the X Corporation acquired 50 percent of the stock of the Y Corporation from the stockholders of the latter. On January 1, 1947, the W Corporation purchased for cash (which purchase was not of a type described in paragraph (a) (2) of this section) all of the stock of the X Corporation from the latter's stockholders. On January 1, 1948, the X Corporation similarly purchased for cash the remaining 50 percent of the stock of the Y Corporation from other stockholders of the latter. On January 1, 1949, the Y Corporation similarly purchased for cash all of the stock of the Z Corporation from the latter's stockholders. On December 31, 1949, the W Corporation acquired all of the assets of the X, Y, and Z Corporations in a Part II transaction. In computing the average base period net income of the W Corporation under section 435 (d) or (e), based on a recomputation of its excess profits net income under section 462 (b), there is to be excluded all of the experience of the X Corporation for 1946. There is also to be excluded all of the experience of the Y Corporation for 1946, one-half of such experience being excluded because of the 50 percent ownership of its stock by the X Corporation at the time the stock of the X Corporation was acquired by the W Corporation and the other half being excluded because of the subsequent acquisition of the other 50 percent of the stock of the Y Corporation by the X Corpo-

ration. One-half of the experience of the Y Corporation for 1947 is also to be excluded because of the acquisition of one-half of its stock on January 1, 1948, by the X Corporation. The entire experience of the Z Corporation for 1946, 1947, and 1948 is to be excluded because of the acquisition from the stockholders of the Z Corporation on January 1, 1949, of the stock of the Z Corporation by the Y Corporation.

(d) *Application of section 462 (j) (1) for the purpose of section 462 (d) through (h)*—(1) *General rule.* The rules of paragraphs (a), (b), and (c) of this section, shall be applied except to the extent modified by subparagraph (2) of this paragraph, where after a Part II transaction following a stock acquisition covered by section 462 (j) (1) the acquiring corporation determines its average base period net income through the application of the provisions of section 462 (d) through (h). See §§ 40.462–3 through 40.462–8.

(2) *Special rules.* (i) In applying § 40.462–3 (c), relating to a Part II transaction involving corporations each of which was previously entitled to the benefits of section 442 (d), 443, 444, 445, or 446, no adjustment of the average base period net income separately computed for each such corporation immediately prior to the transaction is necessary under section 462 (j) (1) if the stock of the component corporation was acquired by the acquiring corporation before, and was held by it on, the day (or each day in the case of section 442 (d) or 446) for which total assets are determined for the purpose of determining the average base period net income of the acquiring corporation separately computed immediately prior to the transaction. If the stock is acquired by the acquiring corporation after such day (or after the last of such days in the case of section 442 (d) or 446), the average base period net income separately computed for the component corporation shall not be available to the acquiring corporation for the purpose of § 40.462–3 (c). If the acquiring corporation separately computes under section 442 (d) or 446 its average base period net income immediately prior to the transaction, and if the stock is acquired after the first and prior to the last day for which total assets are determined for the purpose of such computation under section 442 (d) or 446, then section 462 (j) (1) requires the elimination of so much of the average base period net income of the component corporation as the number of such days, for each of which total assets are determined, before the acquisition of the stock is to the total number of such days for each of which total assets are determined. See paragraph (c) (1) of this section for principles applicable under this paragraph in the case of partial acquisitions of stock, and see paragraph (c) (5) of this section for principles applicable under this paragraph in the case of multiple components.

(ii) In applying section 462 (d) (2) (B) in the case of an acquiring corporation entitled, immediately prior to the Part II transaction, to compute its average base period net income under section 442 (d), the exclusion required by section 462 (j) (1) shall apply to the excess profits net income of the component corporation for the period ending on the last day, prior to the acquisition of the stock of the component corporation, for which total assets are determined for the purposes of section 442 (d).

(iii) In applying § 40.462–4 in the case of an acquiring corporation in a Part II transaction occurring during the base period of the acquiring corporation, section 462 (j) (1) requires that the total assets computed under section 442 (d) for any day prior to the acquisition of the component corporation's stock shall be determined after excluding the assets of the component corporation attributable to such stock. A corresponding exclusion shall be made in applying section 442 (d) with respect to interest paid or incurred by the component corporation prior to the last such day. Whether an abnormality occurring prior to the stock acquisition is significant and not trivial shall be determined after applying section 462 (j) (1) to the excess profits net income and the assets of the component corporation.

(iv) Section 40.462–5 (a) (2) and (3), relating to the case of an acquiring corporation in a Part II transaction occurring prior to the time the parties to such transaction were qualified to compute average base period net income under section 443, applies only where the acquisition of the component corporation's stock occurred on or prior to the date for which total assets are determined for the purpose of section 443 and § 40.462–5. Accordingly, in any case under § 40.462–5 (a) (2) and (3) no adjustment is required under section 462 (j) (1) in applying section 443 to the acquiring corporation.

(v) Section 40.462–6 (a) (1) and (2), relating to the case of an acquiring corporation in a Part II transaction occurring prior to the time the parties to such transaction were qualified to compute average base period net income under section 444, applies only where the acquisition of the component corporation's stock occurred on or prior to the date for which total assets are determined for the purpose of section 444 and § 40.462–6. Accordingly, in any case under § 40.462–6 (a) (1) and (2), no adjustment is required under section 462 (j) (1) in applying section 444 to the acquiring corporation.

(vi) In applying § 40.462–7 in the case of an acquiring corporation in a Part II transaction, if the amount of the total assets for the purpose of section 445 is determined under section 445 (b) (2) (A) or (c) (1) for a day prior to the acquisition of the component corporation's stock, section 462 (j) (1) requires the exclusion of so much of the total assets of the component corporation for such day as is attributable to the stock acquired. In computing the interest adjustment under section 445 (b), a corresponding exclusion shall be made with respect to the interest paid or incurred by the component corporation prior to the date of the acquisition of such stock. The net capital addition or reduction of the acquiring corporation determined for the purpose of section 445 (c) shall be adjusted so as to remove any addition or reduction of the component corporation, attributable to the stock acquired, which occurred prior to the acquisition of such stock.

(vii) In applying § 40.462–8 in the case of an acquiring corporation in a Part II transaction occurring during the base period of the acquiring corporation, section 462 (j) (1) requires that the total assets computed under section 446 (b) for any day prior to the acquisition of the component corporation's stock shall be determined after excluding the assets of the component corporation attributable to such stock. A corresponding exclusion shall be made in applying section 446 (b) with respect to interest paid or incurred by the component corporation prior to the last such day.

§ 40.462–11 *Limitation under section 462 (j) (2).* (a) In the case of a Part II transaction occurring in a taxable year of the acquiring corporation ending after June 30, 1950, section 462 (j) (2) imposes a limitation for such taxable year in computing the acquiring corporation's excess profits credit based on income. In computing the acquiring corporation's average base period net income under section 435 (d) or (e) for such taxable year, there is available to the acquiring corporation only a proportionate part of the amount of the monthly excess profits net income (or deficit) of the component corporation which is otherwise available to the acquiring corporation under section 462 (b), (c), or (d). In computing the average base period net income of the acquiring corporation under § 40.462–3 (c) or under § 40.462–7 (a) (2) (i) or (ii) or (b) (2) (i) (which sections relate to certain cases in which the average base period net income of the component corporation, separately computed, is added to that of the acquiring corporation) there is available to the acquiring corporation only a proportionate part of the amount of the average base period net income of the component corporation which is otherwise available to the acquiring corporation under such sections. Such proportionate part shall be determined in each case by the ratio which the number of days in the taxable year of the acquiring corporation after the day of the transaction bears to the total number of days in such taxable year. In the computation of the excess profits credit based on income for subsequent taxable years, the limitations of section 462 (j) (2) are not applicable. Section 462 (j) (2) may be illustrated by the following example:

Example. On October 19, 1951, the X Corporation acquired all of the assets of the Y Corporation in a transaction described in section 461 (a). Both the X Corporation and the Y Corporation commenced business before January 1, 1946, and both corporations make their income tax returns on the calendar year basis. The Y Corporation had an excess profits net income of $10,000 for each month in the calendar year 1946, a deficit in excess profits net income of $500 for each month in the calendar year 1947, an excess profits net income of $3,000 for each month in the calendar year 1948, and an excess profits net income of $7,500 for each month in the calendar year 1949. In computing its average base period net income for 1951 under section 435 (d), based on a recomputation of its excess profits

net income under section 462 (b), the X Corporation shall include only one-fifth (73/365) of the above amounts, i. e., $2,000 for each month in 1946, a deficit of $100 for each month in 1947, $600 for each month in 1948, and $1,500 for each month in 1949. In computing the excess profits credit for 1952, and subsequent years, however, the X Corporation may include the entire amount of the excess profits net income and deficit in excess profits net income of the Y Corporation.

(b) If a corporation becomes an acquiring corporation in a taxable year ending after June 30, 1950, and if the taxpayer's average base period net income for the purpose of the excess profits credit for such taxable year is determined under §§ 40.462–4 through 40.462–8, other than in a case to which paragraph (a) of this section is applicable, the average base period net income of the taxpayer shall be computed by taking into account only a proportionate part of the amount of the total assets of the component corporation otherwise available to the acquiring corporation in such computation. If the total assets are determined for a day prior to the day of the Part II transaction, such proportionate part shall bear the same ratio to the total assets of the component corporation otherwise available to the acquiring corporation as the number of days in the taxable year of the acquiring corporation after the day of the Part II transaction bears to the total number of days in such taxable year. If the total assets are determined for the day of, or for a day subsequent to, the Part II transaction, there shall be excluded from such total assets an amount which is the same portion of the total assets of the component corporation acquired by the acquiring corporation in the Part II transaction as the number of days in the taxable year of the acquiring corporation prior to the day of the Part II transaction is of the total number of days in such taxable year. Appropriate adjustment shall be made in any case subject to the rules of this paragraph in which interest paid or incurred by the component corporation is taken into account in computing the average base period net income of the acquiring corporation. In applying § 40.462–7 (a) (2) (iii) or (b) (2) (ii), appropriate adjustment shall be made in any case in which the net capital addition or reduction of the acquiring corporation is determined for the purpose of section 445 (c) by reference to additions or reductions of the component corporation. In the computation of the excess profits credit based on income for subsequent taxable years, the limitations of section 462 (j) (2) are not applicable.

(c) A similar limitation applies in the case of a component corporation for the purpose of computing its excess profits credit for a taxable year of such component corporation ending after June 30, 1950, in which the Part II transaction occurs. See section 461 (c) (2) and (4). In such case, however, the proportionate part of the amount of the excess profits net income (or deficit) or of the average base period net income, as the case may be, to be taken into account for the purpose of the component corporation's excess profits credit for such taxable year is in the ratio which the number of days in such taxable year of the component corporation before the day after the transaction bears to the total number of days in such taxable year. Thus, in the above example, in computing the excess profits net income, or deficit therein, as the case may be, of the Y Corporation (assuming it continues in existence after the transaction) for the purpose of its excess profits credit for 1951, the amounts to be taken into account will be $8,000 for each month in 1946, a deficit of $400 for each month in 1947, $2,400 for each month in 1948, and $6,000 for each month in 1949. See § 40.461–3.

§ 40.462–12 *Partnerships and sole proprietorships.* In the case of a component corporation which is a partnership or a business owned by a sole proprietorship (see § 40.461–5), the computations required under Part II and under the regulations in this part shall be made as though such partnership or such business owned by a sole proprietorship had been a corporation. See § 40.462–1 (b) (2) for examples of the adjustments required.

§ 40.462–13 *Minimum average base period net income of acquiring corporation under Part II.* Section 462 (1) provides for a minimum average base period net income in certain cases. In cases to which section 462 (1) is applicable, the average base period net income of the acquiring corporation shall not be less than either its average base period net income computed without regard, under Part II, to any of the qualified component corporations, or the average base period net income separately computed for any qualified component corporation. Section 462 (1) is applicable only in the case of a Part II transaction occurring in a taxable year of the acquiring corporation ending after June 30, 1950, and is applicable only if, at the beginning of the first taxable year of the acquiring corporation ending after June 30, 1950, and at all times thereafter until such transaction, either the acquiring corporation owned at least 75 percent of each class of stock of each of the qualified component corporations involved in the transaction, or one of such qualified component corporations owned at least 75 percent of each class of stock of the acquiring corporation and of each of the other qualified component corporations. The term "qualified component corporation", as used in this section, means a component corporation which was actually in existance and had actually commenced business at the beginning of the base period of the acquiring corporation. For the purpose of determining whether a corporation is a qualified component corporation, section 461 (d) does not apply. Section 462 (j) (1) does not require a reduction, by reason of the Part II transaction, of the minimum average base period net income to which the acquiring corporation is entitled under section 462 (1) and this section, but section 462 (j) (2) requires, for the taxable year in which the transaction takes place, a proration of the average base period net income of the qualified component corporation. In case the Part II transaction is a transaction described in section 461 (a) (1) (E), see § 40.461–7 (b).

§ 40.462–14 *Treatment of abnormalities in income in taxable year.* In the case of a Part II transaction occurring on or before December 31, 1950, the activities of the component corporation shall be treated as activities of the acquiring corporation for the purpose of applying section 456 to income, received or accrued by the acquiring corporation after the transaction, which is attributable to such activities for a taxable year of the component corporation which closed prior to or with the close of the base period of the acquiring corporation. In any such case, all income of the component corporation of the same class as the abnormal income received or accrued by the acquiring corporation, which income is income for a taxable year of the component corporation prior to the Part II transaction, shall be treated under section 456 as income of the acquiring corporation.

PAR. 3. There is inserted immediately after section 463, the following:

§ 40.463–1 *Net capital addition or reduction under Part II*—(a) *In general.* If a taxpayer acquires properties of a component corporation in a Part II transaction occurring in a taxable year of the taxpayer ending after June 30, 1950, and if the taxpayer's average base period net income for the purpose of its excess profits credit for any taxable year ending after the transaction is computed by application of Part II, then the net capital addition or net capital reduction of the acquiring corporation after the Part II transaction shall be computed for such taxable year under section 435 (g) with the application of this section. The rules for determining the net capital addition and net capital reduction of the acquiring corporation after the Part II transaction differ, depending upon whether the Part II transaction is of a type described in section 461 (a) (1) (E).

(b) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* If the excess profits credit of an acquiring corporation, other than an acquiring corporation in a Part II transaction described in section 461 (a) (1) (E), is computed by application of Part II, the following rules shall apply in computing the net capital addition and net capital reduction of the acquiring corporation:

(1) For the purpose of section 435 (g) (3) (A), if the transaction occurs after June 30, 1950, in determining the amount of money and property paid in for stock or as paid-in surplus or as a contribution to capital after the beginning of the taxable year of the acquiring corporation in which the transaction occurs, there shall be included, beginning with the day after the transaction, the amounts of money and property paid in for the same purposes to the component corporation prior to the transaction and after the beginning of the taxable year of the component corporation in which such transaction occurred.

(2) For the purpose of section 435 (g) (4), (A), in the case of the taxable year of the acquiring corporation in which the transaction occurs, if the transaction occurs after June 30, 1950, there shall be included, beginning with the day after the transaction, the amount of the distributions not out of earnings and profits of the taxable year, made by the component corporation to its shareholders prior to the transaction and after the beginning of its taxable year in which such transaction occurred.

(3) For the purpose of section 435 (g) (3) (B) and (4) (B), in the case of the taxable year of the acquiring corporation in which the transaction occurs, there shall be added to the acquiring corporation's daily capital addition beginning with the day of the transaction, if the transaction occurs after June 30, 1950, the amount by which the component corporation's equity capital at the beginning of its taxable year in which the transaction occurs exceeds its equity capital as of the beginning of its first taxable year ending after June 30, 1950. In case this comparison of the component corporation's equity capital shows a decrease to have taken place, the amount of that decrease shall be reflected in the computation of the daily capital reduction of the acquiring corporation beginning with the day of the transaction.

(4) For the purpose of section 435 (g) (3) (B) and (4) (B), for taxable years beginning after the transaction, there shall be added to the equity capital of the acquiring corporation at the beginning of the acquiring corporation's first taxable year ending after June 30, 1950—

(i) If the transaction occurs after June 30, 1950, the equity capital of the component corporation as of the beginning of the component corporation's first taxable year ending after June 30, 1950, or

(ii) If the transaction occurred before July 1, 1950, the equity capital of the component corporation determined as of the time immediately prior to the transaction.

(5) For the purpose of section 435 (g), in the case of the taxable year in which the transaction occurs and in the case of subsequent taxable years, there shall be added to the daily borrowed capital of the acquiring corporation for the first day of its first taxable year ending after June 30, 1950, and to its original inadmissible assets—

(i) If the transaction occurs after June 30, 1950, the daily borrowed capital of the component corporation for the first day of its first taxable year ending after June 30, 1950, and the original inadmissible assets of the component corporation, respectively, or

(ii) If the transaction occurred before July 1, 1950, the daily borrowed capital of the component corporation determined as of the time immediately prior to the transaction, and the total of the inadmissible assets held by the component corporation immediately prior to the transaction, respectively.

(6) For the purpose of section 435 (g), in the case of the taxable year of the acquiring corporation in which the transaction occurred, the daily borrowed capital and the inadmissible assets of the acquiring corporation for each day of such taxable year preceding the day after the transaction shall be computed by adding to the daily borrowed capital and the inadmissible assets of the acquiring corporation the amount of the daily borrowed capital and the amount of the inadmissible assets, respectively, of the component corporation which are determined under subparagraph (5) (i) or (ii) of this paragraph, whichever is applicable.

(7) For the purpose of determining the amount referred to in section 435 (g) (4) (D) and (g) (6), for any day after the day of the transaction, the inadmissible assets of the acquiring corporation for the first day of its first taxable year ending after June 30, 1950, shall (for the purpose of section 435 (g) (6) (B)) be determined under subparagraph (5) of this paragraph, and there shall be added (for the purpose of section 435 (g) (6) (A)) to the aggregate of the adjusted basis (for determining gain upon sale or exchange) of stock in members of a controlled group of which the acquiring corporation is a member, held by the acquiring corporation on the first day of its first taxable year ending after June 30, 1950—

(i) If the transaction occurs after June 30, 1950, the aggregate of the adjusted basis (for determining gain upon sale or exchange) of stock in members of a controlled group, of which the component corporation is a member, held by the component corporation on the first day of its first taxable year ending after June 30, 1950, or

(ii) If the transaction occurred before July 1, 1950, the aggregate of the adjusted basis (for determining gain upon sale or exchange) of stock in members of a controlled group, of which the component corporation is a member, held by the component corporation immediately prior to the transaction.

(8) For the purpose of determining the amount referred to in section 435 (g) (7) for any day after the day of the transaction (75 percent of which amount is taken into account under section 435 (g) (4) (E)), there shall be added to the amount of the indebtedness described in section 435 (g) (7) owed to the acquiring corporation for the first day of its first taxable year ending after June 30, 1950—

(i) If the transaction occurs after June 30, 1950, the amount of the indebtedness described in section 435 (g) (7) which was owed to the component corporation for the first day of its first taxable year ending after July 30, 1950, or

(ii) If the transaction occurred before July 1, 1950, the amount of the indebtedness described in section 435 (g) (7) which was owed to the component corporation immediately prior to the transaction.

(c) *Intercompany stockholdings, etc.* The computation of the net capital addition or reduction under section 435 (g) is subject to the following additional rules relating to cases involving intercorporate stock ownership, and contributions, distributions, stock purchases, and loans between parties to a Part II transaction or their shareholders:

(1) In computing the daily capital addition of the acquiring corporation under section 435 (g) (3) (A) for any day after the day of the Part II transaction, there shall be disregarded any amount paid in to one corporation, a party to the Part II transaction, which consisted of stock in another corporation a party to the Part II transaction, and there shall be disregarded any amount paid in by one such corporation to another such corporation.

(2) In computing the daily capital reduction of the acquiring corporation under section 435 (g) (4) (A) for any day after the day of the Part II transaction, there shall be disregarded any distribution made by one corporation, a party to the Part II transaction, which consisted of stock in another corporation a party to the Part II transaction, and there shall be disregarded any distribution made by one such corporation to another such corporation.

(3) In computing the daily capital addition of the acquiring corporation under section 435 (g) (3) (B), or the daily capital reduction of the acquiring corporation under section 435 (g) (4) (B), for any day after the day of the transaction, the equity capital of the acquiring corporation at the beginning of the taxable year and its equity capital at the beginning of its first taxable year ending after June 30, 1950, shall each be determined after excluding all stock of the component corporation held by the acquiring corporation at the beginning of each such year. In determining the amount with respect to the component corporation to be added under paragraph (b) (3) and (4) of this section, for the purpose of computing the acquiring corporation's daily capital addition or reduction, the equity capital of the component corporation as of any time for which equity capital is computed under paragraph (b) (3) or (4) of this section, shall be determined after excluding all stock of the acquiring corporation, or of any other corporation a party to the Part II transaction, held by the component corporation as of such time.

(4) For the purpose of the computations under section 435 (g) (3) (C) and (g) (4) (C)—

(i) In determining the amount with respect to the component corporation to be added to the daily borrowed capital of the acquiring corporation under paragraph (b) (5) or (6) of this section, the daily borrowed capital of the component corporation, computed as of any time for which such daily borrowed capital is computed under paragraph (b) (5) or (6) of this section, shall be determined as if any indebtedness owed at such time by the component corporation to the acquiring corporation or to any other corporation which is a party to the Part II transaction were not borrowed capital within the meaning of section 439.

(ii) In the case of the taxable year in which the Part II transaction occurs—

(*a*) The daily capital addition of the acquiring corporation under section 435 (g) (3) (C) for any day in such taxable year shall be 75 percent of the amount, if any, by which the daily borrowed capital of the acquiring corporation for such day exceeds its daily bor-

rowed capital for the first day of its first taxable year ending after June 30, 1950, and

(b) The daily capital reduction of the acquiring corporation under section 435 (g) (4) (C) for any day in such taxable year shall be 75 percent of the amount, if any, by which the daily borrowed capital for the first day of the acquiring corporation's first taxable year ending after June 30, 1950, exceeds its daily borrowed capital for such day.

For the purpose of such computation in the case of any day after the day of the Part II transaction, the daily borrowed capital of the acquiring corporation for the first day of its first taxable year ending after June 30, 1950, shall be determined as if any indebtedness for such day of the acquiring corporation to any corporation which is a party to the Part II transaction were not borrowed capital within the meaning of section 439.

(iii) In the case of any taxable year subsequent to the taxable year in which the Part II transaction occurs, in computing the daily capital addition of the acquiring corporation under section 435 (g) (3) (C) or the daily capital reduction of the acquiring corporation under section 435 (g) (4) (C), the daily borrowed capital of the acquiring corporation for the first day of its first taxable year ending after June 30, 1950, shall be determined as if any indebtedness for such day of the acquiring corporation to any corporation which is a party to the Part II transaction were not borrowed capital within the meaning of section 439.

(5) In computing the daily capital reduction of the acquiring corporation under section 435 (g) (4) (D) for any day after the day of the Part II transaction, the stock of any corporation which is a party to the Part II transaction, held by the acquiring corporation on the first day of its first taxable year ending after June 30, 1950, shall not be considered stock referred to in section 435 (g) (6) (A), and shall not be considered an inadmissible asset for the purpose of the computation under section 435 (g) (6) (B). In determining the amount with respect to the component corporation to be added under paragraph (b) (7) of this section, for the purpose of computing the acquiring corporation's daily capital addition or reduction, the stock held by the component corporation in the acquiring corporation or in any other corporation which is a party to the Part II transaction shall be disregarded in making the computations under paragraph (b) (7) of this section.

(6) In computing the daily capital reduction of the acquiring corporation under section 435 (g) (4) (E) for any day after the day of the transaction, loans by the acquiring corporation to another corporation, a party to the Part II transaction, shall not be considered indebtedness described in section 435 (g) (7) for the first day of the first taxable year ending after June 30, 1950. In determining the amount with respect to the component corporation to be added under paragraph (b) (8) of this section, for the purpose of computing the acquiring corporation's daily capital reduction, loans by the component corporation to the acquiring corporation or to any other corporation which is a party to the Part II transaction shall not be considered indebtedness described in section 435 (g) (7).

(7) In computing the increase or decrease in inadmissible assets for the purpose of section 435 (g) (1) and (2)—

(i) In the case of any taxable year of the acquiring corporation subsequent to the taxable year in which the transaction occurs, the original inadmissible assets of the acquiring corporation and the amount added thereto under paragraph (b) (5) of this section, shall each be computed without regard to any stock held by the acquiring corporation in the component corporation or in any other corporation a party to the Part II transaction, and without regard to any stock held by the component corporation in the acquiring corporation or in any other corporation a party to the Part II transaction;

(ii) In the case of the taxable year of the acquiring corporation in which the transaction occurs—

(a) The increase in inadmissible assets for such taxable year shall be the excess, divided by the number of days in the taxable year, of the aggregate of the daily increases in inadmissible assets over the aggregate of the daily decreases in inadmissible assets, and

(b) The decrease in inadmissible assets for such taxable year shall be the excess, divided by the number of days in the taxable year, of the aggregate of the daily decreases in inadmissible assets over the aggregate of the daily increases in inadmissible assets.

The daily increase in inadmissible assets shall be computed for each day of the taxable year, and shall be the excess of the daily amount attributable to the inadmissible assets for such day over the amount of the original inadmissible assets. The daily decrease in inadmissible assets shall be computed for each day of the taxable year, and shall be the excess of the original inadmissible assets over the daily amount attributable to the inadmissible assets for such day. For the purpose of the computation of the daily increase or daily decrease in inadmissible assets for any day of the taxable year, the daily amount attributable to inadmissible assets for any day prior to the day after the transaction shall be computed with the application of paragraph (b) (6) of this section, and the original inadmissible assets shall be computed with the application of paragraph (b) (5) of this section. For the purpose of the computation of the daily increase or daily decrease in inadmissible assets for any day after the day of the transaction, the original inadmissible assets shall be computed under the rule provided in subdivision (i) of this subparagraph (relating to taxable years subsequent to the taxable year of the transaction).

(8) There shall be excluded from the daily capital addition of the acquiring corporation for any day after the day of the Part II transaction so much of the increase in equity capital and of the increase in borrowed capital for such day as is attributable to assets obtained for the purpose of acquiring stock in the component corporation in a transaction described in § 40.462–10 (a) (2), that is, in a transaction not covered by section 462 (j) (1).

(9) To the extent that stock of a component corporation was acquired in an exchange for other than stock of the acquiring corporation, within the meaning of section 462 (j) (1) (see § 40.462–10), the basis of the assets of the component corporation shall be redetermined as provided in section 470, whether or not more than 80 percent of the stock of the component corporation is acquired, and such redetermined basis shall be used where appropriate for all computations under section 435 (g), section 463, and this section. See the example in paragraph (e) of this section.

(d) *Special rules under sections 443 and 445*—(1) *Rules under section 443.* If the average base period net income is determined under section 443, section 443 (d) provides that no net capital addition or reduction shall be allowed in computing the excess profits credit for the qualifying taxable year. If the qualifying taxable year ends after June 30, 1950, section 443 (d) provides that the net capital addition or reduction for subsequent taxable years shall be determined by reference to the first day of the first taxable year following the qualifying taxable year rather than by reference to the first day of the first taxable year ending after June 30, 1950. These rules of section 443 (d) apply in computing the net capital addition or reduction of the acquiring corporation if its average base period net income is computed under section 443. If such average base period net income is computed under § 40.462–3 (c) (relating to cases in which the Part II transaction occurs after all parties to the transaction are entitled to an alternative average base period net income), the special rules of section 443 (d) shall be applicable only with respect to the items of capital addition and reduction of each corporation entitled to apply section 443.

(2) *Rules under section 445.* If the average base period net income is determined under section 445, then section 445 (e) provides that no net capital addition or reduction shall be allowed in computing the excess profits credit for the first three taxable years of the taxpayer. Such net capital addition or reduction is, however, taken into account in computing total assets for the purpose of section 445 (c). If the third taxable year ends after June 30, 1950, section 445 (e) provides that the net capital addition or reduction for subsequent taxable years shall be determined by reference to the first day of the fourth taxable year of the taxpayer instead of by reference to the first day of its first taxable year ending after June 30, 1950. These rules of section 445 (e) apply in computing the net capital addition or reduction of the acquiring corporation if its average base period net income is computed under section 445. See § 40.462–7 (a) (2) (ii) for certain cases in which the day before the Part II transaction is treated as though it were the first day of the fourth taxable year. If such average base period

net income is computed under § 40.462–3 (c) (relating to cases in which the Part II transaction occurs after all parties thereto are entitled to an alternative average base period net income), the special rules of section 445 (e) shall be applicable only with respect to the items of capital addition and reduction of each corporation entitled to apply section 445.

(e) *Limitations under section 462 (j) (1).* In order to prevent duplication under section 463 in computing the net capital addition or reduction of the acquiring corporation in the case of a Part II transaction following a stock acquisition covered by section 462 (j) (1), which stock acquisition occurred after the beginning of the first taxable year of the component corporation ending after June 30, 1950, section 462 (j) (1) requires that each item with respect to the component corporation determined under paragraphs (b) and (c) of this section, shall be properly adjusted to eliminate the portion of the transferred items of capital addition and reduction of the component corporation attributable to the stock acquired.

Example (1). If the A Corporation (the acquiring corporation) and the C Corporation (the component corporation) each makes its income tax returns on the calendar year basis, if the A Corporation purchases 30 percent of the stock of the C Corporation on April 1, 1951, and if the Part II transaction takes place on September 1, 1951, then any items arising before April 1, 1951, described in paragraph (b) (1) of this section (that is, money or property paid in for stock, etc., to the C Corporation during the taxable year and before April 1, 1951), or paragraph (b) (2) of this section (that is, distributions not out of earnings and profits of the taxable year, made by the C Corporation during the taxable year and before April 1, 1951), shall be available to the A Corporation under paragraph (b) (1) and (2) of this section only to the extent of 70 percent thereof, that is, the 30 percent of each such item attributable to the stock purchased after such items arose shall be eliminated. Similarly, 30 percent of the amount determined under paragraph (b) (3) of this section (the excess of equity capital of the C Corporation on January 1, 1951, over its equity capital on January 1, 1950), shall not be available to the A Corporation. Each of the items under paragraph (b) (4), (5), (6), (7), and (8) of this section (relating to equity capital, daily borrowed capital, inadmissible assets, controlled group stock, and controlled group indebtedness, as of January 1, 1950) shall be available to the acquiring corporation in an amount equal to 70 percent of such item, that is, 30 percent of each such item shall be eliminated.

Example (2). The facts in this example are the same as in example (1), except that the stock acquisition occurred on April 1, 1950, instead of on April 1, 1951. In this case, no adjustment is required with respect to the items under paragraph (b) (1) and (2) of this section since such items arose in a taxable year subsequent to the taxable year of the acquisition. Each of the items under paragraphs (b) (4), (5), (6), (7), and (8) of this section (relating to equity capital, daily borrowed capital, inadmissible assets, controlled group stock, and controlled group indebtedness, as of January 1, 1950) are adjusted in the same manner as in example (1), that is, 30 percent of each such item is eliminated. However, in this case, the amount available to the A Corporation for its taxable year 1951 under paragraph (b) (3) of this section (that is, the capital addition or reduction based on the difference between the equity capital of the C Corporation on January 1, 1951, and its equity capital on January 1, 1950) is determined by using, in lieu of the equity capital of the C Corporation on January 1, 1950, an amount equal to the sum of 70 percent of its equity capital on January 1, 1950, plus so much of its equity capital on April 1, 1950, computed for this purpose after the redetermination of the basis of the assets of the C Corporation under the principles of section 470, as is attributable to the stock acquired on April 1, 1950, by the A Corporation. Similarly, for this purpose, the equity capital of the C Corporation on January 1, 1951, would be determined under the principles of section 470. See Paragraph (c) (9) of this section and section 463 (a) (12).

(f) *Part II transactions described in section 461 (a) (1) (E)—(1) In general.* In the case of a Part II transaction described in section 461 (a) (1) (E), the net capital addition or reduction of the acquiring corporation is computed in the same manner as in the case of other Part II transactions, except that there is available to the acquiring corporation only such portion of the transferred items of capital addition and reduction of the component corporation as is allocable to the properties transferred. The following rules are applicable in the case of a Part II transaction described in section 461 (a) (1) (E):

(i) The items described in paragraph (b) (1), (2), and (3) of this section, relating to property paid in for stock, etc., distributions not out of earnings and profits, and increase in equity capital, are not available to the acquiring corporation. The capital changes reflected in such items are, instead, reflected under the rule set forth in subdivision (ii) of this subparagraph.

(ii) There shall be available to the acquiring corporation, in lieu of the amount determined under paragraph (b) (4) of this section (relating to the equity capital of the component corporation for the first day of its first taxable year ending after June 30, 1950), an amount which is such portion of the amount determined under paragraph (b) (4) of this section as the equity capital transferred to the acquiring corporation in the Part II transaction is of the equity capital of the component corporation immediately prior to the transaction. For the purpose of section 435 (g) (3) (B) and (g) (4) (B), the equity capital of the acquiring corporation for the first day of the taxable year in which the transaction occurs (which equity capital is compared with the equity capital of the acquiring corporation, determined with the application of the preceding sentence, for the first day of its first taxable year ending after June 30, 1950) shall be determined as of the day following the transaction in lieu of the first day of such taxable year.

(iii) There shall be available to the acquiring corporation, in lieu of each of the items determined under paragraph (b) (5), (6), (7), and (8), of this section, an amount with respect to each such item which is such portion of that item as the amount of such item transferred to the acquiring corporation in the transaction bears to the amount of such item determined immediately prior to the transaction.

(2) *Special rules.* See § 40.461–7 (b) for special rules applicable in the case of a Part II transaction described in section 461 (a) (1) (E) which involves a transfer to an acquiring corporation by two or more component corporations, or which involves a transfer to an acquiring corporation not created incident to the transaction.

§ 40.463–2 *Capital changes in case of successive Part II transactions.* If one corporation becomes a component of a second corporation in a taxable year ending after June 30, 1950, and if the second corporation thereafter becomes a component of a third corporation, the net capital addition or reduction of the third corporation shall be determined under § 40.463–1 by computing the items of transferred capital addition and reduction of the second corporation after such items have been adjusted under the provisions of § 40.463–1 by reference to the first corporation. Such adjustment shall be made whether or not the second corporation computed its average base period net income by application of Part II. The first corporation shall be treated as a party to the later Part II transaction for the purpose of the application under this section of § 40.463–1 (c) relating to intercompany stockholdings, etc.

PAR. 4. There is inserted immediately after section 464, the following:

§ 40.464–1 *Base period capital additions under Part II—(a) In general.* If a taxpayer acquires properties of a component corporation in a Part II transaction occurring during or after the beginning of the second taxable year preceding the first taxable year of the taxpayer ending after June 30, 1950, and if the taxpayer's average base period net income for the purpose of its excess profits credit for any taxable year ending after the transaction is computed by application of Part II, then the base period capital addition of the acquiring corporation shall be computed for such taxable year under section 435 (f) with the application of this section. The base period capital addition shall be allowed to an acquiring corporation computing its average base period net income with respect to Part II only if such acquiring corporation computes its average base period net income under the general average method provided in section 435 (d) with reference to section 462 (b) or, in certain instances, under section 442 (c) with reference to section 462 (d). See section 435 (f) (3). If the Part II transaction occurs prior to the beginning of the second taxable year preceding the first taxable year of the acquiring corporation ending after June 30, 1950, no base period capital addition of the component corporation is available to the acquiring corporation. See examples in § 40.461–3 (d) and (e). The rules for determining the base period capital addition of the acquiring corporation after the Part II transaction differ, depending upon whether the Part II transaction is of a type described in section 461 (a) (1) (E), and depending upon the taxable year in which the transaction occurs.

(b) *Part II transactions other than a transaction described in section 461 (a) (1) (E).* (1) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurs during or after the first taxable year of the acquiring corporation ending after June 30, 1950, for the purpose of section 435 (f) and § 40.435–6, the base period capital addition of the acquiring corporation for the taxable year in which the transaction occurs shall be the sum of (i) the base period capital addition of the acquiring corporation, and (ii) an amount which bears the same ratio to the base period capital addition of the component corporation as the number of days in the taxable year of the acquiring corporation after the transaction bears to the total number of days in such taxable year in which the transaction occurs. The base period capital addition of the acquiring corporation for any taxable year thereafter shall be the aggregate of the base period capital addition of the acquiring corporation and the base period capital addition of the component corporation.

(2) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurred during the first taxable year of the acquiring corporation immediately preceding its first taxable year ending after June 30, 1950, the base period capital addition of the acquiring corporation shall be computed after (i) adding to the yearly base period capital of the acquiring corporation for its taxable year immediately preceding its first taxable year ending after June 30, 1950, the yearly base period capital of the component corporation for its taxable year immediately preceding its first taxable year ending after June 30, 1950, and (ii) adding to the yearly base period capital of the acquiring corporation for its second taxable year preceding its first taxable year ending after June 30, 1950, the yearly base period capital of the component corporation for its second taxable year preceding its first taxable year ending after June 30, 1950.

(3) In the case of a Part II transaction other than a transaction described in section 461 (a) (1) (E), which occurred during the second taxable year of the acquiring corporation preceding its first taxable year ending after June 30, 1950, its base period capital addition shall be computed after adding to its yearly base period capital for such second preceding taxable year, the yearly base period capital of the component corporation for the second taxable year preceding the component corporation's first taxable year ending after June 30, 1950.

(4) If the Part II transaction occurred prior to July 1, 1950, it is necessary to determine constructive taxable years ending after the transaction in order to make the comparisons required with respect to the component corporation. In any such case, the component corporation shall be deemed to have as many taxable years ending after the transaction as are necessary for it to have a first taxable year ending after June 30, 1950, which taxable years shall be determined on the basis of the annual accounting period applicable to the component corporation immediately prior to the transaction. Wherever it is necessary under section 464 to determine a yearly base period capital for any such constructive taxable year beginning after the Part II transaction, such yearly base period capital shall be deemed to be an amount equal to the yearly base period capital of the component corporation determined as of the day of the transaction in the same manner as if such day were the first day of a taxable year.

Example. The A Corporation, which makes its income tax returns on the calendar year basis, acquires the C Corporation on April 1, 1950, in a Part II transaction. The C Corporation, prior to such transaction, made its income tax returns on the basis of a fiscal year ending June 30. For the purpose of determining the base period capital addition of the C Corporation, all or part of which will be added under subparagraph (1) of this paragraph, to the base period capital addition of the A Corporation, the taxable year of the C Corporation beginning July 1, 1949, in which year the Part II transaction takes place, will be deemed to end June 30, 1950, and the C Corporation will be deemed to have another taxable year beginning July 1, 1950, and ending June 30, 1951, which taxable year will be deemed to be its first taxable year ending after June 30, 1950. The yearly base period capital for the constructive taxable year beginning July 1, 1950, and ending June 30, 1951, will be deemed to be an amount equal to the yearly base period capital of the C Corporation determined as of April 1, 1950, the day of the transaction. This yearly base period capital will be compared under section 435 (f) (2) with the yearly base period capital of the C Corporation for the fiscal year beginning July 1, 1949 (which year is deemed to end June 30, 1950), that is, with the amount determined as of July 1, 1949, and with the yearly base period capital for the fiscal year beginning July 1, 1948, and ending June 30, 1949, that is, with the amount determined as of July 1, 1948.

(c) *Intercompany stockholdings, etc.* (1) In computing under section 464 the yearly base period capital of either the acquiring corporation or the component corporation for any taxable year, the equity capital and inadmissible assets of such corporation shall be determined after excluding all of the stock of the other such corporation, and of any other corporation a party to the Part II transaction, held by such corporation on the day for which equity capital and inadmissible assets are determined. In determining daily borrowed capital, and the interest adjustment under section 435 (f) (5), for the purpose of computing yearly base period capital in the case of either the acquiring or the component corporation, any indebtedness of one such corporation to the other such corporation, or to any other corporation a party to the Part II transaction, shall not be considered borrowed capital. Similarly, in computing the amount of loans to members of a controlled group for the purpose of determining the yearly base period capital, any indebtedness to one such corporation owed by the other corporation, or by any other corporation a party to the Part II transaction, shall be excluded.

(2) There shall be excluded from the base period capital addition of the acquiring corporation for any taxable year ending after the day of the Part II transaction so much of the base period capital addition for such taxable year as is attributable to assets obtained for the purpose of acquiring stock in the component corporation in a transaction described in § 40.462–10 (a) (2), that is, in a transaction not covered by section 462 (j) (1).

(3) There shall be excluded from the base period capital addition of the acquiring corporation for any taxable year ending after the Part II transaction so much of the base period capital addition for such taxable year as is attributable to assets obtained by the component corporation (whether as equity or borrowed capital) from the acquiring corporation, or from any other corporation a party to the Part II transaction, after the beginning of the second taxable year of the component corporation preceding its first taxable year ending after June 30, 1950.

(4) To the extent that stock of a component corporation was acquired in an exchange for other than stock of the acquiring corporation within the meaning of section 462 (j) (1) (see § 40.462–10), the basis of the assets of the component corporation shall be redetermined as provided in section 470, whether or not more than 80 percent of the stock of the component corporation is acquired, and such redetermined basis shall be used where appropriate for all computations under section 435 (f), section 464, and this section.

(d) *Limitations under section 462 (j) (1).* In order to prevent duplication under section 464 in computing the base period capital addition in the case of a Part II transaction following a stock acquisition covered by section 462 (j) (1), which stock acquisition occurred after the beginning of the second taxable year of the acquiring corporation preceding its first taxable year ending after June 30, 1950, section 462 (j) (1) requires that in any case in which the yearly base period capital of the component corporation is determined as of the day of such stock acquisition or a preceding day, such yearly base period capital shall be reduced to an amount which is such portion thereof as the stock acquired by the acquiring corporation on or after such day is of the total stock of the component corporation at the time of such acquisition.

Example (1). The A Corporation (the acquiring corporation) and the C Corporation (the component corporation) each makes its income tax returns on the calendar year basis. The A Corporation purchases 30 percent of the stock of the C Corporation on April 1, 1951, and acquires all of the properties of the C Corporation in a Part II transaction on September 1, 1951. In computing the base period capital addition of the C Corporation, which is added to the base period capital addition of the A Corporation under the rules of paragraph (b) (1) of this section, only 70 percent of the yearly base period capital of the C Corporation for 1948, for 1949, and for 1950 shall be taken into account, that is, there shall be eliminated the 30 percent of each such yearly base period capital attributable to the stock purchased after the day (January 1 of each such year) for which yearly base period capital is determined.

Example (2). The facts in this example are the same as in example (1), except that the stock acquisition occurred on April 1, 1949, instead of on April 1, 1951. In this case, no adjustment is required with respect to the yearly base period capital for 1950 since that amount is determined as of January 1, 1950, a day subsequent to the day of the stock acquisition. The same adjustment is required with respect to the yearly base period capital for 1948 and 1949 as that required in example (1), since both such amounts are determined as of a day preceding the day of the stock acquisition.

Example (3). The facts in this case are the same as in example (1), except that the stock acquisition occurred on April 1, 1949, and the Part II transaction occurred on September 1, 1949. In determining the yearly base period capital of the C Corporation for 1948 and 1949, which amounts will be added to the yearly base period capital of the A Corporation for 1948 and 1949, respectively, only 70 percent of each such amount with respect to the component corporation shall be available to the acquiring corporation, that is, 30 percent of each such amount shall be eliminated.

(e) *Part II transactions described in section 461 (a) (1) (E).* (1) In the case of a transaction described in section 461 (a) (1) (E) which occurs during or after the first taxable year of the component corporation ending after June 30, 1950, for the purpose of section 435 (f), the base period capital addition of an acquiring corporation shall be an amount which bears the same ratio to the base period capital addition of the component corporation as the fair market value of the assets transferred to such acquiring corporation in the transaction bears to the fair market value of the assets of the component corporation immediately prior to the transaction.

(2) In the case of a transaction described in section 461 (a) (1) (E) which occurred during a taxable year of the component corporation which is a taxable year preceding its first taxable year ending after June 30, 1950, the yearly base period capital of the acquiring corporation for the year in which the transaction occurred shall be computed as of the day following the transaction.

(3) In case the transaction described in subparagraph (2) of this paragraph occurred in a taxable year of an acquiring corporation which is its first taxable year ending after June 30, 1950, such acquiring corporation's base period capital addition shall be computed as follows:

(i) The acquiring corporation's yearly base period capital for its first taxable year immediately preceding its first taxable year ending after June 30, 1950, shall consist of a portion of the yearly base period capital of the component corporation for the first day of the taxable year of the component corporation in which such transaction occurred, and

(ii) The acquiring corporation's yearly base period capital for its second taxable year preceding its first taxable year ending after June 30, 1950, shall consist of a portion of the yearly base period capital of the component corporation for the first day of its first taxable year immediately preceding its taxable year in which the transaction occurred;

Such portion in each instance being determined by the ratio which the fair market value of the assets transferred to the acquiring corporation in the transaction bears to the fair market value of the assets of the component corporation immediately prior to the transaction.

(4) In case the transaction described in subparagraph (2) of this paragraph occurred during the taxable year of an acquiring corporation immediately preceding its first taxable year ending after June 30, 1950, then, for the purpose of computing the base period capital addition of such acquiring corporation, its yearly base period capital for its second taxable year preceding its first taxable year ending after June 30, 1950, shall consist of a portion of the yearly base period capital of the component corporation for the first day of the taxable year of the component corporation in which such transaction occurred. Such portion shall be determined by the ratio which the fair market value of the assets transferred to the acquiring corporation in the transaction bears to the fair market value of the assets of the component corporation immediately prior to the transaction.

(5) See § 40.461–7 (b) for special rules applicable in the case of a Part II transaction described in section 461 (a) (1) (E) which involves a transfer to an acquiring corporation by two or more component corporations, or which involves a transfer to an acquiring corporation not created incident to the transaction.

§ 40.464–2 *Base period capital addition in case of successive Part II transactions.* If one corporation becomes a component of a second corporation, and if the second corporation thereafter becomes a component of a third corporation, the base period capital addition of the third corporation shall be determined under § 40.464–1 by computing the second corporation's yearly base period capital and its base period capital addition (whichever is available to the third corporation) after such items have been adjusted under the provisions of § 40.464–1 by reference to the first corporation. Such adjustment shall be made whether or not the second corporation computed its average base period net income by application of Part II. The first corporation shall be treated as a party to the later Part II transaction for the purpose of the application under this section of § 40.464–1 (c) relating to intercompany stockholdings, etc.

(53 Stat. 32; 26 U. S. C. 62)

[F. R. Doc. 51–9333; Filed, Aug. 15, 1951; 11:17 a. m.]

United States Coast Guard

[46 CFR Parts 32, 38, 39, 46, 50–57, 59, 60, 76, 94, 113, 117, 146, 160, 162]

[CGFR 51–35]

Vessel Inspection Regulations

Merchant Marine Council Public Hearing on Proposed Changes

1. The Merchant Marine Council will hold a public hearing on September 18, 1951, commencing at 9:30 a. m., in Room 4120, Coast Guard Headquarters, 13th and E Streets NW., Washington, D. C., for the purpose of receiving comments on the proposed changes in the vessel inspection regulations.

2. The proposed changes in the regulations, together with the statutory authorities for making such changes, are generally described by subjects in paragraphs 4 to 37, inclusive. Copies of the proposed changes in the regulations will be mailed to persons and organizations who have expressed an active interest in the subjects under discussion. Copies of any of the proposed regulations may be obtained upon request from the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., so long as they are available. After all extra copies available for distribution are exhausted, copies will be available for reading purposes only in Room 4104, Coast Guard Headquarters, or at the offices of the various Coast Guard District Commanders.

3. Comments on the proposed regulations are invited. All persons who desire to submit written comments, data, and views, prior to the hearing for consideration in connection with the proposed changes may submit them in writing for receipt prior to September 17, 1951, by the Commandant (CMC), Coast Guard Headquarters, Washington 25, D. C., or comments, data, and views may be presented orally or in writing at the hearing. In order to insure consideration of comments and to facilitate checking and recording, it is essential that each comment regarding a proposed section of regulations shall be submitted on a separate sheet of paper showing the specific item and page number of the agenda, section number, the proposed change, the reason or basis (if any), and the name, business firm or organization (if any), and the address of the submitter. Comments, data, and views may also be presented orally or in writing at the public hearing in the same manner as for submission of written comments. At the public hearing, the proposed revisions and amendments to the regulations will be considered in the order of the item numbers assigned to the various subjects under consideration.

Item I—General Provisions—Marine Engineering Regulation (12/51)

4. It is proposed to revise the Marine Engineering Regulations and Material Specifications (CG 115) to permit the use of liberalized design stresses based upon a factor of safety of 4 under certain restricted requirements which must be met in order to use the higher stresses allowed; to utilize common practices and procedures employed in the industry insofar as possible; to clarify existing requirements; to effect necessary editorial changes; and to bring the requirements into closer agreement with the rules of the American Bureau of Shipping, standards of the American Society for Testing Materials, and codes of the American Society of Mechanical Engineers; as well as to incorporate proposed changes based on petitions received from industry. These proposed changes are

given in detail in Items I to VIII, inclusive, in the Agenda.

5. It is proposed to amend 46 CFR 50.05 (c), regarding application of Marine Engineering Regulations and Material Specifications, in order that the application of the requirements proposed in Items II to VIII, inclusive, will be clarified in regard to existing installations. Under certain conditions the application of the proposed requirements may be retroactive in effect.

6. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM II—MATERIALS—MARINE ENGINEERING REGULATIONS (12/51)

7. It is proposed to revise 46 CFR Part 51 in its entirety so that the material requirements in the Marine Engineering Regulations and Material Specifications (CG 115) will utilize insofar as possible the practices and procedures used by industry. Instead of publishing detailed specification requirements for materials, together with note references to the applicable American Society for Testing Materials specifications or other specifications, it is proposed to adopt by reference the A. S. T. M. specifications covering various materials used in marine service and where necessary publish as regulations only those specific limitations applicable to certain materials. It is felt that listing materials acceptable for marine service by reference to A. S. T. M. specifications and specifically stated in the regulations only the limitations applicable to certain materials when used in marine service, it will be easier for the public to determine whether or not materials purchased from steel manufacturers actually will meet Coast Guard requirements. It is also proposed to revise the material requirements for flange and firebox quality steel plate in order that the maximum temperature permitted may be increased from 500° to 650° F. to be consistent with the limitations imposed on this material when used as flange material in piping systems.

8. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM III—CONSTRUCTION—MARINE ENGINEERING REGULATIONS (12/51)

9. It is proposed to revise 46 CFR Part 52 in its entirety with regard to construction requirements in the Marine Engineering Regulations and Material Specifications (CG 115). The changes proposed will bring the regulations up to date with modern usages and practices used in industry; change certain definitions and general requirements by incorporating the American Society of Mechanical Engineers stresses in the design formulas governing shells and heads of boilers and unfired pressure vessels; provide stress tables for ferrous materials; prescribe definite limitations for the design of boilers and unfired pressure vessels employing stress based upon a factor of safety of 4, such as corrosion allowance, removal of welding reinforcement and consideration of additional stresses imposed by effects other than internal pressure; establish new tables for allowable welded joint efficiencies, which permit increased basic efficiencies for classes I, II, and III welding by the removal of weld reinforcement and by the use of spot radiography and stress relief; revise present requirements covering design formulas for cylindrical shells and dished heads of boilers and unfired pressure vessels, welding requirements covering furnaces, fireboxes, and waterlegs on fire tube boilers, and formulas for determining the allowable pressure and minimum thickness of boiler tubes so that these requirements will be in closer agreement with the A. S. M. E. boiler code (as petitioned by manufacturers); add new requirements covering automatically controlled packaged boilers, access and inspection openings in boilers or pressure parts thereof; and provide a method for determination of ligament efficiency in tube sheets with unsymmetrically spaced holes.

10. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM IV—LOW PRESSURE HEATING BOILERS—MARINE ENGINEERING REGULATIONS (12/51)

11. It is proposed to revise 46 CFR Part 53 in its entirety so that the requirements for low pressure heating boilers in the Marine Engineering Regulations and Material Specifications (CG 115) will be similar to the current requirements of the American Society of Mechanical Engineers heating boiler code insofar as possible. The factor of safety of 5 has been retained for the design of heating boilers. The requirements prescribing the capacity and testing of safety and relief valves on low pressure heating boilers have been revised. New requirements are proposed for preliminary tests for safety and relief valves having nonmetallic disks as well as for automatically controlled packaged type heating boilers.

12. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM V—UNFIRED PRESSURE VESSELS—MARINE ENGINEERING REGULATIONS (12/51)

13. It is proposed to revise 46 CFR Part 54 in its entirety with regard to the requirements covering unfired pressure vessels in the Marine Engineering Regulations and Material Specifications (CG 115). This proposal will establish a more uniform set of regulations for the design and construction of unfired pressure vessels. The requirements covering stress relieving of unfired pressure vessels constructed of A204 and A212 steel plate have been revised to agree with the A. S. M. E. unfired pressure vessel code. A table for stresses for nonferrous materials and cast iron, design formulas for tube sheets and tubes of heat exchangers and cast iron heads; requirements regarding access and inspection openings to provide for suitable inspection and cleaning of unfired pressure vessels, as well as revised requirements for nozzle openings and reinforcements; and requirements covering pressure relief devices on unfired pressure vessels, including the requirements for the flow testing of safety relief valves for liquefied compressed gases, have been proposed. New formulas have been incorporated in the proposed requirements to permit calculation of the theoretical flow of the gas used in the flow tests where coefficients of discharge are to be determined for safety relief valves. The physical properties of the more common gases have been tabulated at standard conditions of 60° F. atmospheric pressure.

14. If the proposals regarding requirements for unfired pressure vessels for liquefied compressed gases are adopted, similar requirements presently published in 46 CFR Parts 38 and 39, regarding liquefied petroleum gases and inflammable or combustible liquids having lethal characteristics in the Tank Vessel Regulations (CG 123), and 46 CFR 146.24–1 to 146.24–100, regarding detailed regulations governing compressed gases in the Explosives or Other Dangerous Articles on Board Vessels (CG 187), will be transferred to 46 CFR Part 54 of the Marine Engineering Regulations.

15. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM VI—PIPING SYSTEMS—MARINE ENGINEERING REGULATIONS (12/51)

16. It is proposed to revise 46 CFR Part 55 in its entirety with regard to piping systems in the Marine Engineering Regulations and Material Specifications (CG 115). The proposals will revise certain requirements for piping systems and will incorporate additional requirements for new materials permitted. The piping material stress table has been revised by incorporating additional piping materials for use in high temperature service and a number of new nonferrous grades of materials have been added. The design pressures for piping systems have been clarified in order to establish minimum design requirements for saturated and superheated steam piping. The requirements for the design of pipe pierced with tube holes have been revised to agree with the A. S. M. E. code. The allowable variations in pressures and temperatures above the design limit for piping have been clarified. Certain requirements covering the design of valves, plug cocks,

and flange joints have been revised to clarify their intent. The design of boiler feed and blow-off piping has been revised to require a design pressure of not less than 125 percent of the maximum allowable pressure of the boiler. The number and location of independent bilge suctions required have been revised to agree with the 1948 Convention for Safety of Life at Sea. Changes have also been made to the fuel oil service requirements to permit a vessel having an auxiliary packaged boiler not exceeding 3000 pounds per hour generating capacity to be equipped with a single fuel oil pump and heater. It is also proposed to no longer require vessels burning fuel oils of low viscosity to be equipped with fuel oil heaters. Certain requirements covering lubricating oil systems have been revised to agree with the American Bureau of Shipping rules. The requirements for sounding pipes have been revised to clarify their intent.

17. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM VII—ARC WELDING, GAS WELDING, AND BRAZING—MARINE ENGINEERING REGULATIONS (12/51)

18. It is proposed to revise 46 CFR Part 56 in its entirety with regard to arc welding, gas welding, and brazing in the Marine Engineering Regulations and Material Specifications (CG 115). It is proposed to clarify the scope of the regulations; redefine welding terms employed in welding processes to agree with the American Welding Society standards; and to revise certain requirements regarding acceptable types of welded joints to agree with the American Society of Mechanical Engineers codes and American Bureau of Shipping rules. It is proposed to revise the regulations covering arc welding and gas welding to require approval of plans showing the essential fabrication details; requirements for submerged arc welding procedure qualifications; acceptable arc welding electrodes; joint efficiency requirements for classes II and III welded pressure vessels; figures illustrating joint details; requirements for various types of welded joints; seal welding and intermittent welding; stress relieving requirements for class II welded pressure vessels; classes I and II welded piping systems; and slip-on flanges of class I welded type. It is proposed to revise the requirements regarding tests and inspection to provide for spot radiography of welded joints for class II welded pressure vessels designed with a factor of safety of 4. The proposed changes in 46 CFR Part 56 will bring the requirements into closer agreement with American Welding Society standards, American Society of Mechanical Engineers code, Navy Department requirements, or American Bureau of Shipping rules covering the same subjects.

19. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM VIII—INSTALLATIONS, TESTS, INSPECTIONS, REPAIRS, ETC.—MARINE ENGINEERING REGULATIONS (12/51)

20. It is proposed to revise 46 CFR Part 57 in its entirety with regard to requirements covering installations, tests, inspections, repairs, etc., in the Marine Engineering Regulations and Material Specifications (CG 115). It is proposed to cancel certain regulations containing administrative instructions to Coast Guard marine inspectors and to revise other requirements to agree with procedures presently followed by industry in repairing, installing, testing, and inspecting certain types of marine installation. It is proposed to bring up to date the method for determining the proportional limit of pressure parts to agree with the current American Society of Mechanical Engineers code. The formula for calculating the maximum allowable pressure of the weakest part of the structure under stress has been revised by the substitution of the maximum allowable stress for the average tensile strength which is necessary when the pressure part is subject to temperatures exceeding 650° F. for ferrous materials.

21. The requirements for fusible plugs for boilers have been revised and it is proposed to place these regulations in 46 CFR Part 162 in Subchapter Q—Specifications and they will be designated as "Subpart 162.014—Fusible Plugs for Merchant Vessels." New requirements for fusible plugs in small fire tube boilers have been added. Since the specification for fusible plugs applies primarily to the manufacturing of this equipment, it will not be published in the Marine Engineering Regulations and Material Specifications.

22. The authority for regulations on marine engineering is in R. S. 4405, 4417a, 4418, 4426, and 4429–4434, as amended, 49 Stat. 1544, 54 Stat. 346, 1026, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 392, 404, 407–412, 367, 1333, 463a, 50 U. S. C. App. 1275.

ITEM IX—STEERING APPARATUS—MARINE ENGINEERING REGULATIONS (55/51)

23. At present requirements for steering apparatus are contained in over 14 different regulations in 46 CFR Chapter I. In order to eliminate conflicting requirements as well as to clarify Coast Guard regulations, it is proposed to eliminate these requirements presently in effect and to place the revised regulations for steering apparatus in 46 CFR Part 55 as a new "Subpart 55.19—Steering Apparatus." Where necessary appropriate cross references will be published in lieu of the complete text in the other subchapters in 46 CFR Chapter I.

24. It is proposed to cancel 46 CFR 32.25–30, 32.35–25, and 32.35–35, with regard to steering apparatus in the Tank Vessel Regulations (CG 123). An appropriate cross reference regarding steering apparatus on tank ships to the proposed regulations in 46 CFR Subpart 55.19 will be inserted. The proposed requirements for steering apparatus on tank barges will also contain the present proviso in 46 CFR 32.35–35 that the requirements for steering apparatus for tank ships shall be met insofar as it is practicable to do so. The proposed regulations for steering apparatus on tank vessels will be made retroactive in effect to July 1, 1951. Since the proposed changes are primarily editorial in nature or only modify present requirements for obtaining uniformity covering steering apparatus requirements, it is felt that this action will not seriously affect new installations, and is recommended primarily in order to maintain a continuity of dates applicable to the general requirements applicable to tank vessels.

25. It is proposed to cancel 46 CFR 46.40, regarding auxiliary steering apparatus in the Load Line Regulations (CG 176). This action is proposed in order to eliminate conflicting requirements.

26. It is proposed to cancel the requirements in 46 CFR 59.61 59.62, 60.55, 60.55a, 76.55, 76.56, 94.54, 94.55, 113.46a, and 113.47, regarding steering apparatus in the various General Rules and Regulations for Vessel Inspection and insert cross references to the requirements in the marine engineering regulations. This proposal is made in order to simplify the presentation of requirements for steering apparatus.

27. The authority for regulations requiring steering apparatus is in R. S. 4405, 4417, 4417a, 4418, 4426, and 4480, as amended, 49 Stat. 1384, 1544, 54 Stat. 346 and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391, 391a, 392, 404, 474, 369, 367, 1333, 50 U. S. C. App. 1275.

ITEM X—COMPRESSED GASES—DANGEROUS CARGO REGULATIONS (57/51)

28. It is proposed to amend 46 CFR 146.24–1 to 146.24–100, inclusive, regarding detailed regulations governing compressed gases in "Explosives or Other Dangerous Articles on Board Vessels" (CG 187). The proposed revision includes new hazardous articles which have become commercially important and are now being shipped by water in increasing quantities and a number of new containers for compressed gases will be permitted. These changes are being made so that the Coast Guard requirements will agree with the Interstate Commerce Commission's Regulations for similar materials insofar as practicable.

29. The authority for regulations covering the transportation of compressed gases is in R. S. 4405 and 4472, as amended, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM XI—POISONOUS ARTICLES—DANGEROUS CARGO REGULATIONS (56/51)

30. It is proposed to amend 46 CFR 146.25–1 to 146.25–100, inclusive, regarding detailed regulations pertaining to poisonous articles in "Explosives or Other Dangerous Articles on Board Vessels" (CG 187). The proposed revision includes new poisonous articles which have become commercially important and are being shipped by water in increasing quantities and a number of new

containers for poisonous materials will be permitted. These changes will revise the Coast Guard requirements so that they will be in agreement with the Interstate Commerce Commission's regulations insofar as practicable. It is proposed to amend the various sections regarding shippers' requirements re packing, marking, labeling, and shipping papers and the detailed requirements set forth in Table 146.25–100.

31. The authority for regulations covering the transportation of poisonous articles is in R. S. 4405, 4472, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM XII—EXPLOSIVES—DANGEROUS CARGO REGULATIONS (60/51)

32. It is proposed to revise 46 CFR 146.20–1 to 146.20–100, inclusive, regarding detailed regulations governing explosives in "Explosives or Other Dangerous Articles on Board Vessels" (CG 187). This revision will include a number of new explosives which have become commercially important and are now being shipped by water in increasing quantities, and a number of new containers for explosives will be permitted. New regulations are also proposed which will define an explosive, state type of prohibited or not permitted explosives in water transportation, acceptable explosives for water transportation, and type of class A explosives, as well as revised general requirements regarding classes B and C explosives. These revisions are in agreement with the Interstate Commerce Commission's regulations for such articles insofar as practicable.

33. The authority for regulations governing transportation of explosives is in R. S. 4405 and 4472, as amended, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 170, and 50 U. S. C. App. 1275.

ITEM XIII—MECHANICAL DISENGAGING APPARATUS, LIFEBOAT—SPECIFICATIONS (61/51)

34. It is proposed to amend 46 CFR 160.033–2, 160.033–3, and 160.033–4, regarding requirements for lifeboat mechanical disengaging apparatus. The proposed revision of 46 CFR 160.033–2 revises the specification requirements to agree with the regulations in 46 CFR 59.68 and 60.61, which do not permit the replacing of releasing gear with other than the Rottmer type on ocean and coastwise vessels over 3,000 gross tons. The new requirements to be added to 46 CFR 146.033–3 will require affidavits from the manufacturer relative to the physical and chemical properties of the materials used in order to insure that subsequent releasing gears built will maintain a factor of safety at least equivalent to that provided in the first year tested. The proposed change in 46 CFR 146.033–4 will increase the test load for initial approval of the mechanical disengaging apparatus to an amount equivalent to the weight of a fully loaded lifeboat plus 10 percent in order that this test load will not be less than the load used in the shipboard installation tests as set forth in 46 CFR 59.3a, 60.21a, 76.15a, and 94.14a in the general rules and regulations for Vessel Inspection.

35. The authority for regulations covering lifeboat mechanical disengaging apparatus is in R. S. 4405, 4417a, 4426, 4481, 4488, and 4491, as amended, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 404, 474, 481, 489, 396, 367, 1333, and 50 U. S. C. App. 1275.

ITEM XIV—LIFE PRESERVERS OR OTHER LIFESAVING DEVICES (63/51)

36. It is proposed to amend 46 CFR 117.4, with regard to life preservers on ferryboats in the General Rules and Regulations for Vessel Inspection, Rivers (CG 185). The proposed regulation will require children's life preservers on motor propelled river ferry vessels in a number equal to at least 10 percent of the total number of persons carried. This regulation is proposed in order to clarify the intent of the regulations because of the amendments setting forth similar requirements in 46 CFR 25.4–1 (a), 26.2–1, and 27.2–1 in the Motorboat Regulations and 46 CFR 113.44a in the General Rules and Regulations for Vessel Inspection, Rivers, which were added so that motorboats and motor vessels carrying passengers for hire will be equipped with an approved life preserver for every person on board and with an additional number of approved life preservers suitable for children equal to at least 10 percent of the total number of persons carried.

37. The authority for regulations covering children's life preservers on ferry motorboats or ferry motor vessels carrying passengers for hire is in R. S. 4405, 4426, and 4488, as amended, and 54 Stat. 163–167, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 404, 436, 526–526t, and 50 U. S. C. App. 1275.

Dated: August 9, 1951.

[SEAL] A. C. RICHMOND,
Rear Admiral, U. S. Coast Guard, Acting Commandant.

[F. R. Doc. 51–9738; Filed, Aug. 15, 1951; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 33]

EXPORT APPLES AND PEARS

MINIMUM QUALITY REQUIREMENTS FOR SHIPMENTS IN EXPORT

Notice is hereby given that the United States Department of Agriculture is considering proposed amendments, as hereinafter set forth, to the regulations (7 CFR Part 33) currently in effect pursuant to the provisions of the so-called Export Apple and Pear Act (48 Stat. 123; 7 U. S. C. 581–589).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed revision should file same, in duplicate, with the Chief, Regulatory Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 10 days after publication hereof in the FEDERAL REGISTER.

The proposal is to amend paragraphs (a) and (b) of § 33.13 to read as follows:

§ 33.13 *Minimum quality requirements for shipments in export*—(a) *Apples.* Any lot of apples in packages shipped or transported in foreign commerce must meet each minimum requirement of the U. S. Utility or the U. S. No. 1 Early grade, as specified in the United States Standards for Apples, issued by the Department on June 28, 1951, effective July 23, 1951, subject to the tolerances for the applicable grade, except that such apples shall not contain apple maggots and, of such apples, not more than 2 percent may have apple maggot injury and not more than 2 percent may be infested with San Jose scale: *Provided,* That any lot of apples in containers conspicuously marked "cannery" may be shipped or transported, as aforesaid, if such lot of apples meets each minimum requirement of the U. S. No. 2 grade, as specified in the U. S. Standards for Apples for Processing, issued August 9, 1946, effective September 2, 1946, and reissued April 14, 1948, subject to a tolerance of 10 percent for defects of this grade and an additional tolerance of 5 percent for apples below any specified minimum size, and an additional tolerance of 10 percent for apples above any specified maximum size.

(b) *Pears.* Any lot of pears in packages shipped or transported in foreign commerce must meet each minimum requirement of the applicable U. S. No. 2 grade, as specified (1) in the U. S. Standards for Summer and Fall Pears, such as Bartlett, Hardy, and other similar varieties, effective June 27, 1940, issued by the Department on June 26, 1940, and reissued September 3, 1946, or (2) in the U. S. Standards for Winter Pears, such as Anjou, Bosc, Winter Nelis, Comice, and other similar varieties, effective July 8, 1940, issued by the Department on June 28, 1940, and reissued on March 23, 1948, subject to the tolerance permitted for such applicable grade, except that such pears shall not contain apple maggots and, of such pears, not more than 2 percent may have apple maggot injury and not more than 2 percent may be infected with San Jose scale: *Provided,* That any lot of pears in containers conspicuously marked "cannery" may be shipped or transported, as aforesaid, if such lot of pears meets each minimum requirement of the U. S. No. 2 grade, as specified in the U. S. Standards for Pears for Canning, effective June 12, 1939, issued by the Department on June 6, 1939, and reissued August 2, 1948, subject to an aggregate tolerance of 10 percent for defects of this grade.

Issued at Washington, D. C., this 13th day of August 1951.

ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51–9743; Filed, Aug. 15, 1951; 8:52 a. m.]

[7 CFR Part 971]

[Docket No. AO-175-A8]

HANDLING OF MILK IN DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Dayton-Springfield, Ohio, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 5th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, was conducted at Dayton, Ohio, on June 13, 1951, pursuant to notice thereof which was issued on June 6, 1951 (16 F. R. 5497).

The material issues of record related to:

1. The classification of concentrated milk,

2. The classification of milk transferred by a handler to a person other than a handler,

3. Establishment of provisions to adjust automatically Class I and Class II prices in response to changes in the relationship between market supply and demand,

4. The level of the Class III price for butterfat made into butter and for skim milk, and

5. The amount of deductions for marketing services from payments to producers.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof.

1. Milk used in the manufacture of concentrated milk should be classified in Class I.

Concentrated milk has been introduced in a number of markets during recent months. While its distribution has not yet been undertaken in the marketing area it is being sold in nearby markets and its introduction in the market in the near future is anticipated. This product is not sterilized and is disposed of to consumers for consumption in fluid form by the addition of water or it may be used in the concentrated form as a cream substitute in coffee or on cereals. It is anticipated that the product will be made from milk meeting the same requirements as are applicable to fluid whole milk. Such a requirement is now in effect in the Springfield portion of the marketing area. Accordingly, it is concluded that concentrated milk should properly be classified as Class I milk.

2. Milk transferred by a handler to a person other than a handler should be classified in Class I, or if certain conditions are met, in the highest class remaining after regular receipts from dairy farmers at the plant of the buyer are assigned to the highest classes.

Producers proposed that such transfers of producer milk should be assigned to the highest class at the plant of the buyer. This would result in producer milk being assigned preferentially over any regular dairy farmer receipts at the buyer's plant. This does not appear reasonable or necessary. The proposed provisions will give producer milk the next highest utilization at the plant after regular receipts from dairy farmers are deducted.

Certain conditions must be met before such transfers will be classified in a class lower than Class I. The market administrator must be allowed to audit total receipts and utilization at the plant of the buyer. This is consistent with the provisions which place on the handler the burden of proving use in a class lower than Class I.

3. Provision should be made for automatically adjusting Class I and Class II prices in response to changes in the relationship between market supply and demand.

Although the present provisions for establishing Class I and Class II prices have usually resulted in appropriate prices, conditions have sometimes arisen which made necessary the fixing of prices at levels different from what these provisions would have yielded. In most such cases hearings have been held and prices established on the basis of the record of the hearing. By this procedure the record of the hearing must show the existence or the definite prospect of conditions which warrant a price level different from what the order provisions would yield. By the time such conditions are in existence or in definite prospect and a hearing is held and the required procedures for the hearing and the issuance of an amendment are taken, several months may have intervened between the time when the need for a price change first became apparent and the time when such change is put into effect.

The amendment to Class I and Class II pricing provisions herein concluded to be appropriate cannot be expected to correct all of the problems which arise in the pricing of Class I and Class II milk. Both experience and logic indicate difficulty in reflecting in a formula all of the many factors which affect Class I and Class II prices. However, it is expected that the proposed change will be in the direction of causing more prompt and timely changes in these prices.

Since January 1951 there has been some decline in the market supply of milk in relation to demand. It is difficult to predict with accuracy whether the market will be adequately supplied with milk in the forthcoming fall and winter. If the market is adequately supplied, the amendments proposed herein will have little or no effect on Class I and Class II prices, but if the supply is short the proposed amendments will increase Class I and Class II prices as an incentive for a larger supply.

It is concluded that the measure of the current relationship between market supply and market demand should be based on the ratio of gross Class I and Class II utilization (excluding bulk sales of Class I milk outside of the marketing area to persons other than handlers) to total receipts from producers in a two-month period comprising the second and third months preceding the month for which a price is being computed. Many factors affect market supply and demand, but gross Class I and Class II utilization and total receipts from producers reflect the net effect of all these factors. Extension of recent trends appears to be the most accurate means of estimating current and prospective supply and demand conditions. Class I and Class II volumes should be used as a measure of market demand because, pursuant to local health regulations, all products contained in those classes must be made from milk produced in compliance with such health regulations. Bulk sales of Class I milk outside of the marketing area to persons other than handlers should be excluded because such sales are not made regularly and a portion of such sales by one handler are made from other source milk which that handler regularly receives at his plant from dairy farmers who are not producers.

Use of a 2-month period to establish trends is desirable in order to reflect quickly any changes in supply or demand. However, an adjustment based on a short period of this kind may to some extent reflect random changes in utilization which are not indicative of actual trends. It is necessary, therefore, to provide for some method of stabzilizing this adjustment and of limiting it as to total magnitude. This has been accomplished by grouping the utilization percentages and setting limits on the amount of the adjustment. The percentage groups are in such intervals that no utilization adjustment occurs until utilization is 3 or 4 percentage points above or below the base period utilization. The next percentage group applies to utilization differences of 6 or 7 percent. In the case of any utilization difference falling between groups, the adjustment is determined by the adjacent group which is the same as or nearest to the percentage group used in the previous month. For example, a utilization difference of 5 percent from the base would call for use of the group which includes 3 or 4 percent if the adjustment during the previous month had been determined by that group or a lower one. On the other hand, a 5 percent utilization difference would call for an adjustment based on 6 or 7 percent if the ad-

justment during the previous month had been determined by the 6 and 7 percent group or a higher one. The maximum adjustments provided for are 25 cents, 38 cents, and 50 cents per hundredweight.

Use of the second and third preceding months will permit announcement each month of the effect on Class I and Class II prices of these provisions prior to the beginning of the month. Thus handlers will know in advance how much prices will be changed each month by these provisions.

Producers proposed that Class I and Class II prices be adjusted upward automatically during the period September through February if in the preceding September through February period the ratio between total receipts from producers and total Class I and Class II utilization exceeded a prescribed amount. This would result in a considerable lag between the time when a change in the market supply-demand relationship becomes apparent and the time when prices would be adjusted. Producers found desirability in their proposal because they would know several months in advance what effect it would have on their prices during September through February. It is doubtful if this advantage outweighs the disadvantage of the lag mentioned above. Assurance to producers that Class I and Class II prices will be changed promptly in response to any change in the relationship between market supply and demand for milk should encourage them to continue to produce milk for the Dayton-Springfield market. Producers failed to establish good reasons why the automatic supply-demand relationship price adjustment should be upward but not downward.

The provisions for adjusting Class I and Class II prices in response to changes in the relationship between market supply and demand should be constructed in such a manner that no price adjustment results when market supply and demand are in proper balance—that is, when the market is adequately supplied. Review of market statistics indicates that such a balance existed during 1949. During that year receipts from producers were adequate to supply fully all of the requirements of the market for milk except for a negligible amount of milk from other sources.

The ratio of gross Class I and Class II utilization to total receipts from producers during each two month period of 1949 is as follows:

2-month periods of 1949	Ratio (percent)	Month during which such ratio would be used in computing prices
January and February	86	April.
February and March	80	May.
March and April	74	June.
April and May	66	July.
May and June	63	August.
June and July	65	September.
July and August	70	October.
August and September	77	November.
September and October	83	December.
October and November	87	January.
November and December	89	February.
December and January	89	March.

If the comparable ratio in the second and third months preceding the month for which prices are being computed varies from that shown above the price should be adjusted in the same direction—upward if the current ratio exceeds the one shown above, and downward if the reverse is true. For each percentage point of variation, the Class I and Class II prices should change as follows: 2 cents upward and 4 cents downward for each of the months of April through July; 3 cents for each of the months of January, February, March, August, and September; and 4 cents upward and 2 cents downward for each of the months of October through December. Analysis of Class I and Class II prices and the ratio of gross Class I and Class II utilization to total receipts from producers shows that in recent years the adjustment proposed herein would have resulted in reasonable prices. It should continue to do so. Seasonally varying adjustments should give additional incentive toward reducing the seasonal variation in receipts from producers. In order to prevent the occurrence of a "counter-seasonal" variation in the adjusted Class I differential it should be provided that the adjusted Class I differential for the month of July shall not be more than the adjusted differential for the immediately preceding month of June and the adjusted Class I differential for each of the months of August and September shall not be more than the adjusted differential for the immediately preceding month of June plus 30 cents; and the adjusted Class I differential for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November.

4. The price per hundredweight of butterfat made into butter should not be changed at this time.

The proposal to increase the "make allowance" on butterfat made into butter, if adopted, would lower the price. Testimony was presented at the hearing to show that costs of making butter have increased since the present "make allowance" was established in the order. A further justification for a higher "make allowance" on butter was the claim that a higher allowance is included in other orders. By centering only on the "make allowance" for butter the testimony failed to take into account the total price of 100 pounds of milk made into butter and nonfat dry milk solids. The order now provides for a decrease in the price of Class III skim milk of 20 cents per hundredweight during April, May, June and July. It is during these months that most butter is made in this market and the present price during these months provides an adequate allowance for converting milk into butter and Class III skim milk products. During other months the amount of surplus is small enough so that there is no need to convert milk into butter and hence a further reduction in the price for milk made into butter might provide an unjustified incentive to the production of butter in the short season.

It appears that a greater "make allowance" on butter together with the provisions for pricing Class III skim milk would result in a total price for 100 pounds of milk made into butter and nonfat dry milk solids lower than market conditions warrant.

Therefore, it is concluded that the price per hundredweight of butterfat made into butter should not be changed.

The price for Class III skim milk should be reduced 20 cents per hundredweight during each of the months of March and September.

Since the present pricing provisions for Class III skim milk became effective receipts from producers have increased somewhat, particularly in the months of lower production. This is desirable and should be encouraged. However, such increases in supply have resulted in larger volumes of Class III milk to be handled in the months between the flush and short seasons of production. Because of this larger Class III volume a larger proportion of the skim milk in these months must be manufactured into nonfat dry milk solids.

The present pricing formula for Class III skim milk embodies a seasonal decline of 40 cents per hundredweight on April 1 and seasonal increases of 20 cents each on August 1 and September 1. The change herein proposed will make the spring seasonal decline less abrupt by splitting it into two 20-cent declines to occur on March 1 and April 1. Since Class III volumes in March and September are about the same, prices in these two months should be the same.

Handlers proposed, in addition to the changes above recommended, the use of a different quotation for nonfat dry milk solids which is generally lower than the one presently used. They contended that the proposed quotation was more representative of the value of nonfat dry milk solids manufactured by handlers than the one presently used. The present deduction of 20 cents from the Class III formula computation during the months of April through July was designed to reflect this difference. Therefore any shift in quotations should be accompanied by a compensating change in the 20 cent deduction. Since handlers did not show that the quotation proposed by them reflected more accurately changes in the value of Class III milk, no advantage is apparent in changing quotations.

It is therefore concluded that the price for Class III skim milk should be reduced 20 cents during each of the months of March and September.

5. The maximum allowable amount of the deduction for marketing services made from payments to producers should be increased to 6 cents per hundredweight of milk.

It is desirable that the market administrator continue to perform the marketing services for which these deductions are intended to the same extent as formerly. In recent months the funds which the market administrator uses to perform these services have been depleted. In order to insure sufficient funds for continuation of those services the maximum allowable deduction should be increased to 6 cents per hundredweight of milk.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms

and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. No briefs or proposed findings or conclusions were filed.

Recommended Marketing Agreement and amendment to the order. The following amendment to the order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order, as amended, and as hereby proposed to be further amended.

1. Amend § 971.4 (b) (1) to read as follows:

(1) Class I milk shall be all skim milk and butterfat (i) disposed of in fluid form (except that which was dumped or disposed of for livestock feeding) as milk, including reconstituted milk, skim milk, buttermilk, flavored milk, or flavored milk drinks; (ii) used to produce concentrated milk (excluding those products commonly known as evaporated milk and condensed milk) for fluid consumption; and (iii) not specifically accounted for as Class II or Class III milk.

2. Amend § 971.4 (d) (1) (iii) to read as follows:

(iii) As Class I milk if transferred by a handler to a person other than a handler who distributes milk in fluid form or manufacturs milk products, unless the market administrator is permitted to audit the records of receipts and utilization at the plant of the buyer, in which case the classification of all skim milk and butterfat received at the plant of the buyer shall be determined and the skim milk and butterfat transferred by the handler shall be allocated to the highest use remaining after subtracting, in series beginning with Class I milk, receipts of skim milk and butterfat at the plant of the buyer directly from dairy farmers who the market administrator determines constitute the regular source of supply for the plant of the buyer.

3. Amend § 971.5 (b) (1) to read as follows:

(1) Add to the basic formula price $0.75 during each of the months of April through July and $1.05 during each of the other months of the year, and add or subtract "a supply-demand adjustment" computed as follows:

(i) Divide the total gross volume of Class I milk and Class II milk (less interhandler transfers and less bulk transfers of milk from handlers to persons other than handlers outside the marketing area) in the second and third months preceding by total receipts of milk from producers for the same months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the Class I and Class II utilization percentage.

(ii) Compute a "net utilization percentage" by subtracting the utilization percentage as computed in subdivision (i) of this subparagraph from the Class I and Class II percentage shown below:

Month for which price is being computed:	*Class I and Class II utilization percentage*
January	87
February	89
March	89
April	86
May	80
June	74
July	66
August	63
September	65
October	70
November	77
December	83

(iii) Determine the amount of the supply-demand adjustment as follows:

If net utilization percentage is—	Supply-demand adjustment for specified months is—		
	Jan., Feb., Mar., Aug., and Sept.	Apr., May, June, and July	Oct., Nov., and Dec.
+12 or over	+38	+25	+50
+9 or 10	+28	+19	+38
+6 or 7	+20	+13	+26
+3 or 4	+10	+7	+14
+1 or −1	0	0	0
−3 or −4	−10	−14	−7
−6 or −7	−20	−26	−13
−9 or −10	−28	−38	−19
−12 or −13	−38	−50	−25
−15 or −16	−38	−50	−31
−18 or −19	−38	−50	−37
−21 or −22	−38	−50	−43
−24 or under	−38	−50	−50

When the difference from the base period Class I and Class II utilization percentage does not fall within the tabulated brackets, the adjustment shall be determined by the adjacent bracket which is the same as or nearest to the bracket used in the previous month: *Provided,* That the Class I differential adjusted pursuant to this subparagraph for the month of July shall not be more than such adjusted differential for the immediately preceding month of June and for each of the months of August and September the Class I differential adjusted pursuant to this subparagraph shall not be more than such adjusted differential for the immediately preceding month of June plus 30 cents; and the Class I differential adjusted pursuant to this subparagraph for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November.

4. Amend § 971.5 (c) (1) to read as follows:

(1) Subtract $0.30 from the Class I price.

5. Amend § 971.5 (d) (2) to read as follows:

(2) The price per hundredweight of such skim milk shall be computed by dividing the amount computed pursuant to paragraph (a) (3) (ii) of this section by 0.965: *Provided,* That for each of the months of April through July, 20 cents shall be subtracted from the amount so computed, and during the months of October through February 20 cents shall be added to the amount so computed.

6. Amend § 971.10 (a) by deleting the figure "5 cents" contained therein and substituting therefor the figure "6 cents".

Filed at Washington, D. C., this 13th day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-9744; Filed, Aug. 15, 1951; 8:52 a. m.]

[7 CFR Part 986]

HANDLING OF HOPS GROWN IN OREGON, CALIFORNIA, WASHINGTON, AND IDAHO, AND OF HOP PRODUCTS PRODUCED THEREFROM IN THESE STATES

SALABLE QUANTITY OF 1951 CROP HOPS

Notice is hereby given that the Department is considering the issuance of the proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 107 and Order No. 86, regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States (7 CFR Part 986), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such administrative rule consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the tenth day after date of publication of this notice in the FEDERAL REGISTER, except that, if said tenth day after publication should fall on a holiday or Sunday, such submission may be received by the Director not later than the close of business on the next following work day.

Pursuant to provisions of the aforesaid agreement and order the Hop Control Board, the administrative agency thereunder, has transmitted to the Secretary of Agriculture its estimates relating to consumptive demand for hops and hop stocks, and has recommended that

the salable quantity of 1951 crop hops be fixed at 46,500,000 pounds.

The Board's estimates and recommendation and other information available to the Secretary was considered and it is proposed to accept such estimates and recommendation. In arriving at the proposed salable quantity, consumptive demand for the 12 months beginning September 1, 1951, was estimated at 49,665,000 pounds, comprised of domestic usage for brewing 36,984,000 pounds, other domestic usage 600,000 pounds, and exports 12,700,000 pounds. An allowance was made for an estimated decrease of 619,000 pounds in brewers' hop stocks during the period. It was estimated that imports during the 12 months beginning September 1, 1951, will be 3,000,000 pounds, which subtracted from the estimated consumptive demand results in a quantity of 46,665,000 pounds, representing the salable quantity to be supplied from 1951 crop hops produced in the United States. In making its recommendation of 46,500,000 pounds as the salable quantity for 1951 crop hops, the Board took into consideration the fact that a small quantity of hops will be produced in the United States outside the four-State production area which will be available for use in supplying consumptive demand. It was estimated that the fixing of the salable quantity at 46,500,000 pounds will result in a reduction in the stocks of hops in the hands of brewers, dealers, and growers as of September 1, 1952, to 26,000,000 pounds from the estimated stocks of 26,619,000 pounds as of September 1, 1951.

Therefore, such proposed administrative rule is as follows:

§ 986.203 *Salable quantity of 1951 crop hops.* The maximum quantity of hops produced during 1951 which may be handled in the form of hops and in the form of any hop product shall be 46,500,000 pounds (net dry weight).

Issued at Washington, D. C., this 13th day of August 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51-9742; Filed, Aug. 15, 1951; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

AIR NAVIGATION SITE WITHDRAWAL NO. 258, ENLARGEMENT

AUGUST 7, 1951.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and pursuant to section 2.22 (2) of Delegation Order No. 427, of August 16, 1950 (15 F. R. 5641), the following described tract of land is hereby added to Air Navigation Site Withdrawal No. 258, established February 15, 1950:

Beginning at the east corner of Air Navigation Site Withdrawal No. 258, in the vicinity of Golovin, Second Judicial Division, Territory of Alaska, thence
S. 23° 07′ W. 800.6 feet,
S. 56° 43′ W. 1,232 feet to the south corner of said withdrawal,
N. 43° 35′ E. 1,950 feet along the SE. boundary line of said withdrawal to the point of beginning.

The tract described contains approximately 6.3 acres (more or less).

It is intended that the public land described herein shall return to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-9706; Filed, Aug. 15, 1951; 8:46 a. m.]

[Misc. 52682]

IDAHO

ORDER PROVIDING FOR THE OPENING OF PUBLIC LANDS RESTORED FROM THE BOISE PROJECT

AUGUST 8, 1951.

An order of the Bureau of Reclamation dated May 17, 1949, concurred in by the Associate Director, Bureau of Land Management, May 27, 1949, revoked the Departmental orders of December 22, 1903 and June 22, 1915, so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described lands in connection with the Boise Project, Idaho, and provided that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other order withdrawing or reserving the lands described:

BOISE MERIDIAN

T. 3 N., R. 4 W.,
Sec. 5, lots 3, 4, SE¼NW¼;
Sec. 23 E½SE¼;
Sec. 24, SW¼SW¼.

The above areas aggregate 240.70 acres.

The lands are suitable for agricultural development with irrigation.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated

statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

MARION CLAWSON,
Director.

[F. R. Doc. 51-9707; Filed, Aug. 15, 1951; 8:46 a. m.]

Office of the Secretary

WISCONSIN

NOTICE FOR FILING OBJECTIONS TO RESERVATION OF CERTAIN PUBLIC LANDS IN CONNECTION WITH THE TOTOGATIC CONSERVATION AREA [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 9, 1951.

[F. R. Doc. 51-9704; Filed, Aug. 15, 1951; 8:45 a. m.]

[1] See F. R. Doc. 51-9705, *supra.*

DEPARTMENT OF DEFENSE

Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

CENTRAL AND FIELD AGENCIES

Section 1 of the statement of organization and functions appearing at 15 F. R. 6639, October 3, 1950, is amended by changing subparagraph (7) of paragraph (e), and by adding subparagraphs (17) (vii) and (23-1) to paragraph (e), as follows:

SECTION 1. *Description of central and field agencies.* * * *

(e) *Organization of Department of the Army.* * * *

(7) *Deputy Chief of Staff for Operations and Administration.* The Deputy Chief of Staff for Operations and Administration is responsible to the Chief of Staff for the coordinated execution of approved Army plans and programs in all operational and administrative activities and for the coordination of implementation plans therefor.

* * * * *

(17) *Special Staff.* * * *

(vii) Office of the Chief of Psychological Warfare.

* * * * *

(23-1) *Chief of Psychological Warfare.* The Chief of Psychological Warfare formulates and develops psychological and special operations plans for the Army in consonance with established policy and recommends policies for and supervises the execution of Department of the Army programs in these fields.

* * * * *

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51-9714; Filed, Aug. 15, 1951; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

AUGUST DOMESTIC AND EXPORT PRICE LIST

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

AUGUST DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dried whole eggs—1950 pack (packed in barrels and drums) in carload lots only, 1,000,000 pounds.[1]	$1.03 per pound "in store" at location of stock in Illinois, Indiana, Iowa, Michigan, Ohio, Oklahoma, Texas, Kansas, Missouri, Nebraska, Minnesota, Wisconsin, New York, and Delaware ("in store" means in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer).
Nonfat dry milk solids—1951 production, in carload lots only, 20,000,000 pounds.	Spray process—15½ cents per pound "in store" at location of stock in any State ("in store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer). (See note on Ceiling Price Certification at the end of this price list.)
Linseed oil, raw 217,000,000 pounds.	Market price on date of sale. (See note on Ceiling Price Certification at the end of this price list.)
Dry edible beans	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. Where no price support differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of any paid-in freight to be added.
Pinto, bagged 1,615,000 hundredweight.	No. 1 Grade, 1948 [1] and 1949 crops: $8.19 per 100 pounds, basis f. o. b. Denver rate area and California area; $7.79 per 100 pounds, basis f. o. b. Idaho area.
Peas, bagged 860,000 hundredweight.	No. 1 Grade 1948 [1] and 1949 crops: $7.91 per 100 pounds, basis f. o. b. Michigan area.
Red Kidney, bagged 450,000 hundredweight.	No. 1 Grade 1948 [1] and 1949 crops: $9.37 per 100 pounds, basis f. o. b. New York area.
Great Northern, bagged 1,650,000 hundredweight	No. 1 Grade 1948 [1] and 1949 crops: $7.23 per 100 pounds, basis f. o. b. Twin Falls, Idaho, area; $7.60 per 100 pounds, basis f. o. b. Morrill, Nebr., area.
Baby Lima, bagged 615,000 hundredweight.	No. 1 Grade 1948 [1] and 1949 crops: $8.02 per 100 pounds, basis f. o. b. California area.
Cranberry beans, bagged 75,000 hundredweight.	No. 1 Grade 1949 crop: $8.66 per 100 pounds, basis f. o. b. California and Michigan areas.
Austrian winter pea seed, bagged 2,330,000 hundredweight.	$4.50 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Blue Lupine seed, bagged, 1,330,000 hundredweight.	$5 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Kohe Lespedeza seed, bagged 564,000 hundredweight.	$13.49 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Weeping Lovegrass seed, bagged, 910 hundredweight.	$51.50 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Common and Willamette Vetch seed, bagged, 21,000 hundredweight.	$7 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Alfalfa Seed (Southern, Certified or Registered), bagged, 11,000 hundredweight.	$26.68 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Red Clover Seed (Uncertified), bagged 49,000 hundredweight.	$37.21 per 100 pounds, basis f. o. b. point of production; plus any paid-in freight.
Wheat, bulk 5,000,000 bushels	This wheat is available only when premium wheat is required or where emergency situations exist. Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality, and location, plus: (1) 20 cents per bushel if received by truck or; (2) 15 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, Mo. No. 1 HW, ex rail or barge, $2.60; Minneapolis, No. 1 DNS, ex rail or barge, $2.62; Chicago, No. 1 RW, ex rail or barge, $2.65. NOTE: No wheat will be for sale in the Portland, Oreg. area until further notice.
Oats, bulk, 7,400,000 bushels	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate plus: (1) 12 cents per bushel, if received by truck, or (2) 11 cents per bushel, if received by rail or barge. At other points, the foregoing plus average paid-in freight: Examples of minimum prices, per bushel: Chicago, No. 3 or better, ex rail or barge, 95 cents; Minneapolis, No. 3 or better, ex rail or barge, 91 cents.
Barley, bulk, 19,600,000 bushels	Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality, and location, plus: (1) 19 cents per bushel if received by truck; or (2) 15 cents per bushel if received by rail or barge. Examples of minimum prices per bushel: Minneapolis, No. 1 barley, ex rail or barge $1.47; San Francisco, No. 1 western barley, ex rail or barge $1.52.

[1] These same lots are available at export sales prices announced today.

AUGUST DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Corn, bulk, 50,000,000 bushels	1950 commercial corn-producing area: At points of production, basis in store, the market price but not less than the applicable 1950 county loan rate for No. 3 yellow, plus 27 cents per bushel, with market differentials for other grades, quality, and classes. At other delivery points: (1) the foregoing, plus average paid-in freight, or (2) basis the following fixed minimum terminal prices, with market differentials for grade, quality, and class, and freight differentials for location. Fixed minimum prices, per bushel: Chicago, No. 3 yellow, $1.89; St. Louis, No. 3 yellow, $1.89; Minneapolis, No. 3 yellow, $1.82; Omaha, No. 3 yellow, $1.81; Kansas City, No. 3 yellow, $1.85. Market differentials for other grades, quality, and classes. 1950 non-commercial corn-producing area: At points of production, or originating in a noncommercial county, basis in store, the market price but not less than 133 percent of the applicable 1950 county loan rate for No. 3, plus 27 cents per bushel; at other points, the foregoing plus average paid-in freight. If originating in a commercial county, the county loan rate for No. 3 plus 27 cents, plus average paid-in freight. Example of minimum price, per bushel: 1950 county loan rate for Brown County, Ind., $1.10 per bushel, No. 3 corn; 133 percent of $1.10, plus 27 cents equals $1.74 per bushel, the minimum sales price.
Flaxseed, bulk, 2,700,000 bushels	The market price on date of sale at place of delivery but not less than the following: No. 1, $3.50 per net bushel, bulk, in store, Minneapolis. For other markets and other grades, adjust by market differentials.

Ceiling price certification. Any purchaser from CCC of nonfat dry milk solids, or raw linseed oil, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

AUGUST EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales price
Dried whole eggs: 1950 pack (packed in barrels and drums) in carload lots only. 10,000,000 pounds.	(1) 60c per lb. f. a. s. vessel any U. S. Gulf or East Coast Port; or (2) 60c per lb. "in store" at location of stock, less freight based on the average gross shipping weight calculated at the lowest export freight rate. ("In store" means in storage at warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer.)
Dry edible beans	No. 1 Grade 1948 crop, f. a. s. vessel at locations shown below:
Pinto, bagged, 795,000 hundredweight.[1]	$4.90 per 100 pounds., San Francisco Bay area and Portland, Oreg.; $5.00 per 100 pounds, U. S. Gulf ports. (See note below.)
Pea, bagged, 120,000 hundredweight.[1 2]	For export to Western Hemisphere countries—$6.50 per 100 pounds, East Coast ports; for export to other than Western Hemisphere countries—$5.50 per 100 pounds, East Coast ports.
Great Northern, bagged 585,000 hundredweight.[1 2]	$6.50 per 100 pounds, Portland, Oreg. (26,000 hundredweight only stored at The Dalles, Oreg.); $6.60 per 100 pounds U. S. Gulf ports. (See note below.)
Baby Lima, bagged, 90,000 hundredweight.[1]	$5 per 100 pounds, San Francisco Bay area.
Red Kidney, bagged 350,000 hundredweight.[1 2]	$6.50 per 100 pounds, New York. NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer. Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1. At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted.
Austrian Winter Pea seed, bagged 2,330,000 hundredweight.[1]	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.

[1] These same lots also are available at domestic sales prices announced today.
[2] Ceiling price certification. Any purchaser from CCC of Red Kidney beans or Great Northern beans for export, or of Pea beans for export to Western Hemisphere countries, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

(Pub. Law 439, 81st Cong.)

Issued August 13, 1951.

[SEAL]

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 51-9745; Filed, Aug. 15, 1951; 8:52 a. m.]

Farm Credit Administration

[Farm Credit Administration Order 527]

COOPERATIVE BANK COMMISSIONER, DEPUTY COOPERATIVE BANK COMMISSIONER, ASSISTANT COOPERATIVE BANK COMMISSIONER, AND ASSISTANT DEPUTY COOPERATIVE BANK COMMISSIONER

DELEGATION OF AUTHORITY TO PERFORM CERTAIN FUNCTIONS, POWERS, AUTHORITY, AND DUTIES

Correction

In Federal Register Document 51-9303, published on page 7830 of the issue for Thursday, August 9, 1951, the name "B. F. Wiehmann" should read "B. F. Viehmann".

Office of the Secretary

DESIGNATION OF DISASTER AREAS HAVING NEED FOR AGRICULTURAL CREDIT

Pursuant to the authority contained in Public Law 38, 81st Congress, approved April 6, 1949, the following designations of disaster areas were made as having a need for agricultural credit:

COLORADO

The following counties were designated, on May 24, 1951, as disaster areas due to severe drought and insect infestation. After June 30, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Archuleta. La Plata.
Dolores. Montezuma.

FLORIDA

The following county was designated, on July 3, 1951, as a disaster area due to adverse weather conditions. After June 30, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Hardee.

Disaster loans made as a result of disasters in counties designated on October 24, 1950 and November 2, 1950 (16 F. R. 590), will not be made after June 30, 1952, except to borrowers who previously received such assistance.

GEORGIA

The designation of 60 counties on December 7, 1950 (16 F. R. 590), as disaster areas is amended to include all counties in the State. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

HAWAII

The following county was designated, on April 26, 1951, as a disaster area due to excessive rainfall. After December 31, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Honolulu (entire Oahu Island).

ILLINOIS

The following counties were designated on July 21, 1951, as disaster areas due to excessive rainfall and flood conditions:

Ford. Iriquois. Livingston.

IOWA

The following counties were designated on July 17, 1951, as disaster areas due to excessive rainfall and floods:

Adair.
Adams.
Appanoose.
Audubon.
Calhoun.
Carroll.
Cass.
Clarke.
Crawford.
Davis.
Decatur.
Fremont.
Greene.
Guthrie.
Harrison.
Ida.
Lucas.
Madison.
Mills.
Monona.
Monroe.
Montgomery.
Page.
Pottawattamie.
Ringgold.
Sac.
Shelby.
Taylor.
Union.
Wapello.
Warren.
Wayne.
Woodbury.

KANSAS

The entire State of Kansas was designated on July 17, 1951, as a disaster area due to excessive rainfall and floods.

LOUISIANA

The following parishes were designated on April 12, 1951, as disaster areas

due to adverse weather conditions. After December 31, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Plaquemines.	Tangipahoa.
St. Tammany.	Washington.

MINNESOTA

The following counties were designated, on January 26, 1951, as disaster areas due to adverse weather conditions. After December 30, 1951 disaster loans will not be made except to borrowers who previously received such assistance.

Anoka.	Lake of the Woods.
Benton.	Mille Lacs.
Chisago.	Morrison.
Isanti.	Pine.
Kanabec.	Sherburne.

The following counties were designated, on April 26, 1951, as disaster areas due to flood conditions. After December 31, 1951 disaster loans will not be made except to borrowers who previously received such assistance.

Blue Earth.	Nicollet.
Carver.	Sibley.
Le Sueur.	

MISSOURI

The following counties were designated, on December 15, 1950, as disaster areas due to adverse weather conditions and insect infestation. After June 30, 1951 disaster loans will not be made except to borrowers who previously received such assistance.

Butler.	Pemiscot.
Dunklin.	Ripley.
Mississippi.	Scott.
New Madrid.	Stoddard.

The following counties were designated, on July 17, 1951, as disaster areas due to excessive rainfall and flood conditions:

Andrew.	Jefferson.
Atchison.	Johnson.
Barton.	Lafayette.
Bates.	Mercer.
Benton.	Miller.
Boone.	Mississippi.
Butler.	Moniteau.
Caldwell	Montgomery.
Callaway.	Morgan.
Cape Girardeau.	New Madrid.
Carroll.	Nodaway.
Cass.	Osage.
Chariton.	Pemiscot.
Clay.	Perry.
Clinton.	Pettis.
Cole.	Platte.
Cooper.	Ray.
Daviess.	Ripley.
DeKalb.	St. Charles.
Dunklin.	St. Clair.
Franklin.	St. Genevieve.
Gentry.	St. Louis.
Grundy.	Saline.
Harrison.	Scott.
Henry.	Stoddard.
Holt.	Vernon.
Howard.	Warren.
Jackson.	Worth.
Jasper.	

The following counties were designated, on July 19, 1951, as disaster areas due to severe floods and excessive rainfall:

Buchanan. Gasconade. Livingston.

MONTANA

The following counties were designated, on February 8, 1951, as disaster areas due to adverse weather conditions. After December 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Glacier. Teton.

NEBRASKA

The following counties were designated, on February 21, 1951, as disaster areas due to adverse weather conditions and insect infestation. After December 31, 1951 disaster loans will not be made except to borrowers who previously received such assistance.

Box Butte.	Scotts Bluff.
Dawes.	Sheridan.
Morrill.	Sioux.

NEW MEXICO

The entire State of New Mexico was designated, on April 6, 1951, as a disaster area due to prolonged drought and insect infestation.

NEW YORK

The entire State of New York was designated, on December 21, 1950, as a disaster area due to severe rain and windstorm. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

OKLAHOMA

The following counties were designated, on July 20, 1951, as disaster areas due to flood conditions:

Delaware.	Ottawa.
Mayes.	Rogers.
Muskogee.	Wagoner.
Nowata.	

OREGON

The following county was designated, on January 11, 1951, as a disaster area due to excessive rainfall. After December 31, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Jefferson.

SOUTH DAKOTA

The following counties were designated, on January 26, 1951, as disaster areas due to adverse weather conditions. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Aurora.	Hand.
Beadle.	Hughes.
Brown.	Hyde.
Brule.	Hamlin.
Buffalo.	Jerauld.
Campbell.	Kingsbury.
Charles Mix.	Marshall.
Clark.	McPherson.
Codington.	Potter.
Corson.	Roberts.
Davison.	Sanborn.
Day.	Spink.
Dewey.	Stanley.
Douglas.	Sully.
Edmunds.	Walworth.
Faulk.	Ziebach.

TENNESSEE

The following counties were designated, on January 11, 1951, as disaster areas due to excessive rainfall and heavy boll weevil infestation. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Chester.	Hardin.
Decatur.	Henderson.
Fayette.	McNairy.
Hardeman.	Shelby.

The following county was designated, on February 21, 1951, as a disaster area due to excessive rainfall. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Dyer.

TEXAS

The following counties were designated, on February 21, 1951, as disaster areas due to freezing temperatures. After December 31, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Cameron. Hidalgo. Willacy.

The following county was designated, on February 21, 1951, as a disaster area due to adverse weather conditions. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Cochran.

The following counties were designated, on March 23, 1951, as disaster areas due to adverse weather conditions. After June 30, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Brooks.	Jim Wells.
Duval.	Kleberg.
Jim Hogg.	

The following counties were designated, on April 26, 1951, as disaster areas due to prolonged drought and insect infestation. After June 30, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

Hemphill. Roberts.

VIRGINIA

The following county was designated, on February 21, 1951, as a disaster area due to excessive rainfall and heavy boll weevil infestation. After December 31, 1951 disaster loans will not be made except to borrowers who previously received such assistance.

Brunswick.

WASHINGTON

The following counties were designated, on March 6, 1951, as disaster areas due to excessive rainfall and flood conditions. After December 31, 1951, disaster loans will not be made except to borrowers who previously received such assistance.

King. Skagit. Snohomish. Whatcom.

Done at Washington, D. C., this 10th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9723; Filed, Aug. 15, 1951; 8:48 a. m.]

DEPARTMENT OF LABOR

Office of the Secretary

Organization and Functions

Pursuant to authority conferred by R. S. 161 (5 U. S. C. 22), and in accordance with section 3 (a) of the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) the Statement of organization of the United States Department of Labor is hereby revised to read as follows:

Office of the Secretary—Organization and functions. The Secretary of Labor is primarily responsible for the formulation of governmental policy in all matters affecting labor. He serves on the following interdepartmental bodies:

Defense Mobilization Board (Executive Order 10200, 16 F. R. 61).

Interdepartmental Committee on Trade Agreements (Executive Order 10082, 14 F. R. 6105).

National Security Resources Board (Executive Order 9905. November 13, 1947, 3 CFR, 1947 Supp. 175, as amended by Executive Order 9931, February 19, 1948, 3 CFR, 1948 Supp. 100.

National Archives Council (57 Stat. 381; 44 U. S. C. 367).

Interdepartmental Publications Board (Executive Order 9568, June 8, 1945, 3 CFR, 1945 Supp. 77 as amended by Executive Order 9604, August 25, 1945, 3 CFR, 1945 Supp. 108).

Under the Foreign Service Act of 1946 (60 Stat. 999; 5 U. S. C. 681, 22 U. S. C. 801) he designates a representative of the Department to serve as a member of the Board of Foreign Service.

The Secretary of Labor has the ultimate responsibility for the administration of the Department of Labor under the Organic Act (37 Stat. 736; 5 U. S. C. 611) and various Reorganization Plans; one of which, Plan No. 6 of 1950, effective May 24, 1950 (15 F. R. 3174), transferred to the Secretary of Labor all functions of all other officers of the Department of Labor and all functions of all agencies and employees of the Department. In carrying out these functions he may authorize their performance by other officers, agencies or employees of the Department. He exercises his responsibility through his aides and assistants and has the duty of reporting annually to Congress on the Department's activities. He directs and supervises the work of the constituent bureaus, offices and divisions of the Department. In addition, he has functions under particular statutes, some of which are delegated to officials in the Department, as indicated.

Authorization of, and promulgation of regulations with respect to, the making of special studies by the Bureau of Labor Statistics for private persons (48 Stat. 582; 29 U. S. C. 9, 9a, 9b).

The Secretary of Labor has delegated to the Commissioner of the Bureau of Labor Statistics all functions in connection with collecting, collating, reporting, and publishing labor statistics and statistical studies (37 Stat. 737, 46 Stat. 1019; 29 U. S. C. 2 and 54 Stat. 249; 29 U. S. C. 2b), and the maintenance of a file of collective bargaining agreements under section 211 of the Labor Management Relations Act of 1947 (61 Stat. 156; 29 U. S. C. 181).

Predetermination of prevailing wage rates for laborers and mechanics in the performance of construction contracts which are subject to provisions of the following statutes: The Davis-Bacon Act as amended (46 Stat. 1494; 40 U. S. C. 276a); the National Housing Act as amended (48 Stat. 1246; 12 U. S. C. 1715c); the Federal Airport Act, as amended (60 Stat. 170; 49 U. S. C. Supp. III, 1114 (b)); the Hospital Survey and Construction Act of 1946, as amended (60 Stat. 1040; 42 U. S. C. Supp. III, 291h); the Housing Act of 1949 (63 Stat. 419; 42 U. S. C. Supp. III, 1459), the Housing Act of 1950 (64 Stat. 48; 42 U. S. C. 1521); the School Survey and Construction Act of 1950 (64 Stat. 967, 972; 20 U. S. C. A. 275 (b) (E)) and the determination of prevailing rates of wages in such disputes arising under section 3 of the Tennessee Valley Authority Act, as amended (48 Stat. 59; 16 U. S. C. A. 831 (b)).

The functions of the Secretary of Labor under these statutes are delegated to a designated Assistant Secretary of Labor and to the Solicitor of Labor severally. Concurrence by the Secretary of Labor is required in determination of prevailing wages by the Secretary of Interior in event of dispute as to wage rates under section 15 of Boulder Canyon Project Adjustment Act (54 Stat. 779, as amended; 43 U. S. C. sec. 618n).

By Reorganization Plan No. 14 of 1950, effective May 24, 1950 (15 F. R. 3176) the Secretary is authorized to prescribe appropriate standards, regulations, and procedures which shall be observed by agencies performing contracts within the coverage of the Davis-Bacon Act, the National Housing Act, as amended (48 Stat. 1246; 53 Stat. 807; 12 U. S. C. 1715 (c)), the Housing Act of 1949, the Federal Airport Act, the Hospital Survey and Construction Act, the School Survey and Construction Act, the "Copeland Anti-Kickback Act" (48 Stat. 948, as amended; 63 Stat. 89, 108, 18 U. S. C. Supp. III, 874, 40 U. S. C. 276 (b), 276 (c)), the Eight-Hour Laws, as amended (27 Stat. 340; 37 Stat. 137; 40 U. S. C. 321); in addition, the Secretary of Labor is authorized by this reorganization plan to make investigations with respect to compliance with and enforcement of such labor standards.

Administration of the "Copeland Anti-Kickback Act", as amended (Reorganization Plan No. 4, effective June 30, 1940, 54 Stat. 1236, 5 U. S. C. 133t note; Reorganization Plan No. 14, effective May 24, 1950; 15 F. R. 3176). Administrative and interpretative functions under this act are delegated to the Solicitor of Labor.

Interpretation of the Eight-Hour Law as amended (Reorganization Plan No. 14, effective May 24, 1950 (15 F. R. 5176)) upon the request of interested parties and agencies. This function is delegated to the Solicitor of Labor.

Passing upon the issuance of certificates of merit requested by national organizations of railway employees to enable them to present their claim concerning their right to participate in selection of labor members to the National Railroad Adjustment Board under section 3 First (f) of the Railway Labor Act as amended (44 Stat. 578; 48 Stat. 1189; 45 U. S. C. 153 First (f).

Administration and enforcement of the Walsh-Healey Public Contracts Act as amended (49 Stat. 2036; 41 U. S. C. 35). This act is administered by the Secretary through the Administrator of the Wage and Hour and Public Contracts Divisions. Certain final authority under the act, including promulgation of regulations, granting of exemptions, issuance of complaints, and making determinations as to the application of the ineligibility list provisions under section 3 of the act is exercised directly by the Secretary.

Administration and enforcement of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, 63 Stat. 910; 29 U. S. C. 201 and Supp. IV, Reorganization Plan No. 6, effective May 24, 1950; 15 F. R. 3174).

Most of the administrative functions under the Fair Labor Standards Act have been delegated to the Administrator of the Wage and Hour and Public Contracts Divisions including issuance of rulings and interpretations on the advice of the Solicitor of Labor. Some functions with relation to the child labor provisions of the act have been delegated to the Director of the Bureau of Labor Standards.

The functions of issuing regulations and orders under section 3 (l) of the Fair Labor Standards Act, bringing legal proceedings under the act, the submission to Congress of the Annual Report required by section 4 (d) of the act and of recommending to the Attorney General in criminal actions are exercised directly by the Secretary. The rules of the Secretary of Labor issued pursuant to section 3 (l) of the act are set forth in 29 CFR, Parts 401, 402, 422 and 441.

Administration of the provisions of the "Wagner-Peyser Act" as amended and supplemented (48 Stat. 113; 60 Stat. 684; 62 Stat. 445; 29 U. S. C. 49) establishing a Federal-State system of public employment offices, title IV of the Servicemen's Readjustment Act, as amended (58 Stat. 293; 38 U. S. C. 695), which established a Veterans' Employment Service, and the Federal functions of the Federal-State unemployment insurance system as provided in the Social Security Act as amended (49 Stat. 620, 626; 42 U. S. C. 501 et seq.; 60 Stat. 982; 42 U. S. C. 1331 et seq.) and the Federal Unemployment Tax Act, as amended (53 Stat. 183; 26 U. S. C. 1600 et seq.), by virtue of Reorganization Plan 2 of 1949 (63 Stat. 1065).

Administration and enforcement of these acts has been delegated to the Director of the Bureau of Employment Security under the general direction and control of the Secretary.

Performing, through the Bureau of Veterans' Reemployment Rights, the function of rendering aid in the replacement in their former positions and in connection with the exercise of reemployment rights of veterans under section 8 of the Selective Training and Service Act of 1940, as amended (54 Stat. 890, 50 U. S. C. App. 308), the Service Extension Act of 1941, as amended (55 Stat. 626; 50 U. S. C. App.

351 et seq.), the Army Reserve and Retired Personnel Service Law of 1940, as amended (54 Stat. 858; 50 U. S. C. App. 401), the Selective Service Act of 1948, as amended (62 Stat. 604; 50 U. S. C. App. Supp. III 451 as amended) and under the act of June 23, 1943 (57 Stat. 162; 50 U. S. C. App. 1472) of persons who performed service in the Merchant Marine. The function of furnishing legal interpretations concerning veteran's reemployment rights and legal advice and services has been delegated to the Solicitor of Labor.

Administration, through the Bureau of Apprenticeship, of the act, August 16, 1937, as amended (50 Stat. 664, 50 U. S. C. App. sec. 601; 29 U. S. C. 50).

Disposition of Tort claims up to $1,000 against the Department of Labor pursuant to the provisions of the Federal Tort Claims Act (60 Stat. 842; 28 U. S. C. 921). The Secretary's function under this act has been delegated to the Solicitor of Labor.

Provides, through the Division for the Physically Handicapped in the Bureau of Labor Standards facilities and services to the President's Committee on National Employ the Physically Handicapped Week which week was established by Congress to promote nationwide interest and to secure and maintain cooperation of all groups in the rehabilitation and employment of physically handicapped workers.

Exercising and performing the authority and functions regarding the filing of information by labor unions conferred by sections 9 (f) and (g), Title I, of the Labor-Management Relations Act, as amended (61 Stat. 136, 145, 146, 29 U. S. C. Supp. IV, 141, 159 (f) and (g)). These functions are performed in the Division of Union Registration, the Bureau of Labor Standards.

Exercising and performing the functions of the Department of Labor in connection with the International Labor Organization and other international labor matters. The international activities of the Department are supervised and coordinated under the general direction of an Assistant Secretary of Labor and by the Office of International Labor Affairs.

Exercises and performs the functions of the Veterans' Placement Service Board as provided by section 2 of the Reorganization Plan No. 2 of 1949 (63 Stat. 1085), and under Title IV of the Servicemen's Readjustment Act of 1944.

Administration, through the Women's Bureau of the act of June 5, 1920 (41 Stat. 987; 29 U. S. C. 11).

Administration of the Federal Employees' Compensation Act, as amended and extended (39 Stat. 742, 5 U. S. C. 751 et seq.). Longshoremen's and Harbor Workers' Compensation Act as amended (44 Stat. 1424; 33 U. S. C. 901 et seq.); the District of Columbia Workmen's Compensation Law, as amended (45 Stat. 600; 36 D. C. Code 36–501, 502); the act of August 16, 1941, as amended, the so-called Defense Bases Act (55 Stat. 622; 42 U. S. C. 1651); act of December 2, 1942 (56 Stat. 1028; 42 U. S. C. 1701) and certain parts of the War Claims Act of 1948 (62 Stat. 1240; 50 U. S. C., Supp. III, app. 2001) and the Civilian War Benefits Program (60 Stat. 696); by virtue of Reorganization Plan No. 19 of 1950, effective May 24, 1950 (63 Stat. 203).

Except for the functions and duties of the Secretary created by section 41 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, and section 209 of the Federal Employees' Compensation Act Amendments of 1949 and the preparation and submission of reports and recommendations to Congress, the Secretary of Labor has delegated the administrative functions under these acts to the Director, Bureau of Employees' Compensation and the Employees' Compensation Appeals Board. The functions and duties relating to safety investigations, recommendations to employers, and the developing, supporting and fostering of organized safety promotion authorized under section 41 of the Longshoremen's and Harbor Workers Compensation Act and under section 33 (b) and (c) of the Federal Employees' Compensation Act have been delegated to the Director of the Bureau of Labor Standards.

The Federal Safety Council, established in the Department of Labor by Executive Order 10194 (3 CFR 156), advises the Secretary of Labor in the performance of his functions under section 209 of the Federal Employees' Compensation Act Amendments of 1949.

Exercises authority delegated in Executive Order 10161 (3 CFR 123) issued pursuant to the Defense Production Act of 1950 (50 U. S. C. A., App. 2061), to provide for the maximum utilization of the functions and services of the Department in meeting the labor needs of defense industry and essential civilian employment.

To carry out these functions the Secretary has established within the Office of the Secretary, a Defense Manpower Administration and two committees. The Interdepartmental Committee on Defense Manpower, composed of the heads of Departments and agencies of the Government (or their duly authorized representatives) having an interest in the field of defense manpower and labor supply was created to advise the Secretary of Labor in carrying out his functions under Executive Order 10161. The Women's Advisory Committee on Defense Manpower, to be selected by the Secretary of Labor, was created to advise him concerning the most effective use of women in meeting defense manpower requirements. To aid in carrying out the manpower work of the Department of Labor, the Secretary has also delegated certain functions to various bureaus and officials of the Department.

Under Secretary of Labor. The Under Secretary of Labor performs such functions as may be prescribed by the Secretary or required by law. He is authorized by statute to perform the duties of the Secretary in his absence or, in the case of the Secretary's death, resignation or removal, to perform the duties of Secretary, until a successor is appointed (60 Stat. 91; 5 U. S. C. 611 (a)).

Assistant Secretaries. Three Assistant Secretaries of Labor of equal rank are provided by statute to perform such duties as the Secretary may assign or as may be required by law (60 Stat. 91; 5 U. S. C. 611 (b)).

Administrative Assistant Secretary. One Administrative Assistant Secretary of Labor is provided by section 3 of Reorganization Plan No. 6 of 1950, effective May 24, 1950 (15 F. R. 3174) to perform such duties as the Secretary of Labor shall prescribe.

Special Assistants. Special Assistants in the immediate office of the Secretary are available for special or confidential assignments by the Secretary of Labor, Under Secretary, or the Assistant Secretaries.

Offices within the Office of the Secretary. Within the Office of the Secretary are the Defense Manpower Administration; the Office of International Labor Affairs; the Office of Budget and Management; the Office of Personnel Administration; the Office of Information; the Office of the Solicitor and the Library.

Office of International Labor Affairs. This office, under the Executive Director is responsible for supervision, direction, policy formulations, and coordination of the international activities of the Department and of its bureaus.

Office of Budget and Management. Under the Director of the Office of Budget and Management this office supervises all business management functions of the Department.

Office of Personnel Administration. This office under the Director of Personnel, supervises all matters of personnel management within the Department.

Defense Manpower Administration. Headed by an Administrator and subject to the policy guidance and control of the Secretary of Labor, develops and reviews plans, policies and programs in cooperation with the various bureaus and offices of the Department for the purpose of meeting the labor needs of defense industry and essential civilian employment, and coordinates the defense manpower activities in the Department to provide for the maximum utilization of the functions and services of the Department of Labor in carrying out its manpower work. Regional offices of the Defense Manpower Administration are maintained at the same address as the Regional Offices of the Bureau of Employment Security.

Office of Information. This office under the Director of Information is responsible for the dissemination of information concerning the activities of the Department of Labor.

Library. The Librarian is responsible for the effective organization and administration of the Library services of the Department of Labor. The Library consists of three divisions designated as the Readers' Services Unit, the Periodicals Unit and the Cataloguing Unit.

Field Organization of the Department of Labor. Certain functions of the Department are carried on in Regional and Territorial Offices of the Department and the areas served by each are as follows:

Region	Headquarters office	Area served
1	Boston, Mass.	Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut.
2	New York, N. Y.	New York, New Jersey.
3	Philadelphia, Pa.	Pennsylvania, Delaware, Maryland.
4	Atlanta, Ga.	Georgia, Florida, South Carolina, North Carolina, Alabama, Mississippi, Tennessee, Virginia.
5	Cleveland, Ohio	Michigan, Ohio, Kentucky West Virginia.
6	Chicago, Ill.	Illinois, Wisconsin, Indiana, Minnesota.
7	Kansas City, Mo.	North Dakota, South Dakota, Kansas, Iowa, Missouri, Nebraska, Wyoming, Colorado.
8	Dallas, Tex.	Texas, Arkansas, Oklahoma, New Mexico, Louisiana.
9	San Francisco, Calif.	California, Washington, Oregon, Idaho, Nevada, Utah, Arizona, Montana, Hawaii, Alaska.

Specific locations of the Regional and Territorial Offices of the various Bureaus of the Department are set out in connection with the description of the several field organizations of these operational units.

The position of Territorial Representative has been established in order to carry out the purposes and policies of the Department in the Territories of the United States, and to coordinate the activities of the field staffs of bureaus of the Department in such Territories. Territorial Representatives have been appointed for Alaska, Hawaii, and Puerto Rico, and the Virgin Islands. These are located at the following addresses:

Alaska: 129 Territorial Post Office Building, Juneau, Alaska.

Hawaii: 345 Federal Building, King and Richards Streets, Honolulu 2, T. H.

Puerto Rico and the Virgin Islands: 412 New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce 29, P. R.

Information and requests. Requests for general information concerning the activities of the Department should be addressed to the Director of Information, United States Department of Labor, Washington 25, D. C.

Requests for a determination as to the merit of a claim by a national organization of railway employees to participate in selections of members of the National Railroad Adjustment Board should be addressed to the Secretary of Labor, United States Department of Labor, Washington 25, D. C.

Information as to the officer to whom, and the manner in which, other requests for information, applications, petitions, etc., should be made is set forth in connection with the description of the functions of the individual bureaus, divisions and other operating units within the Department.

Office of the Solicitor—Functions. The Solicitor is the chief law officer of the Department. In this capacity he serves as legal adviser to the Secretary of Labor and to other administrative officers of the Department, performs certain functions of the Secretary of Labor as delegated to him, interprets statutes administered in the Department and furnishes legal services in connection with hearings and other administrative proceedings leading to the formulation of rules and regulations implementing such statutes, supervises the litigation of the Department; prepares reports on proposed legislation of concern to the Department and gives technical assistance in the preparation and development of legislation concerning labor matters; prepares or reviews all legal documents, contracts and bonds entered into by or with the Department of Labor and renders such other legal services as may be required of his office.

Organization. The Solicitor is assisted by an Associate Solicitor who participates in policy and administrative matters, and acts as Solicitor in his absence, and by Assistant Solicitors who assist him in matters of administration and policy. Each Assistant Solicitor is in charge of a Division of the Office of the Solicitor. The Divisions carrying out the functions of the Solicitor are as follows:

Division of Trial Litigation. This division supervises trial litigation in cases with which the Department is concerned.

Division of Appellate Litigation. This division prepares briefs and arguments in cases before appellate courts with which the Department is concerned.

Division of Interpretations and Administrative Services. This division consists of two branches. The Branch of Interpretations prepares opinions on interpretative questions arising under the statutes and Executive Orders administered in the Department, while the Branch of Administrative Services furnishes legal advice and service to departmental officials on the issuance of regulations and in administrative proceedings.

Division of Legislation, Bureau Services and Trial Examining. The two branches in this division perform the following functions:

The Branch of Legislation and Bureau Services renders advisory and technical assistance in the preparation of proposed legislation, gives legal assistance to the Bureau heads with their administrative problems within the department and answers inquiries from the public with respect to labor laws not administered in the Department but with which the Department is concerned. This branch also handles claims against the department arising under the Federal Tort Claims Act (60 Stat. 842; 28 U. S. C. 921).

The Branch of Trial Examining consists of trail examiners who, at the designation and direction of the Secretary of Labor in specific cases, preside over administrative hearings and make initial decisions, in accordance with the rules of practice set forth in 41 CFR, Part 203, in proceedings based on complaints of violations of contracts subject to the Walsh-Healey Public Contracts Act, as amended (49 Stat. 2036; 41 U. S. C. 35). In the performance of these functions they act independently, subject to the requirements that they comply with the policies of the Department under the act and with the recognized precedents.

The examiners also preside as hearing officers in other types of hearings authorized by the Secretary or other officials in the Department.

Division of Employees' Compensation. This division provides legal assistance and advice to the Bureau of Employees' Compensation and the Employees' Compensation Appeals Board relative to their functions. It also renders legal assistance in defense of compensation orders, issued by deputy commissioners of the Bureau of Employees' Compensation, where they are challenged in judicial proceedings.

Division of Employees' Security. This division provides (a) legal services in connection with the defense manpower activities of the Department of Labor, (b) legal services required by the Bureau of Employment Security, in (i) the administration of the Federal Unemployment Tax Act, the unemployment compensation provisions of the Social Security Act, the Wagner-Peyser Act of 1933, as amended, including supplementary legislation in appropriation acts relating to the United States Employment Service and Title IV of the Servicemen's Readjustment Act of 1944, the drafting, interpretation and operation of international agreements for the importation of foreign workers for temporary agricultural employment in the United States; and (ii) assistance to State agencies in the operation of the State-Federal unemployment compensation program.

Division of Wage Determination and Veterans' Reemployment Rights. The two branches in this division perform the following functions:

Pursuant to authority delegated by the Secretary to the Solicitor the Wage Determination Branch performs administrative functions under the "Copeland Anti-Kickback Act" and the Federal Eight-Hour Laws and is responsible for the wage determination work arising in the Department under the Davis-Bacon Act, the National Housing Act, the Tennessee Valley Authority Act, the Hospital Survey and Construction Act, the United States Housing Act of 1937, the Housing Act of 1949, the Housing Act of 1950, the School Survey and Construction Act of 1950, and the Federal Airport Act.

The Veterans' Reemployment Rights Branch renders legal advice to and performs the legal services required by the Bureau of Veterans' Reemployment Rights.

Division of International Labor Affairs. This Division renders legal advice, interpretations, and assistance in all matters pertaining to the international work of the Department. This includes legal advice relating to all of the activities of the Office of International Labor Affairs. These activities relate to Conventions, Recommendations, and other activities of the International Labor Organization; numerous activities pertaining to the United Nations and various specialized agencies relating to labor of that Organization, and a variety of international labor activities of the Department.

Regional Offices. Regional attorneys under the supervision of the Solicitor, act as legal advisers to the field organi-

zation of the Regional Offices of the Department of Labor. The Regional Attorneys' staffs prepare, try or assist in the trial of cases in which the Department is involved; provide legal services in connection with administrative proceedings and prepare opinions on interpretative questions arising under statutes and Executive Orders administered by the Department. The Regional Offices of the Office of the Solicitor are as follows:

Regional office	Address	Area served
Boston, Mass	18 Oliver St., Boston 8, Mass	Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut.
New York, N. Y	341 9th Ave., New York 1, N. Y	New York, New Jersey.
Philadelphia, Pa	808 Lafayette Bldg., 5th and Chestnut Sts., Philadelphia 6, Pa.	Pennsylvania, Delaware, Maryland.
Birmingham, Ala	1908 Comer Bldg., 2026 2d Ave. North, Birmingham 3, Ala.	Georgia, Florida, South Carolina, North Carolina, Alabama, Mississippi.
Cleveland, Ohio	706 Perry Payne Bldg., 740 Superior Ave. Northwest, Cleveland 13, Ohio.	Michigan, Ohio.
Chicago, Ill	1200 Merchandise Mart, 222 West North Bank Drive 54, Chicago, Ill.	Illinois, Wisconsin, Indiana, Minnesota.
Kansas City, Mo	3000 Fidelity Bldg., 911 Walnut St., Kansas City 6, Mo.	North Dakota, South Dakota, Kansas, Iowa, Missouri, Nebraska, Wyoming, Colorado.
Dallas, Tex	1000 Main St., Room 222, Fidelity Bldg., Dallas 2, Tex.	Texas, Arkansas, Oklahoma, New Mexico, Louisiana.
San Francisco, Calif	144 Federal Office Bldg., Fulton and Leavenworth Sts., San Francisco 2, Calif.	California, Washington, Oregon, Idaho, Nevada, Utah, Arizona, Montana, Hawaii, Alaska.
Nashville, Tenn	150 9th Ave. North, Nashville, Tenn	Virginia, West Virginia, Tennessee, Kentucky.
San Juan, P. R	412 New York Dept. Store Bldg., Stop 16½ Ponce de Leon Ave., P. O. Box 3906, Santurce 29, P. R.	Puerto Rico, Virgin Islands.

Bureau of Apprenticeship. The Bureau of Apprenticeship functions pursuant to the act of August 16, 1937 (50 Stat. 664, 29 U. S. C. 50) by virtue of which the Secretary of Labor is authorized and directed by law to formulate and promote the extension of labor standards necessary to safeguard the welfare of apprentices.

The Bureau consists of the following units:

Office of the Director. The Director is responsible, subject to the direction and supervision of the Secretary of Labor, for the application of national policies with respect to apprenticeship through direction of the headquarters and field organization of the agency; the encouragement of the State apprenticeship activities and the maintenance of liaison with established State agencies and with national organizations interested in apprenticeship. The Director is also responsible, in cooperation with the Defense Manpower Administration and other bureaus of the Department, for functions in connection with training programs designed to improve the skills and utilization of workers on the job, including apprentices, in defense and essential civilian industry and in identifying training needs for defense activities.

Division of Research and Review serves as a clearing house for the national apprenticeship program. Its duties include the review of apprenticeship plans with respect to conformance with standards recommended by the Bureau, the registration of apprenticeship programs the compilation of statistics, and the publication of information relating to the program and research in matters affecting the training of apprentices.

The Division of Field Operations directs the field activities of the Bureau through regional offices. Twelve regional supervisors exercise general supervision over the activities in the several regions. The regional offices coordinate the activities of the area and local offices. The function of the area offices is to coordinate the activities of the Bureau with State apprenticeship councils, where they exist, and supervise the activities of the local offices. There is at least one area office in each State. The field men, in local offices, contact local employers of skilled labor in regard to the initiation of approved training programs and assist in the operation of such programs.

National organization. To assist the Director of the Bureau of Apprenticeship, the Secretary of Labor appointed a Federal Committee on Apprenticeship composed of representatives of management, labor and interested Government agencies to develop Nation-wide standards and policies for apprenticeship training and the General Committee on Apprenticeship in the Construction Industry, which takes an active part in encouraging the adoption of standards by the industry.

Regional offices are located as follows:

Regional office	Address	Area served
Boston, Mass	Room 501, 18 Oliver St., Boston 10, Mass	Massachusetts, New Hampshire, Maine, Vermont, Rhode Island, Connecticut.
New York, N. Y	Room 1318, 270 Broadway, New York 7, N. Y.	New York, New Jersey.
Philadelphia, Pa	801 Lafayette Bldg., 5th and Chestnut Sts., Philadelphia 7, Pa.	Pennsylvania, Delaware.
Richmond, Va	101 5th St., Richmond, Va	Virginia, West Virginia, Maryland, North Carolina, District of Columbia.
Cleveland, Ohio	506 Ninth-Chester Bldg., Cleveland 14, Ohio	Michigan, Ohio, Kentucky.
Chicago, Ill	Room 404, 226 West Jackson Blvd., Chicago 6, Ill.	Illinois, Indiana, Wisconsin.
Atlanta, Ga	Room 657, Peachtree 7th Bldg., 50 7th St., Atlanta 3, Ga.	Georgia, Florida, South Carolina, Alabama, Mississippi, Tennessee.
Minneapolis, Minn	410 Pence Bldg., 730 Hennepin Ave., Minneapolis 3, Minn.	Minnesota, Montana, North Dakota, South Dakota.
Kansas City, Mo	1509 Federal Office Bldg., 911 Walnut St., Kansas City 6, Mo.	Missouri, Kansas, Iowa, Nebraska.
Dallas, Tex	Room 520, Fidelity Bldg., Dallas 2, Tex	Louisiana, Texas, Arkansas, Oklahoma.
Denver, Colo	530 New Customhouse, 19th and Stout St., Denver 2, Colo.	Colorado, Utah, Wyoming, New Mexico.
San Francisco, Calif	552 Federal Office Bldg., San Francisco 2, Calif.	California, Arizona, Nevada.
Seattle, Wash	1116 American Bldg., 920 2d Ave. and Madison St., Seattle 4, Wash.	Idaho, Oregon, Washington.
Hawaii	343 Federal Building, Honolulu 2, T. H	
Alaska	P. O. Box 1719, Juneau, Alaska.	

Information and applications. The Bureau does not directly engage in the training or placement of apprentices. It seeks only to advise labor and management on the basic standards of apprenticeship and apprenticeship agreements and on how to put such agreements into operation.

Employers or labor organizations should address inquiries as to the establishment of a program for apprenticeship to the Director, Bureau of Apprenticeship, United States Department of Labor, Washington 25, D. C., or to the regional office serving the area.

Applications for employment as an apprentice should be made at the local office, State employment service, or to an employer or to a local labor organization in the trade.

Bureau of Employment Security—Functions. The Bureau of Employment Security was transferred from the Federal Security Agency to the Department of Labor by Reorganization Plan No. 2 of 1949, effective August 19, 1949. This Bureau is responsible for administering the provisions of the Wagner-Peyser Act of 1933 establishing a Federal-State system of public employment offices, title IV of the Servicemen's Readjustment Act establishing a Veterans Employment Service, and the Federal functions of the Federal-State unemployment insurance system as provided in the Social Security Act and the Federal Unemployment Tax Act. With respect to the Defense Manpower program, the Bureau is also responsible for formulating plans, programs and policies relating to the recruitment, expansion and utilization of the labor force for defense and essential civilian industry and, in cooperation with the Bureau of Apprenticeship, for identifying training needs for defense activities.

The Bureau is advised by the Federal Advisory Council for Employment Security, representing management, labor and the public, in formulating its overall program, and by the Special Farm Labor Committee in carrying out its farm labor placement program.

The Secretary of Labor has designated a representative of the Bureau as Chairman of this committee when considering questions of critical occupations. Another Bureau representative has been designated Executive Secretary. The Committee is responsible for maintaining a current list of essential activities and critical occupations based on specific criteria which relates to foreseeable plans for defense mobilization and minimum requirements of the civilian economy. The purpose of the lists is to serve as a guide for the equitable distribution of manpower between the

armed services and that required to assure production essential to the defense effort and the civilian economy. The lists are used by the Department of Defense in taking action on requests for delay in call to active duty of Reservists and the National Guard. The Selective Service System furnishes copies of the lists to its local boards as information to assist them in making determinations on requests for the occupational deferment of draft registrants. The Committee studies and makes recommendations to the Secretary of Commerce and the Secretary of Labor on petitions presented by employers, employer and trade associations, and union representatives for revisions and amendments to the lists.

National organization. The Bureau is headed by a Director, assisted by a Deputy Director. Its functions are carried out through the following units:

1. *Unemployment Insurance Service.* The Unemployment Insurance Service is headed by an Assistant Director and consists of four divisions: Program Standards, Methods and Operations, Legislation and Reference, and Appeals and Interpretations.

(a) *Division of Program Standards.* The Division of Program Standards is headed by a Chief, and has the following functions: Development of substantive policy regarding unemployment insurance benefits, coverage, financing and coordination of temporary disability with unemployment insurance; analysis of experience under the unemployment insurance program to evaluate adequacy of the program; study of the social, financial and economic aspects of unemployment insurance; analysis of Federal legislative proposals and development of recommendations for Federal legislation; establishment of the need for unemployment insurance data for program planning; assistance to the States in conducting special research and statistical studies.

(b) *Division of Methods and Operations.* The Division of Methods and Operations is headed by a Chief and has the following functions: Development of principles and guides applicable to the operation of State unemployment insurance programs; review and appraisal of the administration of State programs from the standpoint of conformity with Federal requirements and eligibility for grants and for certification for tax credits; determination of standards of adequacy for the performance of all basic State unemployment insurance operations, and also of the necessary cost of performing each function under such standards for use in the functional budgeting process; and assistance to States in improving operating methods.

(c) *Division of Legislation and Reference.* The Division of Legislation and Reference is headed by a Chief and has the following functions: Development of principles and guides applicable to the legislative aspects of State unemployment insurance programs; review and appraisal of State laws from the standpoint of conformity with Federal requirements and eligibility for grants and for certification for tax credits; assistance to States in improving State laws; development of recommendations for Federal legislation; and maintenance of a reference service of State laws, procedural materials, forms, etc.

(d) *Division of Appeals and Interpretations.* The Division of Appeals and Interpretations is headed by a Chief and has the following functions: Development of principles and guides applicable to the interpretative aspects of State unemployment insurance programs; review and appraisal of State interpretations from the standpoint of conformity with Federal requirements and eligibility for grants and for certification for tax credits; review and appraisal of State appeals practice and procedures from the standpoint of conformity with Federal requirements; review and appraisal, for conformity with Federal requirements, of State processes of determining benefit eligibility and disqualification; assistance to States in the quality of these determinations; assistance to States in improving appeals procedures; and preparation of analyses and publication of decisions showing trends in appealed decision on coverage and benefit payments.

2. *United States Employment Service.* The Director of the Bureau of Employment Security is also the Director of the United States Employment Service. The functions of the United States Employment Service and its relationships with the State Employment Service are carried on through the Employment Service which is headed by an Assistant Director. Its functions are carried out through the Division of Placement Methods, the Division of Counseling, Selective Placement and Testing, the Division of Industrial Services, the Division of Employer Relations, the Division of Organization and Management, and a Minority Groups Consultant.

(1) *Division of Placement Methods.* The Division of Placement Methods is headed by a Chief and is responsible for the development of programs, recommended policies, standards, operating methods and procedures for use by State and local offices, and for providing assistance to State agencies in cooperation with the regional offices in three basic program areas: (i) The Placement Standards Program, which is concerned with the performance of all local office placement operations, related State office activities, and the development of operating relationships with other agencies engaged in placement activities; (ii) the Occupational Analysis Program, which includes the collection and preparation of occupational source data in maintaining the Dictionary of Occupational Titles and republishing as necessary and in preparing job descriptions and other job information materials for use in facilitating local office operations; (iii) the Staff Development Program, which is concerned with the development of programs and materials for in-service training of the national and regional offices, as well as the 37,000 State and local office employees.

(2) *Division of Counseling, Selective Placement and Testing.* The Division of Counseling, Selective Placement and Testing is headed by a chief. It has the following functions: Development and maintenance of policies, standards, methods, procedures, and technical aids to assist State employment services in their counseling and selective placement programs for veterans, youth entering the labor market, physically handicapped, aging workers, and other groups requiring vocational adjustment; provision of assistance in training State counseling staff in use of specialized techniques; working with other governmental, private and professional organizations and agencies offering related services to the groups mentioned above; development and analysis of occupational testing techniques and materials; coordinating the collection and analysis of data by State agencies for use in developing national test batteries and forms; evaluation of testing program in the field; provision of consultative services to representatives of industry and Government agencies in the use of tests and other counseling and selective placement techniques.

(3) *Division of Industrial Services.* The Division of Industrial Services is headed by a Chief and carries out the Bureau's responsibilities in the over-all manpower use and productivity program of the Government, including the development of techniques and methods of assisting employers through the application and use of employment service tools and techniques to obtain maximum use of manpower in defense-connected activities and participation in departmental and intergovernmental committees dealing with the over-all problem.

(4) *Division of Employer Relations.* The Division of Employer Relations is headed by a Chief and is responsible for the development of programs, recommending policies, standards, operating methods and procedures for use by State and local offices, and for providing assistance to State agencies in cooperation with the regional offices, in two basic program areas: (i) The Employer Program, which is concerned with the development of planned employer contact programs for local offices and encouraging full use of local office resources in contacting the major market (services and facilities); (ii) the Labor Clearance Program, which is concerned with the maintenance of a nation-wide system for clearing labor between the several States. In addition, the Division is responsible for the Industry Relations Program which is concerned with: (a) The development of effective working relations with major employer associations and employers having interstate coverage, labor organizations, Government agencies, and related groups to acquaint such organizations and employers with the resources and facilities available through the Public Employment Service, (b) the development of comprehensive programs with these groups so as to increase the effectiveness of the types of services available in various communities, (c) gaining the understanding and support of industry groups of defense manpower policies and Employment Service programs, (d) keeping the Bureau informed of industry problems which have a bearing on manpower needs, and (e) expanding operating relations with the various Govern-

ment agencies concerned with manpower problems in the defense effort.

(5) *Division of Organization and Management.* The Division of Organization and Management is headed by a Chief, and is responsible for the development of programs, recommended policies, standards, operating methods and procedures for use by State and local offices and for providing assistance to State agencies in cooperation with the regional offices for the improvement of organization, management, and field supervision of local offices of the several State employment security agencies.

(6) *The Minority Groups Consultant* is attached to the Office of the Assistant Director for Employment Service and is responsible for the development of procedures, recommended policies, and technical aids to assist State employment services in maximizing employment opportunities for members of minority groups; promoting the principle of worker selection on the basis of occupational qualifications; representing the United States Employment Service with organizations concerned with the employment problems of members of minority groups.

3. *Divisions Directly Responsible to Director.* There are five divisions directly responsible to the Director of the Bureau.

(a) *Division of State Financing.* The Division of State Financing is headed by a Chief, and has the following functions: Development of principles and procedures with respect to expenditures of funds by State agencies for administrative purposes and assistance to States in applying such principles and procedures; in collaboration with the program divisions of the Bureau, the preparation of recommendations with respect to funds needed for administration of State employment security programs; development and application of principles and procedures for State merit systems; assistance to State agencies in developing and maintaining personal services functional time distribution systems; appraisal of State agency administration of the fiscal, business management and personnel aspects of their programs from the standpoint of eligibility for grants.

(b) *Division of Field Service.* The Division of Field Service consists of four field representatives, each of whom has been assigned a specific geographic territory. Under the direction of the Deputy Director of the Bureau, these field representatives operate in a liaison and coordinating capacity between field offices and the various divisions of the headquarters office. In carrying out this function, their work consists chiefly of rendering assistance in planning, reviewing, evaluating and coordinating all phases of the Bureau operations and programs.

(c) *Division of Reports and Analysis.* The Division of Reports and Analysis is headed by a Chief, and has the following functions: Provision of economic advisory services to Bureau and technical services to State agencies on reporting methods and programs, and analysis of economic, statistical, and operating data; in cooperation with program services, development and maintenance of a Nation-wide statistical reporting system covering both unemployment insurance and employment service programs; preparation of labor market studies and collection, analysis, and dissemination of area, industry, and occupational labor market information; preparation of analyses and provision of labor market data required by other agencies whose programs involve manpower considerations; compilation and analysis of activity reports and related administrative statistics to assist in evaluating and improving programs and operating methods; within established policy, development of plans, editorial work, and issuance of technical publications; representation for the Bureau on interagency matters involving statistical reporting and labor market analyses.

(d) *Division of Business Management.* The Division of Business Management is headed by a Chief, and has the following functions: Development of budget estimates and documents; allocation of funds and position ceilings; maintenance of accounting control of funds; preparation and auditing of payrolls; auditing and certification of vouchers for Bureau operations; maintenance of Bureau files and communications; provision of administrative and management services; auditing of all State expenditures of granted funds; maintaining Bureau of liaison with the Department of Labor Office of Personnel.

(e) *Farm Placement Service.* The Farm Placement Service is headed by a Chief. It has the following responsibilities: Maintaining through the State employment services a Farm Placement Service; providing technical assistance to State employment services in developing and maintaining programs for recruitment and movement of workers in agriculture and related industries; maintaining current analyses of State farm placement operating summaries and crop progress reports in order to determine areas of labor shortage and surplus, the status of farm labor requirements and the volume and direction of migratory labor movement; coordination of interstate movements of farm workers between areas of labor supply and demand; establishing and operating farm labor information stations for progressive direction of free moving labor toward areas of urgent demand correlative with the maturing of crops.

4. *Field Organization.* Each regional office of the Department of Labor includes a Regional Director for the Bureau of Employment Security. The Regional Director for the Bureau of Employment Security represents the Bureau on all matters involved in the Federal-State employment security relationship; assists State agencies in meeting Federal requirements, in establishing procedures and in other problems related to the program; reviews and appraises State agency budget requests and makes recommendations regarding amounts needed for State administration; and reports on State administration and programs.

The regional offices of the Bureau of Employment Security are as follows:

Location	Address	Area served
Boston, Mass	18 Oliver St., Boston 10, Mass	Connecticut, Maine, Massachusetts, Vermont, New Hampshire, Rhode Island.
New York, N. Y	Room 2441, 11 West 42d St., New York 18, N. Y.	New York, New Jersey, Puerto Rico.
Philadelphia, Pa	506 Lafayette Bldg., 5th and Chestnut Sts., Philadelphia, Pa.	Pennsylvania, Delaware.
Richmond, Va	101-105 South 5th St., Richmond, Va	District of Columbia, Maryland, North Carolina, Virginia, West Virginia.
Atlanta, Ga	Room 653 50 7th St NE., Atlanta 5, Ga	Alabama, Florida, Georgia, Mississippi, South Carolina, Tennessee.
Cleveland, Ohio	Room 225, Ferguson Bldg., 1783 East 11th St., Cleveland 14, Ohio.	Kentucky, Michigan, Ohio.
Chicago, Ill	Room 400, 226 West Jackson Blvd., Chicago 6, Ill.	Illinois, Indiana, Wisconsin.
Minneapolis, Minn	Room 803, Pence Bldg., 730 Hennepin Ave., Minneapolis, Minn.	Minnesota, Montana, North Dakota, South Dakota.
Kansas City, Mo	Room 1009, Fidelity Bldg., Kansas City 6, Mo.	Kansas, Missouri, Iowa, Nebraska.
Dallas, Tex	Suite 1, Mezzanine Commercial Bldg., 1100 Main St., Dallas 2, Tex.	Arkansas, Oklahoma, Louisiana, Texas.
Denver, Colo	438 Equitable Bldg., 730 17th St., Denver 2, Colo.	Colorado, New Mexico, Utah, Wyoming.
San Francisco, Calif	Room 568, Federal Office Bldg., Civic Center, San Francisco 2, Calif.	Arizona, California, Nevada, Oregon, Idaho, Washington, Alaska, Hawaii.

Delegations of final authority. By delegation from the Secretary of Labor the Director of the Bureau of Employment Security has the following authorities in relation to employment security:

(a) Subject to applicable General Orders and Secretary's Instructions relating to personnel and business management, to serve as the administrative head of the Bureau of Employment Security in the administration of the provisions of the Wagner-Peyser Act of June 6, 1933, as amended (48 Stat. 113, 42 U. S. C. 1901–1918), the Social Security Act, as amended (49 Stat. 626, 42 U. S. C. 501–503), the Federal Unemployment Tax Act as amended (53 Stat. 183, 26 U. S. C. 1600–1611), the Railroad Unemployment Insurance Act as amended (52 Stat. 1094, 45 U. S. C. 351–367), and Title V of the Servicemen's Readjustment Act as amended (58 Stat. 284, 38 U. S. C. 695–695f).

(b) In relation to grants to States for the administration of the employment security program: (1) To determine purposes and amounts necessary, including with respect to expenditure of granted funds the issuance of fiscal standards and the determination as to whether such funds have been properly expended; (2) to certify such amounts to the Secretary of the Treasury for payment to the States (or under certain conditions for payment into the Railroad Unemployment Insurance Account); (3) to approve State plans for operation of public employment offices, except as final authority may be dele-

gated by the Director to the Regional Directors for the Bureau of Employment Security to approve such plans with respect to classification and compensation plans, salary and leave regulations, travel regulations, and procurement regulations: *Provided, however,* That questions of conformity with Federal requirements raised by such plans shall be determined by the Secretary of Labor and the Director shall approve or withhold approval in accordance with such determination; and (4) to enter into agreements with the Postmaster General concerning the transmission of official mail matter by State agencies.

(c) In the administration of the Veterans' Readjustment Allowance program: To certify to the Secretary of the Treasury for payment to the State amounts for administration as certified by the Veterans' Administration.

(d) To make policy recommendations to the States with respect to the unemployment insurance program.

(e) To establish standards of efficiency with respect to the operation of State public employment offices.

(f) In relation to reconversion unemployment benefits for seamen, to determine the amounts to be granted to the States.

(g) To issue standards for a merit system of personnel administration in the States.

5. *Information to public.* Information concerning employment security, including the Federal-State system of unemployment insurance and public employment offices, may be obtained by request in person or by letter at any of the regional offices or at the central offices of the Bureau of Employment Security, Department of Labor, Washington, D. C.

6. *Public inspection of final opinions, orders, and rules.* All final opinions or orders in the adjudication of cases and all rules relating to employment security are available for public inspection, except that the Secretary of Labor may hold any such opinions, or orders or parts thereof confidential for good cause. Opinions and orders not held confidential (or copies thereof) and all rules may be inspected at any of the regional offices or at the central office of the Bureau of Employment Security, Department of Labor, located at Washington, D. C. Requests to inspect at the central office must be submitted to the Director of the Bureau of Employment Security.

7. *Availability of official records.* The record of any hearings held by the Secretary of Labor, including transcripts of testimony, exhibits and all documents received in evidence or made part of the record of such hearing, are official records.

Official records are made available for inspection to persons properly and directly concerned upon written application to the Secretary of Labor, except that upon good cause found by the Secretary such records or parts thereof may be held confidential. Notice of denial of a request to inspect official records will be given promptly together with a statement of the reason for denial.

Veterans' Employment Service. The Veterans' employment Service is headed by a Chief. It assists in maintaining job counseling and employment placement services for veterans; interprets and carries out the policies of the Secretary of Labor with respect to veterans' placement; and supervises the carrying out of the functions assigned to the Veterans' employment Representatives in the States. Such supervision includes functional responsibility for the supervision of the registration and placement of veterans, assisting in securing and maintaining current information as to types of available employment, prompting employers' interest in employing veterans, maintaining contact with employers and veterans' organizations to keep employers advised of veterans available for employment and veterans advised of employment opportunities and improving working conditions and the advancement of employment of veterans.

The regional offices of the Veterans' Employment Service are as follows:

Regional Office	Address	Area served
Springfield, Mass.	Rooms 407–408, 175 State St., Springfield, Mass.	Connecticut, Maine, Massachusetts, Vermont, New Hampshire, Rhode Island, New York
Baltimore, Md.	Room 919 Butler Bldg., Baltimore 1, Md.	Delaware, New Jersey, Pennsylvania, District of Columbia, Maryland, Virginia, West Virginia, North Carolina.
Columbus, Ohio	427 Cleveland Ave., Columbus 16, Ohio.	Kentucky, Michigan, Ohio, Illinois, Indiana, Wisconsin
Jackson, Miss.	319 North President St., P. O. Box 1287, Jackson, Miss.	Alabama, Florida, Mississippi, South Carolina, Tennessee, Louisiana, New Mexico, Texas
Jefferson City, Mo.	Room 306, Post Office Bldg., P. O. Box 86, Jefferson City, Mo.	Iowa, Missouri, Minnesota, Nebraska, North Dakota, South Dakota, Arkansas, Kansas, Oklahoma
Reno, Nev.	Room 15, Hughes-Porter Bldg., 232 West 1st St., P. O. Box 1786, Reno, Nev.	Colorado, Idaho, Montana, Utah, Wyoming, Arizona, California, Nevada, Oregon, Washington

Bureau of Labor Standards. The Bureau of Labor Standards, under the general supervision and direction of the Secretary of Labor, is composed of 7 divisions. The functions of the divisions are as follows:

Industrial Safety Standards. The Bureau assists in developing and promoting standards of industrial safety and health, and providing technical advice and service in that field to State labor departments, labor unions, and trade associations. It serves as headquarters and secretariat for the Federal Safety Council. It provides direct consultative safety service to employers and workers subject to the Federal Longshoremen's and Harborworkers' Compensation Act. The Bureau develops standards for hazardous occupations orders issued by the Secretary of Labor under the child-labor provisions of the Fair Labor Standards Act. Upon request, it assists in the preparation of State industrial safety codes; trains State safety personnel; publishes technical safety bulletins, and safety training material. Also on request, the Bureau cooperates with State labor departments in developing and promoting State-wide accident-prevention programs of a continuing nature, on either a general or a selected industry basis as determined by the States.

Division of Legislative Standards and State Services develops standards of good labor legislation and administrative practice, analyzes pending State labor legislation, prepares summaries of State and Federal labor laws for the use of Government agencies, industry and labor, and provides upon request, technical assistance to State labor departments in adopting approved standards for individual State use. The division services cooperative agreements with the States in such fields as wage and hour, safety and health, industrial homework and child-labor inspections, and the acceptance by States of the standards of the conventions and recommendations of the International Labor Organization.

Division of Child Labor and Youth Employment conducts research and serves as a center of information and advisory services on conditions and programs in a broad field of child labor and youth employment. It develops standards for child-labor regulations under the Fair Labor Standards Act and gives advisory service to States on issuance of age certificates accepted under section 3 (l) of the act.

Division for the Physically Handicapped provides facilities and services to the President's Committee on National Employ the Physically Handicapped Week and promotes public support for the employment of physically handicapped workers.

Division of Reports and Public Service develops and serves national, regional and State conferences essential to the working out of problems of cooperation between Federal and State agencies and the activities of the Bureau and has responsibility for staffing and servicing the President's Conference on Industrial Safety. The division edits and distributes Bureau publications and prepares exhibits and other visual aids on all phases of the Bureau's program.

Division of International Cooperation operates technical assistance programs in the field of labor standards financed by the Department of State, including training programs for representatives from foreign governments and sending expert consultants to other countries.

Division of Union Registration exercises the authority and performs the functions conferred upon the Secretary of Labor by sections 9 (f) and (g) Title I, Labor Management Relations Act, 1947 (61 Stat. 136; 29 U. S. C. 141) regarding the filing of organizational and financial informations by unions.

In addition, the Bureau participates in the manpower work of the Department. It participates in interdepartmental programs of cooperation with other countries for the raising of labor standards and the improvement of general working conditions.

National Organization. The Bureau is administered by a director and an associate director. It has no field organization.

Information and requests. All requests concerning the services, publications and exhibits of the Bureau should be addressed to the Director, Bureau of Labor Standards, United States Department of Labor, Washington 25, D. C.

Bureau of Labor Statistics. The Bureau of Labor Statistics is the Government's principal fact-finding agency in the field of labor economics, particularly with respect to the collection and analysis of data on employment and manpower developments, wages, productivity, industrial relations and accidents, price trends, and costs and standards of living.

Under the general direction and control of the Secretary of Labor, and headed by the Commissioner of Labor Statistics, it collects and publishes information in periodic reports and in the Monthly Labor Review (25 Stat. 182, 28 Stat. 805, 31 Stat. 155, 37 Stat. 737, 54 Stat. 249; 29 U. S. C. 1). The Bureau is authorized, under regulations prescribed by the Secretary of Labor, to make statistical studies on written request and payment of the cost thereof by the person requesting such services (48 Stat. 582; 29 U. S. C. 9).

National Organization. The Commissioner of Labor Statistics is responsible for the policies and the administration of the Bureau. He is assisted by the Deputy Commissioner and three Assistant Commissioners.

The Bureau's principal functions are allocated among the following divisions. Their functions are as follows:

The Division of Prices and Cost of Living conducts research in matters relating to prices of consumers' and industrial goods and services and rents, maintains the various price indexes issued by the Bureau and prepares special studies of family budgets, income, and consumption and expenditure habits. The staff renders technical assistance to State and local governments in matters relative to prices and costs of living and provides special price analyses for agencies of the Federal Government.

The Division of Manpower and Employment Statistics, in cooperation with State agencies, collects statistics on nonagricultural employment, payrolls, hours, and earnings, by industry, for the United States, States and major metropolitan areas, and labor turnover data for selected industries on a Nation-wide basis. It appraises the long-range employment outlook for workers in major industries and occupations; it studies the changing size and composition of the labor force and provides information on current and expected supply and demand for workers, especially in relation to requirements under conditions of national emergency.

The Division of Productivity and Technological Developments compiles annual indexes of productivity in a wide variety of industries and prepares reports containing detailed statistics on trends of direct and indirect labor, and information on the effect of labor, technological, and production factors on man-hour requirements and production of selected goods.

The Division of Industrial Relations publishes monthly and annual statistics on work stoppages, maintains a current file of collective bargaining agreements, and conducts research on matters relative to employer-employee relations, industrial disputes, contract provisions, union organization and membership, and similar matters.

The Division of Wage Statistics conducts surveys of occupational wage rates and supplementary wage practices by industry and locality, and of salaries and working conditions of selected professional workers, makes annual surveys of union wage scales in five selected industries, constructs indexes measuring long-term wage movements, collects information on current wage developments, and performs related wage research.

The Division of Construction Statistics estimates the number of new housing units started nationally and in certain local areas and makes special studies of housing characteristics, costs and selling prices. It issues figures on expenditures for new construction (in cooperation with the Department of Commerce), the value of Federal contract awards, total amount of urban building authorized by class of construction and dealer-to-contractor prices of building materials. Estimates are also made on labor requirements for various types of construction.

The Division of Interindustry Economics prepares information on the sales and purchases of products and services between various industry groups, and between them and other segments of the economy for use in estimating direct and indirect consequences of major economic changes; makes studies of requirements for manpower, industrial and agricultural resources, and productive plant at various levels of the economy.

The Division of Foreign Labor Conditions analyzes available data on labor conditions in other countries and assists the Department in its participation in work of international organizations in the Foreign labor field; it conducts the Bureau's program for the exchange of statistical specialists and for technical instruction and assistance to statisticians of other countries in the methods and techniques used by the Bureau.

The Branch of Industrial Hazards prepares statistics on work injuries and lost time due to accidents; does research on the causes of industrial accidents.

The Office of Labor Economics conducts special research in matters relating to broad problems of concern to American labor which does not fall within the scope of the individual divisions.

Field organization. The regional offices of the Bureau of Labor Statistics are as follows:

Location	Address	Area served
Boston, Mass.	261 Franklyn St., Boston 10, Mass.	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.
New York, N. Y.	1000 Parcel Post Bldg., 341 9th Ave., New York 1, N. Y.	Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania.
Atlanta, Ga.	50 7th St. NE., Room 664, Atlanta 5, Ga.	Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia.
Chicago, Ill.	312 National War Agencies Bldg., 226 West Jackson Blvd., Chicago 6, Ill.	Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, West Virginia, Wisconsin.
San Francisco, Calif.	1074 Federal Office Bldg., 70 Market St., San Francisco 2, Calif.	Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.

Information and requests. Requests for general information concerning the work of the Bureau and its publications should be addressed to the Commissioner of Labor Statistics, United States Department of Labor, Washington 25, D. C. Requests for technical assistance of the Bureau in conducting special studies to be paid for by the party requesting the assistance should be addressed to the Secretary of Labor or the Commissioner of Labor Statistics, United States Department of Labor, Washington 25, D. C. No special form is required.

Bureau of Veterans' Reemployment Rights—Organization. The Bureau of Veterans' Reemployment Rights was created by the Secretary of Labor pursuant to authority under the act of March 31, 1947 (61 Stat. 31; 50 U. S. C. App. 321, Supp. III). The responsibility of the Bureau was continued in the Selective Service Act of 1948, as amended (62 Stat. 604; 50 U. S. C. App. 451, Supp. III). The Director of the Bureau of Veterans' Reemployment Rights, subject to the general direction and supervision of the Secretary of Labor is responsible for the administration of the Bureau and its functions. He is aided by an Assistant Director and a Liaison Officer, who is responsible for supervision of the Bureau's field offices.

Functions. The Bureau has the responsibility of rendering assistance in connection with the exercise of their reemployment rights by ex-servicemen as provided by section 8 of the Selective Training and Service Act of 1940, as amended (54 Stat. 890; 50 U. S. C. App. 308), and related reemployment statutes, and section 9 of the Selective Service Act of 1948. The Bureau also participates in the manpower work of the Department.

Field organization and operations. The field organization of the Bureau consists of local and State volunteer reemployment rights committeemen, who have been designated by the Secretary of Labor and serve without pay, and field representatives of the Bureau. The field organization is augmented by local offices of the State Employment Services, which provide information and referral service.

The initial point of contact for ex-servicemen, employers, labor and veteran organizations and others interested in the reemployment rights of ex-servicemen is the local State Employment Service Office or the nearest field office. The local employment service office may refer the inquiring person to the volunteer re-

employment rights committeeman in the locality. The committeeman, under the supervision of the Bureau's field representative, seeks to negotiate controversies to a voluntary settlement; if he fails, the matter is referred to the nearest field representative, who, with his wide experience and fortified with the legal assistance of the Solicitor of Labor, continues the negotiations for amicable settlement.

In those cases where settlement is not reached, the ex-serviceman is advised of his right to be represented by the United States Attorney for the district in which the employer has a place of business. Thereafter the field organization cooperates with the United States Attorney with respect to legal action taken on designated claims.

Field offices of the Bureau are as follows:

Location	Address	Area served
Boston, Mass	18 Oliver St., Boston 10, Mass	Massachusetts, Vermont, Maine, Rhode Island, New Hampshire.
New York, N. Y	Veterans Service Center, 500 Park Ave., New York 22, N. Y.	New York, Connecticut, New Jersey.
Washington, D. C	7312 Department of Labor Bldg., Washington 25, D. C.	West Virginia, Maryland, Pennsylvania, Delaware, Virginia, District of Columbia.
Area office	811 Lafayette Bldg., 5th and Chestnut Sts., Philadelphia 6, Pa.	
Do	562-E New Federal Bldg., Pittsburgh, Pa.	
Atlanta, Ga	651 Peachtree-7th Bldg., 50 7th St. NE., Atlanta, Ga.	Mississippi, Alabama, North Carolina, South Carolina, Georgia, Florida, Puerto Rico.
Louisville, Ky	512 Republic Bldg., 429 West Walnut St., Louisville 2, Ky.	Kentucky, Indiana, Tennessee.
Detroit, Mich	675 Federal Bldg., Detroit, Mich	Michigan, Ohio.
Area office	521 Federal Bldg., Cleveland 14, Ohio	
Chicago, Ill	1200 Merchandise Mart, Chicago 54, Ill	Illinois, Minnesota, North Dakota, South Dakota, Wisconsin.
Area office	508 Pence Bldg., Minneapolis, Minn	
Kansas City, Mo	1114 Fidelity Bldg., Kansas City 6, Mo	Missouri, Colorado, Iowa, Nebraska, New Mexico, Wyoming, Kansas.
Area office	29 New Customhouse, 19th and Stout, Denver, Colo.	
Dallas, Tex	222 Commercial Bldg., 1100 Main St., Dallas, Tex.	Texas, Arkansas, Oklahoma, Louisiana.
San Francisco, Calif	102 Federal Office Bldg., San Francisco 2, Calif.	California, Arizona, Nevada, Utah, Hawaii.
Area office	Furniture Exchange Bldg., 1206 Santee St., Los Angeles, 15, Calif.	
Seattle, Wash	617 Federal Office Bldg., Seattle 4, Wash	Washington, Alaska, Idaho, Oregon, Montana.

Information and requests. Requests for general information concerning the statutes administered by the Bureau should be addressed to the Director, Bureau of Veterans' Reemployment Rights, United States Department of Labor, Washington 25, D. C., or to the nearest field office.

Women's Bureau. The Women's Bureau, under the general direction and supervision of the Secretary of Labor, formulates standards and policies which will promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment (41 Stat. 987; 29 U. S. C. 13). Specifically, the Bureau—

Conducts research to develop factual data on all matters affecting women's economic status, such as problems related to wages and working conditions, employment opportunities, need for adequate training facilities, and opportunities for advancement; compiles and analyzes statistical data on women workers collected by other Federal agencies (Bureau of Labor Statistics, Census, and United States Employment Service), making available such information as number of women in the labor force, earnings and occupational trends of women workers, and marital status and age.

Develops standards of good labor legislation for women and administrative practices under women's labor laws; analyzes existing State laws relating to women and administrative practices under them in such areas as minimum-wage, equal-pay, hours legislation, conditions of work, and civil and political status. Serves as source for information to other Federal agencies, State labor departments, women's organizations, trade unions, employer associations, and international organizations such as the International Labor Organization and the United Nations, on all matters pertaining to women's labor law and civil and political status.

Promotes good labor standards for women in the States by giving on request consultative and technical assistance to State departments of labor in connection with administrative practice under existing laws such as minimum-pay, equal-pay, and hours legislation, and in connection with new legislation on these and other forms of women's law. It furnishes assistance to women's organizations, trade unions, civic groups, and others concerned with improving women's economic and civil and political status.

Publishes and distributes technical information obtained as a result of the Bureau's studies and analyses. Prepares popular leaflets, charts, and maps for distribution to the general public insuring more widespread use of the technical materials developed.

In connection with these functions, the Bureau participates in the defense manpower work of the Department and in interdepartmental programs of cooperation with other countries and renders advisory and technical services to improve the welfare of wage-earning women in these countries. Because of the work of the Bureau in the field of civil and political status of women, it acts in an advisory capacity to the Department of State on matters concerning the United Nations Commission on the Status of Women and the Human Rights Commission. A staff member is the United States delegate on the Inter-American Commission of Women. In addition, the Bureau frequently represents the Department of Labor on international bodies dealing with labor standards affecting women.

National organization. The Director of the Women's Bureau is responsible, subject to the direction and supervision of the Secretary of Labor, for the policies and the administration of the Bureau. The Women's Bureau has a small field staff operating from the national office.

Information and requests. All requests for information, copies of publications and for special technical assistance in problems relating to the employment and legal status of women should be addressed to the Director, Women's Bureau, United States Department of Labor, Washington 25, D. C.

Bureau of Employees' Compensation. Creation and authority. The Bureau of Employees' Compensation was established in the Federal Security Agency under the provisions of section 3 of Reorganization Plan No. 2, effective July 16, 1946. The Bureau, together with its functions, was transferred to the Department of Labor pursuant to Reorganization Plan No. 19 of 1950, effective May 24, 1950 (15 F. R. 3178).

The Bureau, under authority delegated by the Secretary of Labor, is responsible for the administration of various acts providing workmen's compensation benefits. The Bureau is under the immediate supervision and direction of a Director appointed by the Secretary.

Functions. The Bureau of Employees' Compensation administers laws which are, in general, the Federal Government's system of workmen's compensation. These laws provide compensation for workers, and their dependents, for death or disability resulting from injuries suffered in the course of employment. The laws may be divided roughly into two categories, (1) laws affecting private employees, and (2) laws affecting public employees.

The basic workmen's compensation law for Federal employees is the Federal Employees' Compensation Act (39 Stat. 742; 5 U. S. C. 751). It provides compensation for employees of the United States and their dependents (as defined in the act), for disability or death resulting from personal injuries suffered while in the performance of duty, or disease proximately caused by their employment. In addition to cash benefits for disability or death, medical care and treatment, supplies and appliances are furnished to injured employees; funeral and burial expenses up to $400 may be paid; in certain cases allowances are authorized for an attendant, and subsistence may be granted to employees undergoing vocational rehabilitation.

The protection of this act (with modifications) has been extended to employees of the Government of the District of Columbia, members of the various reserve components of the military establishment during peacetime, Coast Guard Reserve and Auxiliaries,

Women's Reserve Groups, the Women's Army Auxiliary Corps under certain conditions, evacuees in war relocation camps, persons employed on certain Federal relief projects, commissioned officers of the Public Health Service, Federal student nurses and certain other groups. The act also applies (with modifications) to a number of remaining casualties of the old W. P. A., C. C. C., and other emergency relief programs.

Claims for compensation are processed by claim examiners in the Claims Branch of the Bureau. The case is adjudicated after consideration of the claim, written evidence presented by or on behalf of the claimants, and upon completion of such inquiry or investigation as the Bureau may deem necessary. The final authority in the Bureau in the determination of claims is the Director of the Bureau. His final order is subject to review by the Employees Compensation Appeals Board on questions of law and fact, upon appeal by the claimant.

The Bureau is responsible for the administration of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424; 33 U. S. C. 901), which provides a system of workmen's compensation benefits for employees in private enterprises engaged in pursuits in Federal admiralty jurisdiction (excluding the master or members of crew of any vessel). Compensation is provided for disability or death caused by an injury (or disease) occurring while engaged in maritime employment on navigable waters of the United States. The principal coverage is of longshoremen, ship servicemen, ship repairmen, harbor workers and others of like employment. Compensation is payable for disability resulting from injury, and if the injury causes death, death benefits are payable to dependents named in the act. Funeral expenses not exceeding $400 are also allowable. The employer is required to furnish to the injured employee medical, surgical, and other treatment, nurse and hospital service, and supplies and appliances as the nature of the injury or the process of recovery may require. An additional allowance, payable from a special fund established by the act, may be paid to an injured employee undergoing vocational rehabilitation.

The Longshoremen's Act is administered in the Bureau of Employees' Compensation through deputy commissioners in 13 compensation districts comprising the United States, Alaska, and Hawaii. Under the act, compensation and other benefits are not paid by the United States but must be provided by the employer either as a self-insurer or through insurance with an approved insurance carrier. the deputy commissioners adjudicate claims and perform quasi-judicial functions in deciding the rights of private parties (i. e., the employee or his dependents and the employer or his insurance carrier). There is no administrative appeal to or review by the Bureau. Judicial review of the deputy commissioners' decisions is provided for by the act.

The Longshoremen's and Harbor Workers Compensation Act (with modifications) was extended to private employment, with minor exceptions, in the District of Columbia (45 Stat. 600; 33 U. S. C. 901 note). This law is administered locally by a deputy commissioner of the Bureau. The duties and responsibilities of the Bureau are the same as those described in connection with the Longshoremen's Act. The cost of administering this law is paid from funds appropriated for the Government of the District of Columbia.

By act of August 16, 1941 (Defense Bases Act, 55 Stat. 622; 42 U. S. C. 1651) the Longshoremen's Act (with modifications) was extended to provide workmen's compensation benefits to employees engaged in work at United States Military, Air and Naval bases outside the continental limits of the United States, and on public works projects of the United States outside the country. The Defense Bases Act is administered in the same manner as the Longshoremen's and Harbor Workers Compensation Act by deputy commissioners.

By act of December 2, 1942 (War Injury Act, 56 Stat. 1028; 42 U. S. C. 1651, 1701–1717), provision was made for payment of benefits from the compensation fund established by the Federal Employees' Compensation Act for certain employees whose employments are within the purview of the Defense Bases Act, but who suffered injury or death as a result of war-risk hazard under circumstances not giving rise to entitlement to benefits under the Defense Bases Act. Payments of detention benefits to dependents of such employees found to be missing from their places of employment due to the belligerent action of an enemy or who were captured by an enemy, are provided for by such act of December 2, 1942. With the exception of detention benefits, the benefits for disability or death provided are substantially those provided for in the Longshoremen's Act. For the purpose of administration, additional district offices were established at Honolulu, T. H., and Manila, Philippine Islands.

The Bureau also administers certain parts of the War Claims Act of 1948 (62 Stat. 1240; 50 U. S. C. Sup. III, App. 2001). Under this law the Bureau receives and processes claims of employees of certain contractors with the United States (principally contractors' employees, employed on certain Pacific Islands, who were captured by the Japanese) for wages due such employees under their contracts of employment, less any benefit payments in such cases made by the Bureau on account of detention by the enemy during World War II, and less any other amounts paid by the contractors to employees. Such claims are paid out of the War Claims Fund established by such act. Under this law the Bureau also processes and adjudicates the claims of civilian American citizens for benefits payable under the Act on account of injury, disability, or death occasioned by reason of capture or detention by the Japanese Government at Midway, Guam, Wake Island, Philippine Islands, or other places subject to Federal jurisdiction, attacked or invaded by the Japanese.

Employees' Compensation Appeals Board—Organization. The Employees' Compensation Appeals Board, originally created in the Federal Security Agency pursuant to authority contained in Reorganization Plan No. 2 of 1946 and transferred to the Department of Labor by Reorganization Plan No. 19 of 1950, effective May 24, 1950, consists of three members appointed by the Secretary of Labor, one of whom is designated as chairman and administrative officer. The Board has its principal office in Washington, but is authorized to perform its work at any place deemed necessary.

Jurisdiction. In accordance with the regulations of the Secretary of Labor (see 20 C. F. R. Chapter IV), the Board has jurisdiction to consider and decide appeals from the final decision, with findings of fact, and award, of the Bureau of Employees' Compensation of the Department in any case arising under the Federal Employees' Compensation Act, or arising under any statutory extension or application of such act. Appeals are also taken from final determinations of the Bureau of Employees' Compensation involving the exercise of discretion, but only is based upon the ground of abuse of, or refusal to exercise, discretion. There is no appeal in respect to any interlocutory matter disposed of by such Bureau during the pendency of a compensation case.

The jurisdiction of the Board extends to review of questions of law and fact within the purview of the United States Employees' Compensation Act, or extension thereof, and the review of the case is made upon the findings of fact and the action of the Director of the Bureau of Employees' Compensation taken pursuant to section 36 of such act (5 U. S. C. 786) and upon the particular case record in the Bureau of Employees' Compensation. The decision upon appeal by the Board is final except as to further statutory review provided for in section 37 of the United States Employees' Compensation Act. The Board may, however, review its own decisions.

Wage and Hour and Public Contracts Divisions—Functions. Pursuant to Reorganization Plan No. 6 of 1950 (15 F. R. 3174), the Administrator of the Wage and Hour Division has been charged with the functions, subject to the general direction and control of the Secretary of Labor, of administering and enforcing the Fair Labor Standards Act, as amended (52 Stat. 1060, 63 Stat. 910; 29 U. S. C. 201 and Supp. IV), and the administration and enforcement of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U. S. C. 35).

Pursuant to agreement with the Wage Stabilization Board, the Divisions act as agent of the Wage Stabilization Board by (1) disseminating information to the public through any of the Divisions' field offices throughout the country, (2) issuing authoritative written rulings as to interpretation and application of the wage stabilization regulations of the Wage Stabilization Board and the Economic Stabilization Administrator, (3) receiving and processing reports which must be filed pursuant to some of the regulations of the Board, (4) accepting and processing petitions for wage and salary increases in excess of those per-

mitted by the General Wage Regulations of the Board, and (5) accepting and processing applications with respect to special situations which require Board approval. These petitions and applications are then transmitted to the Board for its decision.

National organization. The national office of the Divisions is located in the Department of Labor Building, Washington 25, D. C.

The national office of the Wage and Hour and Public Contracts Divisions is organized as follows:

The Administrator plans, administers and directs the departmental and field organization of the Divisions in carrying out the enforcement of the Fair Labor Standards and the Walsh-Healey Public Contracts Acts (hereinafter referred to as the acts). He is assisted in his executive and administrative duties by a Deputy Administrator who acts for him in his absence. A Technical Assistant to the Administrator and an Assistant to the Deputy Administrator render further assistance. Two Assistant Administrators have been assigned duties as follows:

An Assistant Administrator has responsibility for the coordination and administration of all field enforcement activities and supervises, directs, plans and reviews the work of the following divisions:

The Division of Field Operation Activities plans and directs the activities of the Field Operation Officers, who periodically travel to regional and field offices to maintain liaison between these offices and the office of the Assistant Administrator and who have basic responsibility for maintaining uniformity in the enforcement operations of the various regional, State agreement, and territorial offices, and the making of periodic investigations of all aspects of regional and field enforcement activities

The Division of Child Labor is responsible for coordination of all activities directly affecting enforcement of child labor provisions of the acts, including the issuance of Federal certificates of age. This division also acts as a liaison agency with the Child Labor and Youth Employment Division of the Bureau of Labor Standards in the development of child labor regulations and orders issued under the Fair Labor Standards Act.

The Division of Policy and Planning, with relation to enforcement activities, evaluates and analyzes all policy and procedural problems, initiates new and revised policies and procedures and coordinates investigation program planning as necessitated by operating conditions to effectuate maximum compliance, prepares and issues forms and operating instructions to the field staff.

The Division of Investigation Control and Analysis reviews and processes investigation reports containing unusual situations which are not covered by established policies and procedures governing investigations; analyzes and processes sheltered workshop certification surveys and other reports relating to enforcement activities; conducts investigations of firms in the District of Columbia subject to the acts; receives and deposits with the Treasury Department for distribution to affected employees or General Treasury funds checks from firms found in violation of the minimum wage and maximum hours and child labor provisions of the acts; controls, reviews and coordinates field investigations involving firms having branches in more than one region.

An Assistant Administrator has responsibility for the coordination and direction of the activities of the following divisions:

The Division of Wage Determinations is responsible for conducting activities connected with the Walsh-Healey Public Contracts Act minimum wage determinations, the development of administrative policy under provisions of the Walsh-Healey Public Contracts Act and the development and administration of the minimum wage program for Puerto Rico and the Virgin Islands under the Fair Labor Standards Act. The division is also responsible for the development and application of subminimum wage standards under the acts, and the issuance of permits for learners, student learners, apprentices and messengers.

The Division of Regulations and Exemptions is responsible for formulation and recommendation of regulations under the Fair Labor Standards Act (except those related to setting of wage rates and child labor) and for any required administrative action under the regulations; for the development and recommendation of administrative policies, rulings and interpretations on the provisions of the act, and the exemptions (except those related to setting wage rates and child labor); and for coordination with the Walsh-Healey Public Contracts Act where applicable.

The Division of Research and Statistics is responsible for basic research on administrative problems; legislative research; assistance in litigation; preparation and analysis of statistics of operations; and initiates policy recommendations in connection with these fields.

In addition, two divisions directly responsible to the Administrator are as follows:

The Division of Information and Compliance, with a Director in charge, advises on and participates in policy decisions of the Divisions involving public relations and creates and effectuates a comprehensive information program designed to achieve voluntary compliance with the acts.

The Division of Business Management, under the direction of the Executive Officer, is responsible for directing budget and fiscal, personnel, office service, and related management activities of the Divisions, including the audit of State Agreements, and for evaluating and recommending improvements in policies, program organization and operations of the Divisions.

Field organization. The investigation work of the Divisions and their enforcement work in the field are conducted through the regional offices of the Department of Labor, a Territorial Director in Puerto Rico and Territorial Representatives in Alaska and Hawaii. The Regional Director in charge of each region is responsible to the Administrator for enforcement activities in his area. Field offices, field stations and itinerant stations operating under the supervision of the Regional Director have been established within each region.

In addition, certain investigative functions relating to the enforcement of the Acts in the States of North Carolina and Minnesota have been delegated to the respective State departments of labor under cooperative agreements entered into with those States pursuant to section 11 (b) of the Fair Labor Standards Act and section 4 of the Walsh-Healey Public Contracts Act. Assistance in conducting investigation under these agreements is furnished by assignment of one representative of the Divisions to each of the State offices at St. Paul, Minnesota, and Raleigh, North Carolina. Also, agreements have been consummated with more than 20 State departments of labor, as well as with the District of Columbia and the Territory of Hawaii, under which they make safety and health investigations of concerns subject to the Walsh-Healey Public Contracts Act.

The Divisions maintain field representatives in Idaho, Mississippi, South Carolina, and Texas for the purpose of issuing Federal certificates of age (see 29 CFR Parts 401 and 402), pursuant to the child labor provisions of the acts.

The Administrator of the Divisions has made the following delegations of authority to Regional Directors, Assistant Regional Directors, the Territorial Director in Puerto Rico, the Territorial Representatives in Hawaii and Alaska, and the Commissioner of Labor in North Carolina:

1. Power to grant, deny, or cancel special homework certificates pursuant to the provisions of certain wage orders issued under the Fair Labor Standards Act, and to hold hearings in connection therewith;

2. Power to issue, deny or cancel handicapped workers' certificates; [1]

3. Power to issue, deny, or cancel certificates for the employment of handicapped clients in sheltered workshops.[2]

Applications in connection with this subparagraph and subparagraphs 1 and 2 of this paragraph should be addressed to the respective persons specified therein.

4. Power to issue, deny or revoke special certificates for the employment, under any vocational rehabilitation program administered by the Veterans' Administration, at subminimum rates, of veterans handicapped by a service-incurred disability. The issuance of such

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[1] In general, the rules applicable to the employment of handicapped workers under the Fair Labor Standards Act are also applicable to the employment of handicapped workers under the Walsh-Healey Public Contracts Act. See 41 C. F. R. 201.1102.

[2] Special circumstances at times require certification by the national office, therefore the power to issue, deny, or cancel certificates for the employment of handicapped clients in sheltered workshops has also been delegated to the Assistant Administrator in charge of field operations, and to the assistant chief of Field Operation Activities of the national office.

special certificates follows upon receipt by the regional director from the Veterans' Administration of a copy of a temporary certificate authorizing such employment and issued by such representatives of the Veterans' Administration as have been designated by the Administrator as his authorized representatives to issue, deny, or revoke such temporary certificates.

Complaints of violation of the acts may be filed at the nearest regional or field office of the Divisions. General information may be obtained either from the Director of the Division of Information and Compliance at the national office or at the nearest regional or field office. The regional offices answer questions relative to the application of the acts in respect to matters on which the Administrator has asserted a position. Requests for such information should be addressed to the regional or field office nearest the applicant or to the national office of the Divisions.

Federal certificates of age in Idaho may be obtained at the following address:

State Department of Public Instruction,
Special Agent, Division of Child Labor,
Wage and Hour Division,
U. S. Department of Labor,
Boise, Idaho.

Such certificates in Mississippi, South Carolina, and Texas may be obtained by addressing the Division of Child Labor, Wage and Hour and Public Contracts Divisions, U. S. Department of Labor, at the following places, respectively:

1. 425½ South State Street, Jackson 8, Miss.
2. 1401 Hampton Street, Columbia, S. C.
3. 1114 Commerce Street, Dallas, Tex.

A list of the regional and other offices of the Divisions is as follows:

Region	States	Regional office address
Region I	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.	18 Oliver St., Boston 10, Mass.
Region II	New York, New Jersey	900 U. S. Parcel Post Bldg., 341 9th Ave., New York 1, N. Y.
Region III	Pennsylvania, Maryland, Delaware	Room 525, Lafayette Bldg., 437 Chestnut St., Philadelphia, Pa.
Region IV	Mississippi, Alabama, Georgia, South Carolina, Florida.	1007 Comer Bldg., 2026 2d Ave. North, Birmingham, Ala.
Region V	Michigan, Ohio	Perry-Payne Bldg., 704 Superior Ave. NW., Cleveland, Ohio.
Region VI	Wisconsin, Illinois, Indiana, Minnesota.	1200 Merchandise Mart Bldg., Merchandise Mart Plaza, Chicago 54, Ill.
Region VII	Iowa, Missouri, Kansas, Nebraska, South Dakota, North Dakota, Wyoming, Colorado.	600 Federal Office Bldg., 911 Walnut St., Kansas City 6, Mo.
Region VIII	New Mexico, Oklahoma, Arkansas, Louisiana, Texas.	Room 222, 1114 Commerce St., Dallas 2, Tex.
Region IX	Washington, Oregon, California, Nevada, Utah, Arizona, Idaho, Montana.	150 Federal Office Bldg., Fulton and Leavenworth Sts., San Francisco 2, Calif.
Region X	Tennessee, Virginia, West Virginia, Kentucky.	Telephone Bldg., 150 9th Ave. North, Nashville, Tenn.
District of Columbia		Temp. V, Room 1513 15th and Pennsylvania Ave., NW., Washington, D. C.
Territorial offices:		
Puerto Rico	Puerto Rico and Virgin Islands	New York Department Store Bldg., Stop 16½ Ponce de Leon Ave., P. O. Box 3906, Santurce 29, P. R.
Alaska		201–202 Federal Bldg., P. O. Box 1030, Juneau, Alaska.
Hawaii		345–347 Federal Bldg., King and Richards Sts., Honolulu, 2, T. H.
Cooperating agencies:		
North Carolina		North Carolina Department of Labor, State Department Bldg., Salisbury and Edenton Sts., Raleigh, N. C.
Minnesota		Department of Labor and Industry, Industrial Commission of Minnesota, 137 State Office Bldg., St. Paul 1, Minn.

Signed at Washington, D. C., this 9th day of August 1951.

MAURICE J. TOBIN,
Secretary of Labor.

[F. R. Doc. 51–9734; Filed, Aug. 15, 1951; 8:51 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Region IX Redelegation of Authority No. 5]

DIRECTORS OF DISTRICT OFFICES, REGION 9

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region 9, pursuant to the provisions of Delegation of Authority No. 14, dated July 27, 1951 (16 F. R. 7431), this redelegation of authority is hereby issued.

1. *Authority to act under GCPR, SR 45.* Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region 9, to act on all applications for adjustment under the provisions of sections 1–6 inclusive, of GCPR, SR 45, as amended.

This redelegation of authority is effective as of August 1, 1951.

H. ROE BARTLE,
Regional Director, Region 9.

AUGUST 14, 1951.

[F. R. Doc. 51–9777; Filed, Aug. 14, 1951; 3:47 p. m.]

[Delegation of Authority No. 17]

REGIONAL DIRECTORS

DELEGATION OF AUTHORITY TO PROCESS INITIAL REPORTS FILED BY CERTAIN RESTAURANT OPERATORS UNDER CPR 11

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950 (64 Stat. 812), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738) this delegation of authority is hereby issued.

1. Authority to act under section 6 of CPR 11. Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sale ratio referred to in section 4 thereof. The authority herein delegated may be redelegated to the Directors of District Offices of the Office of Price Stabilization.

The delegation of authority shall take effect on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51–9852; Filed, Aug. 15, 1951; 12:12 p. m.]

DISTRICT OFFICES

ORGANIZATIONAL STATEMENT

The field organization of the Office of Price Stabilization of the Economic Stabilization Agency, established pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st. Cong.), as amended, and Executive Order 10161 (15 F. R. 6105) as published in the Federal Register dated February 2, 1951 (16 F. R. 987), and as amended March 3, 1951 (16 F. R. 2028), April 20, 1951 (16 F. R. 3444), May 12, 1951 (16 F. R. 4476), June 21, 1951 (16 F. R. 5959), June 28, 1951 (16 F. R. 6322), July 24, 1951 (16 F. R. 7266), and July 26, 1951 (16 F. R. 7338) is further amended as follows:

Region IV, Richmond, Va. The counties of Sullivan, Johnson, Carter, Washington, and Unicoi, Tennessee, heretofore serviced by the Nashville, Tennessee District Office (Region V) will now be serviced by the Charlotte, North Carolina District Office (Region IV).

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51–9854; Filed, Aug. 15, 1951; 12:12 p. m.]

[Delegation of Authority 18]

DIRECTOR OF REGION 13

DELEGATION OF AUTHORITY TO ESTABLISH GROUP ADJUSTMENT OF CERTAIN CONTRACT CARRIER RATES

By virtue of the authority vested in me as Director of Price Stabilization

pursuant to the Defense Production Act of 1950 (64 Stat. 812), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738) this delegation of authority is hereby issued.

1. *Authority to act under section 5 (d) of Supplementary Regulation 39 to the General Ceiling Price Regulation.* Authority is hereby delegated to the Director of Region 13 of the Office of Price Stabilization to establish or adjust, on a uniform group basis, the ceiling rates of all contract carriers engaged in the transportation of milk, fruit or vegetables in a local area in Region 13, provided individual applications are filed by a representative number of the carriers commonly engaged in handling that particular traffic, or by a user of such service.

The delegation of authority shall take effect on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9855; Filed, Aug. 15, 1951; 12:12 p. m.]

FEDERAL COMMUNICATIONS COMMISSION

CLASS 2 EXPERIMENTAL RADIO STATIONS

EXTENSION OF LICENSE TERM

In the matter of extension of the License term of certain Class 2 Experimental radio stations operating in the Common Carrier Service (including General Mobile, TV-Pickup, TV-STL, Microwave Relay, Short Haul Toll, Rural Subscriber, Repeater, Domestic Control and Developmental stations).

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of August 1951;

The Commission, having under consideration the desirability of extending the license term of certain Class 2 Experimental radio stations operating in the Common Carrier Service (including General Mobile, TV-Pickup, TV-STL, Microwave Relay, Short Haul Toll, Rural Subscriber, Repeater, Domestic Control and Developmental stations);

It is ordered, That the license term of each presently authorized Class 2 Experimental radio station operating in the Common Carrier Service in accordance with the table of frequency allocations as set forth in Part 2 of the Commission's rules (including General Mobile, TV-Pickup, TV-STL, Microwave Relay, Short Haul Toll, Rural Subscriber, Repeater, Domestic Control and Developmental stations), is extended until November 1, 1952, in exact accordance with the terms of the presently effective license, subject to further order of the Commission.

Released: August 9, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary,

[F. R. Doc. 51-9729; Filed, Aug. 15, 1951; 8:49 a. m.]

[Docket No. 10026]

FRED BIRCH AND FAIRMONT CORP.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Fred Birch (transferor), the Fairmont Corporation (transferee), for transfer of control of Buttrey Broadcast, Inc., licensee of Station KFBB, Great Falls, Montana; File No. BTC-1068, Docket No. 10026.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 1st day of August 1951;

The Commission having under consideration the above-entitled application for consent to the transfer of control of Buttrey Broadcast, Inc., licensee of Station KFBB, Great Falls, Montana, from Fred Birch to the Fairmont Corporation, wholly owned subsidiary of the Anaconda Copper Mining Company; and

It appearing, that a question of the character qualifications of Anaconda Copper Mining Company, and, therefore, its wholly-owned subsidiary, the Fairmont Corporation, arises from Anaconda's conviction and fine for violation of section 1 of the Sherman Act (26 Stat. 209) on February 6, 1941, on an indictment of Anaconda as one of the co-defendants as being a party to a conspiracy to unlawfully restrain interstate trade and commerce in Western pine lumber, and the entering of a consent decree, on February 6, 1941, in a civil suit against Anaconda, based on this violation, perpetually enjoining Anaconda, as one of the co-defendants, from continuing the practices proscribed; and

It further appearing, that, coupled with the above question, Fairmont's acquisition of control of Station KFBB would add measurably to Anaconda's and Fairmont's already substantial influence in the State of Montana stemming from their extensive newspaper, business, mining, timber and industrial holdings in the State; and

It further appearing, that in view of the above, the Commission is of the opinion that a public hearing is necessary in order to secure the full information requisite for the public interest determination required by section 310 (b) of the Communications Act of 1934, as amended; therefore,

It is ordered, That the above-entitled application is designated for hearing, at Great Falls, Montana, on September 24, 1951, on the following issues:

1. To determine whether the Fairmont Corporation, and its parent corporation, Anaconda Copper Mining Company, and their respective officers, directors and stockholders, possess the requisite character, legal, financial and other qualifications to control Station KFBB; and, relative to this determination, to obtain full information with respect to:

a. The conviction and fine of Anaconda Copper Mining Company for violation of section 1 of the Sherman Act (26 Stat. 209) in U. S. District Court, Southern District of California, Central Division, on February 6, 1941. U. S. v. Western Pine Association, et al, Cr. 14522.

b. The civil suit and the consent decree there entered with respect to this violation in the same court, wherein Anaconda Mining Company was named as one of the co-defendants. U. S. v. Western Pine Association, et al., Civil 1389-RJ.

c. The plants, properties or other business interests that Anaconda, or any of its subsidiaries, including the Fairmont Corporation, or companies or organizations which Anaconda has stock interest in, have in the State of Montana; the policies of operation thereof; the number of persons employed therein; and further, with relation to the number of persons so employed, the total of employed persons in the State of Montana, Cascade County and Great Falls.

2. To determine the effect that grant here would have upon the diversification and competition in media for dissemination of news information.

3. To obtain full information with respect to Anaconda Copper Mining Company's ownership and control of the Fairmont Corporation, the method of exercising such control, and the effect of such control upon the policies and operation of Fairmont.

4. To obtain full information with respect to other broadcast interests, if any, held by the Fairmont Corporation, or Anaconda Copper Mining Company, or any of their respective officers, directors or stockholders.

5. To obtain full information with respect to the plans of the Fairmont Corporation, and the Anaconda Copper Mining Company, for staffing Station KFBB, its plans with respect to the station's programming, and all other plans and arrangements for the operation of the station.

6. To determine the area and population served by station KFBB, and the stations already serving the area.

7. To determine, in the light of information adduced under the foregoing issues, whether a grant of the subject application would be in the public interest.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

AUGUST 8, 1951.

[F. R. Doc. 51-9730; Filed, Aug. 15, 1951; 8:49 a. m.]

[Docket Nos. 10031-10032]

PARAMOUNT TELEVISION PRODUCTIONS, INC., ET AL.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of the applications of A. Paramount Television Productions, Inc., for licenses to cover construction permits for television stations: KTLA, Hollywood, California; Remote Pick-up Broadcast stations KA-5793, KA-5794, KA-5795, KA-5967, KA-5966; for renewal of licenses of television pick-up stations: KA-3436, KA-4841, KA-4842, and Experimental Television broadcast station KM2XBB, Docket No. 10031, File

Nos. BLCT–84, BLRE–987, BLRE–988, BLRE–989, BLRE–915, BLRE–914, BRVB–136, BRVB–169, BRVB–177, BRVB–42; and Paramount Pictures, Inc. (transferor), Paramount Pictures Corporation (transferee), for consent to transfer of control of Paramount Television Productions, Inc., File No. BTC–870.

B. Allen B. DuMont Laboratories, Inc., for licenses to cover construction permits for: Television station WDTV, Pittsburgh, Pa., WTTG, Washington, D. C., and television pick-up Station KA–4447; for modification of construction permits for experimental television broadcast Station KE2XDR; and for renewal of licenses of: Television Station WABD, New York, New York, television pick-up Stations KA–3431, KA–3432, KA–4448, KA–3433, KA–3434; remote pick-up broadcast Station 4039; experimental television Stations KE2XDN, KE2XDR; television intercity relay station KCA–61, Docket No. 10032, File Nos. BLCT–26, BLCT–50, BLVB–277, BMPVB–279, BRCT–6, BRVB–86, BRVB–91, BRVB–178, BRVB–84, BRVB–87, BRRE–695, BRVB–29, BRVB–56, BRVB–133; and Paramount Pictures, Inc. (transferor), Paramount Pictures Corporation (transferee), for consent to transfer of control of Allen B. DuMont Laboratories, Inc.; File No. BTC–974.

C. Balaban & Katz Corporation, for licenses to cover construction permits for: Television Station WBKB, Chicago, Illinois, and FM Station WBIK, Chicago, Illinois; for modification of construction permit for Station WBKB; and for renewal of licenses of television Station WBKB and television pickup Stations KA–3428, and KA–3429, Docket No. 10033, File Nos. BLCT–43, BLH–573, BMPCT–547, BRCT–5, BRVB–37, BRVB–149; and Paramount Pictures, Inc. (transferor), United Paramount Theatres, Inc. (transferee), for consent to transfer of control of Balaban & Katz Corporation; File No. BTC–865.

D. Paramount Pictures, Inc., E. V. Richards, Jr. (transferors), United Paramount Theatres, Inc. (transferee), for consent to transfer of control of WSMB, Inc., licensee of Stations WSMB and WSMB–FM, New Orleans, Louisiana; Docket No. 10034, File Nos. BTC–866 and BTC–867.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of August 1951;

The Commission having under consideration the above styled applications for renewal of licenses, licenses to cover construction permits, modification of construction permits, and for transfers of control; and

It appearing, on the basis of information available to the Commission, that Paramount Pictures, Inc., Paramount Television Productions, Inc., and Balaban and Katz Corporation have, in the past, engaged in violations of the Federal Anti-Trust Laws and have either been finally adjudicated guilty of such violations by courts of competent jurisdiction or have entered into consent decrees relating to such violations; and

It further appearing, that, the Commission, on March 29, 1951, released its report (Docket 9572) establishing Commission policy to be followed in the licensing of broadcast stations in connection with violations by applicants of laws of the United States, other than the Communications Act of 1934; and that, further, in the light of the principles enunciated in that report, the Commission cannot at this time, find that grants of the above applications for renewal of licenses, for licenses to cover construction permits and for modifications of construction permits, are in the public interest, convenience and necessity; and

It further appearing, from the information now before the Commission, that, despite the applicants' characterization of the above applications as applications for approval of "involuntary" transfers of control, the actions taken thereunder were voluntary in nature and were taken without approval of the Commission as required by sections 310 (b) and 319 (b) of the Communications Act of 1934, as amended; and

It further appearing, that the Commission cannot at this time determine, under sections 310 (b) and 319 (b) of the Communications Act of 1934, as amended, that grants of the aforesaid applications for consent to transfers of control would be in the public interest, convenience and necessity;

It is ordered, Pursuant to sections 309 (a), 310 (b) and 319 (b) of the Communications Act of 1934, as amended, that all of the above applications are designated for hearing in a consolidated proceeding to be heard at Washington, D. C., at a time to be set by further order of the Commission, the aforesaid renewal, license, and modification applications to be heard upon the following issues:

1. To obtain full information with respect to the participation of any of the applicants, their officers, directors, stockholders, employees, or agents, in any violations of either Federal or State anti-trust laws, the extent and character of such participation, and the results of any litigation flowing from such participation and more specifically to secure information as to:

a. Whether the violations committed were willful or inadvertent.

b. Whether the violations were committed over a long period of time or, in terms of time, were isolated events.

c. Whether the violations were recent.

d. Whether the violations also constituted violations of sections 311 and 313 of the Communications Act.

2. To obtain full information concerning the individual or individuals responsible for the formulation of the applicants, present business policies and to determine whether those policies as formulated, and as executed, are violative of Federal or State anti-trust laws.

3. To obtain full information with respect to the restrictions, if any, imposed by the applicants on broadcast stations in the use inter alia of motion picture films or stories produced, distributed, or exhibited by the applicants or restrictions imposed on broadcast stations in the use of talent under contract to or employed by the applicants.

4. To obtain full information with respect to the plans of the applicants for the staffing and programming of their broadcast stations.

5. To determine in the light of the evidence adduced under the above issues, whether the applicants, their officers, stockholders and directors, are qualified from the standpoint of character and conduct to be licensees, and whether grant of the above applications would be in the public interest, convenience and necessity.

It is further ordered, That, the above transfer applications be heard on the following issues:

1. To obtain full information with respect to the participation of any of the applicants, their officers, directors, stockholders, employees, or agents, in any violations of either Federal or State anti-trust laws, the extent and character of such participation, and the results of any litigation flowing from such participation and more specifically to secure information as to:

a. Whether the violations committed were willful or inadvertent.

b. Whether the violations were committed over a long period of time or, in terms of time, were isolated events.

c. Whether the violations were recent.

d. Whether the violations also constituted violations of sections 311 and 313 of the Communications Act.

2. To obtain full information as to the terms of the consent decree entered by Paramount Pictures, Inc., as a result of the decision of the Supreme Court of the United States in U. S. v. Paramount Pictures, Inc., 334 U. S. 131, and as to the steps taken by Paramount Pictures, Inc. pursuant thereto, with particular reference to the steps taken by Paramount Pictures, Inc., to properly comply with sections 310 (b) and 319 (b) of the Communications Act of 1934, as amended.

3. To obtain full information with respect to all the facts and circumstances surrounding the filing of the aforesaid transfer applications on December 22, 1949 (and July 21, 1950, by Allan B. DuMont Laboratories, Inc.), and, further, to determine whether the execution of any contracts, agreements or understandings entered into by Paramount Pictures, Inc., relating to said transfer applications aforesaid or any acts performed pursuant thereto, were in violation of sections 310 (b) and 319 (b) of the Communications Act of 1934, as amended, or in violation of the rules and regulations of the Commission with particular reference to §§ 1.321, 1.342, and 1.343 of said rules and regulations.

4. To obtain full information regarding the properties received by transferees, Paramount Pictures Corporation and United Paramount Theatres, Inc., as a result of the dissolution of Paramount Pictures, Inc., the consideration paid therefor, and the terms of payment of such consideration, and in the event no monetary consideration was paid, the full terms of the transactions resulting in the acquisition by the transferees of the properties in question.

5. To determine whether, since January 1, 1950, the broadcast facilities licensed to Paramount Pictures, Inc., have

been owned, operated or controlled by individuals or corporations without authorization of this Commission and in violation of section 301 of the Communications Act.

6. To obtain full information with respect to the corporate structure of transferees, Paramount Pictures Corporation and United Paramount Theatres, Inc., and with respect to the legal, technical, financial and other qualifications of their officers, directors, and stockholders.

7. To determine the policies to be pursued by Paramount Pictures Corporation and United Paramount Theatres, Inc., in the operation and control of the broadcast facilities owned by them or by their subsidiaries and to obtain full information as to the individual or individuals authorized to formulate and execute such policies.

8. To determine the relationship, if any, presently existing between Paramount Pictures Corporation and United Paramount Theatres, Inc., and what arrangements have or will be made between them with respect to the production, distribution, and exhibition or restriction on the use of motion picture films, stories, or talent through the medium of either motion picture theatres or television broadcast stations.

9. To obtain full information as to the ownership, management, and control of Allan B. DuMont Laboratories, Inc.

10. To obtain full information with respect to the policies and plans of the transferees relating to any arrangements contemplated for the televising of selected programs in theatres to the exclusion of other outlets.

11. To determine in the light of the evidence adduced under the above issues, whether the applicants, their officers, stockholders and directors, are qualified from the standpoint of character and conduct to be licensees, and whether grant of the above applications would be in the public interest, convenience and necessity.

Released: August 9, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary,

[F. R. Doc. 51-9731; Filed, Aug. 15, 1951; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26318]

VARIOUS COMMODITIES FROM ILLINOIS TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

AUGUST 13, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to his tariffs I. C. C. Nos. 620 and 699, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

From: Specified points in Illinois.

To: Specified points in southern territory.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9724; Filed, Aug. 15, 1951; 8:48 a. m.]

[4th Sec. Application 26319]

LARD AND LARD SUBSTITUTES FROM TEXAS POINTS TO KANSAS, OKLAHOMA, AND MISSOURI

APPLICATION FOR RELIEF

AUGUST 13, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3588.

Commodities involved: Lard, lard compounds, lard substitutes, and vegetable oils, carloads.

From: Dallas, Fort Worth, North Fort Worth, and Sherman, Tex.

To: Points in Kansas and Oklahoma, and Joplin, Mo.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3588, Supp. 146.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9725; Filed, Aug. 15, 1951; 8:48 a. m.]

[4th Sec. Application 26320]

TALL OIL FROM ARKANSAS, LOUISIANA, AND TEXAS TO HATTIESBURG, MISS.

APPLICATION FOR RELIEF

AUGUST 13, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3906, 3908, and 3967.

Commodities involved: Tall oil, crude (the product of acidification of skimmings of soda or sulphate black liquor), carloads.

From: Advance, La., Houston, Tex., and other specified points in Arkansas, Louisiana, and Texas.

To: Hattiesburg, Miss.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 18; D. Q. Marsh's tariff I. C. C. No. 3908, Supp. 66; D. Q. Marsh's tariff I. C. C. No. 3906, Supp. 65.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9726; Filed, Aug. 15, 1951; 8:48 a. m.]

[4th Sec. Application 26321]

GLASS RODS OR TUBING FROM LOGAN, OHIO, TO BOWLING GREEN, KY.

APPLICATION FOR RELIEF

AUGUST 13, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Rods or tubing, glass (incandescent electric lamp material), carloads.

From: Logan, Ohio.

To: Bowling Green, Ky.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9727; Filed, Aug. 15, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-506]

SPECIAL RISKS FUND, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of August A. D. 1951.

Notice is hereby given that Special Risks Fund, Inc. (Applicant) has filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring that it has ceased to be an investment company within the meaning of the act.

It appears from the application that applicant has outstanding only 2,384 shares, held by only 21 shareholders, and is not making and does not presently propose to make a public offering of its securities. Section 3 (c) (1) of the act provides that any issuer whose outstanding securities are beneficially owned by not more than 100 persons and does not presently propose to make a public offering of its securities is not an investment company within the meaning of the act.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission at any time after August 21, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested persons may, not later than August 20, 1951, at 5:30 p. m., in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9703; Filed, Aug. 15, 1951; 8:46 a. m.]

[File No. 70-2686]

COLUMBIA GAS SYSTEM, INC. AND NATURAL GAS CO. OF WEST VIRGINIA

NOTICE REGARDING ISSUANCE AND SALE OF NOTES TO PARENT COMPANY BY SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of August A. D. 1951.

Notice is hereby given that a joint application has been filed with this Commission by The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary company, Natural Gas Company of West Virginia ("Natural Gas"), pursuant to the Public Utility Holding Company Act of 1935. The joint applicants have designated sections 6 (b), 9 and 10 of the act as being applicable to the proposed transactions.

All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Natural Gas proposes to issue and sell and Columbia proposes to acquire, from time to time, prior to March 31, 1952, not to exceed $600,000 principal amount of Natural Gas' unsecured Installment Promissory Notes. Said notes would be registered and the principal amounts thereof are to be payable in 25 equal annual installments on February 15th of each of the years 1953 to 1977, inclusive. The unpaid principal amounts of such notes would bear interest at the rate of 3¼ percent per annum payable semi-annually on February 15th and August 15th of each year during the time the notes are outstanding. The proceeds from the sale of said notes would be used by Natural Gas to finance a part of its proposed 1951 construction program.

The joint application states that the Public Service Commission of the State of West Virginia has jurisdiction over the proposed issuance and sale of the said 3¼ percent notes of Natural Gas.

Notice is further given that any interested person may, not later than August 27, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 27, 1951, said joint application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9709; Filed, Aug. 15, 1951; 8:46 a. m.]

[File No. 70-2683]

COLUMBIA GAS SYSTEM, INC. AND MANUFACTURERS LIGHT AND HEAT CO.

NOTICE REGARDING ISSUANCE AND SALE OF NOTES TO PARENT COMPANY BY SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of August A. D. 1951.

Notice is hereby given that a joint application has been filed with this Commission by The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary company, The Manufacturers Light and Heat Company ("Manufacturers"), pursuant to the Public Utility Holding Company Act of 1935. The joint applicants have designated sections 6 (b), 9 and 10 of the act as being applicable to the proposed transactions.

All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Manufacturers proposes to issue and sell and Columbia proposes to acquire, from time to time, prior to March 31, 1952, not to exceed $11,000,000 principal amount of Manufacturers' unsecured Installment Promissory Notes. Said notes would be registered and the principal amounts thereof are to be payable in 25 equal annual installments on February 15th of each of the years 1953 to 1977, inclusive. The unpaid principal amounts on such notes would bear interest at the rate of 3¼ percent per annum, payable semi-annually on February 15th and August 15th of each year during the time the notes are outstanding. The proceeds from the sale of said notes would

be used by Manufacturers to finance a part of its proposed 1951 construction program.

The joint application states that the Pennsylvania Public Utility Commission has jurisdiction over the proposed issuance and sale of the said 3¼ percent notes of Manufacturers.

Notice is further given that any interested person may, not later than August 24, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 24, 1951, said joint application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9710; Filed, Aug. 15, 1951; 8:46 a. m.]

[File No. 812-737]

PENNROAD CORP.

ORDER GRANTING EXEMPTION APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of August A. D. 1951.

The Pennroad Corporation (Pennroad) has filed an application pursuant to sections 6 (c), 10 (f), and 17 (b) of the Investment Company Act of 1940 for an order granting exemption from the provisions of sections 10 (f) and 17 (a) of said act for the acquisition by Pennroad of 50 shares of 4 Percent Cumulative Second Preferred Stock, $100 par value, of Charles Pfizer & Co., Inc. from Riter & Co., as well as for the acquisition of 500 shares of said stock from Morgan Stanley & Co., and to permit Pennroad to acquire 800 shares of said stock from Kuhn, Loeb & Co., all at the public offering price of $101.50.

Pennroad is a closed end, non-diversified, management company registered under the Investment Company Act of 1940. Due to a misunderstanding of the requirements of the act, Pennroad failed to apply for an exemption from the act in connection with the purchases from Riter & Co. and Morgan Stanley & Co. Evidence has been submitted to show that the application is in the interest of Pennroad and its stockholders; that the market price of the stock has advanced since the purchase thereof; that the terms of the purchases, including the consideration, are fair and do not involve overreaching on the part of anyone concerned; that the transactions are consistent with Pennroad's policy as recited in its registration statement and with the general purposes of the act; and that the exemptions sought are consistent with the protection of investors.

Notice of the filing of said application was duly given in the manner and form prescribed in Rule N-5 under the act, and the Commission has not received a request for a hearing within the period specified in such notice. A hearing does not appear necessary or appropriate in the public interest or for the protection of investors.

Wherefore, the Commission having considered the application, finds that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve over-reaching on the part of any persons concerned; that the proposed transaction is consistent with the policy of The Pennroad Corporation as recited in its registration statement and reports filed under the act; that the proposed transaction is consistent with the general purposes of the act, and with the protection of investors.

It is ordered, therefore, That the transactions involving the purchase by Pennroad of 50 shares of 4 Percent Cumulative Second Preferred Stock, $100 par value, from Riter & Co., 500 shares of said stock from Morgan Stanley & Co., and the proposed transaction involving the purchase by Pennroad of 800 shares of said stock from Kuhn, Loeb & Co. be and the same hereby are exempted from the provisions of sections 10 (f) and 17 (a) of the Investment Company Act of 1940.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 51-9711; Filed, Aug. 15, 1951; 8:47 a. m.]

[File No. 70-2682]

COLUMBIA GAS SYSTEM, INC., AND HOME GAS CO.

NOTICE REGARDING ISSUANCE AND SALE OF NOTES TO PARENT COMPANY BY SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of August A. D. 1951.

Notice is hereby given that a joint application has been filed with this Commission by The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary company, Home Gas Company ("Home"), pursuant to the Public Utility Holding Company Act of 1935. The joint applicants have designated sections 6 (b), 9 and 10 of the act as being applicable to the proposed transactions.

All interested persons are referred to said application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Home proposes to issue and sell and Columbia proposes to acquire, from time to time, prior to March 31, 1952, not to exceed $1,100,000 principal amount of Home's unsecured Installment Promissory Notes. Said notes would be registered and the principal amounts thereof are to be payable in 25 equal annual installments on February 15th of each of the years 1953 to 1977, inclusive. The unpaid principal amounts of such notes would bear interest at the rate of 3¼ percent per annum, payable semiannually on February 15th and August 15th of each year during the time the notes are outstanding. The proceeds from the sale of said notes would be used by Home to finance a part of its proposed 1951 construction program.

The joint application states that the Public Service Commission of the State of New York has jurisdiction over the proposed issuance and sale of the said 3¼ percent notes of Home.

Notice is further given that any interested person may, not later than August 24, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 24, 1951, said joint application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9712; Filed, Aug. 15, 1951; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18295]

BERTHA S. HUNNEWELL

In re: Trust under the will of Bertha S. Hunnewell, deceased. D-28-10637-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emmy Schmidt, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to all funds arising from the trust created under the will of Bertha S. Hunnewell, deceased,

is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Frank H. Theall, trustee, acting under the judicial supervision of the Probate Court, Suffolk County, Boston, Massachusetts;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9677; Filed, Aug. 14, 1951; 8:53 a. m.]

[Vesting Order 18296]

HARRY H. HUNNEWELL ET AL.

In re: Trust agreement dated May 2, 1927, between Harry H. Hunnewell of Coronada, California, grantor and Hollis H. Shaw of Brookline, Massachusetts, and Frank A. Theall of Boston, Massachusetts, trustees, as amended by amendment dated February 8, 1933. File No. F-28-10636-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emmy Schmidt, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to and arising out of or under that certain trust agreement dated May 2, 1927, and amended February 8, 1933, by and between Harry H. Hunnewell, grantor, and Hollis H. Shaw and Frank A. Theall, as trustees, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9678; Filed, Aug. 14, 1951; 8:53 a. m.]

[Vesting Order 18297]

EMMY SCHMIDT AND FRANK A. THEALL

In re: Trust under indenture dated May 29, 1939, between Emmy Schmidt, grantor, and Frank A. Theall, trustee, as amended, by amendment dated July 23, 1951. F-28-8649-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emmy Schmidt, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to and arising out of or under that certain trust under indenture dated May 29, 1939, and amended July 23, 1951, by and between Emmy Schmidt, grantor, and Frank A. Theall, trustee, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9679; Filed, Aug. 14, 1951; 8:53 a. m.]

MARIE JESSACHER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Marie Jessacher, Salzburg, Austria; Claim No. 42278; $1,390.06 in the Treasury of the United States.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-9680; Filed, Aug. 14, 1951; 8:53 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
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TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 42-9]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

SECOND PILOT QUALIFICATIONS FOR LARGE AIRCRAFT OPERATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 10th day of August 1951.

Certain provisions of Part 42 of the Civil Air Regulations require a pilot serving as second pilot on large aircraft to possess a commercial pilot certificate with an "appropriate rating" for the aircraft on which he is to serve as well as a currently effective instrument rating. Strictly construed, the term "appropriate rating" means "type rating" which a second pilot must separately obtain for aircraft of each type on which he is to serve. The proficiency essential to an aircraft type rating must be satisfactorily demonstrated to the Administrator and includes skills and maneuvers not required of second pilots engaged in scheduled operations under Part 40. This difference in standards of competency for second pilots is not intended; indeed, the administrative history of the pertinent regulations supports the Board's intention to establish equivalent qualifications for airmen serving in scheduled operations and in irregular large aircraft operations.

Consistent with this purpose, this amendment provides that in operations under Part 42 a pilot serving as second pilot in large aircraft shall possess a valid commercial rating and a valid instrument rating, unless he holds a valid airline transport pilot rating, and that he shall demonstrate to the Administrator his ability to take off and land each type of aircraft on which he is to serve by making at least three satisfactory take-offs and landings. It should be noted that first pilots serving in either scheduled or irregular large aircraft operations are currently required to possess valid airline transport pilot ratings with type ratings for aircraft in which they serve.

The Board is advised that strict enforcement of the currently effective qualification requirements for second pilots in operations under Part 42 would substantially impede the operations of many carriers and adversely affect the national mobilization program. It is the Board's opinion that this amendment appropriately amending second pilot qualifications is warranted in these circumstances.

For the reasons stated above the Board finds that notice and public procedure hereon are impracticable and contrary to the public interest, and that, since this regulation imposes no burden on anyone, good cause exists for making this regulation effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 42 (14 CFR Part 42, as amended) effective immediately:

By amending § 42.43 (b) to read as follows:

§ 42.43 *Pilot qualifications for large aircraft.* * * *

(b) *Second pilot.* Before a pilot shall serve as second pilot on large aircraft, he shall:

(1) Possess a valid commercial pilot rating and instrument rating, or a valid airline transport pilot rating, and

(2) Demonstrate to an authorized representative of the Administrator, or to a check pilot designated by the Administrator, his ability to take off and land each type of aircraft on which he is to serve by making at least three satisfactory take-offs and landings in each type.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 602, 52 Stat. 1007, as amended, 1008; 49 U. S. C. 551, 552)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS, *Acting Secretary.*

[F. R. Doc. 51-9815; Filed, Aug. 16, 1951; 8:58 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter D—Federal Savings and Loan Insurance Corporation

[No. 4507]

PART 163—OPERATIONS

ELIMINATION OF CERTAIN PROVISIONS RELATIVE TO HOME OWNERS' LOAN CORPORATION LOANS

AUGUST 13, 1951.

Resolved that, pursuant to Part 108 of the general regulations of the Home

(Continued on p. 8167)

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FEDERAL REGISTER

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HANDBOOK OF EMERGENCY DEFENSE ACTIVITIES

June 1951 Edition

Published by the Federal Register Division, the National Archives and Records Service, General Services Administration

115 PAGES—25 CENTS

Order from Superintendent of Documents, United States Government Printing Office, Washington 25, D. C.

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Loan Bank Board (24 CFR Part 108) and § 167.1 of the rules and regulations for insurance of accounts (24 CFR 167.1), effective August 17, 1951:

The sentence at the end of § 163.9 of the rules and regulations for insurance of accounts (24 CFR 163.9) reading as follows: "(c) Any insured institution may, to the extent it has legal power to do so, purchase loans secured by real estate from the Home Owners' Loan Corporation without regard to preceding provisions of this section." is hereby rescinded; and § 163.10 of the rules and regulations for insurance of accounts (24 CFR 163.10) is hereby amended by repealing the phrase "nor to loans purchased from the Home Owners' Loan Corporation." appearing at the end of such section and by changing the comma immediately preceding such phrase to a period.

Resolved further that, the regulatory requirements being repealed by the aforesaid action being obsolete by reason of the Home Owners' Loan Corporation having sold its loans, notice and public procedure upon the regulation are unnecessary and there is no reason for deferring the effective date of the regulation beyond the date of publication in the FEDERAL REGISTER.

(Sec. 402, 48 Stat. 1256, as amended; 12 U. S. C. 1725)

By the Home Loan Bank Board.

[SEAL] H. CAULSEN,
Assistant Secretary.

[F. R. Doc. 51–9775; Filed, Aug. 16, 1951; 8:50 a. m.]

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Housing Rent Reg., Corr. to Amdt. 383]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Corr. to Amdt. 378]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

MAINE

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are corrected in the following respect:

In paragraph numbered 2 of Amendment 383 to §§ 825.1 to 825.12 and Amendment 378 to §§ 825.81 to 825.92 the Schedule B item numbers are changed from 86 to 89 with respect to §§ 825.1 to 825.12 and from 86 to 88 with respect to §§ 825.81 to 825.92.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This correction shall be effective as of June 27, 1951.

Issued this 14th day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51–9802; Filed, Aug. 16, 1951; 8:56 a. m.]

[Controlled Housing Rent Reg., Amdt. 394]

[Controlled Rooms in Rooming Houses and Other Establishments Rent. Reg., Amdt. 388]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CERTAIN STATES

Amendment 394 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 388 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 26a, is amended to describe the counties in the Defense-Rental Area as follows:

Alameda County, except the Cities of Berkeley, Hayward, Livermore, Piedmont and San Leandro, and the Town of Pleasanton.

This decontrols the City of Berkeley in Alameda County, California, a portion of the Alameda County, California, Defense-Rental Area.

2. Schedule A, Item 35a, is amended to describe the counties in the Defense-Rental Area as follows:

San Joaquin County, except the Cities of Lodi, Manteca, Ripon and Stockton, and all unincorporated localities.

This decontrols the Cities of Lodi and Ripon in San Joaquin County, California, portions of the Sacramento, California, Defense-Rental Area.

3. Schedule A, Item 39c, is amended to read as follows:

(39c) [Revoked and decontrolled.]

This decontrols (1) the City of Gilroy in Santa Clara County, California, a portion of the San Jose, California, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Defense-Rental Area, on the initiative of the Director of Rent Stabilization in accordance with section 204 (c) of said act.

4. Schedule A, Item 83, is amended to describe the counties in the Defense-Rental Area as follows:

Cook County, except the Cities of Blue Island, Calumet City, Chicago Heights, Des Plaines, Park Ridge, and that portion of the City of Elgin located therein, and the Villages of Arlington Heights, Brookfield, Burnham, Flossmoor, Glenview, Kenilworth, La Grange, Lansing, Mt. Prospect, Oak Forest, Palatine, Riverdale, River Forest, South Holland, Westchester, Wheeling, Wilmette, Winnetka, and

those portions of the Villages of Barrington and Steger located therein, Du Page County, except the Cities of West Chicago and Wheaton, and the Village of Glen Ellyn; Kane County, except that portion of the City of Elgin located therein; and Lake County, except the City of Lake Forest, the Village of Deerfield, and that portion of the Village of Barrington located therein.

This decontrols the City of Wheaton in Du Page County, Illinois, and the Village of Wheeling in Cook County, Illinois, portions of the Chicago, Illinois, Defense-Rental Area.

5. Schedule A, Item 114b, is amended to describe the counties in the Defense-Rental Area as follows:

In Woodbury County, the City of Sioux City and the Townships of Sioux City and Woodbury, except the Town of Sergeant Bluff.

This decontrols the Town of Sergeant Bluff in Woodbury County, Iowa, a portion of the Sioux City, Iowa, Defense-Rental Area.

6. Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Groveland, Highland, Holly, Independence, Milford, Novi, Oakland, Orion, Oxford, Pontiac, Rose, Springfield, Troy, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Berkley, Birmingham, Bloomfield Hills, Farmington, Ferndale, Hazel Park, Pleasant Ridge, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Belleville, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Lincoln Park and Plymouth, (ii) the Villages of Grosse Pointe Shores, Trenton and Wayne, (iii) that portion of the Village of Northville located in Wayne County, and (iv) the Township of Canton; and Macomb County, except the City of Mount Clemens, the Village of Fraser, and the Townships of Armada, Bruce, Lennox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

This decontrols the City of Belleville in Wayne County, Michigan, a portion of the Detroit, Michigan, Defense-Rental Area.

7. Schedule A, Item 188a, is amended to describe the counties in the Defense-Rental Area as follows:

Camden County, except the Boroughs of Audubon, Haddonfield, Haddon Heights and Merchantville, and the Township of Pennsauken; Gloucester County; and Burlington County, except the Townships of Bass River, Tabernacle, Shamong, Woodland and Washington, and the Borough of Medford Lakes in Medford Township.

In Cape May County, the Borough of Woodbine; and in Cumberland County, the City of Millville, the Borough of Vineland and the Township of Landis.

This decontrols the Borough of Haddon Heights in Camden County, New Jersey, a portion of the Southern New Jersey Defense-Rental Area.

8. Schedule A, Item 190, is amended to describe the counties in the Defense-Rental Area as follows:

Bergen County, except the Village of Ridgewood; Morris County, except the Township of Jefferson; and the Counties of Essex, Hudson, Middlesex, Monmouth, Passaic, Somerset and Union.

This decontrols the Village of Ridgewood in Bergen County, New Jersey, and the Township of Jefferson in Morris County, New Jersey, portions of the Northeastern New Jersey Defense-Rental Area.

9. Schedule A, Item 351a, is amended to describe the counties in the Defense-Rental Area as follows:

Whitman County, except the City of Tekoa.
Latah County, except the City of Moscow.

This decontrols the City of Moscow in Latah County, Idaho, a portion of the Pullman-Moscow, Washington, Defense-Rental Area.

All decontrols effected by this amendment, except those in Item 3 thereof, are based entirely on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall be effective August 17, 1951.

Issued this 14th day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-9801; Filed, Aug. 16, 1951; 8:56 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 712—NAVAL AVIATION COLLEGE PROGRAM

REVOCATION

Part 712 is hereby revoked.

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9756; Filed, Aug. 16, 1951; 8:46 a. m.]

Subchapter D—Procurement, Property, Patents, and Contracts

PART 754—GUAM CLAIMS

REVOCATION

Part 754 is hereby revoked.

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9757; Filed, Aug. 16, 1951; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-46A]

M-46A—PRIORITY ASSISTANCE FOR FOREIGN PETROLEUM OPERATIONS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. Consultation with industry representatives in advance of the issuance of this order has been rendered impracticable due to the fact that it applies to all branches of the foreign petroleum industry.

Sec.

1. What this order does.
2. Definitions.
3. Assignment of symbols.
4. Large construction operations.
5. All operations other than large construction operations.
6. Limitations on priority assistance.
7. Emergency or interim assistance.
8. Certification.
9. Effect of revocation or denial of export authority.
10. Records, reports, and forms.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.; sec. 2 E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order explains how priority assistance is made available to petroleum operators to obtain material for use in all countries except the United States and Canada. The order establishes two procedures to be followed in obtaining and using priority assistance. The first procedure relates to use of material for large construction operations. A large construction operation is any one complete construction operation with a total material cost over $10,000. The second procedure relates to material obtained for any use other than use in a large construction operation. This second procedure includes material for use in production, small construction operations, maintenance, repair, operating supplies, and laboratory equipment.

SEC. 2. *Definitions.* (a) "Operator" means any person to the extent that he is engaged in the petroleum industry outside of the United States, its territories or possessions, or the Dominion of Canada.

(b) "Applicant" means any operator or his agent who, under the Office of International Trade export control regulations, is authorized to apply for an export license.

(c) "Petroleum" means crude oil and associated hydrocarbons, and the products thereof, including but not limited to natural gas.

(d) "Petroleum industry" includes any of the following activities and any operations directly incident to these activities as they pertain to petroleum:

(1) The discovery, development, or depletion of petroleum (production);

(2) The extraction or recovery of natural gasoline or associated hydrocarbons (natural gasoline recovery);

(3) The movement, loading, or unloading of petroleum (transportation);

(4) The processing, reprocessing, or alteration of petroleum, including but not limited to compounding or blending (refining);

(5) The distribution or dispensing of petroleum, or the products thereof, and

the storage incident thereto (distribution); and shall include for each of the above listed branches of the industry, to the extent applicable, the control of, or the investigation into, more effective methods of conducting petroleum operations by means of research, technical, or control laboratories.

(e) "Construction operation" means any use of material for construction, expansion, improvement, or reconstruction, incident to any branch of the petroleum industry other than production.

(f) "Program letter" means a letter from the Petroleum Administration for Defense to an applicant approving an operating program to be carried out by the applicant.

(g) "Controlled material" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

SEC. 3. *Assignment of symbols.* (a) Symbols are used to identify programs, uses of material, and countries in which materials obtained with the symbols are to be used. An appropriate symbol, together with a quarterly designation, constitutes an allotment number, which the applicant may use, where authorized, to obtain controlled material. The allotment number is used to identify quantities of controlled material which the applicant is authorized to obtain. An appropriate symbol, preceded by the letters "DO," constitutes a rating which the applicant may apply, where authorized, to obtain material other than controlled material.

(b) The following are the symbols to be used by an applicant to procure material for use in the petroleum industry in countries other than the United States or Canada:

Type of material to be procured	ECA countries		Other countries	
	Large construction operations	Other	Large construction operations	Other
Controlled material	W-3	W-4	W-1	W-2.
Other than controlled material	DO-W-3	DO-W-4	DO-W-1	DO-W-2.

(c) Schedule I of this order identifies the ECA countries. W-3 and W-4 program identification symbols must be used for materials which are to be used in the ECA countries as set forth in Schedule I. W-1 and W-2 program identification symbols must be used for materials which are to be used in all other countries, except the United States and Canada.

(d) Whenever any symbol is used to obtain controlled material, it must be followed by an appropriate quarterly designation. This quarterly designation represents the calendar quarter of the year during which the operator is permitted to take delivery in the United States of authorized quantities of controlled material. Thus, if the applicant were authorized to use controlled material in a large construction operation in France and the authorization were for delivery in the United States of that material in the first quarter of 1952, he would use the symbol W-3 followed by the abbreviation 1Q52. The complete symbol would be, therefore, W-3-1Q52.

SEC. 4. *Large construction operations.* Form PAD-26A, filed in accordance with the instructions printed thereon, must be used in connection with the priority assistance made available in this order for materials to be used in a large construction operation. A large construction operation is any one complete construction operation with a total material cost over $10,000. Form PAD-26A is filed to obtain priority assistance for all materials going into the construction operation which it covers. After the form has been returned to the applicant indicating approval and the extent to which he may use priority assistance, the applicant may, to that extent, place delivery orders bearing the appropriate identification set forth in section 3 (b) of this order.

SEC. 5. *All operations other than large construction operations.* (a) Form IT-824, filed quarterly in accordance with the instructions printed thereon, must be used in connection with the priority assistance made available in this order for any material to be used in the industry other than material used in a large construction operation.

(b) If a program letter has been issued to an applicant, he may, without securing prior approval of his Form IT-824, use the appropriate symbol set forth in section 3 (b) of this order to obtain items, other than those listed in Schedule II of this order necessary for the operations covered by his program letter. To obtain items listed in Schedule II, an applicant may not use a symbol until his Form IT-824, filed as required, has been returned to him indicating approval and the extent to which he may use priority assistance. Even if an applicant has a program letter and no Schedule II items are involved, he must file for an export license on Form IT-824, which form, when approved, is an export license for the materials approved thereon.

(c) If a program letter has not been issued to an applicant, he may not use the appropriate symbol required for priority assistance until a Form IT-824, filed as required, has been returned to him, indicating approval and the extent to which he may use the priority assistance.

(d) Schedule II of this order may be amended from time to time by the addition or deletion of items. To facilitate the filing of Form IT-824, the Petroleum Administration for Defense may, in advance of a published amendment of Schedule II, give notice by letter of such prospective amendment to all applicants to whom a program letter has been issued. No applicant receiving such notice shall, after the effective date specified in the notice, use the priority assistance of section 3 (b) of this order for items which have been added, unless as to these items specific approval has been obtained through the filing of Form IT-824.

SEC. 6. *Limitations on priority assistance.* Directives may be issued from time to time with respect to the priority assistance obtainable through the use of either Form IT-824 or PAD-26A. Except as modified by such directives, the provisions of this order shall remain applicable. An operator who is entitled to use the priority assistance of this order shall not use any form of priority assistance otherwise made available to the extent that such assistance is available through this order. This provision, however, shall not prevent the rerating of any delivery pursuant to applicable regulations or procedures or the use of priority assistance otherwise granted where specific directions to this effect have been issued.

SEC. 7. *Emergency or interim assistance.* (a) Form IT-824 may be used in requesting priority assistance where, because of an emergency or for other reasons of necessity, the operator requires material not included on his current Form IT-824 or requires material in greater quantities or on earlier dates than requested in his current Form IT-824. In filing Form IT-824 for emergency or interim assistance, the operator need itemize only those items in those quantities on which assistance is being requested due to the necessity for emergency or interim assistance.

(b) Form PAD-26A may be used as an amendment form to effect changes in delivery dates or quantities of material required for use in the project covered by the original form. Where the form is used as an amendment, reference must be made to the original authorized document and requested adjustments must be specifically set forth. In that circumstance, he may not use the appropriate symbol until such time as the amended form has been returned to him indicating approval and the extent to which he may use the priority assistance.

SEC. 8. *Certification.* In order to use any symbol authorized pursuant to this order, the applicant must endorse on or attach to each delivery order the appropriate symbol as well as a certification in the following form:

Certified under NPA Order M-46A

SEC. 9. *Effect of revocation or denial of export authority.* If an export license, statement of export clearance, or statement of authority to export any material is revoked or if an export license is denied, any symbol authorized pursuant to this order for material covered by such export license, clearance, or authority shall thereby be revoked as regards delivery of such material to the applicant. The applicant must then notify his supplier or suppliers of the cancellation and may take no delivery of material ordered by use of such symbol. The applicant must also promptly notify the Petroleum Administration for Defense of the cancellation of any orders for any affected Schedule II item or any item designated as a Schedule II item.

SEC. 10. *Records, reports, and forms.* (a) Each person participating in any transaction covered by this order shall make and retain in his files for at least 2 years, records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system provides an adequate basis of audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 11. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privileges of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priority assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I

The following are ECA countries:

A. European countries:
- Austria.
- Belgian-Luxemburg Economic Union.
- Denmark.
- Germany (Federal Republic).
- France (including the Saar).
- Greece.
- Iceland.
- Ireland.
- Italy.
- Netherlands.
- Norway.
- Portugal.
- Sweden.
- Switzerland.
- Trieste, Free Territory of.
- Turkey.
- United Kingdom (including the Channel Islands).
- Yugoslavia.

B. Overseas territories:
- Belgian overseas territories:
  - Belgian Congo.
  - Ruanda-Urundi.

SCHEDULE I—Continued

B. Overseas territories—Continued
- British overseas territories:
  - Gibraltar.
  - Malta and Gozo.
  - Cyprus.
  - British West Africa:
    - Nigeria.
    - Gold Coast and Territories.
    - Gambia, Togoland, British Cameroons
      Sierra Leone.
  - Northern Rhodesia.
  - Southern Rhodesia.
  - British East Africa:
    - Kenya.
    - Uganda.
    - Tanganyika, Nyasaland.
    - Zanzibar and Pemba.
    - Somaliland.
  - Basutoland, Bechuanaland, Swaziland.
  - St. Helena, Ascension Island.
  - Mauritius and Dependencies.
  - Seychelles.
  - Aden (Colony and Protectorate).
  - Bahrein, Kuwait, Qatar and Trucial Oman.
  - British Malaya.
  - Borneo (British) and Sarawak.
  - Hong Kong.
  - Fiji Islands.
  - Other British Islands of the Pacific.
  - Bermuda.
  - Bahamas.
  - Jamaica and Dependencies.
  - Windward Islands (including Dominica).
  - Leeward Islands.
  - Barbados.
  - Trinidad and Tobago.
  - British Honduras.
  - British Guiana.
  - Falkland Islands and Dependencies.
- French overseas territories:
  - Tunisia.
  - Algeria.
  - Morocco.
  - Somaliland.
  - French West Africa.
  - Togoland.
  - French Equatorial Africa.
  - The Cameroons.
  - Madagascar and Comoro.
  - Saint Pierre and Miquelon.
  - New Caledonia and Dependencies.
  - French Oceania.
  - French East Indian Possessions.
  - Reunion Island.
  - Quadeloupe.
  - Martinique.
  - French Guiana.
- Italian overseas territories:
  - Somaliland.
- Netherlands overseas territories:
  - Surinam.
  - Curacao (including Aruba).
- Portuguese overseas territories:
  - Angola (Portuguese West Africa).
  - Mozambique (Portuguese East Africa).
  - Cape Verde Islands and Portuguese Guinea.
  - Sao Tome and Principe.
  - Timor.
  - Macao.
  - Portuguese East India.

C. Far East countries:
- Burma.
- China (Taiwan).
- Korea (Republic of).
- Indo-China.
- Indonesia (United States of).
- Thailand.
- Philippines.

SCHEDULE II

A. Controlled material:
1. Carbon steel:
   - (a) Bars.
     Reinforcing.
     Other.
   - (b) Sheet and strip.
   - (c) Plate.

SCHEDULE II—Continued

A. Controlled material—Continued
1. Carbon steel—Continued
   - (d) Structural shapes (heavy), piling (includes fabricated structural members, including joists).
   - (e) Pipe and tubing (excluding oil country tubular goods).
   - (f) (1) Pipe (all sizes).
     (2) Pressure tubing.
   - (g) Wire and wire products.
   - (h) Other mill forms and shapes, including rails, joint bars, track spikes, tie plates.
   - (i) Castings (steel only).
   - (j) Tin plate and terneplate.
   - (k) Steel drums and containers.
   - (l) Steel tanks, unlined.
2. Alloy steel:
   - (a) Pipe and tubing (excluding oil country tubular goods).
   - (b) Other mill forms and shapes.
3. Oil country tubular goods:
   - (a) Casing.
   - (b) Tubing.
   - (c) Drill pipe.
4. Stainless steel:
   - (a) Seamless tubing.
   - (b) Other mill forms and shapes.
5. Copper and copper-base alloys and mill products:
   - (a) Copper unalloyed:
     - (1) Bars, rod, shapes, wire (except electrical).
     - (2) Sheet, strip, plate.
     - (3) Pipe, tubing.
   - (b) Copper alloyed:
     - (1) Bars, rod, shapes, wire (except electrical).
     - (2) Sheet, strip, plates, and rolls.
     - (3) Pipe, tubing.
   - (c) Wire mill products, wire and cable for electrical conduction only (report only copper content).
   - (d) Foundry copper and copper-base alloy products.
   - (e) Powder, alloyed and unalloyed.
6. Aluminum:
   - (a) Rolled rod, and bar (excluding wire and rolled structural shape stock but including forging stock).
   - (b) Wire.
   - (c) Rolled structural shapes.
   - (d) Extruded shapes (including forging stock but excluding tube stock).
   - (e) Sheet and plate (including stock for impact extrusions, but excluding foil stock).
   - (f) Tubing.
   - (g) Powder atomized or flake including paste. (Show aluminum content of paste.)
   - (h) Pig or ingot, granular or shot (including ingot for casting).
   - (i) Foil (0.005 inch and thinner).

B. Other metals and alloying elements, including ferro alloys of the following:
- (a) Babbitt metal.
- (b) Bismuth metal and alloys, matte, slimes, residue, and base bullion.
- (c) Boron.
- (4) Cadmium metal and alloys, dress, flue dust, residues, and scrap.
- (e) Cerium metal (including misch metal in primary form except in fabricated lighter flints and abrasives).
- (f) Chromium.
- (g) Cobalt.
- (h) Columbium.
- (i) Lead and manufactures.
- (j) Manganese.
- (k) Magnesium.
- (l) Molybdenum.
- (m) Nickel and manufactures.
- (n) Tin and manufactures.
- (o) Titanium.
- (p) Tungsten.
- (q) Vanadium.
- (r) Zinc and manufactures.
- (s) Zirconium.

SCHEDULE III—Continued

C. Raw materials:
(a) Asbestos.
(b) Carbon black, furnace.
(c) Chemicals.
All basic, organic, or inorganic chemicals, their intermediates and derivatives other than compound end-products not customarily sold as chemicals.
(d) Coke, metallurgical and foundry.
(e) Cotton, unmanufactured and semimanufactured.
(f) Feathers.
(g) Graphite and graphite products.
(h) Hair, unmanufactured.
(i) Hides and skins.
(j) Hog bristles.
(k) Industrial diamonds, including diamond powder or dust.
(l) Rare earths.
(m) Selenium.
(n) Sulphur, crude and refined.
(o) Vegetable oils:
(1) Castor oil, commercial.
(2) Tung oil.
(p) Wool, semimanufactured.

D. Fabricated items:
(a) Lighter flints.
(b) Items appearing on List A or List B of NPA Order M-47A, as amended, from time to time.
(c) Manila rope.
(d) Nylon fibers and yarns.
(e) Packaging materials and containers.
(f) Paint, lacquer, and varnish.
(g) Paper and paper products.
(h) Printed matter.
(i) Photographic film.
(j) Paperboard and paperboard products.
(k) Rubber tires and tubes.
(l) Tools incorporating diamonds.

E. General:
(a) Items on List A of NPA Reg. 1, as amended, from time to time.

[F. R. Doc. 51-9913; Filed, Aug. 15, 1951; 5:09 p. m.]

[NPA Order M-80]

M-80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

Sec.

INTRODUCTORY

1. What this order does.
2. Definitions.

PRODUCTION OF ALLOY PRODUCTS BY MELTING

3. Restrictions on melt.
4. Applications and reports from melters.
5. Changes in melting schedules.

PRODUCTION OF PROCESSED PRODUCTS BY MEANS OTHER THAN MELTING

6. Restrictions on processing.
7. Applications and report from processors.
8. Changes in processing schedules.

ALLOCATIONS OF ALLOYING MATERIALS

9. Alloying materials subject to complete allocation.
10. Restrictions on deliveries and exceptions thereto.
11. Allocation authorizations.

PROHIBITED PRODUCTS AND USES

12. Prohibited uses of alloying materials.
13. Prohibited uses of alloy products or processed products.

GENERAL PROVISIONS

14. Schedules.
15. Conservation required.
16. Imports.
17. Relation to other NPA orders and regulations.
18. Limitation on inventories of alloying materials.
19. Export of alloying materials.
20. Applications for adjusment or exception.
21. Records and reports.
22. Communications.
23. Violations.

AUTHORITY: Sections 1 to 23 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. a6105; 3 CFR, 1950 Supp. sec 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

INTRODUCTORY

SECTION 1. *What this order does.* (a) This order in general covers alloying materials and alloy products. It requires all melters and processors to file proposed melting or processing schedules and data concerning inventories. It requires authorization of melting or processing schedules by National Production Authority (hereinafter called "NPA"), and permits NPA to make changes therein. Certain schedules issued with this order require complete allocation of certain alloying materials and provide for the filing of applications with NPA for allocation authorizations; and these schedules also prohibit certain uses of specific alloying materials and alloy products. The order provides for the issuance of additional schedules when and if other alloying materials are to be made subject to allocation or to use limitations, or the use of any other alloy product is to be limited or prohibited. It contains provisions incidental to the effectuation of the foregoing in support of the Controlled Materials Plan and other programs requiring these alloying materials.

(b) Effective September 1, 1951, this order together with the schedules issued pursuant hereto and Order M-81 completely supersede present NPA Orders M-3, M-10, M-14, M-30, M-33, M-49 and M-52, and sections 14 and 18 (b) of NPA Order M-1. Order M-81 covers pure tungsten and pure molybdenum, but other forms of tungsten and molybdenum, as defined in List I of this order, are covered by this order. However, this superseder does not relieve any person of any liability or obligation incurred under any of the orders mentioned in the first sentence of this paragraph, nor does it take away any right received thereunder, it being intended that any such liabilities, obligations, and rights shall continue. Without limiting the generality of the preceding sentence, any requirements in any of the foregoing orders for filing forms or applications, or for granting any authorizations or approvals thereunder, shall continue until the date when the filing of any such forms or applications or the granting of any such authorizations or approvals is required or provided under this order and schedules; and any authorizations of melting schedules or allocations heretofore given or hereafter given pursuant to any of the foregoing orders, shall continue in full force and effect. To a certain extent, this order is a rewriting of the said existing orders for the purpose of convenience in administration and for clarity. This order contains some new provisions not contained in said orders, including among others an additional list of prohibited nickel-bearing stainless steel products.

(c) Schedules 1 to 5, inclusive, and Schedules A and B are being issued on the effective date of this order. Those schedules are as follows: Schedule 1—Nickel; Schedule 2—Cobalt; Schedule 3—Tungsten (excluding pure tungsten); Schedule 4—Molybdenum (excluding pure molybdenum); Schedule 5—Columbium and Tantalum; Schedule A—Nickel-Bearing Stainless Steel, High Nickel Alloy, and Nickel Silver; Shedule B—High Speed and Tool Steel.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government. A person who keeps separate inventory records for any separate operating or producing unit shall treat each such separate operating or producing unit as a separate person for the purposes of this order, unless NPA otherwise directs or permits upon application of such person.

(b) "Alloying material" means any one of the forms or compounds of the elements as listed and defined in List I appearing at the end of this order. This term does not include pure tungsten or pure molybdenum, both of which are covered by NPA Order M-81.

(c) "Restricted alloying material" means any alloying material made subject to complete allocation under the provisions of this order.

(d) "Alloy product" means and includes those kinds of steel or iron hereafter defined as "alloy steel," "stainless steel," or "tool steel," and "nonferrous wrought or cast alloys," including high temperature heat- and corrosion-resisting alloys.

(1) "Alloy steel" means any steel (other than stainless and low alloy high strength steel, as defined in subparagraphs (2) and (3) of this paragraph) which contains any one or more of the following elements in the following amounts:

Manganese in excess of 1.65 percent.
Silicon in excess of 0.60 percent.
Copper in excess of 0.60 percent.
Aluminum, boron, chromium, cobalt, columbium, molybdenum, nickel, tantalum, titanium, tungsten, vanadium, zirconium, or any other alloying element in any amount specified or known to have been added to obtain a desired alloying effect.

(2) "Stainless steel" means any steel which is heat- and corrosion-resisting steel containing 10 percent or more of chromium, either with or without nickel, molybdenum, or other elements, and containing 50 percent or more of iron. This term also includes stainless-clad steel.

(3) "Low alloy high strength steel" means only the proprietary grades of alloy steel produced and sold for this purpose.

(4) "Nonferrous wrought or cast alloys" means nickel, cobalt, copper, aluminum, and other alloys containing one or more of the elements defined in List I of this order, and with less than 50 percent iron.

(5) "Tool steel" means any steel used in the manufacture of tools for use in mechanical fixtures, precision gauges, or for hand or power hacksaws. This term includes high speed steels as defined in Schedule B of this order.

(e) "Melter" means a person who produces alloy products by melting.

(f) "Alloying material supplier" means a person who produces alloying materials.

(g) "Processed product" means a product derived wholly or partially from an alloying material, by any means or process other than melting.

(h) "Processor" means a person who produces a processed product.

All definitions contained in this section 2 or List I of this order shall be applicable to the schedules at any time issued under the provisions of this order. The word "order" as used herein may include all schedules and lists issued as parts of this order.

PRODUCTION OF ALLOY PRODUCTS BY MELTING

SEC. 3. *Restrictions on melt.* No melter, who uses during any calendar month a greater quantity of any alloying material than shown on List II of this order, shall melt any such alloying material into an alloy product, except in accordance with a melting schedule which has been duly authorized by NPA under section 5 of this order: *Provided,* That, whenever an allocation authorization for the same period authorizes the use of a lesser amount of any such alloying material (which is a restricted alloying material) than permitted by the melting schedule, the use of any such restricted alloying material shall be governed by the allocation authorization rather than by the melting schedule.

SEC. 4. *Applications and reports from melters.* Each melter, who uses during any calendar month a greater quantity of any alloying material than shown in List II of this order, is hereby required to apply to NPA for approval of any proposed melting schedule on Form NPAF–60. Such application shall be filed with NPA not later than the first day of the month preceding the melt month, commencing September 1, 1951. Each melter, who uses during any calendar month a greater quantity of any alloying material than shown in List II, shall also file with NPA not later than September 7, 1951, a statement on Form NPAF–113 indicating the quantities of each alloying material in his inventory on certain dates, and shall furnish all other data required by that form. If any melter requires delivery or use of any restricted alloying material, he shall also file, simultaneously with Form NPAF–113, an application on Form NPAF–114. He shall file a separate application for each restricted alloying material required by him. Applications for allocation of restricted alloying materials are required whether or not a proposed melting schedule is approved. Authorization of a melting schedule does not carry with it authorization of an application for allocation. Whenever it is necessary in order to complete any of the above forms required to be filed under the provisions of this section, any person who orders alloy products from a melter shall state in his order the end use (by classification and specific part name) for which such alloy product will be used. A melter may file an additional melting schedule or schedules for authorization at any time.

SEC. 5. *Changes in melting schedules.* NPA may make such changes, modifications, postponements, or deletions in any proposed melting schedule filed by a melter as, in the discretion of NPA, may be deemed necessary or advisable in order to bring about the maximum possible conservation of alloying materials in the interest of national defense. Modifications or changes required by NPA in the alloy content of a product shall be binding upon a melter whether the alloy content of such product is procured from alloying materials, as defined in List I of this order, and/or from scrap containing usable quantities of such alloying material. Upon completion of the review of any proposed schedule or modification thereof as provided in this section, the approval of the melting schedule as originally filed or as modified will be mailed on Form GA–35, the Melting Schedule Metallurgical Authorization, to each melter at least 10 days prior to the first day of the melt month.

PRODUCTION OF PROCESSED PRODUCTS BY MEANS OTHER THAN MELTING

SEC. 6. *Restrictions on processing.* No processor, who uses during any calendar month a greater quantity of any alloying material than shown on List II of this order, shall incorporate any such alloying material into any processed product, except in accordance with a processing schedule which has been duly authorized by NPA: *Provided,* That, whenever an allocation authorization for the same period authorizes the use of a lesser amount of any such alloying material (which is a restricted alloying material) than permitted by the processing schedule, then the use of any such restricted alloying material shall be governed by the allocation authorization rather than by the processing schedule.

SEC. 7. *Applications and reports from processors.* Each processor, who uses during any calendar month a greater quantity of any alloying material than shown in List II of this order, is required to apply to NPA for approval of any proposed processing schedule on Form NPAF–102. Such application shall be filed with NPA not later than the first day of the month preceding the processing month, commencing with September 1, 1951. Each processor who uses during any calendar month a greater quantity than shown on List II of any alloying material, shall also file with NPA on the seventh day of the month preceding the processing month, commencing September 7, 1951, a statement on Form NPAF–113 indicating the quantities of each alloying material in his inventory on certain dates, and shall furnish all other data required by that form. If any processor requires delivery or use of any restricted alloying material, he shall also file simultaneously with Form NPAF–113, an application for allocation on Form NPAF–114. He shall file a separate application for each restricted alloying material required by him. Applications for allocation of restricted alloying materials are required whether or not a proposed processing schedule is authorized. Authorization of a processing schedule does not carry with it authorization of an application for allocation. Whenever it is necessary in order to complete any of the above forms required to be filed under the provisions of this section, each person who orders processed products from a processor shall state in his purchase order the end use (by classification and specific part name) for which such processed product will be used. A processor may file an additional processing schedule or schedules for authorization at any time.

SEC. 8. *Changes in processing schedules.* NPA may make such changes, modifications, postponements, or deletions in any proposed processing schedule filed by a processor, as in the discretion of NPA, may be deemed necessary or advisable in order to bring about the maximum possible conservation of alloying materials in the interests of national defense. Modifications or changes required by NPA in the alloy content of a product shall be binding upon a processor whether the alloy content of such product is procured from alloying materials, as defined in List I of this order, and/or from scrap containing usable quantities of such alloying materials. Upon completion of the review of any proposed processing schedule or modification thereof as provided in this section, the approval of the processing schedule, as originally filed or as modified, will be mailed on Form GA–41, Processing Schedule Authorization, to each processor prior to the first day of the processing month.

ALLOCATION OF ALLOYING MATERIALS

SEC. 9. *Alloying materials subject to complete allocation.* Schedules 1 through 5, inclusive, of this order, are being issued to continue complete allocation of nickel, cobalt, tungsten, molybdenum, and columbium and tantalum. These alloying materials are termed "restricted alloying materials." Separate schedules numbered consecutively from 6 upwards will be issued under this order for each alloying material to be made subject to complete allocation after the effective date of this order. Each numbered schedule makes a particular alloying material subject to complete alloca-

tion and contains any special requirements, exemptions, prohibited uses, or provisions pertaining to the particular alloying material that are are not contained in this order.

SEC. 10. *Restrictions on deliveries and exceptions thereto.* (a) No alloying material supplier shall deliver to any person any restricted alloying material, except in accordance with the terms of an NPA directive, an allocation authorization issued to such alloying material supplier by NPA, or except upon receipt of the certification for users of limited quantities as required by the schedules of this order.

(b) No person shall accept delivery of a restricted alloying material from an alloying material supplier except in accordance with the terms of an allocation authorization or except upon delivery of the certificate for users of limited quantities as required by the schedules of this order.

(c) No alloying material supplier shall deliver any alloying material if he knows or has reason to believe that the person receiving the alloying material may not accept delivery thereof under this order or that he will use the alloying material in violation of this order.

(d) No person shall use in any calendar month a greater quantity of a restricted alloying material than he is authorized to use for that month by this order or by Form NPAF–114 issued by NPA. When the amount of a restricted alloying material contained in the melting schedule authorization or processing schedule authorization is not the same as the amount allocated for use on Form NPAF–114, the lesser of the authorized amounts must not be exceeded.

(e) The foregoing restrictions of this section with respect to deliveries shall not apply to deliveries of restricted alloying materials made to General Services Administration or to any other duly authorized Government agency of the United States for the purpose of stock piling.

SEC. 11. *Allocation authorizations.* As set forth in sections 4 and 7 of this order, each melter and processor desiring to receive an allocation authorization for any restricted alloying material is required, commencing September 7, 1951, to file with NPA an application on Form NPAF–114. This form is required to be filed simultaneously with Form NPAF–113 on or before the seventh day of the month preceding the month in which delivery of the restricted alloying material is required. NPA may grant the application in whole or in part or may reject the application. Whenever an application is granted, in whole or in part, an authorization will be issued at least 10 days prior to the first day of the delivery month to the appropriate alloying material supplier and a copy furnished to the applicant. The copy returned to the applicant will show the amount of restricted alloying material he is authorized to use and the amount he is allowed for inventory purposes to permit continuous operation from month to month. The alloying material supplier to whom the allocation authorization is issued shall fill orders of the applicant within the limits of the allocation authorization. No person receiving any restricted alloying material may use such restricted alloying material except in accordance with an allocation authorization. An allocation authorization issued by NPA to any person shall terminate at the close of the calendar month for which such allocation authorization was granted.

PROHIBITED PRODUCTS AND USES

SEC. 12. *Prohibited uses of alloying materials.* If the use of any alloying material for any particular purpose or product is to be prohibited, the provisions concerning such prohibition are, or will be, set forth in a schedule issued with or pursuant to this order concerning that alloying material. No person shall use any alloying material in violation of the provisions of any schedule issued with this order or which may be issued by NPA from time to time under this order.

SEC. 13. *Prohibited uses of alloy products or processed products.* On the effective date of this order, Schedule A is being issued to continue certain prohibitions with respect to the use of stainless steel, high nickel alloy steel, and nickel silver products and to add certain additional restrictions; and Schedule B is being issued to continue certain provisions and add others with respect to high speed steel and tool steel. Separate schedules lettered alphabetically may be issued under this order from time to time covering additional classes of alloy or processed products. Each schedule contains or will contain specific prohibitions or restrictions as to specific classes of alloy products or processed products and additional requirements that are not covered in this order. No person shall use or manufacture any alloy product or processed product in violation of the provisions of any schedule issued with this order or which may be issued by NPA from time to time under this order.

GENERAL PROVISIONS

SEC. 14. *Schedules.* Schedules issued under this order shall be numbered consecutively beginning with "1" or lettered alphabetically beginning with "A", and shall be designated according to number or letter as "Schedule _____ of NPA Order M–80." A schedule may be issued or amended without any change in the text of this order, and without any republication of this order or of any provision of this order. All provisions of any schedule shall be deemed to be incorporated into and made a part of this order as of the effective date of the schedule or amendment thereto, as the case may be. In the event of an inconsistency or conflict between the provisions of any schedule issued with this order or which may be issued by NPA from time to time under this order and the provisions of this order, the provisions of the schedule shall govern. Schedules may be issued or amended at any time and from time to time and shall remain in full force and effect until individually amended, superseded, or revoked. This order may be amended without any change in the text of any schedule issued herewith or from time to time.

SEC. 15. *Conservation required.* No person shall use a restricted alloying material in the production, processing, or manufacture of an alloy or processed product when it is commercially feasible to substitute some material therefor other than a restricted alloying material. No person shall use a greater quantity or higher quality of an alloying material in the production, processing, or manufacture of any alloy or processed product than is necessary to produce, process, or manufacture any such alloy or processed product on a commercially feasible basis, unless required to meet military material specifications.

SEC 16. *Imports.* Nothing contained in this order shall prohibit the importation of any restricted alloying material: *Provided,* That any such restricted alloying material after importation and delivery to or for the account of the importer shall not be further delivered, used, or consumed except in accordance with the provisions of this order.

SEC. 17. *Relation to other NPA orders and regulations.* All provisions of any NPA regulation or order are superseded to the extent that they are inconsistent with this order or with the schedules issued herewith or from time to time, but in all other respects the provisions of such regulations and orders shall remain in full force and effect. Except as otherwise directed in writing by NPA, restricted alloying material shall be delivered only under an allocation authorization pursuant to the provisions of this order and, accordingly, DO rated orders or other preference orders shall have no effect, except to the extent that NPA takes such DO or preference rating into account in granting an allocation authorization.

SEC. 18. *Limitation on inventories of alloying materials.* No melter or processor, notwithstanding any allocation authorization received by him, shall place an order for any alloying material (except ferro-manganese and ferro-silicon) calling for delivery of, and no such person shall accept delivery of, any such alloying material at a time when his inventory thereof exceeds, or by acceptance of such delivery would be made to exceed, 45 calendar days' requirements at his then scheduled rate and method of operation. Any melter or processor who at any time has outstanding orders for any alloying material calling for delivery earlier than, or in quantities greater than, he would be permitted to receive under this section, shall forthwith notify his supplier of the extent to which delivery cannot be accepted as scheduled, and such orders shall be adjusted accordingly. Imported as well as domestic alloying materials are subject to this order and are to be included in computing inventory: *Provided,* That any alloying material acquired prior to landing may be imported even though a person's inventory thereby becomes in excess of the amount herein permitted, but, that in such event, such person may not receive further deliveries from domestic sources until his inventory is reduced to permitted levels. Any alloying material which has been processed to any degree, but has not yet been actually incorpo-

rated into a finished or partially finished product is likewise to be included in computing inventory. The provisions of NPA Reg. 1 shall continue to apply to ferro-manganese, and, for the purposes of this order, shall also be deemed applicable to ferro-silicon.

SEC. 19. *Export of alloying materials.* Alloying materials exported from the United States, its territories or possessions, pursuant to a validated export license issued by the Office of International Trade, Department of Commerce, are exempt from all provisions of this order and of the schedules issued with this order or which may be issued by NPA from time to time under this order, except for the provisions of section 9, and paragraphs (a) and (b) of section 10 of this order, and the provisions of this order requiring the keeping of records and the making of reports.

SEC. 20. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in duplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 21. *Records and reports.* (a) Commencing September 1, 1951, every person who, at any time in a calendar month, had in his possession or under his control or who, during a calendar month, consumed any restricted alloying material in greater quantities than the minimum permitted by List II of this order shall report to NPA on Form NPAF-113 on or before the seventh day of the following months. However, if he applies on such form for an allocation of restricted alloying material for delivery during the succeeding month, his application serves also as the required report.

(b) Each person participating in any transaction covered by this order shall retain in his files for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system assures an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or may maintain such microfilm or other photographic records in the regular and usual course of business.

(c) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(d) Persons subject to this order shall make such records and submit such additional reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 22. *Communications.* All communications concerning this order shall be addressed to the Iron and Steel Division, National Production Authority, Washington 25, D. C., Ref: M–80.

SEC. 23. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Schedules 1 to 5, inclusive; Schedules A and B; and List I and List II are issued simultaneously with and made a part of this order.

This order shall take effect, except as otherwise provided herein, on August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST I—DEFINITIONS OF ALLOYING MATERIALS

1. *Boron* means ferro-boron, boron metal, and all other alloys used as sources of boron.

2. *Calcium* means calcium-silicon, calcium-manganese-silicon, and metallic calcium.

3. *Chromium* means all forms of ferro-chromium including those alloys known as ferro-silicon chromium and ferro-chromium silicon, chromium nickel, chromium metal, and all other compositions containing more than 25 percent chromium, which are used as sources of chromium in commercial manufacture or processing.

4. *Cobalt* means and includes cobalt metal, cobalt oxide, cobalt fines, cobalt powder, and all other primary compounds, as well as scrap containing more than 5 percent cobalt, which are used as sources of cobalt in commercial manufacture and processing.

5. *Columbium and tantalum* mean ferro-columbium and ferro-columbium tantalum.

6. *Manganese* means ferro manganese, manganese metal, silicomanganese, silicospiegel, spiegelisen, and all other compositions used as sources of manganese in the manufacture of any alloy products.

7. *Molybdenum* means ferro-molybdenum, all grades of molybdenum oxide, and all primary molybdates and other molybdenum compounds used as a source of molybdenum in commercial manufacture and processing. It does not include the molybdenum present in steel scrap or pure molybdenum metal or scrap molybdenum metal.

8. *Nickel* means only the following forms of primary nickel: electrolytic nickel, ingots, pigs, rondelles, cubes, pellets and powder, rolled and cast anodes, shot, oxides, salts, and chemicals and residues derived directly from new nickel, including residues containing nickel derived as a byproduct from copper refinery operations.

9. *Silicon* means all grades of ferro-silicon including silvery iron or silicon pig, all grades of silicon metal, and all other compositions containing more than 6 percent metallic silicon, which are used as sources of silicon in the manufacture of any alloy products.

10. *Titanium* means all grades of ferro-titanium, titanium metal, and other alloys used to add titanium in the manufacture of any alloy products.

11. *Tungsten* means ferro-tungsten, tungsten scrap, and tungsten ores and concentrates. It does not include pure tungsten metal.

(a) Tungsten scrap means steel or alloy scrap containing 1 percent or more tungsten.

(b) Tungsten ores and concentrates means any ore or concentrate, either natural or synthetic, when used as a source of tungsten in the manufacture of any alloy products.

12. *Vanadium* means all forms of ferro-vanadium, vanadium pentoxide, and all other alloys and compositions used as sources of vanadium in commercial manufacture and processing.

13. *Zirconium* means zirconium metal, ferro-aluminum-zirconium, zirconium-silicon alloys, and all other metallic compositions used as sources of zirconium in the manufacture of any alloy products.

LIST II—QUANTITIES OF CONTAINED METALS IN ALLOYING MATERIALS EXEMPTED PER MONTH

1. Boron—100 pounds.
2. Calcium—1,000 pounds.
3. Chromium—2,000 pounds; except chromium metal—50 pounds.
4. Cobalt—25 pounds.
5. Columbium and tantalum—10 pounds.
6. Manganese—15 tons; except manganese metal—100 pounds.
7. Molybdenum—200 pounds.
8. Nickel—100 pounds.
9. Silicon—15 tons; except silicon metal—100 pounds.
10. Titanium—200 pounds.
11. Tungsten—25 pounds.
12. Vanadium—500 pounds.
13. Zirconium—200 pounds.

[F. R. Doc. 51-9912; Filed, Aug. 15, 1951; 5:08 p. m.]

[NPA Order M-80, Schedule A]

M-80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS

SCHEDULE A—NICKEL-BEARING STAINLESS STEEL, HIGH NICKEL ALLOY, AND NICKEL SILVER

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M-80, on which this schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M-80 and is made a part of that order. Schedule 1 of NPA Order M-80 subjects nickel to allocation and prohibits the use

of nickel in nickel-plating in the manufacture and assembly of certain products.

Sec.
1. Definitions.
2. Products prohibited.
3. Exceptions.
4. Records.
5. Communications.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 916, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Definitions.* As used in this schedule:

(a) "Nickel-bearing stainless steel" means stainless steel as defined in section 2 (a) (2) of NPA Order M–80, wrought, cast, or sintered, containing 1 percent to 22 percent, inclusive, of nickel.

(b) "High nickel alloy" means ferrous and nonferrous alloys, wrought or cast, containing more than 22 percent nickel.

(c) "Nickel silver" means nonferrous alloys, wrought or cast, containing 8 percent or more nickel.

SEC. 2. *Products prohibited.* No person shall use any nickel-bearing stainless steel, high nickel alloy, or any component parts made therefrom in the production, manufacture, or assembly of any product (except products specifically excepted therein) contained in the list at the end of this schedule under the subheadings A–I, II; B–I, II. Commencing September 15, 1951, no person shall use any nickel-bearing stainless steel, or any component parts made therefrom, in the production, manufacture, or assembly of any product contained in that list under the subheading C–I. No person shall use any nickel silver, or any component parts made therefrom, in the production, manufacture, or assembly of any product other than those products contained in that list under subheading A–III, unless prohibited by subheading B–III. No person shall use nickel-bearing stainless steel, high nickel alloy, or nickel silver for decorative or ornamental purposes.

SEC. 3. *Exceptions.* (a) The prohibitions contained in section 2 of this schedule with respect to products included in subheading A–I and A–II of the list at the end of this schedule shall not apply to the use of nickel-bearing stainless steel, high nickel alloy, or nickel silver, or component parts made therefrom, to the extent that any such materials were contained in a person's inventory on March 1, 1951, or had been ordered by that person and such order had been accepted by the producer for February 1951 production and received by that person in his inventory prior to June 1, 1951. This exception is applicable only to the extent that such materials are wholly unsuitable for use in the production, manufacture, or assembly by such person of any product not included in subheading A–I and A–II of that list.

(b) The prohibitions contained in section 2 of this schedule with respect to products included in subheadings B–I, B–II, and B–III of the list shall not apply to the use of nickel-bearing stainless steel, high nickel alloy, or nickel silver, or component parts made therefrom, to the extent that any such materials were contained in a person's inventory on April 15, 1951, or had been ordered by that person and such order had been accepted by the producer for March 1951 production and received by that person in his inventory prior to July 1, 1951. This exception is applicable only to the extent that such materials are wholly unsuitable for use in the production, manufacture, or assembly by such person of any product not prohibited.

(c) The prohibitions contained in section 2 of this schedule with respect to products included in subheading C–I of the list shall not apply to the use of nickel-bearing stainless steel, or any component parts made therefrom, if any such materials were contained in such person's inventory on September 15, 1951, or are on order and have been accepted by the producer for July 1951 production and are received in such person's inventory prior to November 15, 1951. This exception is applicable only to the extent that such materials are wholly unsuitable for use in the production, manufacture, or assembly by such person of any product not included in subheading C–I.

(d) Any unassembled component parts, produced prior to the issuance of, or in conformity with, this schedule, of products subject to the provisions of section 2 may be sold any time, and the purchaser thereof may assemble such component parts into products subject to the prohibitions of section 2 of this schedule at any time, provided such component parts are wholly unsuitable for use in the production, manufacture, or assembly of any product not prohibited.

(e) Notwithstanding that a product may be contained in the list under the subheadings A–I, B–I, and C–I, the prohibition contained in section 2 of this schedule shall not apply if any such product is manufactured exclusively for use on board vessels and aircraft operated by the Armed Forces of the United States, including the United States Coast Guard.

SEC. 4. *Records.* Every person who relies on the provisions of paragraphs (a), (b), or (c) of section 3 of this schedule shall prepare a detailed record showing: (a) the quantities of nickel-bearing stainless steel, high nickel alloy, and nickel silver, or component parts made therefrom, which were in his inventory on the first days of each month commencing with December 1950, and ending September 15, 1951, which were wholly unsuitable for use by him in the production, manufacture, or assembly of any product not prohibited by the list at the end of this schedule, and (b) the quantities of such materials wholly unsuitable for such use by him which were delivered to him on or after March 1, April 15, or September 15, 1951; the names and addresses of the suppliers thereof; and the dates of the orders and acceptances covering such materials, together with applicable mill schedules. Such records shall be retained for at least 2 years and shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 5. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–80, Schedule A.

This schedule has been issued simultaneously with NPA Order M–80. It shall take effect, except as otherwise provided herein, on the same day as that order, namely, August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE A—LIST OF PRODUCTS

A

I—NICKEL-BEARING STAINLESS STEEL—PRODUCTS PROHIBITED

Agriculture farm equpipment:
- Barn cleaners.
- Ensilage cutters.
- Feeding troughs.
- Fertilizer spreading equipment.
- Grain bins and cribs.
- Implements, hand tools, etc.
- Silos.
- Spreaders.

Automotive:
- Bumpers, clad.
- Clad panels for buses.
- Grilles.
- Hardware.
- Horn rings.
- Hubcaps.
- Mufflers (except on heavy duty equipment).
- Steering wheel spoke wire.
- Trim.
- Wheel rings and wheel covers.

Construction:
- Curtain walls.
- Decorative trim.
- Doors.
- Down spouts.
- Elevator and escalator kick plates and panels.
- Flashings.
- Gutters.
- Moldings.
- Roofing.
- Screens (except in extra active or manufacturing industries where no other substitute is available).
- Sheathing.
- Spandrels.
- Storefronts.
- Window frames.

Electrical machinery and equipment:
- Pole line hardware.
- Pole line guy wires.
- Radio towers.
- Transmission tower baskets.

General:
- Automatic vending machines (except for food vending machines where public health specifications make such use mandatory).
- Bar equipment.
- Beer barrels.
- Coal mine and coal hoppers (except in coal preparation plants).
- Diesel grilles.
- Jewelry (except watch cases and except functional springs).
- Pens and pencils including caps and barrels (except fountan pen nibs, separate fountain pen inner caps, and other functional parts).
- Radio antennae (except military).
- Railings.
- Soda fountain (except parts as permitted under part B of this list—"Refrigeration").
- Water softener tanks.

Household appliances, electric, gas, and other fuel (except where used for functional parts where the properties supplied by stainless steel are essential and no satisfactory substitute is practicable):
- Home and farm freezers, sheathing.
- Range tops.
- Refrigerator shelves and trim.
- Toasters.

Other household appliances and utensils (except cooking ware):
- Ash trays.
- Cabinets.
- Cake and pie dishes.
- Cake servers.
- Canisters.
- Cooling racks.
- Counter tops.
- Drainboards.
- Egg beaters.
- Flatware.
- Garbage cans.
- Hardware.
- Ironing boards.
- Irons.
- Ladles.
- Mixing bowls.
- Mixing spoons.
- Picnic coolers.
- Potato mashers.
- Refrigerator dishes.
- Sinks.
- Spatulas.
- Table tops.
- Utility cans.
- Washing machine tubs.

Railroad:
- Trim and decorative parts in passenger cars.

Shipbuilding:
- Pleasure craft galleys.
- Pleasure craft decorative trim.
- Pleasure craft rigging.
- Pleasure craft stack and ventilating shafts.

Miscellaneous:
- Band instrument valves.
- Binders (index books).
- Button parts.
- Cheese slicers.
- Cocktail shakers and accessories.
- Cup holders.
- Dairy equipment (except functional uses).
- Deodorizers.
- Diaper pins (except where launderability and noncorrosiveness are essential).
- Dog leashes.
- Fly screens.
- Furniture.
- Garden accessories.
- Hardware parts, including builders' finishing hardware.
- Humidifiers.
- Lightning rods.
- Mirror clips.
- Musical instrument strings.
- Organ springs.
- Paint brush ferrules and rivets.
- Permanent wave equipment.
- Phonograph needles.
- Pot cleaners.
- Refuse cans.
- Rulers.
- Shovels (except food and chemical).
- Teabag staples.
- Tooth brushes.
- Water reservoirs (gum tape machine).
- Weather stripping.

II—HIGH NICKEL ALLOY—PRODUCTS PROHIBITED

Building materials:
- All sheet metal building applications, including but not limited to:
  - Air ducts.
  - Downspouts.
  - Elevator cabs.
  - Flashings.
  - Garbage grinder parts.
  - Gutters.
  - Leaders.
  - Louvers.
  - Roofing.
  - Siding.
  - Sinks.
  - Sink bowls.
  - Skylight framing.
  - Brick anchors.
  - Hanger wire for suspended ceiling construction.
  - Ornamental and decorative applications.
  - Tie-wire for suspended ceiling construction.

Dry-cleaning (except for corrosion or abrasion resistance where no satisfactory substitute is practicable):
- Condenser tubing.
- Irons.
- Lint traps.
- Pads for dry-cleaning presses and tailors' presses.
- Piping, valves, and fittings.
- Solvent pressure filters, including filter cloth.
- Spotting boards.
- Sump tanks.
- Truck tubs.
- Utensils.
- Water separators.

Food servicing and kitchen equipment:
- All food service applications, including but not limited to:
  - Bar equipment.
  - Beverage tubing.
  - Cafeteria counters.
  - Dishwashing machines.
  - Electric food-warming cups.
  - Home and farm freezers.
  - Mobile food trucks.
  - Scullery and dishwashing sinks.
  - Soap dispensers.
  - Steam tables.
  - Work tables.

Hospital equipment:
- Counter tops.
- Furniture.
- Instrument cabinets.
- Instrument tables.
- Kick and push plates.
- Linen cabinets.
- Medicine cabinets.
- Operating tables.
- Paneling and wainscoting, decorative.
- Work tables.

Household appliances:
- Element name plates.
- Element pans on electric ranges.
- Oven linings.
- Radiant broilers on gas ranges.
- Range crumb trays.
- Range tops.
- Range vents.
- Refrigerator light shields.
- Refrigerator shelf parts.
- Steam iron casings.
- Washing machine tubs.

Jewelry:
- Ash trays.
- Badges.
- Cigarette lighters.
- Collar buttons.
- Comb trim.
- Costume jewelry.
- Cuff buttons.
- Emblems.
- Finger nail files.
- Jewelry.
- Key chains.
- Knives (except blades).
- Necklaces.
- Novelties.
- Pill containers.
- Perfume flacons.
- Watch bracelets.
- Watch cases.
- Watch chains.
- Watch crowns.
- Watch movement holders.
- Watch strap pinions.

Laundry equipment:
- Laundry chutes.
- Net racks.
- Plant truck tubs.
- Rug pole pins.
- Soap storage tanks.
- Sorting tables.
- Special washers for blankets and silks.
- Ironers, rug cleaning machines, trim on flatwork.
- Utensils.
- Ventilating hoods and fans.
- Water storage tanks.

Motor vehicles:
- Battery cables.
- Hubcaps.
- Exhaust gaskets (except for military vehicles).
- Exhaust manifolds.
- Radio antennae.
- Windshield wiper blades.

Refrigeration and air-conditioning machinery and equipment (commercial and industrial) (except the mechanical refrigeration cycle), including but not limited to:
- Bottled beverage coolers.
- Ice cream cabinets.
- Refrigerated food display cases.
- Soda fountains.
- Water coolers.

Miscellaneous:
- Barbecue grilles.
- Bits and spurs.
- Ferrules.
- Outdoor stoves.
- Pen and pencil parts.
- Portable refrigerators.
- Sporting goods, all applications.

III—NICKEL SILVER—PRODUCTS PERMITTED

- Clock movements.
- Communications equipment, functional parts.
- Cutlery, including pocket knives (for rivets and lining assemblies), not over 10 percent nickel.
- Dairy equipment.
- Drafting instruments.
- Electrical equipment, functional parts.
- Engineering instruments.
- Eyelets and rivets.
- Flatware, not over 10 percent nickel.
- Fountain pen separate inner caps.
- Holloware for hotel, restaurant institution or ecclesiastical use, not over 10 percent nickel.
- Hospital equipment.
- Keys, not over 10 percent nickel.
- Meters and regulators for fluids or gas, where substitute materials are not suitable.
- Optical goods, including camera shutters.
- Orthopedic appliances.
- Pins, catches, joints, and posts.
- Religious medallions and chains, not over 10 percent nickel.
- Slide fasteners.
- Springs, where required for functional purposes.
- Tonsorial tools.
- Valves for chemicals, where substitute materials are not suitable.
- Watch cases, not over 10 percent nickel.
- Watch movements.

B

I—NICKEL-BEARING STAINLESS STEEL PRODUCTS PROHIBITED

Automotive:
- Bumpers.
- Panels for buses.

Household appliances, electric, gas, and other fuel (except where used for functional parts where the properties supplied by stainless steel are essential, and no satisfactory substitute is practicable, including but not limited to:
- Cooking stoves and ranges.
- Electric housewares including:
  - Heating and cooking appliances.
  - Motor-driven appliances.
  - Personal appliances.
- Fans.
- Floor waxers and polishers.
- Home and farm freezers.
- Lamps, portable electric.

Household appliances, etc.—Continued
Laundry equipment, including:
Clothes driers.
Ironing machines.
Washing machines.
Refrigerators.
Sewing machines.
Vacuum cleaners.
Other household appliances and utensils:
Food-serving trays, including compartment mess trays.
Ice refrigerators.
Salt shakers.
Refrigeration and air-conditioning machinery and equipment (commercial and industrial) (except the mechanical refrigeration cycle), including but not limited to:
Air-conditioning systems, self-contained or remote.
Bottled beverage coolers.
Carbonated water and carbonated beverage dispensing systems including connecting and interconnecting lines (except for carbonators, carbonated water cooling units, fittings and operational parts for carbonated water or combination syrup, and water flow control valves where no substitute material is practicable).
Dough retarders.
Florists' refrigerators.
Fountainettes.
Frozen food cabinets.
Ice cube makers.
Malt beverage dispensing systems.
Mortuary refrigerators.
Noncarbonated beverage dispensing systems (except for parts where public health specifications make such use mandatory).
Reach-in refrigerators.
Refrigeration systems, self-contained or remote.
Sandwich units.
Walk-in refrigerators.
Miscellaneous:
Boats.
Buttons and button parts (except where launderability, noncorrosiveness, and strength are essential, as in uniforms for police, firemen, and guards, and similar uniforms, and in work clothing and safety clothing).
Cleaning and scouring sponges.
Collars, leashes, harnesses, and tags for pets.

II—HIGH NICKEL ALLOY—PRODUCTS PROHIBITED

Food servicing and kitchen equipment:
Food-serving trays, including compartment mess trays.
Salt shakers.
Household appliances:
Home and farm freezers.
Irons (except heating elements and controls).
Jewelry:
Knives.
Motor vehicles:
Windshield wipers.
Refrigeration and air-conditioning machinery and equipment (commercial and industrial) (except the mechanical refrigeration cycle), including but not limited to:
Air-conditioning systems, self-contained or remote.
Carbonated beverage dispensing systems.
Dough retarders.
Florists' refrigerators.
Fountainettes.
Frozen food cabinets.
Ice cube makers.
Malt beverage dispensing systems.
Mortuary refrigerators.
Noncarbonated beverage dispensing systems.
Reach-in refrigerators.
Refrigeration systems, self-contained or remote.
Sandwich units.
Walk-in refrigerators.
Shipbuilding:
Pleasure craft galleys.
Pleasure craft decorative trim.
Pleasure craft propellor shafts.
Pleasure craft rigging.
Pleasure craft stack and ventilating shafts.
Miscellaneous:
Boats.
Buttons and button parts (except where launderability, noncorrosiveness, and strength are essential, as in uniforms for police, firemen, and guards, and similar uniforms, and in work clothing and safety clothing).
Cleaning and scouring sponges.
Diaper pins (except where launderability and noncorrosiveness are essential).
Fountain pens, ball point pens, and mechanical pencils.

C

I—NICKEL-BEARING STAINLESS STEEL—PRODUCTS PROHIBITED

Automotive:
Truck and trailer bodies or tanks (except those parts in actual contact with food or other products where noncorrosive and noncontaminating properties are essential and no satisfactory substitute is practicable).
Windshield wiper assemblies, including blades (except rubber holding element for curved-glass windshield blades).
Food servicing and kitchen equipment:
Commercial cooking, food preparing, serving, and conveying equipment (except food containers for conveyor equipment and steam tables, steam-jacketed kettles, and those parts of coffee urns in actual contact with the coffee).
Cooking stoves and ranges (except electric heating element assemblies).
Scullery and dishwashing sinks.
General:
Cabinets, including hospital, medical, and dental.
Chart carriers, desks, racks, and holders.
Drafting instruments.
Drinking fountain fixtures.
Refrigerator evaporators.
Refrigerator shelves and trim.
Water pitchers and drinking cups.
Window frames, including channels or guides.
Hospital equipment:
Wheel stretchers.
Household appliances and utensils:
Noncommercial cooking utensils and other allied equipment.
Refrigeration equipment (except where used for functional parts where the properties supplied by stainless steel are essential and no satisfactory substitute is practicable):
Biological refrigerators.
Railroad:
Railroad passenger cars.
Miscellaneous:
Counter tops.
Erasing shields.
Ice-shaver blades.
Kick and push plates.

[F. R. Doc. 51-9910; Filed, Aug. 15, 1951; 5:08 p. m.]

[NPA Order M-80, Schedule B]

M-80—Iron and Steel—Alloying Materials and Alloy Products

SCHEDULE B—TOOL STEEL AND HIGH SPEED STEELS

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of this schedule there has been consultation with industry representatives including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M-80, and is made a part of that order.

Sec.
1. Definitions.
2. Substitution required.
3. High speed steels.
4. Uses prohibited.
5. Exceptions.
6. Tool steel scrap.
7. Communications.

Authority: Sections 1 to 7 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950, Sup. sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *Definitions.* As used in this schedule:

(a) "Tool steel" means any steel used for the manufacture of tools for use in mechanical fixtures, precision gauges, or for hand or power hacksaws. This term includes the high speed steels defined in paragraphs (b) and (c) of this section.

(b) "Class A high speed steel" means a steel containing not less than 0.60 percent carbon and not more than 6.75 percent tungsten. Other elements may be present in Class A high speed steel.

(c) "Class B high speed steel" means a steel containing not less than 0.55 percent carbon and more than 12 percent tungsten. Other elements may be present in Class B high speed steel.

(d) "Mechanical fixture" means any power-operated machine tool used for cutting, shaping, forming, or blanking any material, either hot or cold.

(e) "Tool steel distributor" means any person who procures tool steel for sale without change in form either from domestic sources or by importing, whether or not such person receives title to or physical delivery of the tool steel. This term includes warehousemen, melters, jobbers, and brokers.

Sec. 2. *Substitution required.* No Class B high speed steel shall be used where Class A high speed steel can be substituted therefor. No person shall use any Class A high speed steel containing a higher percentage of tungsten than is necessary to perform in an efficient manner the cutting operation for which such steel is used.

Sec. 3. *High speed steels.* (a) Commencing September 1, 1951, no melter shall melt in any calendar month a tonnage of Class B high speed steel which will exceed 20 percent of the total tonnage of Class A and Class B high speed steel melted by him in that month.

(b) Subject to paragraph (c) of this section, no person, including tool steel distributors, shall place orders in any calendar month for delivery of Class B high speed steel from any melter, and no melter shall accept orders therefor from any such person, in an amount exceeding 20 percent of the total tonnage of Class A and Class B high speed steel ordered by such person from such melter during that month: *Provided, however,* That shipments by any melter to any

person, including tool steel distributors, of Class B high speed steel of greater or less tonnages than ordered for a particular month may be made, provided that shipments of such steel during any calendar quarter, commencing with the third quarter of 1951, will not exceed 20 percent of the total tonnage of Class A and Class B high speed steel shipped to such person.

(c) No person, except a tool steel distributor, shall place orders for or accept delivery of Class A or Class B high speed steels except for actual use.

(d) Commencing September 1, 1951, no person shall place orders in any calendar month for delivery of Class B high speed steel from any tool steel distributor, and no tool steel distributor shall accept orders therefor from any such person, or ship such steel, in an amount exceeding 20 percent of the total tonnage of Class A and Class B high speed steel ordered by such person from such tool steel distributor during that month.

SEC. 4. *Uses prohibited.* (a) Tool steel shall not be used for shanks in the manufacture of tipped or welded tools, or for hand tools such as hand chisels, pliers, wrenches, hammers, picks, screwdrivers, center punches, or nail sets.

(b) No person shall purchase or acquire Class A high speed steel solely for the purpose of obtaining quantities of Class B high speed steel.

SEC. 5 *Exceptions.* The provisions of this schedule shall not apply to:

(a) Deliveries to any person whose total receipts of Class B high speed steel from all sources do not exceed 300 pounds during any one calendar quarter, and who delivers a signed certificate to his supplier as follows:

> The undersigned, subject to statutory penalties, certifies that the acceptance of delivery and use by the undersigned of tool steel herein ordered will not be in violation of NPA Order M–80 or of Schedule B of that order.

This certification constitutes a representation by the purchaser to the seller and to NPA that delivery of the tool steel ordered may be accepted by the purchaser under NPA Order M–80 and this schedule, and that such tool steel will not be used by the purchaser in violation of that order or this schedule.

(b) Tool steel used for hot work applications, according to the generally accepted industry interpretations of such applications.

(c) Tool bits, except that the restrictions on melters contained in section 3 (a) of this schedule continue in effect irrespective of the quantity of tool bits produced by such melter.

SEC. 6. *Tool steel scrap.* Commencing September 1, 1951, no person shall use tool steel scrap having more than 5 percent total combined content of tungsten, molybdenum, or cobalt, except for the remelting of tool steels.

SEC. 7. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–80, Schedule B.

This schedule is issued simultaneously with NPA Order M–80. It shall take effect, except as otherwise provided herein, on the same date as that order, namely, August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9919; Filed, Aug. 15, 1951; 5:11 p. m.]

[NPA Order M–80, Schedule 1]

M–80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS

SCHEDULE 1—NICKEL

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M–80, on which this schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M–80 and is made a part of that order. The use of nickel-bearing stainless steel, high nickel alloy, and nickel silver in the production, manufacture, and assembly of certain products is prohibited in Schedule A of NPA Order M–80.

Sec.
1. Definitions.
2. Nickel subject to allocation.
3. Applications for allocation.
4. Exceptions to allocation requirements.
5. Products prohibited.
6. Exceptions.
7. Records.
8. Communications.

AUTHORITY: Sections 1 to 8 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Definitions.* (a) All definitions contained in NPA Order M–80, including the definition of "nickel" in List I of that order, are applicable to this schedule.

(b) As used in this schedule:

(1) "Nickel" means only the following forms of primary nickel: electrolytic nickel, ingots, pigs, rondelles, cubes, pellets, and powder, rolled and cast anodes, shot, oxides, salts, and chemicals and residues derived directly from new nickel, including residues containing nickel derived as a byproduct from copper refinery operations.

(2) "Nickel-plating" means all methods of nickel-plating regardless of plating procedure.

SEC. 2. *Nickel subject to allocation.* Nickel is subject to complete allocation by NPA.

SEC. 3. *Applications for allocation.* Section 10 of NPA Order M–80 prohibits deliveries or use of an alloying material made subject to complete allocation, except in accordance with an allocation authorization. Application for allocation authorizations for deliveries of nickel during the month of October 1951 may be made to NPA on or before September 7, 1951, on Form NPAF–114. Thereafter, such applications may be made on or before the seventh day of any month for delivery in the succeeding month.

SEC. 4. *Exceptions to allocation requirements.* The provisions of sections 2 and 3 of this schedule shall not apply to deliveries to any persons whose total receipts from all sources during any calendar month are not thereby made to exceed 100 pounds of nickel and who delivers a signed certificate to his supplier as follows:

> The undersigned, subject to statutory penalties, certifies that acceptance of delivery and use by the undersigned of the nickel herein ordered will not be in violation of NPA Order M–80 or of Schedule 1 of that order.

This certification constitutes a representation by the purchaser to the seller and to NPA that delivery of the nickel ordered may be accepted by the purchaser under NPA Order M–80 and this schedule, and that such nickel will not be used by the purchaser in violation of that order or this schedule.

SEC. 5. *Products prohibited.* No person shall consume any nickel, secondary nickel, or nickel-bearing scrap containing 6 percent or more nickel for nickel-plating any product included in the list at the end of this schedule except products specifically excepted therein. No person shall consume in nickel-plating any product, whether or not included in that list, including any component parts of any product, a greater quantity of nickel, secondary nickel, or nickel-bearing scrap containing 6 percent or more nickel, than is necessary for the functional or operational purposes of such product. No person shall consume any nickel, secondary nickel, or nickel-bearing scrap containing 6 percent or more nickel in nickel-plating any product for decorative or ornamental purposes, and no nickel-plated product shall be used for decorative or ornamental purposes. No person shall use any nickel-plated material in the production, manufacture, or assembly of any product included in the list at the end of this schedule, except products specifically excepted therein.

SEC. 6. *Exceptions.* (a) The prohibitions contained in section 5 of this schedule with respect to products included in subheading A of the list at the end of this schedule shall not apply to the use of nickel anodes in nickel plating if (1) such nickel anodes were in the inventory of the person doing the nickel plating on March 1, 1951, and (2) such anodes cannot be used by such person on a commercially feasible basis for nickel-plating items other than those prohibited by section 5 of this schedule.

(b) The prohibitions contained in section 5 with respect to products included in subheading B of the list shall not apply to the use of nickel anodes in nickel plating if (1) such nickel anodes were in the inventory of the person doing the nickel plating on April 15, 1951,

and (2) such anodes cannot be used by such person on a commercially feasible basis for nickel-plating items other than those prohibited by section 5.

(c) Any unassembled component parts produced prior to the effective date of this schedule, or in conformity with this schedule of products subject to the prohibitions of section 5 may be sold at any time, and the purchaser thereof may assemble such component parts into products subject to the prohibitions of section 5 at any time, provided such component parts are wholly unsuitable for use in the production, manufacture, or assembly of any product not subject to such prohibitions.

SEC. 7. *Records.* Every person who relies on the provisions of paragraphs (a), (b), or (c) of section 6 of this schedule shall prepare a detailed record showing: (a) the quantity of nickel-plated materials, or component parts made therefrom, which were in his inventory on December 1, 1950, January, February, March, and April, 1951, which were wholly unsuitable for use by him in the production, manufacture, or assembly of any product not included in the list at the end of this schedule, and (b) the quantity of such nickel-plated materials wholly unsuitable for such use by him which were delivered to him on or after March 1, 1951, with reference to subheading A of that list, or April 15, 1951, with reference to subheading B of that list, the names and addresses of the suppliers thereof, and the dates and acceptances covering such materials. Such records shall be retained for at least 2 years and shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

SEC. 8. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-80, Schedule 1.

This schedule is issued simultaneously with NPA Order M-80. It shall take effect on the same date as that order, namely, August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE 1—LIST OF PROHIBITED PRODUCTS NICKEL-PLATING

A

Communications:
- Escutcheon plates.
- Knobs.
- Name plates.
- Radio and television, decorative trim.
- Speaker grilles.

Hardware:
- Bells.
- Boat trim and accessories.
- Builders' finishing hardware (except half trim for bathroom and toilet side of door).
- Casket hardware.
- Chimes.
- Curtain hooks.
- Door catches.
- Door knobs.
- Door knockers.
- Drawer pulls.
- Harnesses.
- Hinges.
- Kick plates.
- Leashes.
- Letter boxes.
- Locks.
- Luggage hardware.
- Nails.
- Picture frames.
- Picture hangers.
- Push plates.
- Screen door and window hardware exclusive of screen.
- Screws.
- Switch plates.
- Tacks.
- Valve handles (except for bathroom and kitchen fixtures).

Household appliances (except parts subject to abrasion or heat, and except the strike prior to silver-plating or vitreous enameling) including but not limited to:
- Food mixers.
- Heaters.
- Polishers.
- Refrigerators (except shelving and door handles).
- Washing machines.
- Waxers.
- Vacuum cleaners (except runners).

Jewelry—clocks:
- Alarm clocks (except for internal parts).
- Clocks (except for internal parts).
- Costume jewelry (except for 0.0001 inch thickness or less as an undercoating for gold, silver, or platinum-group metals).
- Trim and optical glasses (except frames).

Metal furniture and fixtures.
- Commercial furniture, all decorative parts.
- Electrical fixtures.
- Home furniture, all decorative parts.
- Napkin dispensers.
- Store display cases.
- Store fixtures.
- Straw dispensers.

Motor vehicles:
- Accessories.
- Dash panels (including instruments, controls, and appearance items mounted in or on dash panels).
- Escutcheon plates.
- Gas caps.
- Gravel guards.
- Grilles.
- Horns.
- Interior trim.
- Lamp housing.
- License frames.
- Name plates.
- Ornamental trim around windows.
- Radiator trim.
- Trim rings.
- Wheel discs.
- All other parts (except for window frames and slide channels, external and internal door handles, ventilator and regulator handles for windows and doors, the bumpers, bumper guards, bumper bolts, rear deck handles, windshield wiper assemblies, hub caps, and exposed screws where no satisfactory substitutes are practicable. The nickel employed for protection of bumper guards and bumpers should not exceed that amount equivalent to an average thickness of 0.001 inch on outside surfaces).

Novelties:
- Ash trays.
- Coasters.
- Cocktail shakers and accessories.
- Clothing ornamentation.
- Cosmetic containers.
- Hair curlers.
- Handbag trim.
- Humidors.
- Ornamental buttons.
- Smoking stands.

Plumbing:
- Basin supports.
- Cabinet trim.
- Soap dishes.
- Shower curtain rods and rings.
- Shower doors and trim.
- Tooth brush holders.
- Towel racks.
- Tumbler holders.

Sheet, strip, and wire products:
- All decorative parts fabricated from plated sheets, strips, or wire.
- Bird cages.
- Clothes hangers.
- Display stands.
- Lamp shades.
- Shopping carts.

Tools:
- Drills.
- Flexible metal tapes (except measuring tape).
- Hammers.
- Office machines and business machines, decorative trim.
- Planes.
- Pliers.
- Power tools (except for functional parts).
- Punches.
- Rules.
- Saws.
- Screw drivers.
- Wrenches.

Toys:
- Mechanical toys.
- Pistols.
- Toys.
- Trains.
- Tricycles.
- Wagons.

Utensils (except the strike necessary prior to silver-plating or vitreous enameling):
- Flatware.
- Hollow ware (except for hotel, restaurant, institution, or ecclesiastical use).
- Serving dishes.
- Serving utensils.
- Racks.
- Trays.

Miscellaneous:
- Bicycles (except handlebars, sprockets, spokes, and hubs).
- Electric fans.
- Gambling equipment.
- Lighters.
- Ornamentation on musical instruments.
- Pin ball machines.
- Slot machines.
- Sporting goods.
- Tonsorial equipment (except tools).
- Vending machines.

B

Hardware:
- Collars and tags for pets.
- Bolts, washers, and similar fastening devices.

Household appliances (except parts subject to abrasion or heat, and except the strike prior to silver-plating or vitreous enameling), including but not limited to:
- Cooking stoves and ranges (except door and drawer handles).
- Electric housewares including:
  - Heating and cooking appliances.
  - Motor-driven appliances.
  - Personal appliances.
  - Home and farm freezers.
  - Laundry equipment including:
    - Clothes driers.
    - Ironing machines.
    - Sewing machines.

Metal furniture and fixtures:
- Commercial furniture.
- Home furniture.

Motor vehicles:
- Hub caps.

Miscellaneous:
- Bicycle handle bars, sprockets and hubs.
- Juke boxes.
- Insignia, buttons, buckles, decorations, awards, and badges (except military).

[F. R. Doc. 51-9911; Filed, Aug. 15, 1951; 5:08 p. m.]

[NPA Order M-80, Schedule 2]

M-80—Iron and Steel—Alloying Materials and Alloy Products

SCHEDULE 2—COBALT

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M-80, on which this schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M-80, and is made a part of that order.

Sec.
1. Definitions.
2. Cobalt subject to allocation.
3. Applications for allocations.
4. Exceptions to allocation requirements.
5. Uses prohiblted.
6. Communications.

Authority: Sections 1 to 6 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *Definitions.* All definitions contained in NPA Order M-80, including definition of cobalt contained in List I of that order are applicable to this schedule. Cobalt means and includes cobalt metal, cobalt fines, cobalt oxide, cobalt powder, and all other primary compounds, as well as scrap containing more than 5 percent cobalt, which are used as sources of cobalt in commercial manufacture and processing.

Sec. 2. *Cobalt subject to allocation.* Cobalt is subject to complete allocation.

Sec. 3. *Applications for allocations.* Section 10 of NPA Order M-80 forbids deliveries or use of any alloying material made subject to complete allocation, except in accordance with an allocation authorization. Applications for an allocation authorization for delivery during the month of October 1951 may be made on or before September 7, 1951, on Form NPAF-114. Thereafter, such applications may be made on or before the seventh day of any month for delivery in the succeeding month.

Sec. 4. *Exceptions to allocation requirements.* The provisions of sections 2 and 3 of this schedule shall not apply to:

(a) Deliveries to any person whose total receipts from all sources during any calendar month are not thereby made to exceed 25 pounds of cobalt, and who delivers a signed certificate to his supplier as follows:

> The undersigned, subject to statutory penalties, certifies that acceptance of delivery and use by the undersigned of the cobalt herein ordered will not be in violation of NPA Order M-80 or of Schedule 2 of that order.

This certification constitutes a representation by the purchaser to the seller and to NPA that delivery of such cobalt ordered may be accepted by the purchaser under NPA Order M-80 and this schedule, and that such cobalt will not be used by the purchaser in violation of that order or this schedule.

(b) Deliveries of cobalt bearing scrap or cobalt ores and concentrates: *Provided*, That the use of such cobalt ores and concentrates shall be subject to sections 2 and 3 when used as a source of cobalt in commercial melting, manufacture, or processing.

Sec. 5. Uses prohibited. Commencing September 1, 1951, no person shall use cobalt for:

(a) Coloring glazes, glass, or porcelain enamels, or for the manufacture of ceramic body stains, porcelain enamel color oxides including blacks, glaze stains, glass batch colors, or paint or plastic pigments (except where used for optical or signal glass, decolorizers for glass and white ware, artists' colors, and color stabilizers in white pigment manufacture).

(b) Manufacturing or coloring of enameled metal signs.

(c) Fertilizers of any type.

(d) Manufactured feeds for poultry, dogs, and cats.

(e) Magnets used in the following:

(1) Appliances, toys, games, musical instruments, model electric trains, and novelties.

(2) Coin rejectors for juke boxes, pinball games, or gambling devices.

(f) Magnet steels containing more than 20 percent cobalt (except where required by rated orders).

(g) Cast magnets containing more than 30 percent cobalt (except where required by rated orders).

(h) Paint diers for use in exterior house paints.

Sec. 6. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-80, Schedule 2.

This schedule is issued simultaneously with NPA Order M-80. It shall take effect on the same date as that order, namely, August 15, 1951.

National Production Authority,
Manly Fleischmann,
Administrator.

[F. R. Doc. 51-9915; Filed, Aug. 15, 1951; 5:09 p. m.]

[NPA Order M-80, Schedule 3]

M-80—Iron and Steel—Alloying Materials and Alloy Products

SCHEDULE 3—TUNGSTEN

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M-80, on which this schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M-80 and is made a part of that order.

Sec.
1. Definitions.
2. Tungsten subject to allocation.
3. Applications for allocations.
4. Exceptions to allocations requirements.
5. Communications.

Authority: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup. sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *Definitions.* (a) All definitions contained in NPA Order M-80, including the definition of tungsten contained in List I of that order, are applicable to this schedule.

(b) As used in this schedule:

(1) "Tungsten" means ferro-tungsten, tungsten scrap, and tungsten ores and concentrates. It does not include pure tungsten metal which is covered by NPA Order M-81.

(2) "Tungsten scrap" means steel scrap or alloy scrap containing 1 percent or more of tungsten.

(3) "Tungsten ores and concentrates" means any ore or concentrate, either natural or synthetic, when used as a source of tungsten in the manufacture of any alloy products.

Sec. 2. *Tungsten subject to allocation.* Tungsten is subject to complete allocation.

Sec. 3. *Applications for allocations.* Section 10 of NPA Order M-80 prohibits delivery or use of an alloying material made subject to complete allocation, except in accordance with an allocation authorization. Application for an allocation authorization for deliveries of tungsten during the month of October may be made to NPA on or before September 7, 1951, on Form NPAF-114. Thereafter, such applications may be made on or before the seventh day of any month for delivery in the succeeding month.

Sec. 4. *Exceptions to allocations requirements.* The provisions of sections 2 and 3 of this schedule shall not apply to:

(a) Deliveries to any person whose total receipts from all sources during any calendar month are not thereby made to exceed 25 pounds of tungsten and who delivers a signed certification to his supplier as follows:

> The undersigned, subject to statutory penalties, certifies that acceptance of delivery and use by the undersigned of the tungsten herein ordered will not be in violation of NPA Order M-80 or of Schedule 3 of that order.

This certification constitutes a representation by the purchaser to the seller and to NPA that delivery of the tungsten ordered may be accepted by the purchaser under NPA Order M-80 and this schedule, and that such tungsten will not be used by the purchaser in violation of that order or this schedule.

(b) Deliveries of tungsten-bearing scrap or tungsten ores and concentrates: *Provided*, That the use of such tungsten ores and concentrates shall be subject to sections 2 and 3 of this schedule when used as a source of tungsten in commercial melting, manufacture, or processing.

SEC. 5. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–80, Schedule 3.

This schedule is issued simultaneously with NPA Order M–80. It shall take effect on the same date as that order, namely, August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9916; Filed, Aug. 15, 1951; 5:10 p. m.]

[NPA Order M–80, Schedule 4]

M–80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS

SCHEDULE 4—MOLYBDENUM

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M–80, on which this schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M–80 and is made a part of that order.

Sec.
1. Definitions.
2. Molybdenum subject to allocation.
3. Applications for allocations.
4. Exceptions to allocation requirements.
5. Production prohibited.
6. Communications.

AUTHORITY: Sections 1 to 6 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Definitions.* All definitions contained in NPA order M–80, including the definition of molybdenum in List I of that order, are applicable to this schedule. "Molybdenum" means ferro-molybdenum, all grades of molybdenum oxide, and all primary molybdates and other molybdenum compounds used as a source of molybdenum in commercial manufacturing and processing. It does not include the molybdenum present in steel scrap or pure molybdenum metal or scrap molybdenum metal, nor does it include pure molybdenum which is subject to NPA Order M–81.

SEC. 2. *Molybdenum subject to allocation.* Molybdenum is subject to complete allocation.

SEC. 3. *Applications for allocations.* Section 10 of NPA order M–80 prohibits delivery or use of an alloying material made subject to complete allocation, except in accordance with an allocation authorization. Applications for an allocation authorization for deliveries during the month of October may be made to NPA on or before September 7, 1951, on Form NPAF–114. Thereafter, such applications may be made on or before the seventh day of any month for delivery in the succeeding month.

SEC. 4. *Exceptions to allocation requirements.* The provisions of sections 2 and 3 of this schedule shall not apply to:

(a) Deliveries to any person whose total receipts from all sources during any calendar month are not thereby made to exceed 200 pounds of molybdenum, and who delivers a signed certification to his supplier as follows:

The undersigned, subject to statutory penalties, certifies that acceptance of delivery and use by the undersigned of the molybdenum herein ordered will not be in violation of NPA Order M–80 or of Schedule 4 of that order.

This certification constitutes a representation by the purchaser to the seller and to NPA that delivery of the molybdenum ordered may be accepted by the purchaser under NPA Order M–80 and this schedule, and that such molybdenum will not be used by the purchaser in violation of that order or this schedule.

(b) Deliveries of molybdenum bearing scrap or molybdenum ores and concentrates: *Provided,* That the use of such molybdenum ores and concentrates shall be subject to sections 2 and 3 of this schedule when used as a source of molybdenum in commercial melting, manufacture, or processing.

SEC. 5. *Production prohibited.* No person may use any molybdenum for producing any molybdenum-bearing stainless steel for which the material specifications provide a molybdenum content greater than 2.5 percent by weight.

SEC. 6. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–80, Schedule 4.

This schedule has been issued simultaneously with NPA Order M–80. It shall take effect on the same date as that order, namely, August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9917; Filed, Aug. 15, 1951; 5:10 p. m.]

[NPA Order M–80, Schedule 5]

M–80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS

SCHEDULE 5—COLUMBIUM AND TANTALUM

This schedule is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of NPA Order M–80 on which this schedule is based, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. This schedule is issued under NPA Order M–80, and is made a part of that order.

Sec.
1. Definitions.
2. Columbium and tentalum subject to allocation.
3. Applications for allocation.
4. Exceptions to allocation requirements.
5. Use of substitutes.
6. Authorized controlled material orders required.
7. Restrictions.
8. Exceptions.
9. Conservation of scrap.
10. Communications.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Definitions.* All definitions contained in NPA Order M–80, including the definition of columbium and tantalum contained in List I of that order, are applicable to this schedule. "Columbium and tantalum" mean ferro-columbium and ferro-columbium tantalum.

SEC. 2. *Columbium and tantalum subject to allocation.* Columbium and tantalum are subject to complete allocation.

SEC. 3. *Applications for allocation.* Section 10 of NPA Order M–80 forbids deliveries or use of an alloying material made subject to complete allocation, except in accordance with an allocation authorization. Applications for an allocation authorization for deliveries during the month of October may be made to NPA on or before September 7, 1951, on Form NPAF–114. Thereafter, such applications may be made on or before the seventh day of any month for delivery in the succeeding month.

SEC. 4. *Exceptions to allocation requirements.* The provisions of sections 2 and 3 of this schedule shall not apply to:

(a) Deliveries to any person whose total receipts from all sources during any calendar month are not thereby made to exceed 10 pounds of columbium and tantalum, and who delivers a signed certification to his supplier as follows:

The undersigned, subject to statutory penalties, certifies that acceptance of deliveries and use by the undersigned of the columbium and tantalum herein ordered will not be in violation of NPA Order M–80 or of Schedule 5 of that order.

This certification constitutes a representation by the purchaser to the seller and to NPA that delivery of the columbium and tantalum ordered may be accepted by the purchaser under NPA Order M–80 and this schedule, and that such columbium and tantalum will not be used by the purchaser in violation of that order or this schedule.

(b) Deliveries of pure metal columbium and tantalum in any amount.

(c) Deliveries of columbium- and tantalum-bearing scrap or columbium- and tantalum-bearing ores and concentrates: *Provided,* That the use of such columbium and tantalum ores and concentrates shall be subject to sections 2 and 3 of this schedule when used as a source of columbium and tantalum in commercial melting, manufacture, or processing.

SEC. 5. *Use of substitutes.* No columbium-bearing steel shall be used or incorporated in any product or material if columbium-tantalum-bearing steel will meet the requirements for the use to be made of the product or material.

SEC. 6. *Authorized controlled material orders required.* Except as may be otherwise ordered by NPA, no columbium- or columbium-tantalum-bearing steels shall be produced, sold, delivered, or purchased, except pursuant to Department of Defense or Atomic Energy Commission authorized controlled material orders, or NPA directives or orders. The allotment symbol A–1 with respect to columbium- or columbium-tantalum-bearing steels shall be valid for deliveries on and after July 1, 1951, only when supported by a certification that delivery of the quantity specified as and when ordered has been approved and authorized by the Aircraft Production Resources Agency. Such certification shall be as follows:

Certified as approved by APRA

Such certification shall constitute a representation by the purchaser to the supplier and to NPA that the purchaser has been duly authorized by the Aircraft Production Resources Agency to accept delivery of such steel, and is entitled to accept such delivery as permitted in this schedule. The certification required by this section shall be in addition to the certification required by NPA Reg. 2. This limitation shall not apply to those items of finished steel mill products which cannot be converted into other steel mill products and which were physically held in inventory prior to February 28, 1951.

SEC. 7. *Restrictions.* Subject to the exceptions of section 8 of this schedule, no person, in the production of any columbium- or columbium-tantalum-bearing steels, shall use more columbium or columbium-tantalum than is reasonably required to assure a ratio between columbium or columbium-tantalum and carbon in such steels greater than 8 to 1 as a minimum: *Provided, however,* That in cases where the material specifications require corrosion testing of sensitised specimens, no person shall use more columbium or columbium-tantalum in such steel products than is reasonably required to assure that such steels meet the specific requirements with respect to corrosion testing: *And provided further,* That when practical melting schedules appropriate to achieve maximum production necessitate the inclusion in single heat lots of steels requiring corrosion testing with steels not requiring such testing, such amount of columbium or columbium-tantalum may be used as will assure steels which will meet the highest corrosion testing requirements of any such steels included in any such single heat lot.

SEC. 8. *Exceptions.* (a) This schedule shall not prohibit the completion of the production and the delivery of materials or products containing columbium or tantalum in any form ordered and accepted prior to April 6, 1951, which, by reason of the condition or nature of the materials or products, cannot, without excessive loss of yield, be used in connection with authorized controlled material orders; nor shall it prohibit the use, in filling authorized controlled material orders, of columbium- or columbium-tantalum-bearing steel held on or before April 6, 1951, in the inventory of a producer or fabricator of steel products.

(b) The restrictions of section 7 of this schedule shall not apply to the production of coated welding rods.

(c) The restrictions of section 7 of this schedule shall not apply in the power generating or chemical industries to welding electrodes or high temperature applications.

(d) Any authorized controlled material order bearing the allotment symbol A–1 for columbium- or columbium-tantalum-bearing steels, authorized by the Aircraft Production Resources Agency pursuant to section 6 of this schedule, is exempt from the restrictions of section 7 of this schedule to the extent required by the specifications contained in such APRA authorization.

SEC. 9. *Conservation of scrap.* No person shall dispose of or accept any scrap containing commercially recoverable columbium and tantalum which is fit for remelting, except for use in the melting or processing of products in which columbium and tantalum is required.

SEC. 10. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–80, Schedule 5.

This schedule is issued simultaneously with NPA Order M–80. It shall take effect, except as otherwise provided herein, on the same date as that order, namely August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–9918; Filed, Aug. 15, 1951; 5:11 p. m.]

[NPA Order M–81]

M–81—PURE TUNGSTEN AND PURE MOLYBDENUM

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, and consideration has been given to their recommendations. Consultation with trade association representatives was impossible because there is no trade association. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

Sec.
1. What this order does.
2. Definitions.
3. Relation to other regulations and orders.
4. Substitution required.
5. Uses prohibited.
6. Allocation authorization required.
7. Exceptions to allocation requirements.
8. Limitations on inventory.
9. Applications for adjustment or exception.
10. Records and reports.
11. Communications.
12. Violations.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies only to carbon- and hydrogen-reduced substantially pure tungsten, and pure molybdenum, as hereinafter defined. The purpose of this order is to conserve and to provide for the distribution and use of pure tungsten and pure molybdenum so as best to serve the interest of the national defense program and of defense supporting activities. It makes pure tungsten and pure molybdenum subject to allocation. It prohibits, subject to certain exceptions, deliveries of pure tungsten and pure molybdenum except by authorizations to be issued from time to time by the National Production Authority (hereinafter called the "NPA"). It requires the filing of monthly reports.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, and any other organized group of persons, and includes any agency of the United States or any other government. A person who keeps separate inventory records for any separate operating or producing units shall treat each such separate operating or producing unit as a separate person for the purposes of this order, unless NPA otherwise directs or permits upon application of such person.

(b) "Pure tungsten" means the element tungsten in substantially pure form, processed to the extent that it is hydrogen-reduced powder, ingot, wire, rod, sheet, and chemicals and compounds, or carbon-reduced powder. Tungsten ores and concentrates, and scrap tungsten metal are not included in this definition.

(c) "Pure molybdenum" means the element molybdenum in substantially pure form processed to the extent that it is powder, ingot, wire, rod, or sheet. Molybdenum ores, concentrates, chemicals and compounds, and scrap molybdenum metal are not included in this definition.

(d) "Chemicals and compounds" means and includes such chemicals as sodium tungstate, or any other chemicals containing tungsten compounds or mixtures such as cobalt tungsten, or molybdenum tungsten mixtures.

(e) "Scrap tungsten metal" means scrap, waste material, or residues containing commercially recoverable tung-

sten which has been generated from tungsten products derived from hydrogen-reduced powders.

(f) "Scrap molybdenum metal" means scrap, waste material, or residues containing commercially recoverable molybdenum which has been generated from molybdenum products as defined in paragraph (c) of this section.

(g) "Fabricated parts" means coils, filaments, lead wires containing tungsten and/or molybdenum, and finished contacts and other parts containing tungsten and/or molybdenum which are used in or as subassemblies.

(h) "Pure metal processor" means any person who produces tungsten in the form of carbon-reduced powder, hydrogen-reduced powder, ingot, wire, rod, sheet, or chemicals and compounds, or any person who produces molybdenum in the form of powder, ingot, wire, rod, or sheet.

(i) "Fabricator" means any person who uses tungsten or molybdenum ingots, wire, rod, or sheet and who forms, bends, cuts, welds, or further fabricates ingots, wire, rod, or sheet for resale purposes.

SEC. 3. *Relation to other regulations and orders.* All provisions of any NPA regulation or order are superseded to the extent that they are inconsistent with this order, but in all other respects the provisions of such regulations and orders shall remain in full force and effect. Pure tungsten and pure molydenum shall be delivered only under an allocation authorization pursuant to the provisions of this order and, accordingly, DO rated orders or other preference orders shall have no effect, except to the extent that NPA takes such preference rating into account in granting an allocation authorization. NPA may, from time to time, issue directives as to deliveries or uses of pure tungsten and pure molybdenum and, unless otherwise provided therein, such directives will prevail over the provisions of this order. The provisions of this order do not in any way affect alloy steels.

SEC. 4. *Substitution required.* No person, whether pursuant to a DO rated order or otherwise, shall incorporate any pure tungsten or pure molybdenum into any product or material when substitution of some other element or material (other than a restricted alloying material as defined in section 2 of NPA Order M–80) for pure tungsten or pure molybdenum is commercially feasible.

SEC. 5. *Uses prohibited.* No person shall use pure tungsten in the manufacture of pigments of any type, or as a coloring or coating material for rubber, linoleum, paper of any kind including but not limited to wallpaper, or grinding wheels: *Provided, however,* That these prohibitions do not apply to:

(a) The use of pure tungsten in the manufacture of pigments for coloring employed by the United States Government in the production of currency, bonds, stamps, and/or other Government securities.

(b) The use of pure tungsten in printing inks.

(c) The use of pure tungsten required by any person to comply with any order or directive of NPA.

(d) The use by any person of not more than 50 pounds (tungsten content) of pure tungsten in any consecutive 3-month period, beginning on or after March 1, 1951.

SEC. 6. *Allocation authorization required.* (a) No person shall deliver pure tungsten or pure molybdenum except in accordance with the terms of an allocation authorization issued by NPA, in accordance with this section, nor shall any person accept delivery of or use pure tungsten or pure molybdenum except in accordance with the terms of such an allocation authorization.

(b) NPA will, from time to time, issue allocation authorizations for pure tungsten and pure molybdenum and specifically direct the manner and quantities in which deliveries to particular persons or for particular uses may be made or withheld. Any person seeking to place a purchase order for pure tungsten or pure molybdenum may be required to place the same with one or more suppliers specified by NPA.

(c) Application for allocation must be filed with NPA by the applicant on Form NPAF–114, not later than 45 days preceding the first day of the month in which delivery is required, accompanied by the inventory statement on Form NPAF–113, unless such form has been currently filed pursuant to section 10 (c) of this order. An application for allocation for delivery in October 1951 must be filed not later than August 15, 1951. Each applicant must furnish all information required by said forms, and the requests for allocations must be correctly indicated in the tungsten or molybdenum products material classifications and size ranges.

(d) Whenever an application for allocation is granted in whole or in part, an authorization will be issued at least 10 days prior to the first day of the delivery month to the appropriate supplier and a copy furnished to the applicant. The authorization will require a supplier to make delivery to the extent of the purchasers' orders within the limits of the authorization.

SEC. 7. *Exceptions to allocation requirements.* The provisions of section 6 of this order shall not apply to:

(a) Deliveries to the General Services Administration or any other authorized agency of the United States for the purposes of stockpiling.

(b) The purchase of fabricated parts. Persons producing these parts, however, must secure an allocation as set forth in section 6 and must indicate the end use on their applications.

(c) The sale of pure tungsten welding rod by a person other than a pure metal processor.

SEC. 8. *Limitations on inventory.* No person shall place an order for or accept delivery of pure tungsten or pure molybdenum at a time when his inventory exceeds, or by acceptance of such delivery would be made to exceed, 60 days' requirements at his then scheduled rate and method of operation. Any person who on the effective date of this order or at any time has outstanding orders for pure tungsten or pure molybdenum for delivery in quantities greater than he would be permitted to receive under this section shall forthwith notify his supplier of the extent to which delivery cannot be accepted as scheduled and such orders shall be adjusted accordingly. This section is applicable irrespective of whether or not any such orders or deliveries are made in accordance with an authorized allocation.

SEC. 9. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in duplicate, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his files, for at least 2 years, records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system assures an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or may maintain such microfilm or other photographic records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Every person who at any time in a calendar month had in his possession or under his control or who during a calendar month consumed more than 25 pounds of pure tungsten or pure molybdenum shall report to NPA on Form NPAF–113 on or before the fifteenth day of the following month.

(d) Persons subject to this order shall make such records and submit such additional reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the Iron and Steel Di-

vision, National Production Authority, Washington 25, D. C., Ref: M-81.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilites under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect, except as otherwise provided herein, on August 15, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-9914; Filed, Aug. 15, 1951; 5:09 p. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 740]

NEVADA

TRANSFER OF LANDS FROM THE TOIYABE NATIONAL FOREST TO THE HUMBOLDT NATIONAL FOREST.

Correction

In F. R. Document 51-9221, appearing on page 7826 of the issue for Thursday, August 9, 1951, make the following change: The third line under "T. 47 N., R. 39 E.," should read "Sec. 2, E½ lot 10, E½SE¼;".

[Public Land Order 742]

IDAHO

RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH THE SAND CREEK ELK REFUGE

Whereas the act of September 2, 1937, 50 Stat. 917 (16 U. S. C. 669-669j), provides for Federal aid to States in wildlife-restoration projects; and

Whereas the State of Idaho has established a Federal-aid wildlife-restoration project, and has acquired title to certain lands in Fremont County which are to be administered by the State of Idaho through its Fish and Game Department as the Sand Creek Elk Refuge; and

Whereas certain public lands of the United States within or contiguous to the Sand Creek Elk Refuge possess wildlife value and could be administered advantageously in connection with the refuge; and

Whereas the act of March 10, 1934, as amended by the act of August 14, 1946, 48 Stat. 401, 60 Stat. 1080 (16 U. S. C. 661-666c), authorizes the Secretary of the Interior to cooperate with Federal, State, and other agencies in developing a Nation-wide program of wildlife conservation and rehabilitation:

Now, therefore, by virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Fremont County, Idaho, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior for use by the Fish and Game Department of the State of Idaho in connection with the Sand Creek Elk Refuge, under such conditions as may be prescribed by the Secretary of the Interior:

BOISE MERIDIAN

T. 10 N., R. 41 E.,
Sec. 4, SW¼SW¼ and SW¼SE¼;
Sec. 8, S½SW¼ and SW¼SE¼.
T. 11 N., R. 41 E.,
Sec. 32, E½;
Sec. 33, W½E½ and W½.

The areas described aggregate 1,000 acres.

This order shall take precedence over but not otherwise affect the order of the Acting Secretary of the Interior of November 3, 1936, establishing Idaho Grazing District No. 3, so far as it affects the above-described lands.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 9, 1951.

[F. R. Doc. 51-9753; Filed, Aug. 16, 1951; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

[Rev. S. O. 872]

PART 95—CAR SERVICE

MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 10th day of August A. D. 1951.

It appearing, that there is a shortage of box cars for the transportation of all commodities, which will be aggravated during the coming months by weather conditions and the needs of the Armed Forces and that there is an urgent need to regulate transportation of grain in carloads to certain ports to prevent congestion; in the opinion of the Commission an emergency exists in all sections of the country requiring immediate action to promote the National Defense and car service in the interest of the public and the commerce of the people: *It is ordered,* That:

§ 95.872 *Movement of grain to terminal elevators by permit.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move any car loaded with export grain waybilled and consigned to any elevator or for direct delivery to a vessel at the port or ports in the areas named in this order, unless such origin carrier has first obtained a permit authorizing the movement of such grain in carloads into the port area.

(b) Appointment of agent and designation of duties: (1) Mr. C. W. Taylor, Room 5117 ICC Building, phone: NAtional 7460, ext. 548, is hereby designated and appointed as Agent of this Commission to prescribe the terms and conditions under which permits may be issued and is authorized at any time to change, revoke or cancel the terms or conditions under which permits may be issued.

(2) Mr. T. M. Healy, 204 Southern Railway Building, Atlanta, Georgia, phone: CYpress 7321, is hereby designated and appointed Permit Agent for the port of New Orleans.

(3) Mr. D. R. Swain, 606 Fannin Building, Houston, Texas, is hereby designated and appointed as Permit Agent for the Texas Gulf ports.

(4) Mr. P. E. Grider, 211 U. S. Court House, Portland 5, Oregon, phone: ATwater 6171, ext. 559, is hereby designated and appointed Permit Agent for the ports in the States of Washington and Oregon.

(c) Application: The provisions of this part shall apply to interstate and foreign commerce, including commerce with insular possessions and the territories of Alaska and Hawaii.

(d) Effective date: This section shall become effective at 7:00 a. m., August 16, 1951.

(e) Expiration date: This section shall expire at 7:00 a. m., October 15, 1951, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this order vacates and supersedes Service Order No. 872 and that a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9773; Filed, Aug. 16, 1951; 8:50 a. m.]

Subchapter B—Carriers by Motor Vehicle

PART 205—REPORTS BY MOTOR CARRIERS

QUARTERLY REPORTS OF PASSENGER REVENUES, EXPENSES AND STATISTICS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of July A. D. 1951.

The matter of quarterly reports of Class I motor carriers of passengers being under consideration pursuant to the provisions of section 220 of the Interstate Commerce Act, as amended (sec. 220, 49 Stat. 563; 54 Stat. 926; 49 U. S. C. 320);

It is ordered, that the order of January 10, 1946, as modified by an order of July 15, 1946 (49 CFR 205.11 and 205.21) be and it is hereby vacated and set aside; and it is further ordered, that:

§ 205.11 *Quarterly reports of passenger revenues, expenses and statistics.* Each Class I common and contract motor carrier of passengers subject to the provisions of section 220 of the Interstate Commerce Act shall file duly verified quarterly reports commencing with the period July 1, 1951 to September 30, 1951, (both dates inclusive) in accordance with the Quarterly Report of Revenues, Expenses and Statistics—Class I Motor Carriers of Passengers form which is hereby approved and made a part of this section.[1] Quarterly reports shall be forwarded, in triplicate, to the office of the Bureau of Motor Carriers of the Interstate Commerce Commission for the district in which the carrier is domiciled within thirty days after the close of the period to which they relate.

A copy of this order shall be served upon all Class I motor carriers of passengers subject to the act and notice shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9771; Filed, Aug. 16, 1951; 8:49 a. m.]

PART 205—REPORTS OF MOTOR CARRIERS

QUARTERLY REPORT OF PROPERTY REVENUES, EXPENSES AND STATISTICS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 31st day of July A. D. 1951.

The matter of quarterly reports of Class I motor carriers of property being under consideration pursuant to the provisions of section 220 of the Interstate Commerce Act, as amended (sec. 220, 49 Stat. 563; 54 Stat. 926; 49 U. S. C. 320);

It is ordered that the order of January 30, 1948 (49 CFR 205.12) in the matter of quarterly reports for Class I motor carriers of property be, and it is hereby vacated and set aside; and, it is further ordered, that:

§ 205.12 *Quarterly report of property revenues, expenses and statistics.* Each Class I common and contract motor carrier of property subject to the provisions of section 220 of the Interstate Commerce Act, shall file duly verified quarterly reports commencing with the period July 1, 1951 to September 30, 1951 (both dates inclusive) in accordance with the Quarterly Report of Revenues, Expenses, and Statistics for Class I Motor Carriers of Property form which is hereby approved and made a part of this section.[1] Quarterly reports shall be forwarded, in triplicate, to the office of the Bureau of Motor Carriers of the Interstate Commerce Commission for the district in which the carrier is domiciled within thirty days after the close of the period to which they relate.

A copy of this order shall be served upon all Class I motor carriers of property subject to the act and notice shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9772; Filed, Aug. 16, 1951; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 151]

HEARING OFFICER'S DUTIES

NOTICE OF PROPOSED RULE MAKING

JULY 20, 1951.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), notice is hereby given of the proposed issuance by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, of the following rule relating to advice given aliens under deportation proceedings regarding the privilege of applying for discretionary relief. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1063, Temporary Federal Office Building X, 19th and East Capitol Streets, NE., Washington 25, D. C., written data, views and arguments relative to the substantive provisions of the proposed rule. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

The last sentence of paragraph (c) of § 151.2, *Conduct of hearing,* of Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

(c) *Hearing officer; specific duties.* * * * The hearing officer may, at such time during the hearing under the warrant of arrest as he deems appropriate, advise the alien concerning application for the privilege of departure in lieu of deportation, for the privilege of departure in lieu of deportation with the additional privilege of preexamination, or for suspension of deportation under the provisions of section 19 (c) of the Immigration Act of 1917, as amended, in all cases except (1) those in which the alien is charged with being subject to deportation upon one of the grounds mentioned in section 19 (d) of the said act and (2) those in which the alien was admitted to the United States as a nonimmigrant visitor under section 201 of the United States Information and Education Exchange Act of 1948 (62 Stat. 7; 22 U. S. C. 1446; Pub. Law 402, 80th Cong.), and shall further advise the alien of his right to specify the country to which his deportation is to be directed in the event such deportation is required by law and shall request the alien to specify such country for the record.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 87, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

BENJAMIN G. HABBERTON, *Acting Commissioner, Immigration and Naturalization.*

Approved: August 9, 1951.

PEYTON FORD, *Acting Attorney General.*

[F. R. Doc. 51-9770; Filed, Aug. 16, 1951; 8:49 a. m.]

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[1] Filed as part of the original document.

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 978]

[Docket No. AO-184-A7]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Correction

In F. R. Document 51-9115 appearing at page 7717 of the issue for Tuesday, August 7, 1951, make the following changes:

1. In the next to the last sentence in column 3 on page 7720, the word "allies" should read "applies".

2. The last sentence of the second paragraph appearing in column 1 on page 7721 should start a new paragraph and the word "Reports" should be preceded by the figure "6".

3. In the first line of § 978.4 (f) (1) (iii), the word "of" should be followed by the added word "skim".

4. In § 978.4 (f) (iv), the reference in the fourth line to "subdivision (1)" should read "subdivision (i)".

5. The issued date appearing in the final paragraph should be changed from the "8th" to the "2d" day of August 1951.

[7 CFR Part 978]

[Docket No. AO 184-A8]

HANDLING OF MILK IN THE NASHVILLE, TENN., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Correction

In F. R. Document 51-9348 appearing on page 7877 of the issue for Friday, August 10, 1951, make the following changes:

1. In the first paragraph, the reference to "10:00 a. m. e. s. t." should read "10:00 a. m. c. s. t."

2. The last line in the first column reading "Nashville, Tennessee, marketing area.", should be transposed to the second column, directly following the first line which reads "regulating the handling of milk in the".

CIVIL AERONAUTICS BOARD

[14 CFR Part 50]

PRIMARY FLYING SCHOOL CURRICULUM

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board an amendment of Part 50 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by September 4, 1951, will be considered by the Board before taking further action on the proposed rules. Copies of such communications will be available after September 7, 1951, for perusal by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Section 50.13 (a) (1) of the currently effective Civil Air Regulations requires that a primary flying school giving instruction in airplanes shall provide at least 35 hours of flight time in accordance with a curriculum approved by the Administrator. At the request of several approved primary flying schools, the Board has heretofore permitted certain special curricula containing less than the prescribed 35 hours of flight time where the time deficiency has been compensated for through specialized training in synthetic trainers or as observer-trainee in flight. Experience indicates that the specialized curricula should include at least 30 hours of flight time as a qualification for private pilot certificates and that this requirement should be part of each primary flying school curriculum in addition to the specialized instruction required.

It is proposed to amend § 50.13 (a) (1) so that all approved primary flying schools giving instruction in airplanes shall include in their curricula 35 hours of flight time, or 30 hours of flight time and such additional specialized instruction as is acceptable to the Administrator.

Specifically, it is proposed to amend Part 50 as follows:

1. By amending § 50.13 (a) (1) to read as follows:

§ 50.13 *Flying school curriculum.* * * *

(a) *Primary flying school.* (1) Airplanes—35 hours of flight time, or 30 hours of flight time and such additional specialized instruction as is acceptable to the Administrator.

This amendment is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposed amendment may be changed in view of comments received in response to this notice of proposed rule making.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610; 52 Stat. 1007-1012; 62 Stat. 1216; 49 U. S. C. 551-560; Act of July 1, 1948)

Dated: August 10, 1951, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN, *Director.*

[F. R. Doc. 51-9817; Filed, Aug. 16, 1951; 8:59 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 59367]

WYOMING

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM SHOSHONE PROJECT

AUGUST 13, 1951.

An order of the Bureau of Reclamation dated October 30, 1950 concurred in by the Assistant Director, Bureau of Land Management, December 18, 1950 revoked the Departmental orders of December 8, 1913 and May 2, 1919 so far as they withdrew in the first form prescribed by section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described lands in connection with the Shoshone Project, Wyoming, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

SIXTH PRINCIPAL MERIDIAN

T. 51 N., R. 103 W.,
Sec. 4, lot 1 and lots 75-B, 75-C and 75-D.
T. 52 N., R. 103W.,
Sec. 33, lot 5.

The above areas aggregate 145.69 acres.

The lands are chiefly valuable for grazing purposes.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284),

as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Cheyenne, Wyoming, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Cheyenne, Wyoming.

MARION CLAWSON,
Director.

[F. R. Doc. 51-9750; Filed, Aug. 16, 1951; 8:45 a. m.]

[Misc. 53480]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

AUGUST 13, 1951.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g), the following described lands have been reconveyed to the United States:

GILA AND SALT RIVER MERIDIAN

T. 20 N., R. 12 W.,
Sec. 26, W½.
T. 10 N., R. 15 W.
Sec. 9, SE¼.
T. 11 N., R. 15 W.,
Sec. 31, lot 4, NE¼NW¼, N½NE¼, N½SE¼NE¼, S½SE¼, SE¼SW¼;
Sec. 33, S½NW¼, SW¼, N½SE¼.
T. 10 N., R. 16 W.,
Sec. 1, N½N½, S½S½;
Sec. 3;
Sec. 11.
T. 11 N., R. 16 W.,
Sec. 5, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 23;
Sec. 25, N½, N½S½;
Sec. 27, N½, N½S½;
Sec. 29 N½.
T. 12 N., R. 16 W.,
Sec. 19, lots 1, 2, 3 and 4, E½W½, E½;
Sec. 21;
Sec. 23;
Sec. 27;
Sec. 29;
Sec. 31, lots 1, 2, 3 and 4, E½W½, E½;
Sec. 33;
Sec. 35.
T. 11 N., R. 17 W.,
Sec. 1, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 3, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 5, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 7, lots 3 and 4, E½W½, E½;
Sec. 9;
Sec. 11;
Sec. 13;
Sec. 15;
Sec. 17;
Sec. 19, lots 2, 3 and 4, E½SW¼, S½SE¼;
Sec. 21;
Sec. 23;
Sec. 25, N½, SW¼;
Sec. 27, N½, NE¼SE¼;
Sec. 29, S½, NW¼;
Sec. 33, W½W½, SE¼NW¼, S½NE¼, SE¼, E½SW¼;
Sec. 35, N½NE¼, E½SE¼, SW¼SE¼, S½NW¼SE¼, S½NE¼SW¼, SE¼SW¼, W½SW¼.
T. 12 N., R. 17 W.,
Sec. 19, lots 1, 2, 3 and 4, E½W½, E½;
Sec. 21;
Sec. 23;
Sec. 25;
Sec. 27;
Sec. 29;
Sec. 31, lots 1, 2, 3 and 4, E½W½, E½;
Sec. 33;
Sec. 35.
T. 10 N., R. 18 W.,
Sec. 23, NE¼SE¼, S½S½;
Sec. 25, NE¼NW¼, N½NE¼.
T. 11 N., R. 18 W.,
Sec. 1, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 3, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 11, N½, SE¼, N½SE¼SW¼, NE¼SW¼, N½NW¼SW¼;
Sec. 13, N½NW¼NE¼, NE¼NE¼, NE¼SE¼NE¼, SW¼SE¼SE¼, S½SW¼SE¼, S½SW¼, W½NE¼SW¼, NW¼SW¼.
T. 17 N., R. 20 W.,
Sec. 19, lots 1, 2, 3 and 4, E½W½, E½.
T. 20 N., R. 20 W.,
Sec. 25;
Sec. 35, SW¼, W½SE¼, SE¼SE¼.
T. 22 N., R. 20 W.,
Sec. 5, lots 1, 2, 3 and 4, S½N½, S½;
Sec. 7, lots 1, 2, 3 and 4, E½W½, E½.
T. 15 N., R. 20½ W.,
Sec. 23, E½NW¼, NE¼, N½SE¼, SE¼SE¼, SE¼SW¼SE¼, N½SW¼SE¼, NE¼NE¼SW¼;
Sec. 35. SE¼SE¼.
T. 16 N., R. 20½ W.,
Sec. 13, S½SE¼.
T. 22 N., R. 21 W.,
Sec. 1, lots 1, 2, 3, and 4, S½N½, S½;
Sec. 3, lots 1, 2, 3, and 4, S½N½, S½;
Sec. 5, lots 1, 2, 3, and 4, S½N½, S½;
Sec. 7, lots 1, 2, 3, and 4, E½W½, E½;
Sec. 9;
Sec. 11;
Sec. 15;
Sec. 17;
Sec. 19, lots 1, 2, 3, and 4, E½W½, E½;
Sec. 21;
Sec. 23, W½, W½E½;
Sec. 27, S½S½;
Sec. 29;
Sec. 31, lots 1, 2, and 3, SE¼NW¼, NE¼NE¼, SW¼NE¼, SE¼, E½SW¼;
Sec. 33, NW¼.
T. 22 N., R. 22 W.,
Sec. 1, lots 1 and 2, S½NE¼, SE¼, SE¼SW¼;
Sec. 13, E½, NE¼NW¼, SE¼SW¼.
T. 23 N., R. 21 W.,
Sec. 1, lots 1, 2, 3, and 4, S½N½, S½;
Sec. 11, N½, SE¼;
Sec. 13, N½, W½SE¼, SW¼;
Sec. 15, W½.

The areas described aggregate 44,890.05 acres.

The lands are primarily suitable for grazing.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this

paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Phoenix, Arizona, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Phoenix, Arizona.

MARION CLAWSON,
Director.

[F. R. Doc. 51-9751; Filed, Aug. 16. 1951; 8:45 a. m.]

[Misc. 59343]

OREGON

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM UMATILLA PROJECT

AUGUST 13, 1951.

An order of the Bureau of Reclamation dated October 26, 1950 concurred in by the Assistant Director, Bureau of Land Management December 18, 1950 revoked the Departmental order of August 16, 1905 so far as it withdrew in the first form prescribed by Section 3 of the Reclamation Act of June 17, 1902 (32 Stat. 388), the following described lands in connection with the Umatilla Project, Oregon, and provided that such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands described:

WILLAMETTE MERIDIAN

T. 4 N., R. 28 E.,
Sec. 3, NE¼NE¼SE¼;
Sec. 12, N½SW¼NE¼.

The areas described above aggregate 30 acres.

The lands are chiefly desert in character.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Portland, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Portland, Oregon.

MARION CLAWSON,
Director.

[F. R. Doc. 51-9752; Filed, Aug. 16, 1951; 8:45 a. m.]

IDAHO

NOTICE FOR FILING OBJECTIONS TO RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH THE SAND CREEK ELK REFUGE [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be

[1] See F. R. Doc. 51-9753, Title 43, Chapter I, Appendix, PLO 742, *supra*.

rescinded, modified or let stand will be given to all interested parties of record and the general public.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 9, 1951.

[F. R. Doc. 51-9754; Filed, Aug. 13, 1951; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

ORGANIZATION AND FUNCTIONS

The material appearing at 11 F. R. 177A-302 (Part 11), 13 F. R. 6621, and 15 F. R. 4034, is hereby revoked and the following substituted therefor:

1. *Organization.* The Office of the Secretary consists of the (a) Immediate Office of the Secretary of Commerce; (b) Office of the Under Secretary of Commerce; (c) Office of the Under Secretary of Commerce for Transportation; (d) Office of the Assistant Secretary of Commerce for Domestic Affairs; (e) Office of the Assistant Secretary of Commerce for International Affairs; (f) Office of the Assistant Secretary of Commerce for Administration; (g) Office of the Solicitor; (h) Office of Public Relations; and (i) Office of Security Control.

2. *Functions.* The Secretary of Commerce is responsible for establishing the policies and programs of the Department and for the direction and coordination of its operations.

The Under Secretary of Commerce serves as the deputy of the Secretary and exercises general supervision over the branches and offices of the Department.

The Under Secretary of Commerce for Transportation serves as the Secretary's principal assistant on transportation policy within the Department and helps to establish and maintain the Department's position with respect to the establishment of an integrated transportation program for the Department and the development of overall transportation policy within the Executive Branch of the Government. He supervises the activities of the Office of Transportation which has been established to assist him in the performance of his duties.

The Assistant Secretary of Commerce for Domestic Affairs serves as the Secretary's principal assistant in his function of fostering and promoting the industry and commerce of the United States and helps to assure that the programs and activities of the Department are directed toward the fullest contribution to a sound economy. In addition, he exercises immediate supervision over the Office of Technical Services, Industry Evaluation Board, Office of Industry and Commerce, and Office of Business Economics.

The Assistant Secretary of Commerce for International Affairs serves as the Secretary's principal assistant on all international matters coming within the purview of the Department and helps to assure coordination and integration of the wide range of international activities of the Department and adequate representation of the Department with other Federal agencies and with agencies of other governments. In addition, he shall supervise the activities of the Office of International Trade and the Advisory Committee on Export Policy.

The Assistant Secretary of Commerce for Administration serves as the Secretary's principal assistant on all matters of administration and management and helps to assure the effective administration of the programs of the Department and its proper representation before the administrative agencies of the Government. In addition he supervises and directs the administrative management staffs of the Department, and the Departmental Field Service and the Adviser on Negro Affairs.

The Solicitor is the chief law officer of the Department of Commerce. He acts as legal adviser to the Secretary, Under Secretaries, and Assistant Secretaries, and directs and supervises all legal activities of the Department, including preparation of its legislative program. The Solicitor exercises immediate supervision and direction over the Office of the Solicitor.

The Public Relations Officer assists the Secretary by providing specialized assistance on public relations to assure that the public is kept fully informed of the activities of the Department and that the services and materials of the Department are made readily available to those groups and individuals for whose use they are established or created.

The Security Control Officer assists the Secretary in discharging his responsibility for total security management of the Department by developing policies and procedures for physical and personnel security and assuring their application throughout the Department. He serves as staff adviser to the Secretary and the various bureaus and offices of the Department on all matters pertaining to security within the Department.

This notice is effective August 6, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-9809; Filed, Aug. 16, 1951; 8:56 a. m.]

UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION

DUTIES AND RESPONSIBILITIES WITH RESPECT TO ADMINISTRATION OF TRANSPORTATION ACTVITIES

The material appearing at 15 F. R. 8739, 16 F. R. 1130, 16 F. R. 6404, and 16 F. R. 7892 is hereby revoked and the following substituted therefor:

1. *Duties and responsibilities.* Section 301 of Reorganization Plan No. 21 of 1950, effective May 24, 1950, provides:

> There shall be in the Department of Commerce an additional office of Under Secretary with the title, "Under Secretary of Commerce for Transportation." The Under Secretary of Commerce for Transportation shall be appointed by the President, by and with the advice and consent of the Senate, shall receive compensation at the rate prescribed by law for Under Secretaries of Executive departments, and shall perform such duties as the Secretary of Commerce shall prescribe.

The Under Secretary for Transportation shall serve as the principal adviser to the Secretary on all policy matters concerning transportation within the Department. More specifically, but not by way of limitation, the Under Secretary for Transportation shall:

(a) Exercise general policy guidance over all transportation activities in the Department;

(b) Assure program consistency among the several transportation agencies of the Department, and develop for their guidance a unified over-all transportation policy;

(c) Carry out those responsibilities vested in the Secretary of Commerce by reorganization plans and directives of the President relating to coordination of the transportation programs and policies of the Government, and especially as related to the mobilization program;

(d) Initiate action before the transportation regulatory agencies when such action appears to be appropriate in order to effectuate over-all transportation policies, and appear before regulatory boards or commissions at his discretion to present his views when matters affecting over-all transportation policies or programs are under consideration;

(e) Perform such functions and exercise such powers, authority, and discretion vested in or conferred on the Secretary of Commerce, as delegated to the Under Secretary for Transportation by this or any other notice; and

(f) The Under Secretary for Transportation may, by redelegation, exercise the powers, authorities and discretion conferred upon him by this notice through such transportation agencies and officers thereof in the Department of Commerce and in such manner as he may determine, with or without authority for further redelegation.

No provision of this notice shall be construed as empowering or directing the Under Secretary for Transportation to assume or perform regulatory functions or operating functions in the field of transportation.

2. *Delegations of authority.* (a) The Under Secretary of Commerce for Transportation shall perform the functions and exercise the powers, authority and discretion conferred on the Secretary of Commerce by Executive Orders 10161 and 10200 (and Defense Production Administration Delegation 1, as amended), and Executive Order 10219 with respect to air transportation, and intercoastal, coastwise and overseas shipping, including the use thereof.

(b) The authority hereby delegated to the Under Secretary of Commerce for Transportation under subparagraph (a) above, which he is hereafter authorized to redelegate, includes the authority vested in the Secretary of Commerce under Sections 902 and 903 of Executive Order 10161 and section 6b of Executive Order 10200, including the authority with respect to subpoena.

(c) The Under Secretary of Commerce for Transportation also shall perform the functions and exercise the powers, authority and discretion vested directly in the Secretary of Commerce as a claimant under DPA Administration Order 1 of May 24, 1951, with respect

to transportation programs including related facilities for which the Maritime Administration, the Bureau of Public Roads, the Civil Aeronautics Administration and the Civil Aeronautics Board are responsible.

(d) The Under Secretary of Commerce for Transportation shall perform the functions with reference to processing of applications under NPA Order M–4 (Construction), as amended, and exercise the powers, authority and discretion vested in the Secretary of Commerce with reference to those functions as set forth in NPA Delegation No. 14, as amended July 11, 1951, but subject to all provisions and limitations of such authority contained in said delegation.

(e) The Under Secretary of Commerce for Transportation shall perform the functions with reference to authorizing construction schedules of prime contractors in accordance with the provisions of CMP Regulation 6, the making of allotments and the assignment of ratings and all other authority described in paragraph 5 of NPA Delegation No. 14, as amended July 11, 1951, and exercise the powers, authority and discretion vested in the Secretary of Commerce with reference to those functions as set forth in said NPA Delegation No. 14, but subject to all provisions and limitations of such authority contained in said delegation.

3. *Office of Transportation.* The Office of Transportation established on November 20, 1950 (15 F. R. 8740), which assists the Under Secretary for Transportation in the performance of his functions, is hereby continued and shall be under the immediate direction of the Deputy Under Secretary for Transportation.

4. *Effect on other notices.* The notices appearing at 16 F. R. 2553, 16 F. R. 6405, and 16 F. R. 7893 are hereby ratified and shall remain in full force and effect. All orders, regulations, rulings, certificates, directives, and other actions hitherto issued or taken under the material revoked by this notice (15 F. R. 8739, 16 F. R. 1130, 16 F. R. 6404, and 16 F. R. 7892) shall remain in effect until hereafter amended or revoked under proper authority.

5. *Effective date.* This notice is effective August 6, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51–9810; Filed, Aug. 16, 1951, 8:56 a. m.]

ASSISTANT SECRETARY OF COMMERCE FOR INTERNATIONAL AFFAIRS

STATEMENT OF FUNCTIONS

1. *Purpose.* The purpose of this notice is to describe the functions of the Assistant Secretary of Commerce for International Affairs.

2. *Administrative designation.* Pursuant to the authority vested in the Secretary of Commerce, the Assistant Secretary of Commerce appointed pursuant to Pub. Law 191, 80th Congress, is hereby designated as the Assistant Secretary of Commerce for International Affairs and is authorized and directed to perform duties assigned in this notice.

3. *Authority of the Assistant Secretary for International Affairs.* The Assistant Secretary of Commerce for International Affairs shall serve as the principal adviser of the Secretary on all international matters and shall exercise direction over all programs and activities of the Department involving international affairs.

The jurisdiction of the Assistant Secretary for International Affairs shall include, but not be limited to, the following responsibilities of the Department: export controls; foreign investment and loans; the economic development of underdeveloped areas; foreign commerce and transportation; trade agreements; science and technology in the foreign field; foreign economic intelligence; and foreign patent matters.

4. *Specific duties and responsibilities.* (a) The Assistant Secretary of Commerce for International Affairs shall review on behalf of the Secretary and direct all programs and policies with respect to:

(1) All activities affecting international affairs of the Department conducted for, on behalf of, or in connection with the Department of State or the Economic Cooperation Administration or other Government agencies;

(2) The Department's program of technical assistance abroad, whether conducted under authority of other departments or under the authority of the Department of Commerce or its constituent units;

(3) The operations of the Office of International Trade, including export control; and

(4) Participation by the Department in international meetings or conferences and all representation of the Department in foreign countries.

(b) The Assistant Secretary of Commerce for International Affairs shall review with the Under Secretary for Transportation and advise him on the Department's international transportation activities including the inter-American highway and the international aviation facilities authorized by the International Aviation Facilities Act of 1948.

(c) The Assistant Secretary of Commerce for International Affairs shall serve as alternate to the Secretary of Commerce on:

(1) The National Advisory Council on International Monetary and Financial Problems;

(2) The Foreign Service Buildings Commission; and

(3) U. S. National Commission in the Pan American Railway Congress Association.

(d) The Assistant Secretary of Commerce for International Affairs shall represent the Department on the Advisory Committee on Export Policy, of which he shall be chairman, and the Board of the Foreign Service.

(e) The Assistant Secretary of Commerce for International Affairs shall direct all activities of the Department arising in connection with the United Nations and its subsidiaries and other international organizations.

(f) The Assistant Secretary of Commerce for International Affairs shall supervise and direct the staff of the Advisory Committee on Export Policy and the Office of International Trade and shall perform such other duties as are prescribed by the Secretary.

5. *Effective date.* This notice is effective August 7, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51–9811; Filed, August 16, 1951; 8:57 a. m.]

ASSISTANT SECRETARY OF COMMERCE FOR ADMINISTRATION

DELEGATION OF AUTHORITY WITH RESPECT TO ADMINISTRATIVE AND MANAGEMENT MATTERS

1. *Purpose.* The purpose of this notice is to delegate to the Assistant Secretary of Commerce for Administration the authority vested in the Secretary of Commerce on administrative and management matters.

2. *Delegation of authority.* Pursuant to the authority vested in the Secretary by Reorganization Plan No. 5 of 1950, the Assistant Secretary of Commerce for Administration is hereby delegated all authority vested by law in the Secretary of Commerce to take final action on all matters of administration and management within the Department of Commerce. This delegation conveys full authority to authorize or approve all items required by law to be approved by the Secretary of Commerce coming within the jurisdiction of the Assistant Secretary of Commerce for Administration, including but not limited to actions with respect to the following:

(a) Finance programming and management;

(b) Budget programming and management;

(c) Program planning;

(d) Organization programs and planning;

(e) Personnel programming and management;

(f) Administrative programming and management:

(1) Administrative operations and services,

(2) Property management and control,

(3) Records management;

(g) Publications programming and management;

(h) Loyalty programs;

(i) Labor relations;

(j) Fair employment programs;

(k) Safety programs.

The Assistant Secretary of Commerce for Administration may, at his discretion, delegate any authority conferred upon him by this notice, provided redelegation is permitted by law, to any officer of the Department of Commerce, and may further provide for redelegation by such officer, if permitted by law.

3. *Effect on other material.* Any other notices or parts thereof the provisions of which are inconsistent or in conflict with the provisions of this notice are hereby amended or superseded accord-

ingly: *Provided,* That all orders, directives, and other actions now in force and effect relating to the delegations made herein shall remain in force and effect until hereafter revoked or superseded by proper authority.

4. *Effective date.* This notice is effective August 8, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-9812; Filed, Aug. 16, 1951; 8:57 a. m.]

ASSISTANT SECRETARY OF COMMERCE FOR ADMINISTRATION

AUTHORITIES, RESPONSIBILITIES, AND DUTIES

1. *Purpose.* The purpose of this notice is to establish and prescribe the authorities, responsibilities and duties of the Assistant Secretary of Commerce for Administration.

2. *Administrative designation.* Pursuant to the authority vested in the Secretary of Commerce, the Administrative Assistant Secretary of Commerce, appointed pursuant to section 3 of Reorganization Plan No. 5 of 1950, dated May 24, 1950, is hereby designated as the Assistant Secretary of Commerce for Administration and is authorized and directed to perform the duties set forth in this notice and such other duties as may hereafter be delegated or assigned by the Secretary of Commerce.

3. *Authority and responsibility of the Assistant Secretary of Commerce for Administration.* (a) The Assistant Secretary of Commerce for Administration shall be responsible for formulating and developing policies and programs on all matters of administration and management and, in collaboration with the primary organization units of the Department, shall define the basic objectives, programs, functions, relationships, and plans of organization of all primary organization units of the Department, and shall serve as the principal deputy and adviser to the Secretary of Commerce on all such matters.

(b) The Assistant Secretary of Commerce for Administration shall be responsible for the development and maintenance of all major relationships outside of the Department on administration and management matters.

(c) The Assistant Secretary of Commerce for Administration shall serve as the representative of and where applicable and upon designation as the alternate to the Secretary of Commerce on all committees, boards, commissions, services and organizations relating to activities and programs cited in paragraph (d) below.

(d) The jurisdiction of the Assistant Secretary of Commerce for Administration shall include but not be limited to the following major activities of the Department:

(1) Finance programming and management;

(2) Budget programming and management;

(3) Program planning;

(4) Organization programs and planning;

(5) Personnel programming and management;

(6) Administrative programming and management:

(i) Administrative operations and services,

(ii) Property management and control,

(iii) Records management;

(7) Publications programming and management;

(8) Loyalty programs;

(9) Labor relations;

(10) Fair employment programs; and

(11) Safety programs.

In addition to the organization units encompassing the above activities, the Departmental Field Service and the Adviser on Negro Affairs shall report to the Assistant Secretary of Commerce for Administration.

4. *Effective date.* This notice is effective August 8, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-9813; Filed, Aug. 16, 1951; 8:57 a. m.]

ASSISTANT SECRETARY OF COMMERCE FOR DOMESTIC AFFAIRS

STATEMENT OF FUNCTIONS

1. *Purpose.* The purpose of this notice is to describe the functions of the Assistant Secretary of Commerce for Domestic Affairs.

2. *Administrative designation.* Pursuant to the authority vested in the Secretary of Commerce, the Assistant Secretary of Commerce appointed pursuant to the act of May 20, 1926, as amended by Executive Order No. 6166 of June 10, 1933, is hereby designated as the Assistant Secretary of Commerce for Domestic Affairs and is authorized and directed to perform the duties set forth in this notice and such other duties as may hereafter be delegated or assigned by the Secretary of Commerce.

3. *Authority and responsibility of the Assistant Secretary of Commerce for Domestic Affairs.* (a) The Assistant Secretary of Commerce for Domestic Affairs shall serve as the principal adviser to the Secretary of Commerce on all domestic matters and shall exercise direction over all programs and activities of the Department involving domestic affairs. More specifically, the Assistant Secretary of Commerce for Domestic Affairs shall:

(1) Provide leadership and policy guidance over all activities in the Department relating to domestic affairs;

(2) Recommend to the Secretary policies and programs for coordinated Government action within the responsibility of the Department with a view to maintaining a vigorous and expanding business system;

(3) Make recommendations to the Secretary on national economic policies;

(4) Develop effective cooperation with business and advise with business on the Government's objectives and methods;

(5) Provide for the development and coordination of all activities relating to the mobilization functions and responsibilities of the Department and its constituent units; and

(6) Ascertain the needs of and develop plans and programs for fostering small business.

(b) The Assistant Secretary of Commerce for Domestic Affairs shall review with the Under Secretary for Transportation and advise him on the Department's domestic transportation activities.

(c) The Assistant Secretary of Commerce for Domestic Affairs shall be the focal point within the Department for handling congressional relations, and shall be the principal adviser to the Secretary on such matters.

(d) The Assistant Secretary of Commerce for Domestic Affairs shall exercise immediate supervision over the Office of Technical Services, the Industry Evaluation Board, the Office of Industry and Commerce, and the Office of Business Economics.

(e) The Assistant Secretary of Commerce for Domestic Affairs shall serve as alternate to the Secretary on:

(1) The National Munitions Control Board;

(2) the National Security Resources Board; and

(3) the National Housing Council; and shall represent the Department on the Air Coordinating Committee and the National Advisory Committee for Aeronautics.

4. *Effective date.* This notice is effective August 7, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-9814; Filed, Aug. 16, 1951; 8:57 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3842]

NEW ENGLAND AIR EXPRESS, INC.; EXEMPTION APPLICATION

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of New England Air Express, Inc., for an exemption filed pursuant to § 291.16 of the Board's Economic Regulations and section 416 (b) of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned to be held on August 20, 1951, is postponed to September 17, 1951, at 10:00 a. m., e. d. s. t., in Room E-214, Temporary Building No. 5, 16th Street and Constitution Avenue, NW., Washington, D. C., before Examiner James S. Keith.

Dated at Washington, D. C., August 13, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-9816; Filed, Aug. 16, 1951; 8:58 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 369]

EVANS CASE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Evans Case Co., 21 East Street, North Attleboro, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's fitted handbags sold through wholesalers and retailers and having the brand name(s) "Evans" shall be the proposed retail ceiling prices listed by Evans Case Co., 21 East Street, North Attleboro, Mass., hereinafter referred to as the "applicant" in its application dated April 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 4, 1951 and June 21, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 9, 1951, Evans Case Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application, or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within two months immediately prior to the receipt of this special order the applicant had delivered any articles covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9619; Filed, Aug. 10, 1951; 9:05 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 370]

THE HOOVER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Hoover Company, North Canton, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of dustettes and irons sold through wholesalers and retailers and having the brand name(s) "Hoover" shall be the proposed retail ceiling prices listed by The Hoover Company, North Canton, Ohio hereinafter referred to as the "applicant" in its application dated April 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 26, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 9, 1951, The Hoover Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 8, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 8, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 9, 1951.

[F. R. Doc. 51-9620; Filed, Aug. 10, 1951; 9:06 a. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 371]

FISCHER & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Fischer & Co., Inc., 105 Madison Avenue, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail celing prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of lingerie manufactured by Fischer & Co., Inc., 105 Madison Avenue, New York 16, New York having the brand name(s) "Heavenly Silk Lingerie by Fischer" shall be the proposed retail ceiling prices listed by Fischer & Co., Inc., in its application dated April 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 26, 1951). A list of such celing prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Fischer & Co., Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9682; Filed, Aug. 10, 1951; 4:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 372]

THE J. C. HIRSCHMAN CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The J. C. Hirschman Co., Inc., 1201 E. Maryland St., Indianapolis 7, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has pro-

duced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of facts submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by The J. C. Hirschman Co., Inc., 1201 E. Maryland St., Indianapolis 7, Indiana having the brand name(s) "Serta Sertaflex", "Serta Sertarest", "Serta Restal Knight", "Serta Perfect Sleeper", "Serta Perfect Sleeper DeLuxe", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper Orthopedic DeLuxe", "Serta Perfect Sleeper Imperial" and "Serta Perfect Sleeper Supreme" shall be the proposed retail ceiling prices listed by The J. C. Hirschman Co., Inc. in its application dated June 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, the J. C. Hirschman Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the articles a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendmet thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9683; Filed, Aug. 10, 1951; 4:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 373]

SELLER LOWENGART CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Seller Lowengart Co., 1400 Folsom Street, San Francisco 3, California (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of dinnerware products sold at wholesale by Seller Lowengart Co., 1400 Folsom Street, San Francisco 3, California having the brand name(s) "Cinnamon Tree Pattern", "Lotus Hai Pattern", "Ming Glory", and "Pink Magnolia", "Lyric Pattern" "Caladium Pattern" and "Green Valley Pattern" shall be the proposed retail ceiling prices listed by Seller Lowengart Co. in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 10, 1951, Seller Lowengart Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price, $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per {unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE.
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9684; Filed, Aug. 10, 1951; 4:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 374]

ENTERPRISE MATTRESS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Enterprise Mattress Co., Inc., 45 Cross Street, Portland, Maine (hereafter called manufacturer and/or wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and springs manufactured and/or sold at wholesale by Enterprise Mattress Co., Inc., 45 Cross Street, Portland, Maine, having the brand name(s) "Serta Sertarest", "Serta Sertafoam Sleep Set", "Serta Perfect Sleeper De-Luxe", "Serta Perfect Sleeper Supreme", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper", "Serta Restal Knight",

"Serta Theralator", "Serta Tiny Perfect Sleeper", "Serta Perfect Sleeper Orthopedic" and "Foster Ribbonaire Ideal" shall be the proposed retail ceiling prices listed by Enterprise Mattress Co., Inc., in its application dated April 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register is an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer and/or wholesaler after the effective date of this special order.

3. On and after October 10, 1951, Enterprise Mattress Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's and/or wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer and/or wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer and/or wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer and/or wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per {unit. dozen. etc.}	Terms {net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer and/or wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer and/or wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer and/or wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer and/or wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9685; Filed, Aug. 10, 1951; 4:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 375]

MUNSINGWEAR, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Munsingwear, Inc., 718 Glenwood Avenue, Minneapolis, Minn. (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's hosiery sold at wholesale by Munsingwear, Inc., 718 Glenwood Avenue, Minneapolis, Minn., having the brand name(s) "Munsingwear" shall be the proposed retail ceiling prices listed by Munsingwear, Inc., in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable

under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 10, 1951, Munsingwear, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer and/or wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer and/or wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer and/or wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $-------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer and/or wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer and/or wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer and/or wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer and/or wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9686; Filed, Aug. 10, 1951; 4:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 376]

MUNSINGWEAR, INC.

CEILING PRICES AT RETAIL (HEREAFTER CALLED MANUFACTURER AND/OR WHOLESALER)

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Munsingwear, Inc., 718 Glenwood Avenue, Minneapolis, Minn., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's sleepingwear, foundations and brassieres, lingerie, hosiery; men's underwear and sleepingwear; boys' sleepingwear, underwear, hosiery, sportwear, pajamas; girls' underwear and sleepingwear; children's underwear and sleepingwear; manufactured and/or sold at wholesale by Munsingwear, Inc., 718 Glenwood Avenue, Minneapolis, Minn., having the brand name(s) "Munsingwear" shall be the proposed retail ceiling prices listed by Munsingwear, Inc. in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer and/or wholesaler after the effective date of this special order.

3. On and after October 10, 1951, Munsingwear, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's and/or wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer and/or wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer and/or wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer and/or wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____per____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer and/or wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer and/or wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer and/or wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer and/or wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9647; Filed, Aug. 10, 1951; 12:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 378]

EVERLAST METAL PRODUCTS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Everlast Metal Products Corp., 468 West Broadway, New York 12, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of aluminum holloware: trays, ice buckets, lazy Susans, candy dishes, casseroles and ash trays manufactured by Everlast Metal Products Corp., 468 West Broadway, New York 12, N. Y., having the brand name(s) "Everlast Forged Aluminum" shall be the proposed retail ceiling prices listed by Everlast Metal Products Corp. in its application dated April 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Everlast Metal Products Corp. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless

the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc.
	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9649; Filed, Aug. 10, 1951; 12:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 381]

HERR MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Herr Manufacturing Company, 118–124 South Christian Street, Lancaster, Pa., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Herr Manufacturing Company, 118–124 South Christian Street, Lancaster, Pa. having the brand name(s) "Serta", "Serta-foam", "Serta-rest", "Restal knight", "Perfect sleeper", "Tiny Perfect Sleeper" shall be the proposed retail ceiling prices listed by Herr Manufacturing Company in its application dated March 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 23, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Herr Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article

covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9652; Filed, Aug. 10, 1951; 12:38 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 382]

IDEAL TOY CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Ideal Toy Corporation, 184-10 Jamaica Avenue, Hollis 7, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of toys; Vinyl inflatable, molded plastic, stuffed, dolls sold through wholesalers and retailers and having the brand name(s) "Ideal" shall be the proposed retail ceiling prices listed by Ideal Toy Corporation, 184-10 Jamaica Avenue, Hollis 7, N. Y. hereinafter referred to as the "applicant" in its application dated July 16, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Ideal Toy Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
_____	$_____

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9653; Filed, Aug. 10, 1951; 12:39 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 383]

J. & J. CASH, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, J. & J. Cash, Incorporated, South Norwalk, Connecticut has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of woven and printed names, initials and emblems manufactured by J. & J. Cash, Incorporated, South Norwalk, Connecticut, having the brand name(s) "Cash's" shall be the proposed retail ceiling prices listed by J. & J. Cash, Incorporated in its application dated May 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, J. & J. Cash, Incorporated must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per ____{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any matter by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each

successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9654; Filed, Aug. 10, 1951; 12:39 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 384]

WOLFE & LANG, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wolfe & Lang, Inc., 35 West 32nd Street, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's girdles and panty girdles manufactured by Wolfe & Lang, Inc., 35 West 32nd Street, New York 1, New York having the brand name(s) "Fortuna" shall be the proposed retail ceiling prices listed by Wolfe & Lang, Inc. in its application dated May 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Wolfe & Lang, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------per---{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9655; Filed, Aug. 10, 1951; 12:39 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 386]

JAMES HEDDON'S SONS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, James Heddon's Sons, Dowagiac, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing tackle, bait, fly lures, rods, reels, hooks, stringers, snaps and floats sold through wholesalers and retailers and having the brand name(s) "Heddon" shall be the proposed retail ceiling prices listed by James Heddon's Sons, Dowagiac, Michigan, hereinafter referred to as the "applicant" in its application dated June 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, James Heddon's Sons must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9688; Filed, Aug. 10, 1951; 4:54 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 387]

THE EMERSON ELECTRIC MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Emerson Electric Mfg. Co., 8100 Florissant Avenue, St. Louis 21, Missouri has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric fans sold through wholesalers and retailers and having the brand names "Emerson Electric" and "Emerson Junior" shall be the proposed retail ceiling prices listed by The Emerson Electric Mfg. Co., 8100 Florissant Avenue, St. Louis 21, Missouri, hereinafter referred to as the "applicant" in its application dated April 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, The Emerson Electric Mfg. Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

4. The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9689; Filed, Aug. 10, 1951; 4:54 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 388]

ALADDIN INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Aladdin Industries, Incorporated, 703–705 Murfreesboro Road, Nashville, Tennessee has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of vacuum bottles and lunch kits sold through wholesalers and retailers and having the brand name(s) "Hopalong Cassidy" and "Hy-lo" shall be the proposed retail ceiling prices listed by Aladdin Industries, Incorporated, 703–705 Murfreesboro Road, Nashville, Tennessee hereinafter referred to as the "applicant" in its application dated May 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Aladdin Industries, Incorporated must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in Column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951

[F. R. Doc. 51–9690; Filed, Aug. 10, 1951; 4:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 389]

TOASTMASTER PRODUCTS DIVISION, McGRAW ELECTRIC CO.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Toastmaster Products Division, McGraw Electric Co., Elgin, Illinois has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of automatic toaster, toast jam set, waffle baker and waffle service, toaster sets sold through wholesalers and retailers and having the brand name(s) "Toastmaster" shall be the proposed retail ceiling prices listed by Toastmaster Products Division, McGraw Electric Co., Elgin, Illinois hereinafter referred to as the "applicant" in its application dated May 2, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 21, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Toastmaster Products Division, McGraw Electric Co., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9391; Filed, Aug. 10, 1951; 4:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 390]

GOLDSTONE BROS.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect.

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below.

Name and address of applicant: Goldstone Bros., 420 Market Street, San Francisco, California.

Brand names: "Cowpunchers".

Articles: boys' jeans.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

PROVISIONS FOR THE APPLICANT

7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$-------- per--------{unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9692; Filed, Aug. 10, 1951; 4:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 391]

SEATTLE QUILT MFG. CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Seattle Quilt Manufacturing Co., Inc., 310 First Avenue South, Seattle 4, Washington, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclu-

sions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line, and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of down-insulated garments manufactured by Seattle Quilt Manufacturing Co., Inc., 310 First Avenue South, Seattle 4, Washington, having the brand name(s) "Comfy" shall be the proposed retail ceiling prices listed by Seattle Quilt Manufacturing Co., Inc., in its application dated June 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended by the manufacturer's application dated July 31, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Seattle Quilt Manufacturing Co., Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$-------- per --------{unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9693; Filed, Aug. 10, 1951; 4:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 392]

BILL & CALDWELL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bill & Caldwell, Inc., 743–745 Broadway, New York 3, New York (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considera-

tions and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's felt hats sold at wholesale by Bill & Caldwell, Inc., 743–745 Broadway, New York 3, New York, having the brand name(s) "Borsalino" shall be the proposed retail ceiling prices listed by Bill & Caldwell, Inc., in its application dated June 1, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 10, 1951, Bill & Caldwell, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this subparagraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------per---{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9694; Filed, Aug. 10, 1951; 4:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 393]

TEXTRON INC.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Textron Inc., 20 Market Square, Providence 1, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of cotton cloth, blankets, and electric blankets sold through wholesalers and retailers and having the brand name(s) "Indian Head", "Textron Electric Blankets" and "Textron Purrey" shall be the proposed retail ceiling prices listed by Textron Inc., 20 Market Square, Providence 1, Rhode Island, hereinafter referred to as the "applicant" in its application dated March 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated May 1, 1951 and May 28, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special

order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Textron Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9695; Filed, Aug. 10, 1951; 4:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 394]

ROYAL BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Royal Bedding Company, 819 Reedsdale Street, Pittsburgh 12, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Royal Bedding Company, 819 Reedsdale Street, Pittsburgh 12, Pennsylvania, having the brand name(s) "Restonic Flexoform", "American Beauty","Restonic Custom","Restonic Super", "Super American Beauty", "Restonic Extrafirm", "Restonic Topperfoam", "Luxury Restonic", "Restonic Wonderfoam", "Luxury American Beauty" shall be the proposed retail ceiling prices listed by Royal Bedding Company in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher

than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Royal Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$--------

Within 15 days after the effective date of this pecial order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. Provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9696; Filed, Aug. 10, 1951; 4:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 395]

ROSANNA KNITTED DRESS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Rosanna Knitted Dress Corp., 1410 Broadway, New York, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of two piece knitted suit manufactured by Rosanna Knitted Dress Corp., 1410 Broadway, New York, New York, having the brand name(s) "Rosanna" shall be the proposed retail ceiling prices listed by Rosanna Knitted Dress Corp. in its application dated July 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended by manufacturer's application dated July 20, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 10, 1951, Rosanna Knitted Dress Corp. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating

the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____per_____{unit. dozen. etc.	Terms {net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9697; Filed, Aug. 10, 1951; 4:56 p. m.]

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Defense Mobilization

[Defense Manpower Policy Statement No. 3]

POLICY AND PROCEDURE WITH RESPECT TO APPLICATIONS FOR WAGE ADJUSTMENTS FILED ON GROUNDS OF PRESENT OR IMMINENT MANPOWER SHORTAGES

Objectives of the policy. The problems of wage stabilization and of manpower utilization are essentially different. There are a number of compelling reasons why wage adjustments should not ordinarily be used for manpower purposes. Among these are the fact that such adjustments upset established wage differentials and result in attempts by other employers to secure approval of compensating increases. Thus, the initial problem is recreated sooner or later, and inflationary pressures are increased. Moreover, wage adjustments alone are clearly inadequate to control the flow of manpower; a variety of non-wage factors are also important in accomplishing that purpose. For these reasons, it is recognized by the Office of Defense Mobilization and by the agencies represented on the interagency Manpower Policy Committee that more appropriate methods than wage inducements must ordinarily be utilized to provide the desired manpower.

While the Wage Stabilization Board cannot, therefore, adopt manpower utilization as the major criterion of wage adjustments, it may, if appropriate, approve requests for wage adjustments for manpower purposes. However, it is the policy of the Office of Defense Mobilization and of the agencies represented on the interagency Manpower Policy Committee that requests joined in by governmental agencies for approval of wage adjustments for manpower purposes shall be submitted only in rare and unusual cases, in accordance with the procedure set forth below.

The Wage Stabilization Board will not consider requests from any governmental agency for approval of increases in wages and other compensation greater in amount than might otherwise be authorized, except in rare and unusual cases involving manpower shortages in essential defense activities or activities essential to the national health, safety, and interest. In those cases the Wage Stabilization Board will consider such requests only if the other governmental agencies concerned with the production and manpower problems certify to the Board that a concerted program has been undertaken to remedy the manpower shortages, and that an increase in wages or other compensation is one of the important elements of a concerted program required to attract labor to, or retain it in, essential defense or civilian industries, services, or plants.

Implementation of the policy. By virtue of the authority vested in me by Executive Order 10193 and to carry out the policy set forth above, *It is hereby ordered:*

1. The Department of Labor's Defense Manpower Administration will report on the manpower facts in the case. Its report will include the information called for below:

a. The nature and extent of the current or imminent manpower shortages involved.

b. The nature and effect of non-wage measures and general working conditions with respect to such factors as recruitment, turnover and absenteeism, which are being undertaken to alleviate or remedy the manpower shortage and the necessary relationship of an increase in wages or other compensation to the success of such measures.

c. The expected impact, if any, of proposed increases in wages or other compensation or employment in other essential defense or civilian activities in the area.

2. The appropriate production or procurement agency will report on the production facts in the case. This report will include the information called for below:

a. The relative importance of the product or service in the achievement of essential defense or civilian production or procurement goals.

b. The extent to which the product or service is or will be behind schedule and the consequence of failure to remedy such situations.

c. The extent to which factors other than manpower will result in failure to meet production or procurement schedules.

3. The detailed procedure for processing applications filed on grounds of present or imminent manpower shortages will be worked out by the Wage Stabilization Board with the other interested governmental agencies.

4. In deciding any petition which is based in whole or in part upon the kind of serious manpower shortage contemplated in this procedure, the Wage Stabilization Board shall give consideration to, but shall not be bound by, the recommendations of other governmental agencies.

5. The manpower and procurement agencies referred to in this policy statement will from time to time provide the Office of Defense Mobilization with reports as to the progress made in carrying out this policy. Whenever these reports raise questions as to the effectiveness of the policy, they will be referred to the interagency Manpower Policy Committee and the Labor-Management Manpower Policy Committee for any recommendations these committees may desire to make.

6. This statement shall take effect on August 17, 1951.

OFFICE OF DEFENSE MOBILIZATION,
C. E. WILSON,
Director.

[F. R. Doc. 51-9925; Filed, Aug. 16, 1951; 11:39 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 10001, 10002]

WILLAMETTE BROADCASTING CORP. AND COAST FORK BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Willamette Broadcasting Corporation, Eugene, Oregon, Docket No. 10001, File No. BP-8067; Philip S. Holt, tr/as Coast Fork Broadcasting Company, Cottage Grove, Oregon, Docket No. 10002, File No. BP-8114; for construction permits.

The Commission having under consideration a petition filed July 26, 1951, by Philip S. Holt, tr/as Coast Fork Broadcasting Company, Cottage Grove, Oregon, requesting a 30 day continuance of the hearing presently scheduled for August 20, 1951, in the proceeding upon the above-entitled applications for construction permits; and

It appearing, that no opposition to the granting of the instant petition has been filed with the Commission;

It is ordered, This 10th day of August, 1951, that the petition is granted; and that the hearing in the above-entitled proceeding is continued to 10:00 a. m., Friday, September 21, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION
[SEAL] WM. P MASSING,
Acting Secretary.

[F. R. Doc. 51-9780; Filed, Aug. 16, 1951; 8:51 a. m.]

[Docket No. 9626]

COMMUNITY BROADCASTING CO. (KUNO)

ORDER CONTINUING HEARING

In re application of Leslie C. Smith, B. G. Moffett and J. H. Mayberry, d/b as Community Broadcasting Company (KUNO) Corpus Christi, Texas, Docket No. 9626, File No. BMP-5034; for modification of construction permit.

The Commission, having under consideration a petition filed August 1, 1951, by Leslie C. Smith, B. G. Moffett and J. H. Mayberry, doing business as Community Broadcasting Company (KUNO), Corpus Christi, Texas, for a continuance to September 17, 1951, of the hearing on the above-entitled application now scheduled for August 15, 1951, in Washington, D. C.; and

It appearing, that the applicant has pending before the Commission a petition for reconsideration and grant without hearing of its said application, and that disposition of said petition may obviate the necessity for a hearing or alter the proceeding upon this application, and that the orderly dispatch of business and ends of justice will be served by postponing the hearing until after the Commission has considered said petition; and

It further appearing, that the time within which opposition to this petition for continuance might be filed by other parties and Commission Counsel has expired, and no such opposition has been filed;

It is ordered, This 9th day of August, 1951, that the petition for continuance of the above-entitled hearing is granted; and the said hearing now scheduled for August 15, 1951, in Washington, D. C., is continued to 10 o'clock a. m., September 17, 1951, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
(SEAL) WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-9781; Filed, Aug. 16, 1951; 8:51 a. m.]

[Docket Nos. 9878, 9998]

PULASKI BROADCASTING CO. (WKSR) AND RICHLAND RADIO

ORDER CONTINUING HEARING

In re applications of John R. Crowder and James Porter Clark, d/b as Pulaski Broadcasting Company (WKSR), Pulaski, Tennessee, Docket No. 9878, File No. BP-7922; Richland Radio, an unincorporated association, Pulaski, Tennessee, Docket No. 9998, File No. BP-7966; for construction permits.

The Commission having under consideration a petition filed August 2, 1951, by Richland Radio, requesting a continuance until October 9, 1951 of the hearing in the consolidated proceeding upon the above-entitled applications for construction permits presently scheduled for August 14, 1951; and

It appearing, that this matter was designated for hearing by order of the Commission released July 17, 1951; the petitioner engaged counsel on July 18, 1951, who entered appearance herein on July 20, 1951; such counsel immediately recommended that petitioner retain a Washington consulting engineering firm to review the engineering aspects of this case with the view to finding another frequency; and that this was done and the engineering firm has now completed a frequency search; and

It further appearing, that petitioner desires additional time within which to consider the possibility of amending to another frequency if this proves feasible and, failing this, petitioner desires time to take depositions and otherwise prepare for hearing; and

It further appearing, that Commission counsel and counsel for the other applicant, Pulaski Broadcasting Company, have informally agreed to a waiver of the requirements of § 1.745 of the Commission's rules and regulations and agreed to an immediate consideration and grant of this petition;

It is ordered, This 9th day of August that the petition be, and it is hereby, granted; and the hearing presently scheduled for August 14, 1951, be, and it is hereby, continued to October 9, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-9782; Filed, Aug. 16, 1951; 8:52 a. m.]

[Canadian Change List 63]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JULY 25, 1951.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement. List of changes, proposed changes, and corrections in assignments of Canadian Broadcast Stations modifying appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

CANADA

Call letters	Location	Power	Radiation	Time designation	Class	Probable date to commence operation
CJON	St. John's, Newfoundland	930 kilocycles 5 kw	DA-N	U	III-A	Assignment of call letter.
CFRG	Gravelbourg, Saskatchewan	1230 kilocycles 250 w	ND	U	IV	Do.
CKLB	Oshawa, Ontario	1240 kilocycles 250 w	ND	U	IV	Now in operation—250 w.
CJNB	North Battleford, Saskatchewan.	do	ND	U	IV	Delete—vide 1460 kc.
CJNB	do	1460 kilocycles 1 kw	ND	U	III-A	Now in operation.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9778; Filed, Aug. 16, 1951; 8:51 a. m.]

[Mexican Change List 130]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JULY 14, 1951.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement. List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations (Mimeograph No. 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Time designation	Class	Probable date to commence operation
XEGH	Reynosa, Tamaulipas	620 kilocycles, 1 kw	D	III	Oct. 12, 1951
XEGT	Zamora, Michoacan	650 kilocycles (delete—see assignment on 1490 kc/s). 1 kw.	D	II	
XEZM	----do				Aug. 1, 1951
XEON	Tuxtla Gutierrez, Chiapas	710 kilocycles, 1 kw	U	II	Sept. 30, 1951
XEFD	Rio Bravo, Tamaulipas	1170 kilocycles, 1 kw	D	II	Nov. 20, 1951
XEFP	Reynosa, Tamaulipas	1240 kilocycles, 250 w.-N/1 kw.-D.	U	IV	Oct. 30, 1951
XEON	Tuxtla Gutierrez, Chaipas	1360 kilocycles (delete—see assignment on 710 kc/s.).			
XEFX	Poza Rica, Veracruz	1480 kilocycles, 5 kw.-DA-N	U	III-A	Jan. 1, 1951
XEZM	Zamora, Michoacan	(Delete—see assignment on 650 kc/s.).			
XEGT	----do	1490 kilocycles, 250 w	U	IV	Aug. 1, 1951

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9779; Filed, Aug. 16, 1951; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-961]

CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE OF ORDER FURTHER EXTENDING TIME OF OPERATIONS OF FACILITIES

AUGUST 13, 1951.

Notice is hereby given that, on August 7, 1951, the Federal Power Commission issued its order entered August 7, 1951, further extending time of operations of facilities and modifying order of March 2, 1948 (13 F. R. 1291), issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9760; Filed, Aug. 16, 1951; 8:47 a. m.]

[Docket No. G-1292]

HOPE NATURAL GAS CO.

NOTICE OF ORDER MODIFYING AND AFFIRMING AS MODIFIED INITIAL DECISION OF PRESIDING EXAMINER

AUGUST 13, 1951.

Notice is hereby given that, on August 10, 1951, the Federal Power Commission issued its order entered August 9, 1951, modifying and affirming as modified Initial Decision of Presiding Examiner, dated December 29, 1950, in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9761; Filed, Aug. 16, 1951 8:47 a. m.]

[Docket No. G-1624]

ALABAMA-TENNESSEE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 13, 1951.

Notice is hereby given that, on August 7, 1951, the Federal Power Commission issued its findings and order entered August 7, 1951, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9753; Filed, Aug. 16, 1951; 8:47 a. m.]

[Docket No. G-1707]

EL PASO NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 13, 1951.

Notice is hereby given that, on August 7, 1951, the Federal Power Commission issued its findings and order entered August 7, 1951, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9759; Filed, Aug. 16, 1951; 8:47 a. m.]

[Docket No. ID-959]

ROCKWELL C. TENNEY

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

AUGUST 13, 1951.

Notice is hereby given that, on August 8, 1951, the Federal Power Commission issued its order entered August 7, 1951, in the above-designated matter, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9762; Filed, Aug. 16, 1951; 8:47 a. m.]

[Docket No. ID-1095]

CHARLES H. TENNEY II

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

AUGUST 13, 1951.

Notice is hereby given that, on August 8, 1951, the Federal Power Commission issued its order entered August 7, 1951, in the above-designated matter, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9763; Filed, Aug. 16, 1951; 8:48 a. m.]

[Docket No. ID-1149]

HERBERT A. BURNS

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

AUGUST 13, 1951.

Notice is hereby given that, on August 8, 1951, the Federal Power Commission issued its order entered August 7, 1951, in the above-designated matter, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9764; Filed, Aug. 16, 1951; 8:48 a. m.]

[Project No. 190]

UINTAH POWER AND LIGHT CO.

NOTICE OF ORDER FURTHER AMENDING LICENSE

AUGUST 13, 1951.

Notice is hereby given, that on May 3, 1951, the Federal Power Commission issued its order entered May 1, 1951, further amending license (Major) in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9765; Filed, Aug. 16, 1951; 8:48 a. m.]

GENERAL SERVICES ADMINISTRATION

DEPARTMENT OF DEFENSE

PURCHASE DESIGNATION AND ASSIGNMENT AUTHORIZING PROCUREMENT OF MEDICAL SUPPLIES AND EQUIPMENT FOR THE FEDERAL CIVIL DEFENSE ADMINISTRATION

1. Pursuant to authority vested in me by section 205 (e) of the Federal Prop-

erty and Administrative Services Act of 1949, as amended (Public Laws 152 and 754, 81st Congress), the Department of Defense is hereby designated and assigned to make purchases and contracts for medical supplies and equipment for the use of the Federal Civil Defense Administration, as and when requested by the Administrator thereof.

2. The Secretary of Defense is authorized to redesignate and reassign this authority to the Munitions Board, Department of Defense, or to the Armed Services Medical Procurement Agency.

This designation and assignment shall be effective on July 19, 1951.

Dated: August 10, 1951.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 51-9768; Filed, Aug. 16, 1951; 8:49 a. m.]

HEADS OF THE SERVICES, STAFF OFFICERS, AND REGIONAL DIRECTORS

GENERAL DELEGATION OF AUTHORITY WITH RESPECT TO DOMESTIC MANGANESE PROGRAM

1. Consonant with the provisions of section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1002 (a) (1)), and pursuant to authority vested in me as Administrator of General Services by the Federal Property and Administrative Services Act (63 Stat. 378; 41 U. S. C. 201), the General Delegation of Authority to Heads of the Services, Staff Officers, and Regional Directors (15 F. R. 7775) is hereby supplemented by adding paragraph 3d (6), providing as follows:

(6) *Domestic Manganese Program.* The following authorities under the Defense Production Act of 1950, as amended, Executive Order 10161 and 10200, the Defense Production Administration Certificate dated June 20, 1951, relating to Deming, New Mexico, and the Defense Production Administration Certificate, dated June 27, 1951, relating to Butte and Philipsburg, Montana:

(a) The authority to issue Certificates of Authorization to evidence participation in the Domestic Manganese Program.

(b) The authority to accept or reject for the General Services Administration manganese ore meeting the minimum specifications set forth in the manganese regulations governing the purchase program for domestic manganese ore at Deming, New Mexico, and Butte and Philipsburg, Montana, respectively, dated July 19, 1951 (16 F. R. 7155), and to make payment therefor in accordance with the terms of such regulations.

(c) The authority to arrange for such transportation and storage of the manganese ore as may be necessary, including the right to contract and make payment for any such storage, in accordance with the instructions furnished by the Storage and Transportation Division, Emergency Procurement Service.

2. This supplement shall be effective as of the date hereof.

Dated: August 13, 1951.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 51-9774; Filed, Aug. 16, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2660]

CAMBRIDGE GAS LIGHT CO. ET AL.

NOTICE OF PROPOSED NOTE ISSUES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 13th day of August A. D. 1951.

In the matter of Cambridge Gas Light Company, Dedham and Hyde Park Gas Company, Milford Gas Light Company, New Bedford Gas and Edison Light Company, Plymouth Gas Light Company, Worcester Gas Light Company; File No. 70-2660.

Notice is hereby given that Cambridge Gas Light Company ("Cambridge Gas"), Dedham and Hyde Park Gas Company ("Dedham"), Milford Gas Light Company ("Milford Gas"), New Bedford Gas and Edison Light Company ("New Bedford"), Plymouth Gas Light Company ("Plymouth Gas"), and Worcester Gas Light Company ("Worcester Gas"), subsidiary companies of New England Gas and Electric Association, a registered holding company, have filed a joint application and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935 ("act"). The filing designates section 6 (b) of the act as being applicable to the transactions described therein.

Notice is further given that any interested person may, not later than August 27, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, said amended application, as filed or as further amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said amended application, which is on file in the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

The applicant companies propose to issue and sell to The Travelers Insurance Company unsecured promissory notes in an aggregate principal amount of $1,674,000. Said notes are to be dated October 1, 1951, will mature October 1, 1961, and will be subject to a 10 percent annual sinking fund.

The following table shows the amount of notes proposed to be issued by each of the applicant companies and the interest rate per annum:

Company	Amount of notes proposed to be issued	Interest rate per annum (percent)
Cambridge Gas	$60,000	3.375
Dedham	140,000	3.50
Milford Gas	37,000	3.75
New Bedford	560,000	3,125
Plymouth Gas	37,000	3.75
Worcester Gas	840,000	3.375
Total	1,674,000	

At the invitation of the applicant companies, three insurance companies submitted proposals for the purchase of the notes. On July 11, 1951, the applicant companies accepted the proposal of The Travelers Insurance Company as representing the lowest cost of money.

The application states that the proceeds to be derived from the proposed note issues will be used by each of the applicant companies to cover the cost of adjusting customers' appliances in connection with the conversion to natural gas.

The application further states that no fees, other than counsel fees, will be paid in connection with the proposed transactions. Total expenses are estimated at $3,700, including $1,200 for counsel fees (exclusive of fee of counsel for The Travelers Insurance Company which the applicants may be required to assume).

The application further states that no Federal commission, other than this Commission, and no State commission, other than the Department of Public Utilities of Massachusetts, which has issued orders approving the proposed note issues, has jurisdiction over the proposed transactions.

The applicant companies request that the Commission's order herein become effective upon issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9767; Filed, Aug. 16, 1951; 8:49 a. m.]

[File No. 70-2670]

PHILADELPHIA CO.

ORDER GRANTING AUTHORITY TO RENEW FOR ONE YEAR BANK LOAN NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of August 1951.

Philadelphia Company ("Philadelphia"), a registered holding company and a subsidiary of Standard Gas and Electric Company and Standard Power and Light Corporation, both registered holding companies, having filed a declaration, and an amendment thereto, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of

1935 ("act"), with respect to the following proposed transactions:

On August 21, 1950, the Commission issued its findings, opinion, and order (Holding Company Act Release No. 10044), which, among other things, permitted Philadelphia to issue bank loan notes, aggregating $17,500,000, to Mellon National Bank and Trust Co. of Pittsburgh, Pennsylvania, Chase National Bank of the City of New York, New York, Continental Illinois National Bank and Trust Company of Chicago, Illinois, and Harris Trust and Savings Bank of Chicago, Illinois. The notes, which were issued on August 23, 1950, provide for maturity one year after issuance, with an option on Philadelphia's part to renew them for two further periods of one year each, and for an interest rate of 2 percent per annum for the first year and, if renewed 2⅛ percent thereafter. Said order of August 21, 1950, prohibited Philadelphia from extending the maturity of any of the bank loan notes without securing a further order of this Commission permitting such extension.

Philadelphia proposes to renew, in accordance with their terms, $16,000,000 principal amount of said notes, for a further period of one year from August 23, 1951.

The declaration, as amended, states that Philadelphia intends to prepay $1,500,000 of the $16,000,000 of renewed bank loan notes at some time between August 23, 1951, and December 31, 1951.

The declarant requests that the Commission's order herein become effective upon issuance.

Appropriate notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration, as amended, that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935, that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

It is further ordered, That Philadelphia shall not extend the maturity of any of the $16,000,000 of renewed bank loan notes without prior application to this Commission and the securing of a further order permitting such extension.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9766; Filed, Aug. 16, 1951; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18298]

TAHEI TSUDA

In re: Rights and interests in real estate agreement owned by and a debt owing to Tahei Tsuda.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tahei Tsuda, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. All rights and interests created in Tahei Tsuda by virtue of a real estate purchase agreement dated August 5, 1938, by and between Fumio Itow, a single man, and Huntington Land and Improvement Company, 2118 Huntington Drive, San Marino 9, California, a corporation, and an assignment of the said Fumio Itow's rights and interest to the said Tahei Tsuda, dated January 29, 1940, concerning certain real property situated in the City and County of Los Angeles, State of California, particularly described as Lot Six (6) and Lot Seven (7), in Block One (1), Yorba and Paige Tract, as recorded in the office of the County Recorder in Book 24, Page 56, Miscellaneous Records of Los Angeles County, and

b. That certain debt or other obligation of Huntington Land and Improvement Company, 2118 Huntington Drive, San Marino 9, California, arising out of the net income received by said Company by reason of the collection of rent on the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a and 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9783; Filed, Aug. 16, 1951; 8:52 a. m.]

[Vesting Order 18300]

MARY MAYRHOFER

In re: Estate of Mary Mayrhofer, deceased. File No. D-28-13037; E. T. sec. 17161.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Theresia Aichinger and Lina Hahn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Mary Mayrhofer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Thilo C. Schulze, as executor, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9785; Filed, Aug. 16, 1951; 8:52 a. m.]

[Vesting Order 18301]

JOHAN ANDRESEN ET AL.

In re: Certificate of Beneficial Interest owned by Johan Andresen, Fraucke C. Hoffman, Amelia Kruse, Wilhelmine Bibbern, Friedrich Andresen and Christian Andresen. F-28-31589.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johan Andresen, Fraucke C. Hoffman, Amelia Kruse, Wilhelmine Bibbern, Friedrich Andresen and Christian Andresen, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: One (1) Certificate of Beneficial Interest, representing five (5) units in Malden Towers Apartments Liquidation Trust, bearing the number 141, registered in the names of Johan Andresen, Fraucke C. Hoffman, Amelia Kruse, Wilhelmine Bibbern, Friedrich Andresen and Christian Andresen, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9784; Filed, Aug. 16, 1951; 8:52 a. m.]

[Vesting Order 18299]

ALEXANDRINE GREWE

In re: Estate of Alexandrine Grewe, deceased. File No. D-28-13035.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friederich W. A. Grewe, Margarethe Neckerman and Ursula Sieger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Alexandrine Grewe, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Hyman Wank, Public Administrator of Kings County, as administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9786; Filed, Aug. 16, 1951; 8:52 a. m.]

[Vesting Order 18302]

CARL BERGEMANN

In re: Certificates of Beneficial Interest owned by Carl Bergemann. F-28-31590.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Bergemann, who there is reasonable cause to believe is a resident of Germany is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) Certificate of Beneficial Interest for ten (10) units Seven-O-Nine Dobson Street Building Corporation Trust, bearing the number 7, registered in the name of Carl Bergemann, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

b. One (1) Certificate of Beneficial Interest for twenty (20) units Trust No. 15, Jacob R. Darmstadt as Trustee (Lahlum Apartments), bearing the number 52, registered in the name of Carl Bergemann, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9787; Filed, Aug. 16, 1951; 8:53 a. m.]

[Vesting Order 18303]

JACOB EHNIES

In re: Bonds owned by Jacob Ehnies. F–28–31591.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Jacob Ehnies, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Three (3) Haymarket Building 6½ Percent First Mortgage Real Estate Gold Bonds, of $100.00 face value each, in bearer form, bearing the numbers 228, 229 and 230, and presently in the custody of the Attorney General of the United States together with any and all rights thereunder and thereto,

b. Two (2) Daunoras Garage 6½ Percent First Mortgage Real Estate Gold Bonds, of $500.00 face value each, in bearer form, bearing the numbers 23 and 25, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

c. One (1) Chicago Lutheran Bible School 6 Percent First Mortgage Real Estate Gold Bond, of $500.00 face value, in bearer form, bearing the number 77, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51–9783; Filed, Aug. 16, 1951; 8:53 a. m.]

[Vesting Order 18304]

A. W. EULER ET AL.

In re: Securities owned by A. W. Euler and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Volksbank Kuenzelsau e. G. m. b. H., the last known address of which is Kuenzelsau, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That Volksbank Weikersheim e. G. m. b. H., the last known address of which is Weikersheim, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

4. That Erwin Zahn, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Otto Hofmann, whose last known address is Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That Christian Renner, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Konrad Weychardt, whose last known address is Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That Dr. Rose Kuhn-Erlacher, whose last known address is Heidenheim, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

9. That Eugenie Sprengler, whose last known address is Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Max Dinkelacker, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

11. That Heinrich Steiner, whose last known address is Ludwigsburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

12. That Otto Lentz, whose last known address is Ebersbach, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

13. That Friedrich Kruck, whose last known address is Ludwigsburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

14. That Pauline Karoline Grieb, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

15. That Karl Andrassy, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

16. That Friedrich Siegel, whose last known address is Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

17. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

b. Two (2) Cities Service Company 5 percent convertible gold debentures, due June 1, 1950, numbered C54163 and C54164, each of $100.00 face value, owned by Volksbank Kuenzelsau e. G. m. b. H., which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) Crown Willamette Paper Company first mortgage sinking fund 6 percent gold bond, due January 1, 1951, numbered D1198 of $500.00 face value, owned by Volksbank Weikersheim e .G. m. b. H., which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) surplus certificate, numbered 977, issued by the Columbia Building and Loan Association, Atlanta, Georgia, evidencing 90 full participating running shares of the capital stock of said Columbia Building and Loan Association, owned by Volksbank Kuenzelsau e. G. m. b. H., which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. One (1) Class A membership certificate numbered 783 issued by the Columbia Building and Loan Association, Atlanta, Georgia, owned by Volksbank Kuenzelsau e. G. m. b. H., which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. One (1) interim certificate numbered 32754 issued by Cities Service Company in the principal amount of $62.00 for 5 percent convertible gold debentures due 1950, owned by Volksbank Kuenzelsau e. G. m. b. H., which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. Two (2) coupons, both numbered 73, due July 1934, each of $22.50 face value, detached from Denver and Rio Grande Railroad Company first consoli-

dated mortgage bonds, numbered 38985 and 38646, said coupons owned by Erwin Zahn, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. One (1) certificate of participation numbered 9624 of the Lafayette-South Side Bank & Trust Company Liquidating Fund in the principal amount of $557.52, owned by Otto Hofmann, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

i. Five (5) trustee's certificates numbered 0202 through 0206, inclusive, issued by the Liberty Title and Trust Company, each for one-fifth (⅕) of one share of $20.00 par value stock of Metals Coating Company of America owned by Christian Renner, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. One (1) guaranteed first mortgage certificate numbered B149053, guaranteed by Bond and Mortgage Guarantee Company, issued by Title Guarantee and Trust Company of $112.50 face value, owned by Konrad Weychardt, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

k. Three (3) voting trust certificates of no par value common stock of Photochrom, Inc., said certificates numbered 69 and 70 for 6 shares each and 476 for 10 shares owned by Eugenie Sprengler, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

l. Two (2) Prldence-Bonds Corporation first mortgage-collateral 5½ percent bonds numbered 13C4176 and 16C360, each of $100.00 face value, owned by Volksbank Kuenzelsau e. G. m. b. H., which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

m. One (1) coupon numbered 91, due January 1935, of $20.00 face value, detached from Rio Grande Western Railway Company first trust mortgage bond numbered 14070, owned by Max Dinkelacker, which coupon is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

n. One (1) Rock Island, Arkansas and Louisiana Railroad Company first mortgage 4½ percent gold bond, numbered D4183 due March 1, 1934 of $500.00 face value owned by Heinrich Steiner, which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

o. Three (3) St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, numbered M71757, M71759 and M75037, each of $1,000.00 face value, owned by Otto Lentz which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

p. Three (3) St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds, Series A, due July 1, 1950, numbered M9523, M9534 and M9535, each of $1,000.00 face value, owned by Friedrich Kruck, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

q. One (1) trust certificate numbered B88368 for 100 trust shares, Series B, of the United States Electric Light & Power Shares, Inc., issued June 29, 1932, owned by Pauline Karoline Grieb, which certificate is presently in the custoday of the Attorney General of the United States, together with any and all rights thereunder and thereto,

r. One (1) Wisconsin Central Railway Company first general Mortgage fifty year 4 percent gold bond, due July 1, 1949, numbered 22184, of $1000 face value, owned by Karl Andrassy, which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

s. One (1) Central Pacific Railway Company 4 percent thirty-five year European Loan of 1911 bond, due March 1, 1946, numbered 151665, owned by Friedrich Seigel, which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

t. Seven (7) certificates of indebtedness of the Oregon and California Railroad Company, each of $3.50 face value, as follows:

Series 1, unpaid interest of Warrant No. 7, Bond No. 13812.
Series 2, unpaid interest of Warrant No. 8, Bond No. 13812.
Series 1, unpaid interest of Warrant No. 7, Bond No. 14883.
Series 2, unpaid interest of Warrant No. 8, Bond No. 14883.
Series 1, unpaid interest of Warrant No. 7, Bond No. 15253.
Series 2, unpaid interest of Warrant No. 8, Bond No. 15253.
Series 2, unpaid interest of Warrant No. 8, Bond No. 16370.

owned by Dr. Rose Kuhn-Erlacher, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

u. One certificate for seventy (70) $1.00 par value Independence Trust shares, said certificate numbered 19252 owned by Pauline Karoline Grieb, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

v. Three (3) coupons numbered 35, due January 1933, each of $20.00 face value, detached from St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds numbered M 71757, M 71759 and M 75037, owned by Otto Lentz, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

w. Three (3) coupons numbered 35, due January 1933, each of $20.00 face value, detached from St. Louis-San Francisco Railway Company prior lien mortgage 4 percent gold bonds numbered M 9523, M 9534 and M 9535, owned by Friedrich Kruck, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

18. That to the extent that the persons referred to in subparagraph 1 hereof and the persons named in subparagraphs 2 through 16, inclusive, hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of Issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
American Cities Co	Preferred	$100.00	B2957	5	A. W. Euler.
Associated Gas & Electric Co	Class A	None	2S6769	2	Grete Hailer.
			1S121584	1	
			1S75469	1	
Condor Gold Mines, Inc	Capital	1.00	B400	1,000	Martin Lechelmaier.
Frepo Oil & Development Co	do	.50	242	600	Robert Stoll.
Gold King Consolidated Mines Co.	do	10.00	A1477, 1583	350	Virginia Traub.
Idaho Northern Mineral Co	do	1.00	367	15,932	Willi Raith.
New York, Ontario & Western Railway Co.	Common	100.00	B5281, B5282, B5291	3	Eugen Brosy.
Northern Mining Corp	Capital	None	0339	1,200	Martin Lechelmaier.
Public Fire Insurance Co	do	5.00	7178 and 7119	75	Emil Hiller.
Public Gas & Coke Co	Common	None	C18	10	Volksbank e. G. m. b. H.
Public Indemnity Co	Capital	2.50	3963	50	Emil Hiller.

EXHIBIT A—Continued

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Select Theatres Corp.	Common	$0.10	CO415	2	Martin Lechelmaier.
Spencer Petroleum Corp.	do	10.00	O1106	20	A. W. Euler.
United Founders Corp.	do	None	CO5951	70	Grete Hailer.
United States Electric Power Corp.	do	1.00	JU34224	35	Do.
Witherbee Sherman Corp.	Class A	10.00	AC1629, AC1630, AC1672, AO126.	350	Wuerttemb. Verein fuer Handelsgeographie u. Foerd. dt. Interessen im Ausland, Stuttgart.

[F. R. Doc. 51-9789; Filed, Aug. 16, 1951; 8:53 a. m.]

[Vesting Order 18305]

W. O. VON HENTIG

In re: Stock owned by W. O. von Hentig. F-28-12539.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That W. O. von Hentig, whose last known address is Berlin, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Three (3) shares of $25.00 par value capital stock of Victor Neuhaus Productions, Ltd., a corporation organized under the laws of the State of California, evidenced by a certificate numbered 78, registered in the name of W. O. von Hentig, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made, and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9790; Filed, Aug. 16, 1951; 8:53 a. m.]

[Vesting Order 18306]

HANS PORTACK

In re: Stock owned by Hans Portack. D-28-5479.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hans Portack, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Twenty-five (25) shares of $10.00 par value common capital stock of The Midwest Oil Company, First National Bank, Denver, Colorado, a corporation organized under the laws of the State of Arizona, evidenced by a certificate numbered D-010377, registered in the name of Hans Portack, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9791; Filed, Aug. 16, 1951; 8:54 a. m.]

[Vesting Order 18308]

TAKAO SHIOMI

In re: Debt owing to Takao Shiomi, also known as Fred Takao Shiomi and as Fred Shiomi. F-39-1637.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9798, and pursuant to law, after investigation, it is hereby found:

1. That Takao Shiomi, also known as Fred Takao Shiomi and as Fred Shiomi, whose last known address is 130, 3-chome, Ebara Shinagawa-ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of The First National Bank of Whitefish, Whitefish, Montana, arising out of a bank account entitled "Fred Takao Shiomi", maintained with the aforesaid bank, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by, Takao Shiomi, also known as Fred Takao Shiomi and as Fred Shiomi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9792; Filed, Aug. 16, 1951; 8:54 a. m.]

[Vesting Order 18309]

JOHANN STEMPFHUBER ET AL.

In re: Securities owned by Johann Stempfhuber and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known address is Germany, are resident of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibit A, attached hereto and by reference made a part hereof, are corporations, partnerships, associations, or other business organizations, organized under the laws of Germany and which have or, since the effective date of Executive Order 8389, as amended, have had their principal place of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Maria Spegele, whose last known address is Illerberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Christine Brumm, whose last known address is Noerdlingen, Taichweg 3, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Georg Banker, whose last known address is Nuernberg, Marloffsteinerstr. 51, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That William Eder, whose last known address is Nuernberg, Fuertherstr. 3, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Wilhelm Harlander, whose last known address is Hersbruck, Friedrichstr. 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That Dr. Hermann Poehlmann, whose last known address is Reisach No. 12, Post Oberaudorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

9. That Frieda Horneber Reichhart, whose last known address is Donaustauf No. 49, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Magdalena and Maria Edelmann, whose last known address is Bad Reichenhall, Poststr. 14, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

11. That Karl Primbs, whose last known address is Straubing, Ludwigsplatz 42, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

12. That Michael G. Vierengel, whose last known address is Wasserlosen Landkreis, Hammelburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

13. That Ww. Franziska Schulz, whose last known address is Trennfurt/M, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

14. That Friedrich Wehr and Elise Wehr, whose last known address is Wuerzburg, are residents of Germany and nationals of a designated enemy country (Germany);

15. That Elise Geyer, whose last known address is Bad Aibling Rosenheiner Str. 121½, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

16. That Dresdner Bank, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

17. That Benno Breitrainer, whose last known address is Pfaffenbichl, 59½ Gem. Soellhuben, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

18. That Mathias Daempfle, whose last known address is Memmingen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

19. That Eugenie Ringler, whose last known address is c/o Roland Beckh, 10 Mathildenstrasse, Regensburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

20. That the property described as follows:

a. One (1) Trust Receipt of the Seaboard Trust Company, Hoboken, New Jersey, numbered TR 6757 of $222.20 face value, owned by Maria Spegele, presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

b. One (1) Voting Trust Certificate for two (2) shares of capital stock of Seaboard Trust Company, Hoboken, New Jersey, numbered VT 5171, owned by Maria Spegele, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. One (1) scrip certificate issued July 10, 1933, numbered S6768, for 220/1910ths of one share of capital stock of the Seaboard Trust Company, Hoboken, New Jersey, owned by Maria Spegele, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. One (1) trustee's certificate numbered 02800 for one-fifth (⅕) of one share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Ww. Franziska Schulz, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. Five (5) trustee's certificates numbered 01750 through 01754 issued by the Liberty Title and Trust Company, each for one-fifth (⅕) of one share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Christine Brumm, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. Two (2) trustee's certificates numbered 03005 and 03006, issued by the Liberty Title and Trust Company, each for one-fifth (⅕) of one share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Georg Banker, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. One (1) trustee's certificate numbered 01701, issued by the Liberty Title and Trust Company, for one-fifth (⅕) of one share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Dresdner Bank, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. One (1) trustee's certificate numbered 03007, issued by the Liberty Title and Trust Company, for one-fifth (⅕) of one share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Wilhelm Eder, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

i. One (1) Certificate of Deposit issued by Guaranty Trust Company of New York numbered A845 for ten (10) shares of no par value 6 percent cumulative prior lien stock of the Midland Utilities Company, owned by Wilhelm Harlander, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. One (1) certificate of interest numbered 620 in the Sheridan Brompton Apartments Liquidation Trust representing 10 units of $1.00 par value each, issued August 6, 1935 by The Chicago Title and Trust Company, as Trustee, owned by Wilhelm Harlander, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

k. One (1) participation certificate numbered 268 for five (5) no par value trust units of the Twelve Sixty-Three Pratt Building Corporation, owned by Wilhelm Harlander, which certificate is presently in the custody of the Attorney General of the United States, together

with any and all rights thereunder and thereto,

l. One (1) trustee's certificate numbered 0784 for one-fifth (⅕) of one (1) share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Dr. Hermann Poehlmann, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

m. Those certain debts or other obligations evidenced by dividend checks drawn on the Bank of America, by the Transamerica Corporation, numbered, in the amounts and representing the dividend payments as set for below:

Check No.	Dividend No.	Amount
196576	23	$0.11
182979	24	.10
196577	23	7.20
Total		7.41

said checks owned by Magdalena and Maria Edelmann, presently in the custody of the Attorney General of the United States, together with any and all rights to demand, enforce and collect the aforesaid debts or other obligations and any and all rights in, to and under, including particularly the right to presentation for collection and payment of the aforesaid checks,

n. Two (2) guaranteed first mortgage 5½ percent participation certificates issued by Steneck Title and Mortgage Guaranty Company, Hoboken, New Jersey, numbered T684 and T760, of $1,000.00 and $500.00 face value respectively, owned by Benno Breitrainer, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

o. One (1) 7½ percent guaranteed second mortgage participation certificate numbered 711–39 of $500.00 face value issued by the Guaranteed Equity Corporation owned by Benno Breitrainer, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

p. Seventeen (17) shares of $25.00 par value capital stock of Transamerica Corporation evidenced by a certificate numbered SF/S83606, owned by Elise Geyer, which certificate is presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

q. One (1) trustee's certificate numbered 01826, issued by the Liberty Title and Trust Company for one-fifth (⅕) of one share of $20.00 par value common capital stock of the Metals Coating Company of America, owned by Karl Primbs, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

r. Twelve (12) income shares of no par value stock of the Home Building and Loan Association of Spring Valley, New York, evidenced by certificates numbered 1321, 1453, and 1569, owned by Michael G. Vierengel, which certificates are presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

s. One (1) receipt of the Home Building and Loan Association of Spring Valley, New York, evidencing payment of $1,000.00 to said Home Building and Loan Association of Spring Valley for ten (10) income shares, owned by Michael G. Vierengel, which receipt is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

t. One (1) Central Pacific Railway Company four percent thirty-five year European Loan of 1911 certificate numbered 345982, owned by Friedrich Wehr and Elise Wehr, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

u. One (1) Prudence Bonds Corporation first mortgage participating 5½ percent certificate numbered 4J886 of $1,000.00 face value, owned by Benno Breitrainer, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

v. One (1) certificate of deposit numbered 11727 of the Real Estate Bondholders Protective Committee for the Eastern Ambassador Hotels First and Refunding Mortgage Fee 5½ percent Sinking Fund Gold Bond, numbered M 15232 said certificate of $1,000.00 principal amount, owned by Frieda Horneber Reichhart and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

w. One (1) Cities Service Company 5 percent convertible gold debenture numbered C60248 of $100.00 face value owned by Mathias Daempfle, which debenture is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

x. Three (3) The Denver and Rio Grande Railroad Company first consolidated mortgage four percent gold bonds numbered 10805, 11012, and 21600, each of $1,000.00 face value owned by Eugenie Ringler, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

y. Two (2) coupons detached from The Denver & Rio Grande Railroad Company first consolidated mortgage four percent gold bond, numbered 11012, said coupons numbered 98 and 99, due July 1935 and January 1936, each of $20.00 face value, owned by Eugenie Ringler and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

z. One (1) Trust Certificate of the Seaboard Trust Company, Hoboken, New Jersey, numbered TC 6762 of $20.20 face value, owned by Maria Spegele, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

aa. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

21. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3 through 19, inclusive, hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Cities Service Co	Common	None	XL369484	2	Johann Stempfhuber.
Cities Service Co	do	None	VL997737	50	Johann and Maria Kreitmeier.
			GL7389	4	Do.
Associated Gas & Electric Co	Class A	None	1S155815	1	Mathias Daempfle.
			1S232257	1	Do.
			1S266433	1	Do.
			1S325545	1	Do.
			H011263	25	Do.
Associated Telephone Utilities Co.	Common	None	A033620	2	Alois Alger.
Central Public Service Corp.	Class A	None	CCA022405, CC/A0-231054, CCA058451 CCA078171.	13	Do.

EXHIBIT A—Continued

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Insull Utility Investments, Inc.	Common	None	C045079, C0156360	12	Alois Alger.
Nebraska Iowa Packing Co.	Capital	$25.00	1307	8	Fred Edelbauer.
Pennsylvania Gas & Electric Corp.	Class B common	None	B884, B02038	110	Graefin Lillian Schenk von Stauffenberg.
A. Estelmann Co., Inc.	Capital	$50.00	11	10	Meta Estelmann.
Raymond-Whitcomb, Inc.	Prior preferred	None	PP442	51	C. Otto Krauss.
Rotary Press Co.	Preferred	50.00	164	5½	Maria Blind.
Bank of America	Common	12.50	A47177	3	Elise Geyer.
Owl Lamp Co.	Preferred	12.50	21	240	Ariane Beindorff.
	Common (Class A).	10.00	21	120	Do.
Harter Corp. of New York.	Capital	5.00	15	84	Crafft Freiherr Truchsess.
Cities Service Co.	Common	None	VL903574, XL58697	11	Carolina Anmer.
Baltimore & Ohio Railroad Co.	do	100.00	A355340	5	Hans Braun.
Chicago & Northwestern Railway Co.	do	100.00	215558	10	Do.
Central Public Utility Corp.	Class A	None	CA04429	16	Fred Baumann.
Baltimore & Ohio Railroad Co.	Common	100.00	A178373	5	Bischoefliches Ordinariat.
The Keeley Silver Mines, Ltd.	Capital	1.00	3292	100	Anna Herbst.
Michigan-Utah Consolidated Mines Co.	do	.25	3530	500	U. Reinhardt.
Standard Oil Co. of New Jersey.		25.00	S-C27610, S-C57276, S-C57277, S-C57279, S-C57280.	14	Hermann Frey.

[F. R. Doc. 51-9793; Filed, Aug. 16, 1951; 8:54 a. m.]

[Vesting Order 18310]

HERMAN WEBER ET AL.

In re: Stock owned by and debts owing to the personal representatives, heirs, next of kin, legatees and distributees of Herman Weber, deceased. F-28-31588.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Herman Weber, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. One hundred (100) shares of $1.00 par value capital stock of Lusk-Wyoming Oil Co., Lusk, Wyoming, a corporation organized under the laws of the State of Wyoming, evidenced by a certificate numbered 93 registered in the name of Herman Weber, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

b. Six (6) shares of $1.00 par value capital stock of Blackmore Oil Company, a corporation organized under the laws of the State of Wyoming, evidenced by certificates numbered 224 and 256 for three (3) shares each, registered in the name of Herman Weber, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon, and

c. Those certain debts or other obligations owing by the persons listed below, evidenced by notes, in the principal sums and dated as follows:

Debtor	Principal sum	Date
Fred Van Demask	$175.00	Oct. 1, 1912
Henry Fredriek	600.00	Nov. 1, 1921
E. A. Guernsey	400.00	Dec. 15, 1914

said notes presently in the custody of the Attorney General of the United States, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations and any and all accruals thereto, together with any and all rights in, to and under, said notes,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of Herman Weber, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Herman Weber, deceased, referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9794; Filed, Aug. 16, 1951; 8:54 a. m.]

[Vesting Order 18311]

BANQUE CANTONALE NEUCHATELOISE

In re: Accounts maintained in the name of Banque Cantonale Neuchateloise, Neuchatel, Switzerland and owned by persons whose names are unknown. F-63-2259.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Banque Cantonale Neuchateloise Neuchatel, Switzerland]

Column I	Column II
Name and address of institution which maintains account	Designation of account
The Chase National Bank of the City of New York, 18 Pine St., New York, N. Y.	Banque Cantonale Neuchateloise, Neuchatel, Switzerland, (FS 80963), as described by The Chase National Bank of the City of New York in its report on Form OAP-700, bearing its Serial No. 28.

[F. R. Doc. 51-9795; Filed, Aug. 16, 1951; 8:55 a. m.]

[Vesting Order 15693, amdt.]

JOHANN RECKTENWALD ET AL.

In re: Remainder interest in real property owned by Johann Recktenwald and others.

Vesting Order 15693, dated November 15, 1950, is hereby amended as follows and not otherwise:

By deleting from Exhibit A attached to and by reference made a part of Vesting Order 15693, the description of Parcel 3, and substituting therefor the following:

Parcel 3. Beginning at a stone at the corner of lands now or formerly of Mrs. Mary E. McMains and Watson Kilgore; thence by lands of Watson Kilgore and by Paul Andrew's land South twenty-six and one-half degrees East (S. 26½° E.) two hundred seven and ninety hundredths (207.90) feet to a stone at the corner of land of George Roemer, now Recktenwald; thence by said Roemer's land South sixty-two and one-half degrees West (S. 62½° W.) three hundred thirty-four and thirteen hundredths (334.13) feet to a stone at corner of Roemer's line and line of James Reynolds, Jr.; thence by line of lands of said James Reynolds, Jr. North nineteen degrees West (N. 19° W.) two hundred twenty-one and ten hundredths (221.10) feet to a post; thence by the same and lands now or formerly of Mrs. Mary E. McMains North sixty-two and one-half degrees East (N. 62½° E.) three hundred three and forty-four hundredths (303.44) feet to a stone at the place of beginning, containing 1.56 acres, being the same property conveyed by deed from Pittsburg Coal Land Company, a corporation, to Nicolaus Recktenwald, dated May 3, 1917, and recorded in the Recorder's Office, Allegheny County, Pennsylvania, in Deed Book Volume 1883, Page 429, on July 24, 1917.

Excepting and reserving unto the proper owner thereof, all the coal of the Pittsburg, or River vein in and underlying said tract of land; together with certain mining rights, easements exemptions and privileges as were more particularly excepted and reserved in a certain deed from Monongahela River Consolidated Coal & Coke Company to Pittsburgh Coal Land Company, dated December 28, 1915 and recorded in the Recorder's Office in and for Allegheny County in Deed Book Volume 1852, Page 199.

Excepting and reserving unto the Grantor herein its successors and assigns all the Coal of any other vein or veins in and underlying the above described tract of land together with the free and uninterrupted right of way into upon and under said land at such points and in such manner as may be proper and necessary for the purpose of digging, mining, draining and ventilating and carrying away said coal and other coal now owned or hereafter acquired by said Grantor, its successor, or successors and assigns, and with the right to construct, maintain and operate a line of Telegraph, telephone and power poles with the necessary wires and arms thereon, along the boundary lines upon which the said premises abut with waiver of all surface damages or damages of any sort arising therefrom; together with the privileges of mining and removing through said described tract of land other coal now owned or which may be hereafter acquired by said Grantor, its successors and assigns.

Excepting and reserving also all the oil and gas contained in the above described premises with all necessary rights of way for pipe lines.

All other provisions of said Vesting Order 15693 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9797; Filed, Aug. 16, 1951; 8:55 a. m.]

[Vesting Order 18312]

GENERAL HANS KUNDT

In re: Accounts maintained in the name of General Hans Kundt, deceased, c/o Dr. A. Zanolini, Locarno, Switzerland, and owned by persons whose names are unknown. F-63-4663-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of General Hans Kundt, Deceased, c/o Dr. A. Zanoliui, Locarno, Switzerland]

Column I	Column II
Name and address of institution which maintains account	Designation of account
The New York Trust Co., 100 Broadway, New York 15, N. Y.	(a) Bank deposit A/C A 4572, and (b) miscellaneous portfolio of stocks and bonds A/C A 4572; as described by the New York Trust Co. in its report on Form OAP-700, bearing its Serial No. FD 7.

[F. R. Doc. 51-9796; Filed, Aug. 16, 1951; 8:55 a. m.]

[Vesting Order 16717, Amdt.]

EUGEN BLOME ET AL.

In re: Securities owned by and debts owing to Eugen Blome and others.

Vesting Order 16717, dated December 26, 1950, is hereby amended as follows and not otherwise:

1. By deleting subparagraph 4–d from said Vesting Order 16717 and substituting therefor the following subparagraph:

d. Thirty-five (35) shares of $50.00 par value capital stock of Anaconda Copper Mining Company, 25 Broadway, New York, New York, a corporation organized under the laws of the State of Montana, evidenced by a certificate numbered G 99253 for thirty-five shares, registered in the name of Rush & Co., owned by the Dresdner Bank, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, in an account entitled Handelstrust West N. V., together with any and all declared and unpaid dividends thereon,

2. By deleting subparagraph 4-f from said Vesting Order 16717 and substituting therefor the following subparagraph:

f. Two (2) Fractional Certificates for Kingdom of Yugoslavia, 5 percent Series Second Funding bonds, one certificate numbered G 7696 in the face amount of $23.38 and one certificate numbered H 2756 in the face amount of $9.62, said certificates owned by Allgemeine Deutsche Kreditanstalt, presently in the custody of Swiss American Corporation, 30 Pine Street, New York; New York, in an account entitled Handelstrust West N. V., together with any and all rights thereunder and thereto,

3. By deleting subparagraph 4–i from said Vesting Order 16717 and substituting therefor the following subparagraph:

i. One (1) share of 5 percent $100.00 par value non-cumulative preferred Series A capital stock of Seaboard Air Line Railroad Company, evidenced by a certificate numbered TPO 3336, registered in the name of Rush & Co., owned by Rud. Lindre, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, in an account entitled Handelstrust West N. V., together with all declared and unpaid dividends thereon,

4. By deleting subparagraph 4–k from said Vesting Order 16717 and substituting therefor the following subparagraph:

k. One (1) Voting Trust Certificate representing eleven (11) shares of common $10.00 par value stock of Seaboard Air Line Railroad Company, said certificates numbered TVCD 4104, registered in the name of Rush & Co., owned by Rud. Lindre, presently in the custody of Swiss American Corporation, 30 Pine Street, New York, New York, in an account entitled Handelstrust West N. V., together with any and all rights thereunder and thereto,

5. By deleting from Exhibit A, attached to and by reference made a part of Vesting Order 16717, the description of issue, and certificate numbers set forth with respect to the Conversion Office for German Foreign Debts 3 percent Dollar Bonds, Kingdom of Yugoslavia 5 percent Funding Bond, and Seaboard Air Line Railroad Company General Income 4½ percent Series A Bonds, and substituting therefor the following:

Description	Face value, owner, file No.	Certificate Nos.
Conversion office for German foreign debts 3 percent dollars bonds, due Jan. 1, 1946.	3 @ $100, Felix A. Reiss, F-28-30924-A-1.	66724-66725, C-059186.
Kingdom of Yugoslavia 5 percent funding bonds, II series, due Nov. 1, 1956.	1 @ $100, Allgemeine Deutsche Kreditanstalt, F-28-34-A-4.	C 2078.
	2 @ $100, Walter Delhaes F-28-31096-A-1.	6115, 6116.
Seaboard Air Line R. R. Co. general mortgage income 4½ percent series A bonds, due Jan. 1, 2016. Registered in the name of Rush & Co.	1 @ $500, 1 @ $100; Rud. Lindre, F-28-30920-A-1.	TRD 1489, TRC 7450.

All other provisions of said Vesting Order 16717 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9798; Filed, Aug. 16, 1951; 8:55 a. m.]

[Vesting Order 16984, Amdt.]

DORA SCHMIDT

In re: Securities owned by and debt owing to Dora Schmidt.

Vesting Order 16984, dated January 8, 1951, is hereby amended, as follows and not otherwise:

By deleting from subparagraph 2-d of said Vesting Order 16984, the words "registered in the name of C. B. Richard & Co., 60 Beaver Street, New York, New York," and substituting therefor the words "issued in bearer form".

All other provisions of said Vesting Order 16984 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9800; Filed, Aug. 16, 1951; 8:56 a. m.]

ERNEST GAUTHIER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant and Property

Ernest Gauthier, Malakoff (Seine), France, Claim No. 35526; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent No. 2,268,391.

Executed at Washington, D. C., on August 10, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-9799; Filed, Aug. 16, 1951; 8:55 a. m.]

FEDERAL REGISTER

VOLUME 16 NUMBER 161

Washington, Saturday, August 18, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10279

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, CAPITAL STOCK, ESTATE, AND GIFT TAX RETURNS FOR ANY PERIOD TO AND INCLUDING 1950 BY THE SENATE SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE COMMERCE

By virtue of the authority vested in me by sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171; 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a), 503, 603, 729 (a), and 1204), Executive Order No. 10132 of June 17, 1950, is hereby amended to provide that any income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax return for any period to and including 1950 shall be open to inspection by the Special Committee established pursuant to Senate Resolution 202 (81st Congress, 2d Session), for the purpose of carrying out the provisions of the said Senate Resolution, subject to the conditions stated in Treasury Decision 5793, approved June 17, 1950, as amended by the Treasury decision approved by me this date, relating to the inspection of such returns by that committee.

This Executive order shall be effective upon its filing for publication in the FEDERAL REGISTER.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 16, 1951.

[F. R. Doc. 51-9966; Filed, Aug. 17, 1951; 9:32 a. m.]

EXECUTIVE ORDER 10280

SEPARATION OF OFFICERS OF THE PUBLIC HEALTH SERVICE ON GROUNDS OF DISLOYALTY

By virtue of the authority vested in me by section 215 of the Public Health Service Act, approved July 1, 1944 (58 Stat. 690), and as President of the United States, I hereby amend the regulations relating to commissioned officers and employees of the Public Health Service prescribed by Executive Order No. 9993 of August 31, 1948 (13 F. R. 5093), as amended by Executive Order No. 10031 of January 26, 1949 (14 F. R. 377), as portions of Chapter I, Title 42, Code of Federal Regulations:

Section 21.155 of Subpart H of Part 21 of said regulations is amended to read as follows:

§ 21.155 *Separation on grounds of disloyalty.* The loyalty to the Government of the United States of commissioned officers of the Service shall be subject to investigation, review, and determination in accordance with the provisions of Executive Order No. 9835 of March 21, 1947, entitled "Prescribing Procedures for the Administration of an Employees Loyalty Program in the Executive Branch of the Government," as amended by Executive Order No. 10241 of April 28, 1951. If the Administrator finds, in accordance with the standards and procedures prescribed by, or adopted pursuant to, the said Executive Order No. 9835 as amended (including those relating to the right of appeal to the Loyalty Review Board for an advisory recommendation), that, on all the evidence, there is a reasonable doubt as to the loyalty of the officer involved to the Government of the United States, such officer shall be separated from the Service.

(Sec. 215, 58 Stat. 690; 42 U. S. C. 216)

HARRY S. TRUMAN

THE WHITE HOUSE,
August 16, 1951.

[F. R. Doc. 51-9967; Filed, Aug. 17, 1951; 9:32 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

DEPARTMENT OF DEFENSE

Effective upon publication in the FEDERAL REGISTER, a new subparagraph (3) is added to § 6.104 (b), a new subparagraph (4) is added to § 6.104 (c), and new paragraphs (e) and (f) are added to § 6.104.

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FEDERAL REGISTER

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June 1951 Edition

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§ 6.104 *Department of Defense.* * * *

(b) *Research and Development Board.* * * *

(3) One private secretary or confidential assistant to the Chairman of the Board.

(c) *Munitions Board.* * * *

(4) One private secretary or confidential assistant to the Chairman of the Board.

* * * * *

(e) *Joint Chiefs of Staff.* (1) One private secretary or confidential assistant to the Chairman of the Joint Chiefs of Staff.

(f) *Military Liaison Committee.* (1) One private secretary or comfidential assistant to the Chairman of the Committee.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 51-9838; Filed, Aug. 17, 1951; 8:48 a. m.]

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

SUBPART B—GENERAL COMPENSATION RULES

Effective upon publication in the FEDERAL REGISTER, a new paragraph (e) is added to § 25.103 as follows:

§ 25.103 *General provisions.* * * *

(e) Employees who on the effective date of Title VI of the Classification Act of 1949 occupied positions (1) which immediately prior to such date were subject to the Classification Act of 1923, as amended, (2) which were initially allocated to any of the grades of the Classification Act of 1949 in the manner prescribed therein, and (3) which thereafter are reduced below such grade, may continue to receive the same rates of basic compensation which they received on the effective date of the action taken to reduce the grade of such position, so long as they remain in the same positions which they occupied on the effective date of Title VI.

(1) The rate of basic compensation of a subsequent appointee to such position shall be fixed in accordance with the other applicable provisions in this subpart.

(Sec. 1101, 63 Stat. 971; 5 U. S. C. 1072)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 51-9837; Filed, Aug. 17, 1951; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter F—Banks for Cooperatives

[FCA Order 529]

PART 70—LOAN INTEREST RATES AND SECURITY

INTEREST RATE ON COMMODITY LOANS

1. The rate of interest which may be charged by the Louisville, St. Paul, Houston, and Spokane banks for cooperatives, as specified in §§ 70.5 and 70.6 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 2½ per centum per annum, effective on and after September 1, 1951.

2. The rate of interest which may be charged by the Baltimore, New Orleans, St. Louis, and Berkeley banks for cooperatives, as specified in §§ 70.5 and 70.6 of Chapter I, Title 6, Code of Federal Regulations, is hereby changed to 2¾ per centum per annum, effective on and after September 1, 1951.

(Sec. 4, 46 Stat. 13, as amended; 12 U. S. C. 1141b. Interprets or applies sec. 8, 46 Stat. 14, as amended; 12 U. S. C. 1141f)

Dated: August 15, 1951.

I. W. DUGGAN,
Governor.

[F. R. Doc. 51-9906; Filed, Aug. 17, 1951; 8:52 a. m.]

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; MASSACHUSETTS

For the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hercby superseded by the average value and the investment limit set forth below for said county.

MASSACHUSETTS

County	Average value	Investment limit
Bristol	$15,000	$12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 14th day of August 1951.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9835; Filed, Aug. 17, 1951; 8:47 a. m.]

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

DRIED PRUNE AND RAISIN EXPORT PROGRAM SMX 95B

Correction

In Federal Register Document 51-9700, published at page 8034 of the issue for Wednesday, August 15, 1951, make the following changes:

1. In the eleventh line of § 518.347 the word "any" should read "an".

2. In the *Effective date* paragraph at the end of the document, the sentence should read: "This program shall be effective at 12:01 a. m., e. s. t., August 15, 1951."

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 707—FARM LAND RESTORATION PROGRAM

SUBPART—1951

The purpose of this program is to extend to farmers such assistance as may be required in restoring to productive use farm lands which have been damaged by flood or flood waters in disaster areas, designated by the President.

Assistance will be given to producers in accordance with the provisions contained herein and such modifications thereof as may hereafter be made.

DISTRIBUTION AND CONTROL OF FUNDS

Sec.

707.1 Control of funds.
707.2 Basis for approval of restoration practices.

RESTORATION PRACTICES AND RATES OF ASSISTANCE

707.3 Eligible restoration practices.
707.4 Rates of assistance.
707.5 Prior approval.
707.7 Practices carried out with State or Federal aid.
707.8 Pooling agreements.
707.9 Compliance with regulatory laws.

PAYMENTS

707.15 Division of restoration payments.
707.16 Death, incompetency, or disappearance of producer.
707.17 Increase in small payments.
707.18 Payments limited to $2,500.

RESTORATION MATERIALS AND SERVICES

707.20 Availability of materials and services.
707.21 Cost to producer in cash.
707.22 Deduction.

GENERAL PROVISIONS RELATING TO PAYMENTS

707.30 Payments.
707.31 Practices defeating purposes of program.
707.32 Depriving others of payment.
707.33 Filing of false claims.
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707.35 Payment computed and made without regard to claims.
707.36 Assignments.

APPLICATION FOR ASSISTANCE

707.40 Persons eligible to file applications.
707.41 Time and manner of filing applications and information required.

APPEALS

707.45 Appeals.

STATE HANDBOOKS, BULLETINS, INSTRUCTIONS AND FORMS

707.46 State handbooks, bulletins, instructions and forms.

DEFINITIONS

707.50 Definitions.

AUTHORITY, AVAILABILITY OF FUNDS AND APPLICABILITY

707.51 Authority.
707.52 Availability of funds.
707.53 Applicability.

AUTHORITY: §§ 707.1 to 707.53 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7–17, 49 Stat. 1148, as amended; 16 U. S. C. 590g–590q.

DISTRIBUTION AND CONTROL OF FUNDS

§ 707.1 *Control of funds.* The State PMA Committee will allocate the funds available for restoration practices among the counties in the designated disaster areas within the State on the basis of the restoration needs of each in relation to the restoration needs of other counties in the disaster areas in the State. The county committee, in accordance with the method approved by the State committee, will determine the amount of assistance to be made available to each farm, taking into consideration the county allocation and the restoration needs of the county and of the individual farms.

§ 707.2 *Basis for approval of restoration practices.* Practices to be approved will include only those needed to restore land to productive use as farm land.

RESTORATION PRACTICES AND RATES OF ASSISTANCE

§ 707.3 *Eligible restoration practices.* Assistance will be given to producers in carrying out the following restoration practices on farm land. Only those practices recommended by the county committee and approved by the State committee will be eligible for assistance within a county. The practices must be carried out in accordance with good conservation farming.

(a) Clearing debris.

(b) Emergency ditching.

(c) Cleaning out drainage systems.

(d) Leveling land by filling holes or gullies caused by flood waters.

(e) Turning under sand deposits by deep plowing.

(f) Repairing or replacing fences necessary for proper land use.

(g) Planting or replanting pastures and hay crops.

(h) Planting cover crops or emergency forage crops.

(i) Replacing or repairing erosion control structures.

(j) Rehabilitation of stock water ponds and other stock water facilities.

§ 707.4 *Rates of assistance.* The rate of assistance for each restoration practice will be that recommended by the county committee and approved by the State committee but not in excess of 80 percent of the actual cost of performing the practice.

§ 707.5 *Prior approval.* Prior approval of the county committee is required for all restoration practices for which assistance is obtained under this program.

§ 707.7 *Practices carried out with State or Federal aid.* The assistance for any practice shall not be reduced because it is carried out with materials or services furnished by the ACP Branch under this program or by any agency of a State to another agency of the same State, or with technical advisory services furnished by a State or Federal agency. In other cases of State or Federal aid, the total assistance for any practice performed shall be reduced for purposes of payment by the value of the aid, as determined by the county committee. Materials or services furnished or used by a State or Federal agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this section.

§ 707.8 *Pooling agreements.* Producers in any local area may agree in writing, with the approval of the county and State committees, to perform designated amounts of practices which the State committee determines are necessary to restore the agricultural resources of the community. For purposes of payment, practices carried out under such an approved written agreement will be regarded as having been carried out on the farms of the producers who performed the practices.

§ 707.9 *Compliance with regulatory laws.* Producers who carry out restoration practices for assistance under this program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance of the practices in keeping with applicable laws. The producer who receives assistance for the practices shall be responsible to the Federal Government for any losses it may sustain because the producer infringes on the rights of others, or fails to comply with applicable laws.

PAYMENTS

§ 707.15 *Division of restoration payments.* The payment earned in carrying out practices with restoration materials or services shall be credited to the producer to whom the materials or services are furnished. Payment for practices performed with restoration materials and services shall have priority over payment for other practices. The payment earned in carrying out other practices shall be paid to the producer who carried out the practices. If more than one producer contributed to the carrying out of such practices the payment shall be divided in the proportion that the county committeee determines the producers contributed to the carrying out of the practices. In making this determination, the county committee shall take into consideration the value of the labor, equipment, or material contributed by each producer toward the carrying out of each practice on a par-

ticular acreage, assuming that each contributed equally, unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion. The furnishing of land will not be considered as a contribution to the carrying out of any practice.

§ 707.16 *Death, incompetency, or disappearance of producer.* In case of death, incompetency, or disappearance of any producer, his share of the payment shall be paid to his successor, determined in accordance with the provisions of Part 716 of this chapter (ACP–122).

§ 707.17 *Increase in small payments.* The total payment computed for any person with respect to any farm under the 1951 Agricultural Conservation Program and this program shall be increased as follows:

(a) Any payment amounting to $0.71 or less shall be increased to $1.

(b) Any payment amounting to more than $0.71 but less than $1 shall be increased by 40 percent.

(c) Any payment amounting to $1 or more shall be increased in accordance with the following schedule:

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
$1 to $1.99	$0.40	$32 to $32.99	$10.40
$2 to $2.99	.80	$33 to $33.99	10.60
$3 to $3.99	1.20	$34 to $34.99	10.80
$4 to $4.99	1.60	$35 to $35.99	11.00
$5 to $5.99	2.00	$36 to $36.99	11.20
$6 to $6.99	2.40	$37 to $37.99	11.40
$7 to $7.99	2.80	$38 to $38.99	11.60
$8 to $8.99	3.20	$39 to $39.99	11.80
$9 to $9.99	3.60	$40 to $40.99	12.00
$10 to $10.99	4.00	$41 to $41.99	12.10
$11 to $11.99	4.40	$42 to $42.99	12.20
$12 to $12.99	4.80	$43 to $43.99	12.30
$13 to $13.99	5.20	$44 to $44.99	12.40
$14 to $14.99	5.60	$45 to $45.99	12.50
$15 to $15.99	6.00	$46 to $46.99	12.60
$16 to $16.99	6.40	$47 to $47.99	12.70
$17 to $17.99	6.80	$48 to $48.99	12.80
$18 to $18.99	7.20	$49 to $49.99	12.90
$19 to $19.99	7.60	$50 to $50.99	13.00
$20 to $20.99	8.00	$51 to $51.99	13.10
$21 to $21.99	8.20	$52 to $52.99	13.20
$22 to $22.99	8.40	$53 to $53.99	13.30
$23 to $23.99	8.60	$54 to $54.99	13.40
$24 to $24.99	8.80	$55 to $55.99	13.50
$25 to $25.99	9.00	$56 to $56.99	13.60
$26 to $26.99	9.20	$57 to $57.99	13.70
$27 to $27.99	9.40	$58 to $58.99	13.80
$28 to $28.99	9.60	$59 to $59.99	13.90
$29 to $29.99	9.80	$60 to $185.99	14.00
$30 to $30.99	10.00	$186 to $199.99	(1)
$31 to $31.99	10.20	$200 and over	(2)

[1] Increase to $200.
[2] No increase.

§ 707.18 *Payments limited to $2,500.* The total of all payments made in connection with the 1951 Agricultural Conservation Program and this program to any person with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands), shall not exceed the sum of $2,500.

All or any part of any payment which has been or otherwise would be made to any person under this program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device designed to evade, or which has the effect of evading, the provisions of this section.

RESTORATION MATERIALS AND SERVICES

§ 707.20 *Availability of materials and services.* Liming materials, phosphates, seeds, and other farming materials or services may be furnished by the ACP Branch to producers for carrying out approved practices. Materials or services may not be furnished to producers who are on the register of indebtedness, except in those cases where the agency to which the debt is owed notifies the ACP Branch that it temporarily waives its rights for set-off in order to permit the furnishing of materials and services.

Title to any material distributed by the ACP Branch, either directly or through purchase orders, shall vest in the ACP Branch until the material is applied or planted, or all charges for the materials are satisfied.

§ 707.21 *Cost to producer in cash.* The producer shall pay that part of the cost of the material or service, as established by the ACP Branch, which is in excess of the credit for the use of the material or service in carrying out approved practices. The small payment increase on an amount equivalent to the credit value of properly used conservation materials and services may be advanced as a credit against that part of the cost required to be paid by the producer.

§ 707.22 *Deduction.* (a) A deduction shall be made for materials or services furnished by the ACP Branch from the payment of the producer to whom materials or services are furnished. The deduction shall be the sum of the credit value of the materials and services furnished and any amount of small payment increase advanced to the producer, except that where the cost to the ACP Branch is less than the credit rate, the deduction shall be equal to the cost. If the producer misuses any material or service furnished, an additional deduction equal to the original amount of the deduction, excluding any amount of small payment increase advanced to the producer, for the material or service misused shall be made.

(b) Materials or services will be considered as misused, for the purpose of this section, in the following instances:

(1) Where the county committee determines that any conservation material has been applied to crops which are not designated as eligible crops by the county and State committees, unless failure to properly use the material was due to conditions beyond the producer's control.

(2) Where the county committee determines that a structure, such as a terrace or dam, has been willfully or negligently destroyed by a producer in the program year in which the structure was completed.

(3) Where the county committee determines that material has been willfully or negligently destroyed, or has been rendered unusable, by the producer.

(4) Where the county committee determines that a producer has disposed of material by sale, barter, or some other unauthorized means.

(5) Where the county committee is unable to determine the use or disposition of material because of the failure of a producer to furnish requested information by the closing date designated by the ACP Branch for filing performance reports. However, if the requested information is filed at a later date and the material was properly used, the material will not be considered as misused.

(c) If the deduction for the materials or services exceeds the payment for the producer to whom the materials or services are furnished, the amount of the difference shall be paid by the producer to the Treasurer of the United States.

(d) Any producer to whom materials are furnished shall be responsible to the ACP Branch for any damage to the materials, unless he shows that the damage was caused by circumstances beyond his control. If materials are abandoned or not used during the program year, they may, at the option of the ACP Branch, be transferred to another producer or otherwise disposed of by the ACP Branch at the expense of the producer who abandoned or failed to use the material, or be retained by the producer for use in a subsequent program year.

GENERAL PROVISIONS RELATING TO PAYMENTS

§ 707.30 *Payments.* Payment will not be made under this program for any practice, or part thereof, carried out for which a payment is made under the 1951 Agricultural Conservation Program with respect to the same acreage or location; however, payment may be made under this program for the restoration of a practice carried out for which a payment is made under the 1951 Agricultural Conservation Program or has been made under a previous Agricultural Conservation Program which has been damaged or destroyed by flood.

§ 707.31 *Practices defeating purposes of program.* If the State committee finds that any producer has adopted or participated in any practice, including the misuse of a purchase order for materials or services, which tends to defeat the purpose of this program, it may withhold, or require to be refunded, all or any part of any payment which has been or would be computed for such person.

§ 707.32 *Depriving others of payment.* If the State committee finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the amount of any payment which has been or would otherwise be made to him in connection with the program.

§ 707.33 *Filing of false claims.* If the State committee finds that any producer has knowingly filed claim for payment under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible to

rceeive any payment under the program and shall refund all payments that may have been made to him under the program. The withholding or refunding of payments will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 707.34 *Misuse of purchase orders.* If the State committee finds that any producer has knowingly used a purchase order issued to him for conservation materials or services for a purpose other than that for which it was issued, and that such misuse of the purchase order tends to defeat the purpose for which it was issued, such producer shall not be eligible to receive any payment under the program and shall refund all payments that may have been made to him under the program. The withholding or refunding of payments will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 707.35 *Payment computed and made without regard to claims.* Any payment or share of payment shall be computed and made without regard to questions of title under State law; without deduction of claims for advances (except as provided in § 707.36, and except for indebtedness to the United States subject to set-off under orders issued by the Secretary (Part 718 of this chapter)); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 707.36 *Assignments.* Any person who may be entitled to any payment in connection with the program may assign his payment, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1951. No assignment will be recognized unless it is made in writing on Form ACP–69 and in accordance with the instructions in ACP–70.

APPLICATION FOR ASSISTANCE

§ 707.40 *Persons eligible to file applications.* An application for payment with respect to a farm may be made by any producer who is entitled to share in the payment determined for the farm, except where his only payment is earned with materials or services furnished by the ACP Branch and the entire small payment increase, if any, earned by the use of the materials or services has been advanced to the producer.

§ 707.41 *Time and manner of filing applications and information required.* Payment will be made only upon application submitted on the prescribed form to the county office. Where materials or services are furnished by the ACP Branch, there need be reported on the application for payment with respect to such materials and services only the total credit and deduction value of the materials and services furnished. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the county office within the time fixed by the Director, ACP Branch, which time shall be not later than December 31, 1952. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, and any time limit fixed shall afford a full and fair opportunity to those eligible to file the form or information within the period prescribed. Such notice shall be given by mailing notice to the office of each county committee and making copies available to the press.

APPEALS

§ 707.45 *Appeals.* Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify him of its decision in writing within 15 days after receipt of written request for reconsideration. If the producer is dissatisfied with the decision of the county committee, he may, within 15 days after the decision is forwarded to or made available to him, appeal in writing to the State Committee. The State Committee shall notify him of its decision in writing within 30 days after the submission of the appeal. If he is dissatisfied with the decision of the State Committee, he may, within 15 days after its decision is forwarded to or made available to him, request the Director, ACP Branch, to review the decision of the State Committee. Written notice of any decision rendered under this section by the county or State Committee shall also be issued to each producer on the farm who may be adversely affected by the decision.

STATE HANDBOOKS, BULLETINS, INSTRUCTIONS, AND FORMS

§ 707.46 *State handbooks, bulletins, instructions, and forms.* The ACP Branch is authorized to make determinations and to prepare and issue State handbooks, bulletins, instructions, and forms required in administering this program. Copies of State handbooks, bulletins, instructions, and forms containing detailed information with respect to this program as it applies to specific States, counties, areas, and farms will be available in the Office of the State committee (11 F. R. 177A–285) and the office of the county committee. Producers wishing to participate in the program should obtain from the State committee or county committee all information needed in order to comply with all provisions of the program.

DEFINITIONS

§ 707.50 *Definitions.* For the purposes of the 1951 program:

(a) "Secretary" means the Secretary of Agriculture of the United States.

(b) "Director" means the Director of the Agricultural Conservation Programs Branch, Production and Marketing Administration.

(c) "State" means any one of the continental United States.

(d) "State committee" means the group of persons designated within any state to assist in the administration of the agricultural conservation program in that State.

(e) "County" means parish or county.

(f) "County committee" means the group of persons elected within any county to assist in the administration of the agricultural conservation program in that county.

(g) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise or other legal entity, and, wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(h) "Producer" means any person who, as landlord, tenant, or sharecropper participates in the operation of a farm.

(i) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also (1) any other adjacent or nearby farm or range land which the county committee, in accordance with instructions issued by the ACP Branch, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops, and with work stock, farm machinery, and labor substantially separate from that for any other land; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops. A farm shall be regarded as located in the county in which the principal dwelling is situated or, if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(j) "Cropland" means farm land which in 1950 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable noncrop open pasture, and (3) any land which constitutes or will constitute, if tillage is continued, a wind-erosion hazard to the community.

(k) "Program year" means the period during which restoration practices must be carried out to be eligible for assistance. The program year shall begin on the date of approval of this program and end December 31, 1951.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

§ 707.51 *Authority.* The program is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148; 16 U. S. C. 590g–590q).

§ 707.52 *Availability of funds.* (a) The provisions of this program contained in this subpart, are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the making of the payments here-

in provided is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such payments will necessarily be within the limits finally determined by such appropriation.

(b) The funds provided for the 1951 program will not be available for the payment of applications filed in the county office after December 31, 1952.

§ 707.53 *Applicability.* (a) The provisions of this program contained in this subpart are applicable in counties designated by the Director.

(b) The provisions of this 1951 program contained in this subpart are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) grazing lands owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership, including, but not limited to grazing lands administered by the Forest Service or the Soil Conservation Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act) or the Fish and Wildlife Service of the United States Department of the Interior; and (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it.

(c) The program is applicable to (1) privately owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as Federal land banks and production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Reconstruction Finance Corporation, the Federal Farm Mortgage Corporation, the departments comprising the National Military Establishment, or by any other Government agency designated by the ACP Branch; (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it; and (6) Indian lands, except that where grazing operations are carried out on Indian lands administered by the Department of the Interior, such lands are within the scope of the program only if covered by a written agreement approved by the Department of the Interior giving the operator an interest in the grazing and forage growing on the land and a right to occupy the land in order to carry out the grazing operations.

Done at Washington, D. C., this 15th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9909; Filed, Aug. 17, 1951; 8:53 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Bartlett Pear Order 1, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

a. *Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Bartlett Pear Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Bartlett pears, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Bartlett pears grown in the State of California.

b. It is therefore ordered as follows:

The provisions of paragraph (b) (1) (i) of § 936.409 (Bartlett Pear Order 1; 16 F. R., 6347, 6610) are hereby amended to read as follows:

(i) Such pears are well matured and grade, except with respect to shape and damage by hail, at least U. S. Combination Grade: *Provided,* That not less than seventy (70) percent, by count, of the pears contained in such box or container grade not less than U. S. No. 1 except that of the foregoing percentage not more than twenty-five (25) percent may be damaged by hail: *Provided further,* That while the pears in such box or container need not be fairly well formed, they shall not be seriously misshapen; and

c. Nothing contained herein shall be construed (1) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time hereof, may arise in connection with any provisions of said Bartlett Pear Order 1; or (2) as releasing or extinguishing any violation of said Bartlett Pear Order 1 which has occurred or which, prior to the effective time hereof, may occur.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 15th day of August 1951, to become effective at 12:01 a. m., P. s. t., August 16th 1951.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9908; Filed, Aug. 17, 1951; 8:52 a. m.]

[Lemon Reg. 396]

PART 953—LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.503 *Lemon Regulation 396*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 15, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the de-

clared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 19, 1951, and ending at 12:01 a. m., P. s. t., August 26, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 375 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 395 (16 F. R. 7925) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 16th day of August 1951.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9663; Filed, Aug. 17, 1951; 9:43 a. m.]

PART 959—IRISH POTATOES GROWN IN THE COUNTIES OF CROOK, DESCHUTES, JEFFERSON, KLAMATH, AND LAKE IN OREGON, AND MODOC AND SISKIYOU IN CALIFORNIA

LIMITATION OF SHIPMENTS

§ 959.307 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959), regulating the handling of Irish potatoes grown in the counties of Crook, Deschutes, Jefferson, Klamath, and Lake in the State of Oregon, and Modoc and Siskiyou in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Oregon-California Potato Committee, established under said marketing agreement and amended order, and other available information, it is hereby found that such limitation of shipments as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until thirty days after publication hereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of the 1951 crop of Irish potatoes grown in the production area will have begun, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by limiting the shipment of potatoes, in the manner set forth below, on and after the effective date hereinafter provided, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by such effective date, (iv) a reasonable time is permitted, under the circumstances, for such preparation, and (v) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period from August 27, 1951, to June 30, 1952, both dates inclusive, no handler shall ship potatoes grown in the production area which do not meet the requirements of the U. S. No. 2, or better, grade, and which are of sizes smaller than 2 inches minimum diameter or 4 ounces minimum weight, as such grades and sizes are defined in the U. S. Standards for Potatoes (7 CFR 51.366), including the tolerances set forth therein.

(2) During the period from August 27, 1951, to November 1, 1951, both dates inclusive, no handler shall ship potatoes grown in the production area which do not comply with the aforesaid grade and size requirements and which are more than "slightly skinned," as such term is defined in the U. S. Standards for Potatoes (7 CFR 51.366), which means that not more than 10 percent of the potatoes in any lot have more than one-fourth of the skin missing or feathered: *Provided,* That not more than one lot of not to exceed 100 hundredweight of each variety of each producer may be handled every seven days without regard to the aforesaid skinning requirement if the handler thereof reports, prior to such handling, the name and address of the producer of such lot, and such lot is handled as an identifiable entity.

(3) During the period of regulation, each handler may make, pursuant to 959.4 (d), one shipment of not in excess of five hundredweight of potatoes per week without limitation.

(4) The aforesaid grade, size, and skinning requirements, set forth in subparagraphs (1) and (2) of this paragraph shall not be applicable to shipments of potatoes for (i) grading or storing within the production area, (ii) export, (iii) distribution by the Federal Government and relief agencies, or consumption by charitable institutions, (iv) manufacture or conversion into starch, flour, and dehydrated, canned, or frozen products, (v) livestock feed, and (vi) seed: *Provided,* That each handler making shipments for any of the aforesaid purposes, except shipments of potatoes for grading or storing within the production area and shipments of potatoes for livestock feed within the production area, shall (*a*) file an application with the committee pursuant to § 959.104 (*Safeguards for special purpose shipments,* 16 F. R. 3329), (*b*) have each of such shipments inspected (except shipments of seed potatoes and shipments of potatoes for livestock feed), (*c*) pay assessments in connection therewith (except shipments of potatoes for livestock feed), and (*d*) have each shipment of potatoes failing to meet the minimum requirements of the U. S. No. 2 grade, as such grade is defined in the U. S. Standards for Potatoes (7 CFR 51.366), which leaves the production area, appropriately marked with dye as required by the committee.

(5) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 114 and Order No. 59, as amended (7 CFR Part 959).

(Sec. 5, 49 Stat. 753, as amended, 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 16th day of August 1951, to become effective August 27, 1951.

M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-9964; Filed, Aug. 17, 1951; 9:43 a. m.]

[Orange Reg. 385]

PART 966—ORANGES GROWN IN THE STATES OF CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.531 *Orange Regulation 385*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant

to said amended order; the recommendation and supporting information for regulation during the period specified in this section was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on August 16, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., August 19,1951, and ending at 12:01 a. m., P. s. t., August 26, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 1,150 carloads;

(c) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: Unlimited movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: No movement;

(c) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is set forth below and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 17th day of August 1951.

S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

No. 161——2

PRORATE BASE SCHEDULE

[12:01 a. m., P. d. s. t., Aug. 19, 1951 to 12:01 a. m., P. d. s. t., Aug. 26, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0728
A. F. G. Corona	.0278
A. F. G. Fullerton	1.1054
A. F. G. Orange	.3650
A. F. G. Riverside	.1245
A. F. G. San Juan Capistrano	.5692
A. F. G. Santa Paula	.2909
Eadington Fruit Co., Inc	5.1402
Hazeltine Packing Co	.3142
Krinard Packing Co	.1496
Placentia Coop. Orange Association	.6771
Placentia Pioneer Valencia Growers Association	.6734
Signal Fruit Association	.0957
Azusa Citrus Association	.4867
Covina Citrus Association	1.2504
Covina Orange Growers Association	.5334
Damerel-Allison Association	.6898
Glendora Citrus Association	.4126
Glendora Mutual Orange Association	.3377
Valencia Heights Orchard Association	.4552
Gold Buckle Association	.4336
La Verne Orange Association	.6214
Anaheim Valencia Orange Association	1.3459
Fullerton Mutual Orange Association	2.7996
La Habra Citrus Association	1.3686
Yorba Linda Citrus Association, The	1.2706
Escondido Orange Association	2.2340
Alta Loma Heights Citrus Association	.0574
Citrus Fruit Growers	.1365
Etiwanda Citrus Fruit Association	.0306
Old Baldy Citrus Association	.0902
Rialto Heights Orange Growers	.0538
Upland Citrus Association	.2227
Upland Heights Orange Association	.1244
Consolidated Orange Growers	1.8514
Frances Citrus Association	1.3525
Garden Grove Citrus Association	2.2721
Goldenwest Citrus Association	1.9105
Irvine Valencia Growers	3.6030
Olive Heights Citrus Association	2.4454
Santa Ana-Tustin Mutual Citrus Association	1.1139
Santiago Orange Growers Association	5.4154
Tustin Hills Citrus Association	2.1645
Villa Park Orchards Association	2.3315
Bradford Bros., Inc	.8759
Placentia Mutual Orange Association	3.7276
Placentia Orange Growers Association	3.5772
Yorba Orange Growers Association	1.0871
Call Ranch	.0536
Corona Citrus Association	.4557
Jameson Co	.0907
Orange Heights Orange Association	.5635
Crafton Orange Growers Association	.2529
East Highlands Citrus Association	.0577
Redlands Heights Groves	.1918
Redlands Orangedale Association	.1571
Rialto-Fontana Citrus Association	.0992
Break & Son, Allen	.0440
Bryn Mawr Fruit Growers Association	.1005
Mission Citrus Association	.1406
Redlands Cooperative Fruit Association	.2493
Redlands Orange Growers Association	.1425

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

District No. 2—Continued

Handler	Prorate base (percent)
Redlands Select Groves	0.2136
Rialto Orange Co	.1904
Southern Citrus Association	.1134
United Citrus Growers	.2179
Zilen Citrus Co	.0190
Arlington Heights Citrus Co	.1155
Brown Estate, L. V. W	.1002
Gavilan Citrus Association	.0707
Highgrove Fruit Association	.0266
McDermont Fruit Co	.0904
Monte Vista Citrus Association	.0904
National Orange Co	.0179
Riverside Citrus Association	.0074
Riverside Heights Orange Growers Association, The	.0219
Sierra Vista Packing Association	.0284
Victoria Ave. Citrus Association	.1731
Claremont Citrus Association	.1101
College Heights Orange and Lemon Association	.3085
Indian Hill Citrus Association	.2135
Pomona Fruit Growers Exchange	.3146
Walnut Fruit Growers Association	.5298
West Ontario Citrus Association	.1806
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.2783
San Dimas Orange Growers Association	.2661
Canoga Citrus Association	.6954
North Whittier Heights Citrus Association	.8643
San Fernando Heights Orange Association	.5458
Sierra Madre-Lamanda Citrus Association	.3189
Camarillo Citrus Association	1.3114
Fillmore Citrus Association	2.2365
Mupu Citrus Association	1.8510
Ojai Orange Association	.4478
Piru Citrus Association	1.5849
Rancho Sespe	.6594
Santa Paula Orange Association	1.0110
Tapo Citrus Association	.5614
Ventura County Citrus Association	.3998
Limoneira Co	.5416
East Whittier Citrus Association	.4203
Murphy Ranch Co	.7737
Anaheim Cooperative Orange Association	1.9607
Bryn Mawr Mutual Orange Association	.1356
Chula Vista Mutual Lemon Association	.0431
Euclid Avenue Orange Association	.4639
Foothill Citrus Union, Inc	.1183
Fullerton Cooperative Orange Association	.3994
Garden Grove Orange Cooperative, Inc	1.2958
Golden Orange Groves, Inc	.1736
Highland Mutual Groves, Inc	.0088
Index Mutual Association	.5498
La Verne Cooperative Citrus Association	1.6509
Olive Hillside Groves, Inc	.7361
Orange Cooperative Citrus Association	1.7417
Redlands Foothill Groves	.3969
Redlands Mutual Orange Association	.1483
Ventura County Orange and Lemon Association	1.1701
Whittier Mutual Orange and Lemon Association	.2191
Babijuice Corp. of California	.8203
Banks, L. M	.8150
Becker, Samuel Eugene	.0091
Bennett Fruit Co	.0495
Borden Fruit Co	.6108
Cappos Bros. Produce	.0070
Cherokee Citrus Co., Inc	.1045
Chess Co., Meyer W	.4680

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

District No. 2—Continued

Handler	Prorate base (percent)
Dozier, Paul M	0.0122
Dunning Ranch	.0066
Evans Bros. Packing Co	.6315
Gold Banner Association	.1682
Granada Hills Packing Co	.0318
Granada Packing House	.7775
Hill Packing Co., Fred A	.0605
Knapp Packing Co., John C	.5679
L Bar S Ranch	.1025
Lawson, William J	.0066
Lima & Sons, Joe	.1296
Orange Belt Fruit Distributors	1.3805
Orange Hill Groves	.0083
Otte, Arnold	.0381
Panno Fruit Co., Carlo	.5983
Paramount Citrus Association	.6735
Patitucci, Frank L	.0088
Placentia Orchard Co	.5307
Prescott, John A	.0184
Redlands Fruit Association, Inc	.0143
Ronald, P. W	.0203
San Antonio Orchard Co	.2737
Stephens, T. F	.2398
Summit Citrus Packers	.0167
Treesweet Products Co	.2356
Wall., E. T., Grower-Shipper	.0850
Western Fruit Growers, Inc	.4568

[F. R. Doc. 51-9987; Filed, Aug. 17, 1951; 12:11 p. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52793]

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

CLAIMS; DECEASED OR INCOMPETENT PUBLIC CREDITORS

The purpose of the following amendment is to inform interested persons regarding the proper manner of filing claims for amounts due on account of individual deceased or incompetent public creditors of the United States (except military personnel and civilian officers and employees subject to the provisions of Public Law 636, approved August 3, 1950). It covers the use of standard Form 1055-Revised, as prescribed by General Regulations No. 104-Revised, issued by the Comptroller General of the United States, on April 5, 1951, and outlines the action to be taken regarding claims for payment of Government checks drawn to public creditors, which cannot be paid because of the death or incompetency of the payee.

Section 24.70, Customs Regulations of 1943 (19 CFR 24.70), is amended to read as follows:

§ 24.70 *Claims; deceased or incompetent public creditors.* (a) Claims for amounts due individual deceased public creditors of the United States (except civilian officers and employees subject to the provisions of Public Law 636, approved August 3, 1950), should be made on standard Form No. 1055—Revised. Such claims include claims for payments due deceased contractors for articles furnished or services performed, and claims for payments due deceased importers or owners of merchandise on account of refunds of excessive duties, or taxes, or for payment of drawback, etc. Claims for payment of Government checks drawn on the Treasurer of the United States or other authorized Government depositary to the order of such public creditors, which cannot be paid because of the death of the payee, should be stated on standard Form 1055—Revised. Information should be furnished regarding the disposition of these checks in case they are not in possession of the claimant, otherwise they should accompany the claim.

(b) No form is prescribed for use of a guardian or committee of an estate of an incompetent in making claim for sums due from the United States. Such guardian or committee may submit in letter form, over his address and signature, an application for amounts due an estate of an incompetent, setting forth the incompetent's connection with the Bureau of Customs. This application should be supported by a short certificate of the court showing the appointment and qualification of the claimant as guardian or committee. In case the total amount due the estate of the incompetent is small, and no guardian or committee of the estate has been or will be appointed, the application may be submitted by the person or persons having care or custody of the incompetent, or by close relatives who will hold any amount found due for the use and benefit of the incompetent. Applications for recurring payments need not be accompanied by an additional certificate of the court, but should be supported by a statement that the appointment is still in full force and effect. All Government checks drawn on the Treasurer of the United States or other authorized Government depositary to the order of individuals which cannot be paid because of incompetency of the payee should accompany the claim, otherwise an explanation should be given as to the disposition of the check.

(c) Claims for payments due deceased or incompetent contractors should be submitted to the customs field officer at whose order the articles were furnished or services performed. Claims for refunds of excessive duties, or taxes, or for payment of drawback, etc., due deceased or incompetent public creditors should be submitted to the appropriate collector of customs, except that claims for refund of internal revenue taxes should be submitted to the collector of internal revenue. (See §24.36.) The customs field officer may grant necessary assistance to claimants to insure proper execution of standard Form 1055—Revised in the case of deceased public creditors, and in the case of incompetent public creditors to insure submission of the application in proper form. The customs field officer should forward the claim, with his recommendation in duplicate, together with the originals or certified copies of all documents and papers necessary to establish the claimant's right to the moneys due, to the Bureau of Customs, Attention: Fiscal Section, for administrative examination and transmission to the General Accounting Office for direct settlement.

(R. S. 161, sec. 624, 46 Stat. 759, 5 U. S. C. 22, 19 U. S. C. 1624)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: August 14, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-9905; Filed, Aug. 17, 1951; 8:52 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

AUREOMYCIN GAUZE PACKING AND AUREOMYCIN DRESSING

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR 141.1 et seq. and 1950 Supp.) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq. and 1950 Supp.) are amended as indicated below:

1. Part 141 is amended by adding the following new sections:

§ 141.213 *Aureomycin gauze packing*—(a) *Potency.* Using six packings, obtain the average weight and average linear length per packing. Assay six packings by dissolving each in 500 milliliters of 0.1N HCl and allow to soak with frequent agitation for not less than 2 hours. Use aliquots of these solutions and proceed as directed in § 141.201 (a). Calculate the average potency per gram and per linear foot. The average potency of the gauze packing is satisfactory if it contains not less than 85 percent of the number of milligrams per gram and per linear foot it is represented to contain.

(b) *Sterility.* Using individual gauze packings, proceed as directed in § 141.2, except that neither penicillinase nor the control tube is used in the test for bacteria.

(c) *Moisture.* Proceed as directed in § 141.5 (a).

§ 141.214 *Aureomycin dressing*—(a) *Potency.* Using individual dressings and appropriate volumes of peroxide-free ether and buffer solution, proceed as directed in § 141.202 (a).

(b) *Sterility.* Using approximately one-fourth of each individual dressing tested, proceed as directed in § 141.2, except that neither penicillinase nor the control tube is used in the test for bacteria.

(c) *Moisture.* Proceed as directed in § 141.8 (b).

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

2. Part 146 is amended by adding the following new sections:

§ 146.213 *Aureomycin gauze packing (aureomycin hydrochloride gauze packing)*—(a) *Standards of identity, strength, quality, and purity.* Aureomycin gauze packing is absorbent gauze that is impregnated with crystalline aureomycin. Its content of aureomycin is not less than 4 milligrams per gram and not less than 1.0 milligram per linear foot of gauze. It is sterile. Its moisture content is not more than 5 percent. The aureomycin used conforms to the standards prescribed therefor by § 146.201 (a), except subparagraphs (2), (4), and (5) of that paragraph. The absorbent gauze used conforms to the standards prescribed therefor by the U. S. P.

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U. S. P., shall be so sealed that the contents cannot be used without destroying the seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of milligrams of aureomycin per gram and per linear foot of gauze.

(iii) The length, width, and type of gauze contained in the package.

(iv) The statement "Expiration date ----------," the blank being filled in with the date which is 12 months after the month during which the batch was certified, except if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for 18 months at room temperature such drug as prepared by him complies with the standards prescribed by paragraph (a) of this section, the blank shall be filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the immediate container, the statement "Sterility cannot be guaranteed if the package bears evidence of damage or has been previously opened."

(3) On the outside wrapper or container, unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a ----------," the blank being filled in with the word "physician" or "veterinarian" or both, as the case may be.

(4) On the circular or other labeling within or attached to the package, directions and precautions adequate for the use of such aureomycin gauze packing.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of aureomycin gauze packing shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the aureomycin used in making such batch was completed, the potency of each gram and of each linear foot of the gauze packing, the date on which the latest assay of the batch was completed, and a statement that the absorbent gauze used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency per gram and per linear foot of the gauze packing, sterility, and average moisture.

(ii) The aureomycin used in making the batch; potency, toxicity, moisture, and *p*H.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch:

(*a*) For all tests except sterility: one package for each 5,000 packages in the batch, but in no case less than 20 packages or more than 100 packages.

(*b*) For sterility testing: 10 packages.

Such samples shall be collected by taking single packages at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The aureomycin used in making the batch; five packages, each containing approximately equal portions of not less than 60 milligrams, packaged in accordance with the requirements of § 146.201 (b).

(iii) In case of an initial request for certification, one package consisting of approximately 5 linear yards, or the equivalent, of the absorbent gauze used.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $1.00 for each package in the sample submitted in accordance with paragraph (d) (3) (i) (*a*) of this section; $4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section.

(2) If the Commissioner considers that investigations other than examination of such aureomycin gauze packing and packages are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

§ 146.214 *Aureomycin dressing (aureomycin hydrochloride dressing)*—(a) *Standards of identity, strength, quality, and purity.* Aureomycin dressing is absorbent gauze impregnated with aureomycin ointment. Each square inch of such dressing shall contain not less than 2 milligrams of aureomycin. It is sterile. Its moisture content is not more than 5 percent. The aureomycin ointment used conforms to the standards prescribed for aureomycin ointment by § 146.202 (a), except that its potency is not less than 20 milligrams per gram. The absorbent gauze used conforms to the standards prescribed therefor by the U. S. P.

(b) *Packaging.* In all cases the immediate container for each aureomycin dressing shall be a tight container as defined by the U. S. P. and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling.* Each package shall bear on its label or labeling, as hereinafter indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.

(ii) The number of grams of aureomycin ointment contained in each dressing and the number of milligrams of aureomycin per gram of ointment.

(iii) The length, width, and type of gauze contained in the dressing.

(iv) The statement "Expiration date ----------," the blank being filled in with the date which is 12 months after the month during which the batch was certified, except if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for 18 months at room temperature such drug as prepared by him complies with the standards prescribed by paragraph (a) of this section, the blanks shall be filled in with the date which is 18 months after the month during which the batch was certified.

(2) On the immediate container, the statement "Sterility cannot be guaranteed if package bears evidence of damage or has been previously opened."

(3) On the outside wrapper or container, unless it is intended solely for veterinary use and is conspicuously so labeled, the statement "Caution: To be dispensed only by or on the prescription of a ----------," the blank being filled in with the word "physician" or "veterinarian" or both, as the case may be.

(4) On the circular or other labeling within or attached to the package, directions and precautions adequate for the use of such dressing.

(d) *Request for certification; samples.* (1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of aureomycin dressings shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the aureomycin used in making such batch was completed, the number of grams of aureomycin ointment contained in each dressing of the batch and its potency per gram, the quantity of each ingredient used in making the batch, the date on which the latest assay of the drug comprising such batch was completed, and a statement that each ingredient used in making the batch conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, such person shall submit in connection with his request results of tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch; average potency of aureomycin per dressing, sterility, and average moisture.

(ii) The aureomycin used in making the batch; potency, toxicity, moisture, and *pH*.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch:

(*a*) For all tests except sterility: one dressing for each 5,000 dressings in the batch, but in no case less than 20 or more than 100 dressings.

(*b*) For sterility testing: 10 dressings.

Such samples shall be collected by taking single dressings at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The aureomycin used in making the batch; five packages, each containing approximately equal portions of not less than 60 milligrams, packaged in accordance with the requirements of § 146.201 (b).

(iii) In case of an initial request for certification, one package consisting of approximately five linear yards, or the equivalent, of the absorbent gauze used.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees.* The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) $1.00 for each dressing in the sample submitted in accordance with paragraph (d) (3) (i) (*a*) of this section; $4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (ii) and (iii) of this section.

(2) If the Commissioner considers that investigations other than examination of such dressings and packages are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

This order, which provides for two new antibiotic preparations, aureomycin gauze packing and aureomycin dressing, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay providing for tests and methods of assay and certification of aureomycin gauze packing and aureomycin dressing.

Dated: August 15, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-9856; Filed, Aug. 17, 1951; 8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Corr. to Amdts. 347, 384]

PART 825—RENT REGULATION UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

ILLINOIS; CORRECTION

Correction to Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments.

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is corrected in the following respects:

In paragraph numbered 1 of Amendment 347 to §§ 825.81 to 825.92 and paragraph numbered 2 of Amendment 384 to §§ 825.81 to 825.92, the semicolon following the word "Urbana" is changed to a period and the words "and Vermilion County" are deleted.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

The correction to said Amendment 347 shall be effective as of February 21, 1951 and the correction to said Amendment 384 shall be effective as of July 24, 1951.

Issued this 15th day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-9857; Filed, Aug. 17, 1951; 8:50 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

DELEGATION OF AUTHORITY AFFECTING REGULATIONS

EDITORIAL NOTE: For order delegating to Chief, Branch of Lands, Bureau of Indian Affairs, the authority to approve leases for oil, gas and other mining purposes covering restricted tribal and allotted Indian lands, as set forth in 25 CFR Parts 183, 186, 189, 195 and 201, and to exercise the authority of the Commissioner as contained in the general regulations in Subchapters Q (Parts 171 and 177), R (Parts 180–213), T (Parts 241–243), and W (Part 256), insofar as such regulations relate to action in individual cases, see Order 551, Amdt. 3, under Department of the Interior, Bureau of Indian Affairs, in the Notices Section, *infra*.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 30, Interpretations 1–21]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

The following interpretations under the Machinery and Related Manufactured Goods Ceiling Price Regulation (CPR 30) were issued through August 9, 1951.

CPR 30, INT. 1—APPLICABILITY OF CPR 30 TO WHOLESALERS AND RETAILERS (GENERAL)

Ceiling prices for wholesalers and retailers are not covered by CPR 30. The effect of CPR 30 upon the ceiling prices of wholesalers and retailers are to be determined by looking to GCPR, SR 29 to GCPR, and other applicable regulations.

CPR 30, INT. 2—SALES AT WHOLESALE AND AT RETAIL (SECTION 1)

When a manufacturer sells the same commodity both at wholesale and at retail, only his sales at wholesale are covered by CPR 30, inasmuch as section 1 expressly exempts sales at retail. His sales at retail would be covered by such other regulations as may applicable.

CPR 30, INT. 3—SUBSEQUENT ELECTION TO USE CPR 30 (SECTION 1 (a))

A manufacturer who has elected not to use CPR 30 as permitted by section 1, may thereafter again exercise his option and elect to use CPR 30. He must, however, first file a Public Form No. 8 and comply with the provisions of CPR 30.

CPR 30, INT. 4—ELECTION (SECTION 1 (a))

Section 1 (a), CPR 30, permits a manufacturer whose gross sales for his last complete fiscal year were less than $250,000 to elect not to use the regulation. This is, in effect, an option to continue using GCPR for commodities which would otherwise be covered by CPR 30.

(a) A manufacturer must determine his "last complete fiscal year" by reference to the effective date of the regulation, May 28, 1951. Thus, if his fiscal year ends on May 31, the last complete fiscal year is the year ending May 31, 1950 and not the year ending May 31, 1951.

(b) The $250,000 figure relates to total sales of all commodities which he manufactures regardless of how much of such commodities are subject to this regulation, GCPR, or any other regulation. Thus, if his total sales were $600,000, he has no election even though only $240,000 of these sales related to commodities subject to the regulation. Similarly, if his total wholesale and retail sales of the commodities manufactured by him were $600,000, he has no election even though the sales at wholesale amounted only to $240,000 and the remainder were sales at retail (exempted sales).

(c) If a manufacturer's gross sales for his last complete fiscal year were $250,000 or more, he may not thereafter make the election provided by section 1 (a), CPR 30, even though his gross sales in a subsequent fiscal year should drop below $250,000.

(d) A manufacturer who makes the election to use GCPR instead of CPR 30 as permitted by section 1 (a), is not required to file any report of such election.

(e) A manufacturer may elect to use GCPR instead of CPR 30, under section 1 (a), if the total of all sales for his last complete fiscal year of all commodities manufactured by him is less than $250,000, even though the total of his combined sales as a manufacturer and as a wholesaler or retailer of commodities manufactured by others is $250,000 or more.

CPR 30, INT. 5—USE OF BASE PERIOD PRICE AND SUBSEQUENT USE OF CPR 30 (SECTION 3)

A manufacturer who does not calculate either his labor cost adjustment or his materials cost adjustment, and instead, used his base period price as his ceiling price under the regulation, as is permitted by section 3 (a), CPR 30, may thereafter make his calculations and establish a new ceiling price under CPR 30. In such case, he would be required by section 44 (b) to file a new Public Form No. 8.

CPR 30, INT. 6—"BASE PERIOD PAYROLL" INCLUSION OF OVERTIME WAGES (SECTION 12 (c))

"Base period payroll" as used in section 12 (c), CPR 30, would include overtime actually paid during the payroll period. The recomputed payroll should include the same amount of overtime hours as the base period payroll, calculated at the rates prevailing on March 15, 1951. This method of caculation was provided because it is the simplest way of arriving at the increase in straight time wage rates. Since the same amount of overtime hours is included in both calculations, the result will generally be substantially the same as that which would be obtained by eliminating overtime payments from both the base period and the recomputed payroll.

CPR 30, INT. 7—FRINGE BENEFITS NOT INCLUDED IN ANNUAL FACTORY PAYROLL (SECTION 12 (c))

Fringe benefits may not be included in determining annual "factory payroll" under section 12 (a), CPR 30. However, increases in the cost of fringe benefits are taken into account under section 12 (c), which provides that such increases may be added to "recomputed payroll."

CPR 30, INT. 8—MANUFACTURING MATERIALS: TOOLS, JIGS, DIES AND FIXTURES (SECTION 14)

Inquiries have been received as to whether increased tooling costs may be taken into consideration in calculating the materials cost adjustment under CPR 30. Section 14 of CPR 30 defines "manufacturing materials." Because of the importance of these items in the machinery field, the definition of "manufacturing material" in section 14 of CPR 30 provides specifically that dies, fixtures, patterns and other listed items are covered, but "only if they are permitted to be included as expense items for Federal tax purposes."

Under this test, only items whose normal useful life is one year or less and whose costs are allowed to be treated as expenses for income tax purposes are covered. However, tools, dies, jigs, fixtures and related items, which are used over a period of more than one year or whose normal useful life is more than one year, are not included within the definition of "manufacturing material" in section 14 of CPR 30. They are not, therefore, to be included in calculating the materials cost adjustment under CPR 30. This is so even if in a particular instance the Bureau of Internal Revenue may permit such items to be treated as expense items because of a manufacturer's historical practice of so treating them. Customarily, these items would be capitalized and depreciated over the period of their use and would not be treated as expense items. It is believed that this test is a workable one and is also commonly understood in industry.

CPR 30 INT. 9—MAINTENANCE COSTS (SECTION 14)

The exclusion from "manufacturing material" in section 14, CPR 30, of materials used in "maintaining" a manufacturer's plant was intentional and the inclusion in labor costs of section 12 of labor used in "ordinary maintenance" was intentional. This was done because of the difficulties of segregating maintenance labor from other factory labor.

CPT 30—INT. 10—MANUFACTURING MATERIAL (SECTION 14)

Materials and sub-contracted industrial services used in replacing, maintaining or expanding a manufacturer's plant and equipment are excluded from the term "manufacturing material" by section 14, CPR 30. Section 14 excludes all such materials and services, whether or not their use is directly dependent upon the rate of manufacture of the commodity being priced, and in addition excludes any other materials or supplies the use of which is not directly dependent upon the rate of manufacture of the commodity being priced.

CPR 30. INT. 11—EXCLUSION OF MANUFACTURING MATERIALS FROM CALCULATIONS (SECTION 15)

It seems that some manufacturers have misconstrued the manner in which to calculate materials cost adjustment, so that changes in net cost of some materials are mistakenly given effect even though they have omitted these materials from their calculations under the provisions of section 15, CPR 30. Section 15 permits a manufacturer to exclude from the calculation of his materials cost adjustment those manufacturing materials which are not significant or whose cost has not decreased between the prescribed dates. Where such materials are excluded, however, they must be excluded from all calculations. The provisions of the regulation are clear on this point. Materials cost adjustment is obtained by multiplying the change in net cost per unit of each manufacturing material by the physical amount of each such manufacturing material. This method obviously precludes the application of change in net cost to excluded manufacturing materials. Any method of calculation which leads to a contrary result is not permitted under the regulation.

CPR 30, INT. 12—LONG TERM CONTRACTS SUBJECT TO PRICE REVISIONS (SECTIONS 22 (b) AND (c))

A manufacturer purchases materials under a contract signed on March 15, 1950 providing for successive deliveries of materials from April 1, 1950 through March 31, 1951. The contract states a price for the materials, but gives the seller the option to increase or decrease the price with respect to the calendar quarters commencing on July 1, 1950, October 1, 1950 and January 1, 1951. To change the price the seller must give the manufacturer notice at least fifteen days before the beginning of the calendar quarter in which the new price is to be effective. The question is presented under section 22(b) and (c) as to whether this contract constitutes a contract "bearing a firm price entered into more than 60 days prior to the prescribed date. . . ."

The manufacturer's base period is April 1, to June 24, 1950, so that he computes his materials cost as of the prescribed dates of June 24, 1950 and December 31, 1950.

The contract may be considered as representing a series of quarterly contracts within the meaning of section 22 (b) and (c). As to section 22 (b), the deliveries actually received by the manufacturer during the base period would have been made pursuant to the quarterly contract which became effective April 1, 1950. Inasmuch as this quar-

terly contract is considered to have been "entered into" on March 15, 1950, more than 60 days prior to the first prescribed date of June 24, 1950, the manufacturer would not use as his materials cost under section 22 (b) the price stated in the contract for the first quarter.

As to section 22 (c), the price stated in the contract for the quarters beginning July 1, 1950, October 1, 1950 and January 1, 1951 may be considered to be an "open" price in view of the seller's reservation of the absolute right to change the price. The price does not, therefore, become firm until (1) such time as the seller gives notice of his exercise of the option to change the price, or (2) the first day after the expiration of the time within which he must give such notice. Therefore, under section 22 (c) the second quarterly contract, beginning July 1, 1950, may be considered to have been "entered into" either on the day on which the seller gave the required notice of the new price or, failing such notice, on June 17, 1950 (the 14th day prior to July 1, 1950). This quarterly contract might then be considered as a contract "entered into" within 60 days prior to the first prescribed date of June 24, 1950 within the meaning of section 22 (c).

Similarly, with respect to the second prescribed date of December 31, 1950, the quarterly contract commencing January 1, 1951 would be considered to have been "entered into" on the day on which the seller either gave the required notice of the new price, or failing such notice, on December 18, 1950 (the 14th day prior to January 1, 1951).

Similar contracts which, however, leave the prices for each quarter "open", shall be construed in the same manner as the above-described contract.

CPR 30, INT. 13—INCREASES IN TRANSPORTATION COSTS (SECTION 31)

Section 31 of CPR 30 permits an adjustment of ceiling prices quoted on a delivered basis to reflect any increases, between the end of the base period and March 15, 1951, in transportation costs actually incurred. This does not include increases in rail or water freight rates authorized by the Interstate Commerce Commission in its decision of March 12, 1951 in Ex Parte No. 175 (and Sub-No. 1). None of the increases so authorized became effective until after March 15, 1951.

CPR 30, INT. 14—FREIGHT RATES (SECTION 31)

Interpretation 1 under GCPR, which concerns freight rates, is not applicable to commodities subject to CPR 30. Section 31, CPR 30, and Interpretation 13 under CPR 30 are applicable as to freight rates under CPR 30.

CPR 30, INT. 15—"WOULD HAVE" OPERATED AT A LOSS (SECTION 41)

Under section 41 of CPR 30 a seller may not apply for an adjustment until after one month's operation under the regulation. The language "would have been conducted at a loss" relates to the situation of a person who was not manufacturing in his customary quantities and proportions but would have lost money if he had been manufacturing in customary quantities and proportions.

CPR 30, INT. 16—REPORT NOT REQUIRED FOR COMMODITY NO LONGER MANUFACTURED (SECTION 44 (b))

CPR 30 does not require the filing of Public Form No. 8 for a commodity sold during the base period but which is no longer being made or sold. If that commodity is subsequently manufactured and offered for sale the manufacturer must first, of course, comply with the provisions of CPR 30 with respect to that commodity.

CPR 30, INT. 17—WHO MUST REPORT (SECTION 44 (b))

A manufacturer who does not calculate either his labor cost adjustment or his materials cost adjustment and, instead, uses his base period price as his ceiling price under the regulation, as is permitted by section 3 (a), CPR 30, must nevertheless file Public Form No. 8 as required by section 44 (b). In such case he should supply, in addition to his name and address, the information required by Items 1, 2 and 3, and should indicate on the Form that he has elected to use his base period price.

CPR 30, INT. 18—CORPORATE IDENTITY (SECTION 45)

The separate identity of corporations may not be disregarded under CPR 30. Thus, a subsidiary corporation wholly owned by a manufacturer and acting as exclusive sales agent for the manufacturer is not a manufacturer order CPR 30. The subsidiary, therefore, may not determine its ceiling price under the regulation. Conversely, a manufacturing corporation that distributes all of its products through a wholly owned subsidiary that sells at retail is subject to CPR 30, and is not itself selling at retail within the meaning of section 1. As a further illustration where two manufacturing corporations are wholly owned by a third manufacturing corporation, all three are separate manufacturers under CPR 30. This is the case even if the three corporations are engaged in separate steps in the manufacture of a single finished commodity (assuming that the separate steps constitute manufacturing).

CPR 30, INT. 19—"NET SALES" SELLING COMMISSIONS NOT DEDUCTIBLE (SECTION 45)

The term "net sales" is defined in section 45, CPR 30, as referring to "gross sales after trade discounts, less returns and allowances" and applies only to allowances made to the purchaser. Selling commissions, being payments to other persons than the purchaser, whether paid to an employee, broker, or other company, are not "trade discounts", "returns", or "allowances". Therefore, in computing net sales a manufacturer may not deduct the amount of such selling commissions paid by him.

CPR 30, INT. 20—NET SALES—INVENTORY NOT INCLUDED (SECTION 45)

"Net sales," as defined in section 45, is not synonymous with the "value" of goods produced. Thus, in determining net sales under section 12 (a), a manufacturer should not include commodities which were manufactured during his fiscal year ended December 31, 1950 but which were not sold during that year.

CPR 30, INT. 21—SALE AT RETAIL (SECTION 45)

A sale to a "commercial, industrial, governmental or institutional user", is not a "sale at retail" as defined in section 45, CPR 30, even though the commodity sold to such user is not to be resold. Thus, a gasoline pump sold to a service station by the manufacturer, or a machine tool sold to an automobile manufacturer is not a sale at retail but constitutes a sale to a commercial user.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9989; Filed, Aug. 17, 1951; 11:36 a. m.]

[Ceiling Price Regulation 59, Amendment 1]

CPR 59—SCRAP RUBBER

EXTENSION OF TIME

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 1 to Ceiling Price Regulation 59 is hereby issued.

STATEMENT OF CONSIDERATIONS

Pursuant to the Defense Production Act of 1950, as amended, provision was made in this regulation for limited deliveries of scrap rubber under preexisting contracts at the contract price. Such provision permitted a seller to avoid hardship on deliveries made after the effective date of the regulation where his cost was higher than his ceiling price for the sale of such rubber under this regulation. To avail himself of the relief accorded by this provision, a seller had to come within its limitations, one of which required the scrap rubber to have been delivered to that seller prior to August 6, 1951 and delivered or placed in transit to the person re-purchasing from such seller on or before August 13, 1951.

It appears, however, that although this regulation was issued July 30, to be effective August 6, it was not communicated to the industry until after August 6 due to unavoidable conditions. As a result sellers who were intended to have approximately 2 weeks to unload higher cost purchases actually had less than one week for that purpose. Many members of the industry complained to the Office of Price Stabilization asking to be given more time to comply and pointing out the hardships that would otherwise ensue. Accordingly, this amendment extends the date for delivery or shipment from the seller of scrap rubber to the purchaser, to August 23, 1951. The Director is advised that this extension will be adequate for the purposes

intended. Further consultation with representatives of the industry was, therefore, deemed unnecessary and impractical. In the judgment of the Director of Price Stabilization the action taken in this amendment is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

Subparagraph 2 of section 14 (c) of Ceiling Price Regulation 59 is amended to read as follows:

(2) Had been delivered to you prior to August 6, 1951 and is delivered to or placed in transit to the person repurchasing from you on or before August 23, 1951 or

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective as of August 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9940; Filed, Aug. 16, 1951; 3:17 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 12]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 12—EXTENSION OF EFFECTIVE DATE FOR PARTICULAR COMMODITIES

Correction

In subparagraph 15, section 1 (b) of Supplementary Regulation 12 (16 F. R. 6429) the word "planographic" was misspelled and the phrase "that do" appeared instead of the phrase "but does". Accordingly, subparagraph 15, section 1 (b) is corrected to read as follows:

15. Printing inks: This term means solutions or suspensions of dye stuffs or pigments designed for use in typographic, planegraphic, intaglio or silk screen processes but does not include materials used primarily to color or decorate woven fabrics nor materials commonly called "inks," such as writing fluids, ball pen inks, drawing inks, stamp pad inks, show card inks, and stencil inks which are customarily applied by processes other than printing.

[General Ceiling Price Regulation, Supplementary Regulation 43]

GCPR, SR 43—BOTTLED SOFT DRINKS

Correction

Supplementary Regulation 43 to the General Ceiling Price Regulation, as published at 16 F. R. 7207, is hereby corrected by changing "95 cents" to "96 cents" in the first sentence of section 1.

[General Overriding Regulation 14, Amendment 1]

GOR 14—EXCEPTED SERVICES

CERTAIN RAILROAD CAR REPAIR SERVICES

Correction

The following corrections are made to General Overriding Regulation 14, Amendment 1 (16 F. R. 7328).

1. Under the heading "Amendatory Provisions," the statement reading "General" Overriding Regulation 14 is amended by adding a new section 4 to read as follows: "is corrected to read as follows: General Overriding Regulation 14 is amended by adding to section 3 the following:".

2. The title "SEC. 4." is corrected to read as follows: "(68)".

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 34—CLASSIFICATION AND RATES OF POSTAGE

PARCELS ADDRESSED TO CERTAIN A. P. O.'S

In § 34.95 *Parcels addressed to certain A. P. O.'s* (15 F. R. 8165, 16 F. R. 2152, 5871) make the following changes:

1. In the caption of paragraph (b) strike out the words "A. P. O. 10, 11, 55 or 58," and insert in lieu thereof the words "A. P. O. 10, 11, 21, 55, 58 or 349."

2. In paragraph (c) amend the table of A. P. O.'s to read as follows:

Care Postmaster, New York, N. Y.: A. P. O. 10, 11, 21, 30, 55, 58, 124, 125, 147, 179, 349.

Care Postmaster, New Orleans, La.: A. P. O. 825, 826, 827, 828, 829, 830, 831, 832, 834, 835, 836, 837.

Fleet Post Office, New York, N. Y.: Navy No. 214.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-9827; Filed, Aug. 17, 1951; 8:46 a. m.]

PART 34—CLASSIFICATION AND RATES OF POSTAGE

MAILING OF CIGARETTES AND TOBACCO PRODUCTS AT A. P. O.'S PROHIBITED

Amend § 34.95a *Mailing of cigarettes and tobacco products at A. P. O.'s prohibited* (16 F. R. 5657) by inserting A. P. O. numbers 19 and 21 in proper numerical order in the list shown therein.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-9829; Filed, Aug. 17, 1951; 8:47 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service, Federal Security Agency

PART 21—COMMISSIONED OFFICERS

SEPARATION ON GROUNDS OF DISLOYALTY

CROSS REFERENCE: For amendment of § 21.155, see Executive Order 10280, *supra*.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 947]

[Docket No. AO 113-A 13]

HANDLING OF MILK IN FALL RIVER, MASS. MARKETING AREA

RECOMMENDED DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND PROPOSED AMENDMENTS TO ORDER AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Fall River, Massachusetts, on April 12 and 13, 1951, pursuant to a notice issued March 14, 1951 (16 F. R. 2517) upon a proposed marketing agreement and proposed amendments to the order, as amended, regulating the handling of milk in the Fall River, Massachusetts, marketing area. Interested parties may file written exception to this recommended decision with the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The material issues presented on the record of the hearing were whether:

1. A method should be provided for computing a composite wage index for use in the Class I formula.

2. The formulas for the Class II prices and the butterfat differential should be revised to reflect any changes made in the Class II price formula and butterfat differential under the Boston order.

3. The operator of a milk plant should be made the responsible handler with respect to payment, reporting and other obligations imposed by the order for all milk and milk products received at such plant.

4. Class price differentials at country plants should be established to provide prices equivalent at competing country points to similar class prices established under the Boston order.

5. The classification provisions should be revised with respect to milk and milk drinks transferred to plant subject to another Federal order.

6. Handlers should be required to furnish producers detailed monthly statements at the time of payment and weight statements each day.

7. The definition of producer-handler should be revised.

8. The market administrator should develop a weighing and testing program for the entire market and establish standards for drawing composite samples.

9. The marketing area should be extended.

10. The definitions of producer and of dairy farmers designated for other markets should be revised.

11. The assignment to classes of milk received from certain sources should be revised.

12. The provisions pertaining to verification of handler's reports should be rephrased.

Findings and conclusions. (1) Since the publication of the farm wage rates previously specified in the order provisions for use in determining the feed-labor index in the Class I price formula has been discontinued, action on issue No. (1) was necessitated prior to this decision. Accordingly on July 20, 1951, the Secretary issued a final decision with respect to this issue. The following findings and conclusions on issues Nos. (2) through (12) are based upon the evidence introduced at the hearing and the record thereof and are supplementary to the findings and conclusions made with respect to the aforesaid decision.

(2) The proposal to make such changes in the Class II pricing provisions as are necessary to maintain the present relationship to the Boston Class II price should be adopted. The present basis of Class II pricing was established so that the Fall River Class II price would move with the price of milk for similar use in the Boston market. Since the handling of milk for the Fall River and Boston markets is closely interrelated, it is essential that any changes in the Boston Class II pricing be reflected in the Fall River Class II pricing. The butterfat differential in the Fall River market has been determined by a formula similar to that used in the Boston market. Therefore, in the computation of the butterfat differential the factor representing the weight of a can of 40 percent cream should be considered 33 pounds, rather than the 33.48 pounds now indicated by the order. A similar revision has been recommended for the Boston order. The proposals to revise the butterfat differential formula to accomplish effects other than maintaining the present alignment to similar provisions of the Boston order were not supported by the evidence. Accordingly no further changes should be made on the basis of this record.

(3) The proposal to amend the order to provide that the operator of a milk plant be the responsible handler with respect to payment, reporting and other obligations under the order for all milk and milk products received at such plant should be adopted. The operator of a plant is the logical person to be held responsible for maintaining an accurate record of the weight and test of milk received from producers. The plant operator has control of the receiving function and should be responsible for maintaining proper records of such receipts. Since the operator of the receiving plant takes possession physically of milk delivered by producers, he should be held responsible for paying producers and for other obligations imposed by the order upon a handler. A handler proposed that his own farm production be regarded as a receipt at his own milk plant even though the milk was moved directly from his farm to another handler's plant. Such milk is now regarded as a delivery by a producer to the other handler. To consider the movement as a transfer between handlers would relieve the person who actually received the milk from the usual responsibility for paying minimum order prices for such milk. Since there appears to be no reason for exempting such deliveries from minimum price regulation the proposal to call such producer deliveries, transfers between handlers, should not be adopted.

(4) Price differentials for Class I and Class II milk received from producers at country plants should result in prices equivalent to prices established for similar classes of milk received at nearby Boston country plants.

The order presently provides that Class I milk received at a country plant located in excess of 100 miles from Fall River be priced at 13 cents plus rail tariff cost below the city plant price. Such pricing results in substantial price disparity between competing Boston and Fall River country plants with the result that Boston handlers can supply milk to Fall River at a significantly lower price than can Fall River country plants. While the present nearby supply of producer milk is insufficient to meet the Class I requirement for the market the development of country station supplies is seriously impaired by the disparity in pricing. In order to provide greater market stability it is highly desirable that Fall River and Boston country plant Class I prices be equalized at competing points. The proposed schedule of zone differentials hereinafter set forth assures such a pricing in the country plant zones. These differentials take cognizance of existing rail tariff rates as published in the New England Joint Tariff Bulletin—M No. 6. Any revisions in such rates should be reflected through corresponding changes in the zone differentials.

It was proposed at the hearing that Class II prices at country plants be established at the price which would be effective for a country plant if it were subject to the Boston order. The present schedule of Class II price differentials comes close to accomplishing the same result since the prices are generally equivalent at country points even though distances are measured from Fall River with allowance made for the greater mileage from Fall River to the country plant area than from Boston to the same points. It is concluded, therefore, that no further adjustment is needed.

(5) No change should be made in the present transfer provisions with respect to disposition of milk to other Federal order markets. The order presently provides that disposition to a handler or plant subject to another Federal order be classified as reported; provided that Class II assignment may not exceed the total Class II use of the buyer. Proponents asked that the order provisions be revised to provide that such transfers be classified in the class in which they are assigned under terms of such other order. In support of their proposal, they contend that the change is desirable to assure an outlet for surplus milk. In view of the interrelationship in the handling of milk for Fall River and for Boston, it is possible that occasional surplus milk might need to be transferred from Fall River to Boston. The handler who makes the transfer can report the transferred milk as a Class II transfer and if the Boston handler receiving such milk has an equivalent quantity of Class II use the Class II use is allowed. Since the present provisions of the order provide for such classification no change should be made in these provisions on the basis of this record.

(6) The order should be revised to require that each handler in making payment to producers shall furnish each producer with a supporting statement setting forth the basis on which the amount for which the check is written was computed including a statement of the minimum price required under the order provisions. Issuance of such a statement is in accordance with reasonable business practice and is required under several Federal milk orders.

It was proposed also that handlers be required to furnish each producer a daily statement of the weight of milk received from him. Although such a statement would provide the producer with an immediate accounting for each milk shipment, the rendering of such a statement would impose a further obligation on handlers which does not appear to be necessary. The producer himself can maintain a record of his daily shipments to check against the detailed statement issued at the time payment is made. It is concluded that handlers should not be required to furnish producers with daily weight statements.

(7) The proposal to eliminate the present requirement that a producer-handler handle less than a specified volume of milk to maintain the exemptions accorded a producer-handler should not be adopted. Special status as producer-handlers is accorded to certain small distributors who handle no milk of other producers. The effect of such small distribution on the stability of the market is negligible and the per hundredweight cost of administering the order with respect to such small distributors would be greatly increased by requiring reporting and accounting by such handlers with the same exactness as is required of larger distributors. The basis for such exemption does not exist for handlers who dispose of more than 1,000

pounds of milk and milk drinks on a daily average.

(8) The proposals to amend the order to require specifically that the market administrator establish and supervise a systematic check of milk weights and butterfat tests and regulate the method of taking composite samples of producer milk should not be adopted. The responsibility for establishing such standards is inherent in the obligation to perform the verification and checking required by the order. The order requires that the market administrator verify the payments by handlers on the basis of correct weights and tests through a checking program carried on by the market administrator for producers who are not members of an association of producers. In the case of producers for whom an association is receiving the marketing service payment the Secretary is responsible for determining that such association is actually performing the marketing service functions. In making such determination the Secretary may rely upon the current investigation made by the market administrator of services performed by eligible associations of producers. Accordingly it is desirable that this responsibility of the market administrator be set forth in the order.

(9), (10), (11). Issues numbered (9), (10), and (11) dealt with various phases of the problem of determining the scope of handlers operations which should be covered by the order. The present order fails to regulate by minimum prices certain designated milk received by handlers for disposition outside the marketing area. It also permits exemption from regulation of milk claimed to be received from other Federal order markets. This exemption applies to milk priced under the New York order at the Class I C price which is considerably lower than the Class I price under the Fall River order and to milk which may be designated as a receipt from another Federal order plant although a claim is made on the identical quantity of milk for similar exemptions under another Federal order.

One proposal to reduce the volume of unpriced milk which handlers maintain in plants at which milk is received from producers was to extend the boundaries of the marketing area. Another proposal was to restrict the manner in which a handler can shift dairy farmers to and from the status of producers merely by a transfer of the dairy farmers names on the payroll. Other proposals would reduce the circumstances in which exemptions from minimum price regulation would be afforded because the handlers claimed receipts were originally priced under another Federal order. Proposals of minor significance would define more precisely the order of assignment to Class I and Class II of milk received from producers and from other sources.

Although the record contains considerable testimony concerning the problems involved in the administration of the order according to its present terms the evidence indicates that the proposed changes would only make certain shifts in the quantities of unpriced milk being received at handlers plants.

Since these proposals do not appear from the record to be capable of effecting any substantial reduction in the quantity of milk which handlers maintain in a price-exempt category, no changes reflecting these proposals should be made on the basis of this record.

(12) The proposal to rephrase the provisions pertaining to verification of handlers' reports should be adopted. The proposed language more clearly defines the obligations and responsibility involved in the verification process. Since the order is to be rewritten to incorporate all amendments, it is desirable to adopt such improvements at this time.

General findings. (a) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in the said tentative marketing agreement upon which the hearings have been held; and

(c) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to section 2 and section 8 (e) of the act are not reasonable in view of the price of feed, available supplies of feed, and other economic conditions which affect market supply and demand for such milk, and the minimum prices specified in the proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, are such as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

Ruling on proposed finding and conclusions. Briefs were filed on behalf of interested parties. The briefs contained suggested findings of facts, conclusions, and arguments with respect to the proposals considered at the hearing. Every point covered in the briefs was carefully examined along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the suggested findings and conclusions contained in the briefs are inconsistent with findings and conclusions contained therein, the request to make such findings or to reach such conclusions is denied.

Recommended marketing agreement and order

The following order amending the order, as amended, is recommended as the detailed and appropriate means by which these conclusions may be carried out. The proposed marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as amended, and as hereby proposed to be further amended.

DEFINITIONS

§ 947.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 947.2 *Secretary.* "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States authorized to exercise the powers and to perform the duties of the said Secretary of Agriculture.

§ 947.3 *Fall River, Massachusetts, marketing area.* "Fall River, Massachusetts, marketing area," hereinafter called the "marketing area" means the city of Fall River and the town of Somerset, both in the Commonwealth of Massachusetts, and the town of Tiverton in the State of Rhode Island.

§ 947.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 947.5 *Dairy farmer.* "Dairy farmer" means any person who produces milk.

§ 947.6 *Producer.* "Producer" means any dairy farmer, irrespective of whether such dairy farmer is also a handler, whose milk is received at a plant from which Class I milk is shipped to, or sold in, the marketing area either directly or through another plant during the delivery period: *Provided*, That a dairy farmer shall not be a producer within this definition:

(a) If minimum prices are required to be paid to him under provisions of any other Federal order;

(b) If milk delivered by him is determined by the market administrator to be a part of the handler's normal supply for a market other than the marketing area and (1) is classified in Class II or is disposed of outside the marketing area and is classified as Class I, or (2) is moved to a plant from which the quantity of Class I milk sold or distributed in the marketing area during the delivery period is no greater than the quantity of Class I milk received during the delivery period at such plant from Fall River handlers plus the quantity of bulk milk received from a Federal order plant during the delivery period; or

(c) If his milk is delivered to a plant located outside Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, and New York.

§ 947.7 *Dairy farmers designated for other markets.* "Dairy farmers designated for other markets" means those dairy farmers which are reported to the market administrator by a handler as his normal supply for a market other than the marketing area.

§ 947.8 *Cooperative association.* "Cooperative association" means any association of producers or producers and dairy farmers which the Secretary determines (a) to have its entire activities under the control of its members, and (b) to have and to be exercising full authority in the sale of milk of its members.

§ 947.9 *Handler.* "Handler" means any person, irrespective of whether such person is also a dairy farmer, a pro-

ducer, or a cooperative association, who operates a plant at which he receives milk from producers, dairy farmers, cooperative associations, or other handlers, all or a portion of which milk is disposed of as Class I milk in the marketing area during the delivery period.

§ 947.10 *Producer-handler.* "Producer-handler" means a producer who is also a handler who receives no milk from producers and who, during the delivery period, disposes of no more than 1,000 pounds on a daily average of milk and milk drinks other than in bulk to another handler or producer-handler: *Provided*, That such handler shall furnish to the market administrator for his verification, subject to review by the Secretary, evidence that the maintenance, care, and management of the dairy animals and other resources necessary for the production of milk in his name are and continue to be the personal enterprise of and at the personal risk of such producer and the processing, packaging, and distribution of the milk are and continue to be the personal enterprise of and at the personal risk of such producer in his capacity as a handler.

(a) Sections under headings "Minimum Prices", "Payments for Milk", "Marketing Service Deductions", and "Administration Expense" are not applicable to any producer-handler as defined in this subpart.

(b) Milk received by a handler from a producer-handler shall be considered as being received from a producer.

§ 947.11 *Milk.* "Milk" means the commodity received from a dairy farmer at a plant as cow's milk. The term also includes milk so received which later has its butterfat content adjusted to at least one-half of 1 percent but less than 16 percent, frozen milk, and reconstituted milk.

§ 947.12 *Concentrated milk.* "Concentrated milk" means any unsterilized liquid milk product, other than those products commonly known as evaporated milk and sweetened condensed milk, which is obtained by the evaporation of water from milk and milk to which any other milk product may be added in the process of manufacture. For purposes of this part the weight of the fluid milk products used to produce the concentrated milk shall be used rather than the actual weight of the concentrated milk.

§ 947.13 *Milk drinks.* "Milk drinks" means flavored milk, skim milk, flavored skim milk, cultured skim milk, and buttermilk, either individually or collectively.

§ 947.14 *Fluid milk products.* "Fluid milk products" means milk, flavored milk, cream, skim milk, flavored skim milk, cultured skim milk, buttermilk, and concentrated milk, either individually or collectively.

§ 947.15 *Producer milk.* "Producer milk" means all milk produced by a producer which is purchased or received by a handler either directly from such producer or from a cooperative association.

§ 947.16 *Other source milk.* "Other source milk" means all milk and milk products received by a handler which is not producer milk, milk delivered by dairy farmers designated for other markets, or milk and milk drinks from a Federal order plant.

§ 947.17 *Federal order.* "Federal order" means any order of the Secretary regulating the handling of milk pursuant to the act.

§ 947.18 *Federal order plant.* "Federal order plant" means any plant at which the milk is subject to the minimum pricing provisions of another Federal order during the delivery period.

§ 947.19 *Hundredweight.* "Hundredweight" means one hundred pounds of milk or its volume equivalent, considering 85 pounds of milk and 86 pounds of skim milk per 40-quart can, and 2.15 pounds of milk per quart.

§ 947.20 *Delivery period.* "Delivery period" means the calendar month, or the portion thereof, during which the provisions of this subpart are effective.

MARKET ADMINISTRATOR

§ 947.30 *Designation.* The agency for the administration of this subpart shall be a market administrator who shall be a person selected and subject to removal by the Secretary. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary. The market administrator shall be entitled to such reasonable compensation as shall be determined by the Secretary.

§ 947.31 *Powers.* The market administrator shall have the power to:

(a) Administer the terms and provisions of this subpart;

(b) Report to the Secretary complaints of violations of this subpart;

(c) Make rules and regulations to effectuate the terms and provisions of this subpart; and

(d) Recommend to the Secretary amendments to this subpart.

§ 947.32 *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(a) Keep such books and records as will clearly reflect the transactions provided for in this subpart;

(b) Submit his books and records for examination by the Secretary at any and all times;

(c) Furnish such information and such verified reports as the Secretary may request;

(d) Obtain a bond with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(e) Publicly disclose, after reasonable notice, the name of any person who has not made reports or payments required by the subpart;

(f) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this subpart as do not reveal confidential information;

(g) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this subpart;

(h) Pay out of the funds received pursuant to § 947.80 the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties;

(i) Promptly verify the information contained in the reports submitted by handlers; and

(j) Verify, subject to review by the Secretary, evidence furnished by handlers pursuant to § 947.10, such verification to be made within 15 days of the date of receipt of such evidence, and to be effective from the first day of the delivery period during which verification is made.

REPORTS OF HANDLERS

§ 947.35 *Submission of reports.* Each handler shall report to the market administrator in the form and detail prescribed by the market administrator as follows:

(a) On or before the 8th day after the end of each delivery period, the receipts of milk and milk products at each plant from producers, from other handlers, from such handler's own production, from any other sources during the delivery period, and inventories on hand at the beginning and end of each such delivery period;

(b) On or before the 8th day after the end of each delivery period, the respective quantities of milk and milk products which were sold, distributed, or disposed of, including sales or deliveries to other handlers during the delivery period, for the several purposes and classifications as set forth in this subpart;

(c) On or before the 20th day of each delivery period, each handler shall report to the market administrator the receipts of milk from producers received during the first 15 days of such delivery period showing for each producer:

(1) The daily and total receipts of milk;

(2) The average butterfat test thereof; and

(3) The current post-office address and farm location of producers for whom information has not been previously reported.

(d) On or before the 8th day after the end of each delivery period, each handler shall report to the market administrator his receipts of milk from producers received during the period from the 16th through the last day of the delivery period showing for each producer:

(1) The daily and total receipts of milk;

(2) The average butterfat test thereof; and

(3) The current post-office address and farm location of producers for whom information has not been previously reported.

(e) On or before the 25th day after the end of each delivery period each handler shall submit to the market administrator his producer records for such delivery period which shall show for each producer:

(1) The total pounds of milk delivered and the average butterfat test thereof; and

(2) The net amount of such handler's payments to each producer and each cooperative association made pursuant to § 947.65 together with the prices, deductions, and charges involved.

(f) On or before the 18th day after the end of the first delivery period following the effective date of this subpart, a schedule of the transportation rates which were charged and paid for the transportation of milk from the farm of each producer to such handler's receiving plant and such information with respect to distances involved as the market administrator may require;

(g) On or before the 18th day after any changes are made in the schedule filed in accordance with paragraph (f) of this section, a copy of the revised schedule with the effective dates of such changes as may appear in the revised schedule; and

(h) On or before the 8th day after the end of each delivery period, dairy farmers designated for other markets.

§ 947.36 *Verification of reports.* For the purpose of ascertaining the correctness of any report made to the market administrator as required by this subpart or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, each handler shall permit the market administrator or his agent, during the usual business hours, to:

(a) Verify the information contained in reports submitted in accordance with this subpart;

(b) Weigh, sample, and test milk and milk products; and

(c) Make such examination of records, operations, equipment, and facilities as the market administrator finds necessary for the purpose specified in this section.

§ 947.37 *Maintenance of records.* Each handler shall maintain detailed and summary records showing all receipts, movements, and disposition of milk and milk products during the delivery period and the quantities of milk and milk products on hand at the end of the delivery period.

§ 947.38 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 947.40 *Responsibility of handlers.* In establishing the classification of milk and milk products received by a handler, the burden rests upon the handler who received milk from producers to account for all milk and milk products received at each plant at which milk is received from producers, and to prove that such milk and milk products should not be classified as Class I. The burden rests upon the handler who distributes milk and milk drinks in the marketing area to establish the source of all milk and milk products received.

§ 947.41 *Classes of utilization.* The classes of utilization of milk and milk products shall be as follows subject to §§ 947.42 and 947.43:

(a) Class I milk shall be all milk and milk products the utilization of which is not established as Class II milk.

(b) Class II milk shall be all milk and milk products the utilization of which is accounted for as:

(1) Sold, distributed, or disposed of other than as milk which contains one-half of 1 percent or more but less than 16 percent of butterfat, and other than as concentrated milk for fluid consumption, chocolate or flavored whole milk or skim milk, buttermilk, or cultured skim milk, for human consumption; and

(2) Actual plant shrinkage not in excess of 2 percent of milk and milk drinks received from all sources including the handler's own production but not including receipts from other handlers who receive milk from producers or milk and milk products received completely processed and packaged from a Federal order plant.

§ 947.42 *Transfers of milk and milk drinks from a plant at which milk is received from producers.* (a) Transfers to a producer-handler shall be Class I.

(b) Transfers to another handler not a producer-handler or to a Federal order plant shall be classified as reported by the seller, or if the seller submits no report, as reported by the buyer: *Provided,* That the quantity classified as Class II milk shall not exceed the total quantity of Class II milk of such buyer during the delivery period.

(c) Transfers to a plant, other than a handler's plant at which milk is received from producers or a Federal order plant, shall be Class I not to exceed the total Class I at such plant during the delivery period.

§ 947.43 *Classification of milk and milk products received at plants at which milk is received from producers.* For each delivery period each handler shall report the classification of milk and milk products which were received at plants at which milk is received from producers by making computations in the order indicated as follows:

(a) Determine the pounds of milk and milk products received at all plants of the handler at which milk is received from producers;

(1) From producers, including own production;

(2) From dairy farmers designated for other markets;

(3) In the form of milk products received completely processed and packaged from a Federal order plant;

(4) In the form of bulk milk and milk drinks received from another Federal order plant;

(5) From other handlers who receive milk from producers; and

(6) From other sources, and the total,

(b) Determine the total pounds of milk and milk products utilized in Class II products including allowable plant shrinkage as provided in § 947.41 (b) (2).

(c) Prorate allowable plant shrinkage classified as Class II to receipts from producers, from dairy farmers designated for other markets, bulk receipts of milk and milk drinks from other Federal order plants, and milk and milk drinks from other source milk, and deduct such plant shrinkage from total Class II computed pursuant to paragraph (b), of this section.

(d) Classify remaining other source milk and milk products as Class II in an amount no greater than the amount of the Class II remaining.

(e) From the remaining pounds in each class deduct:

(1) The quantity of milk and milk products received from other handlers who receive milk from producers which is classified according to § 947.42 (b); and

(2) Milk and milk products received completely processed and packaged from a Federal order plant classified according to the actual use established.

(f) Prorate remaining Class II to receipts of milk and milk drinks from producers, from dairy farmers designated for other markets, and bulk receipts from Federal order plants: *Provided,* That receipts from producers classified as Class II inclusive of plant shrinkage shall not exceed 5 percent of the total quantity received from producers, in any delivery period except April, May, and June.

(g) Deduct any remaining Class II amounts from the total quantity received from producers and the remainder is Class I producer milk.

(h) From the total receipts from each source listed in paragraph (a) of this section deduct the amount classified as Class II for each source in paragraphs (c), (d), (e), (f), and (g) of this section and the remainder from each source is Class I: *Provided,* That the total Class I utilization in the marketing area is not more than the Class I producer milk determined in this paragraph plus Class I milk received from Federal order plants and Class I milk from plants located outside Maine, New Hampshire, Vermont,

Connecticut, Massachusetts, Rhode Island and New York.

MINIMUM PRICES

§ 947.50 *Class I prices.* Each handler shall pay producers or cooperative associations for Class I milk containing 3.7 percent butterfat delivered by them to plants located within 100 miles of the City Hall in Fall River, not less than the price per hundredweight determined for each delivery period pursuant to this section. In determining the Class I price for each delivery period, the latest reported figures available to the market administrator on the 25th day of the preceding month shall be used in making the following computations; except that if the 25th day of the preceding month falls on a Sunday or legal holiday, the latest reported figures available on the work day next succeeding shall be used:

(a) Divide by 0.98 the monthly wholesale price index for all commodities as reported by the Bureau of Labor Statistics, United States Department of Labor, with the year 1926 as the base period.

(b) Divide by 3 the sum of the three latest monthly indexes of department store sales in the Boston Federal Reserve District adjusted for seasonal variation as reported by the Federal Reserve System with the years 1935–39 as the base period and divide the result so obtained by 1.26.

(c) Compute an index of grain-labor costs in the Boston milkshed in the following manner:

(1) Compute the simple average of the four latest weekly average retail prices per ton of dairy ration in the Boston milkshed, as reported by the United States Department of Agriculture, divide by 0.5044 and multiply by 0.6.

(2) Compute the simple average of monthly equivalent farm wage rates for each of the states named below after converting the rates reported by the United States Department of Agriculture to monthly equivalents by multiplying the rates by the factors as follows: Rate per month with board and room, 1; rate per month with house, 1; rate per week with board and room, 4.33; rate per week without board or room, 4.33; and rate per day without board or room, 26. Next compute a weighted monthly wage rate by combining the average wage rates for the respective states with the weights; Maine 10, Massachusetts, 6, New Hampshire, 7; and Vermont, 77. Divide the weighted average monthly wage rate by 0.6394 and multiply by 0.4.

(3) Add the results determined pursuant to subparagraphs (1) and (2) of this paragraph.

(d) Divide by 3 the sum of the final results computed pursuant to the preceding paragraphs of this section. Express the result as a whole number by dropping fractions of less than one-half or by raising fractions of one-half or more to the next whole number. The result shall be known as the formula index.

(e) Subject to the succeeding paragraphs of this section, the Class I price per hundredweight shall be as shown in the following table:

CLASS I PRICE SCHEDULE

Formula index	Class I price per hundredweight		
	Jan.-Feb.-Mar.-July-Aug.-Sept.	Apr.-May-June	Oct.-Nov.-Dec.
50–56	$2.50	$2.06	$2.94
57–63	2.72	2.28	3.16
64–70	2.94	2.50	3.38
71–77	3.16	2.72	3.60
78–84	3.38	2.94	3.82
85–90	3.60	3.16	4.04
91–97	3.82	3.38	4.26
98–104	4.04	3.60	4.48
105–111	4.26	3.82	4.70
112–118	4.48	4.04	4.92
119–125	4.70	4.26	5.14
126–132	4.92	4.48	5.36
133–139	5.14	4.70	5.58
140–146	5.36	4.92	5.80
147–152	5.58	5.14	6.02
153–159	5.80	5.36	6.24
160–166	6.02	5.58	6.46
167–173	6.24	5.80	6.68
174–180	6.46	6.02	6.90
181–187	6.68	6.24	7.12
188–194	6.90	6.46	7.34

If the formula index is more than 194 the price shall be increased at the same rate as would result from further extension of this table at the rate of extension in the six highest brackets.

(f) The Class I price shall be 44 cents more than the price prescribed in paragraph (e) of this section if, under the provisions of the Boston Federal order, less than 33 percent of the milk received by all pool handlers from producers during the 12-month period ending with the second preceding calendar month was Class II milk, except that if the operation of this paragraph would cause the Class I price to be more than 88 cents above the Class I price for the corresponding delivery period of the preceding year, its application shall be limited to only such portion of the 44-cent increase as will result in a Class I price for the corresponding delivery period of the preceding year plus 88 cents.

(g) The Class I price shall be 44 cents less than the price prescribed in paragraph (e) of this section if, under the provisions of the Boston Federal order, more than 41 percent of the milk received by all pool handlers from producers during the 12-month period ending with the second preceding calendar month was Class II milk, except that if the operation of this paragraph would cause the Class I price to be more than 88 cents below the Class I price for the corresponding delivery period of the preceding year, its application shall be limited to only such portion of the 44-cent reduction as will result in a Class I price equal to the Class I price for the corresponding delivery period of the preceding year minus 88 cents.

(h) Notwithstanding the provisions of the preceding paragraphs of this section, the Class I price for any of the months of March through June of each year shall not be higher than the Class I price for the immediately preceding delivery period, and the Class I price for any of the months of September through December of each year shall not be lower than the Class I price for the immediately preceding delivery period.

(i) The Class I price determined under the preceding paragraphs of this section shall be increased or decreased to the extent of any increase or decrease in the rail tariff for the transportation of milk in carlots in tank cars for mileage distances of 201–210 miles inclusive, as published in the New England Joint Tariff, M–No. 6 and supplements thereto. The adjustment shall be made to the nearest one-half cent per hundredweight, and shall be effective in the first complete delivery period in which such increase or decrease in the rail tariff applies.

§ 947.51 *Class II prices.* Each handler shall pay producers or cooperative associations for Class II milk containing 3.7 percent butterfat delivered by them to plants located within 100 miles of the City Hall in Fall River, not less than the price per hundredweight determined for each delivery period as follows:

(a) Divide by 33 the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the month during which such milk is received, multiply by 0.98, and multiply the result by 3.7. If the cream price described above is not reported as indicated an equivalent determined as follows shall be used in lieu of such cream price:

Compute the simple average of the difference between the cream price reported for the latest three months and the average price for Grade A (92-score) butter at wholesale in the Chicago market as reported for the same months by the United States Department of Agriculture, times 1.22, and times 33. Then add to this amount the average of the butter prices described above multiplied by 33 and 1.22 for the current pricing month.

(b) Multiply by 7.85 the simple average of the prices per pound of roller process and spray process nonfat dry milk solids for human consumption, in carlots, f. o. b. Chicago area manufacturing plants, as reported by the United States Department of Agriculture for the period from the 26th day of the preceding month through the 25th day of the month during which such milk is delivered.

(c) Add the results obtained in paragraphs (a) and (b) of this section, and from the sum subtract the amount shown below for the applicable month.

Month:	*Amount (cents)*
January and February	67
March and April	79
May and June	85
July	79
August and September	73
October, November, and December	67

(d) The amount set forth in the table in paragraph (c) of this section shall be reduced by any plus amount determined as follows:

(1) Compute the simple average of the prices reported by the United States Department of Agriculture for milk for manufacturing purposes, f. o. b. plants, United States, for the 12 months ending with the preceding month.

(2) Adjust the Class II prices under the Boston Federal order for milk received at plants in the 201–210-mile zone for the preceding 12 months to the aver-

age butterfat tests for which the prices described in subparagraph (1) of this paragraph are reported by applying the butterfat differential pursuant to the Boston Federal order and compute a simple average of such adjusted prices.

(3) Determine the amount, computed to the nearest ½ cent, by which the average determined pursuant to subparagraph (1) of this paragraph exceeds the average computed pursuant to subparagraph (2) of this paragraph: *Provided*, That this provision shall not be applicable for the first time until the plus amount determined hereby for the previous month exceeds 5 cents.

§ 947.52 *Country plant price differentials.* In the case of receipts at plants located more than 100 miles from the City Hall in Fall River, the prices determined pursuant to §§ 947.50 and 947.51 shall be subject to differentials based upon the zone location of the plant at which the Class I milk or Class II milk was received. The zone location of each plant shall be based on the distance ascertained by the market administrator as the shortest distance from the plant to the City Hall in Fall River, Massachusetts, over highways on which the highway departments of the governing States permit milk tank trucks to move or on the railway mileage distance to Fall River from the nearest railway shipping point for such plant, whichever is shorter. The applicable zone differentials shall be those set forth in the following table, as adjusted pursuant to § 947.53. For the purpose of this section, the milk which was disposed of during each delivery period by each handler as Class I milk from a plant located within 100 miles of the City Hall in Fall River shall be presumed to have been, first, that milk which was received directly from producers' farms at such plant, and then that milk which was shipped from the nearest plant located more than 100 miles from the City Hall in Fall River.

DIFFERENTIALS FOR DETERMINATION OF ZONE PRICES

A Zone (miles)	B Class I price differentials (cents per cwt.)	C Class II price differentials (cents per cwt.)
Less than 100½	(1)	(1)
101-110	−65.0	−2.5
111-120	−66.5	−2.5
121-130	−66.5	−2.5
131-140	−67.5	−2.5
141-150	−70.0	−2.5
151-160	−71.5	−3.5
161-170	−71.5	−3.5
171-180	−74.0	−3.5
181-190	−74.0	−3.5
191-200	−75.5	−3.5
201-210	−75.5	−5.0
211-220	−79.5	−5.0
221-230	−80.0	−5.0
231-240	−81.0	−5.0
241-250	−81.0	−5.0
251-260	−82.0	−6.5
261-270	−82.5	−6.5
271-280	−83.0	−6.5
281-290	−84.0	−6.5
291-300	−85.0	−6.5
301 and over	−86.0	−7.5

[1] No differential.

§ 947.53 *Automatic changes in zone price differentials.* In case the rail tariff for the transportation of milk in 40-quart cans in carlots of 200 or more cans or for the transportation of cream in 40-quart cans in carlots of 100–199 cans, as published in New England Joint Tariff M No. 6 and supplements thereto or revisions thereof, is increased or decreased, the zone price differentials set forth in § 947.52 shall be correspondingly increased or decreased in the manner and to the extent provided in this section. Such adjustments shall be effective beginning with the first complete month in which the changes in rail tariffs apply. If such rail tariff on milk is changed, the differentials set forth in Column B of the table shall be adjusted to the extent of any such change. If such rail tariff on cream is changed, the differentials set forth in Column C of the table shall be adjusted to the extent of any such change divided by 9.05. Adjustments shall be made to the nearest one-half cent per hundredweight.

§ 947.54 *Butterfat differential.* Each handler shall, in making payments to each producer for milk received from him, add for each one-tenth of 1 percent of average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent of average butterfat content below 3.7 percent, an amount per hundredweight which shall be calculated by the market administrator as follows:

Divide by 33 the weighted average price per 40-quart can of 40 percent bottling quality cream, f. o. b. Boston, as reported by the United States Department of Agriculture for the period between the 16th day of the preceding month and the 15th day inclusive of the month during which such milk is delivered, subtract 1.5 cents, and divide the result by 10. If the cream price described above is not reported as indicated an equivalent determined as follows shall be used in lieu of such cream price:

Compute the simple average of the difference between the cream price reported for the latest three months and the average price for Grade A (92-score) butter at wholesale in the Chicago market as reported for the same months by the United States Department of Agriculture, times 1.22 and times 33. Then add to this amount the average of the butter prices described above, for the period between the 16th day of the preceding month and the 15th day inclusive of the month during which such milk is delivered, multiplied by 33 and 1.22.

§ 947.55 *Use of equivalent factors in formulas.* If for any reason a price, index or wage rate specified by this subpart for use in computing class prices and for other purposes is not reported or published in the manner described by this subpart, the market administrator shall use a price, index, or wage rate determined by the Secretary to be equivalent to or comparable with the factor which is specified.

§ 947.56 *Announcement of class prices.* The market administrator shall make public announcements of the class prices as follows:

(a) He shall announce the Class I price for each month on the 25th day of the preceding month, except that if such 25th day is a Sunday or legal holiday he shall announce the Class I price on the next succeeding work day.

(b) He shall announce the Class II price and the butterfat differential on or before the 12th day after the end of each month.

DETERMINATION OF UNIFORM PRICES TO PRODUCERS

§ 947.60 *Computation of value of milk of basic test received by each handler from producers.* For each delivery period the market administrator shall compute the value of milk received by each handler from producers in the following manner:

(a) Multiply the quantity of milk received from producers and classified in Class I and Class II pursuant to § 947.43 by the respective class prices pursuant to §§ 947.50, 947.51 and 947.52; and

(b) Combine the resulting values.

§ 947.61 *Computation of uniform prices.* The market administrator shall compute for each handler the uniform price per hundredweight of milk received from producers during each delivery period in the following manner:

(a) Add to the total value computed pursuant to § 947.60 the total amount of the differentials pursuant to § 947.67; and

(b) Divide the amount computed pursuant to paragraph (a) of this section by the total quantity of milk received from producers. This result shall be the handler's uniform price for milk containing 3.7 percent butterfat for milk delivered at plants located less than 100½ miles from the City Hall in Fall River.

§ 947.62 *Announcement of uniform prices.* The market administrator shall, on or before the 12th day after the end of each delivery period, mail to each handler and publicly announce the uniform prices per hundredweight computed pursuant to § 947.61.

PAYMENTS FOR MILK

§ 947.65 *Time and method of payment.* On or before the 1st day after the end of each delivery period, each handler shall make payment to producers for the approximate value of milk received during the first 15 days of such delivery period. On or before the 17th day after the end of each delivery period, each handler shall make payment for the total value of milk received from producers or cooperative associations during the preceding delivery period, computed pursuant to § 947.60 at the uniform price computed pursuant to § 947.61, subject to the differentials set forth in §§ 947.66, 947.67 and 947.68 as follows:

(a) To producers for the quantity of milk received from each producer.

(b) To a cooperative association for milk which is caused to be delivered to a handler from producers by such cooperative association, and for which such cooperative association collects payment, a total amount equal to not less than the sum of the payments otherwise payable to such producers individually, pursuant to paragraph (a) of this section.

§ 947.66 *Butterfat differential.* In making the payments to each producer for milk received from him, each han-

dler shall add for each one-tenth of 1 percent average butterfat content above 3.7 percent, or deduct for each one-tenth of 1 percent average butterfat content below 3.7 percent, an amount per hundredweight calculated by the market administrator pursuant to § 947.54.

§ 947.67 *Country plant differentials.* The payments to be made by handlers to producers, pursuant to § 947.65, shall be subject to the differentials set forth in column B of the table in § 947.52 as adjusted by § 947.53.

§ 947.68 *Other differentials.* In making payments to producers or cooperative associations pursuant to § 947.65, handlers may deduct $0.0075 per hundredweight with respect to milk received from producers in containers supplied by the handler for the transportation of milk from their farms to the handler's plant as rental for such containers.

§ 947.69 *Correction of errors in payments to producers.* Errors in making any of the payments required in this subpart shall be corrected not later than the date for making payments next following the determination of such errors.

§ 947.70 *Statements to producers.* In making the payments to producers prescribed by § 947.65, each handler shall furnish each producer with a supporting statement, in such form that it may be retained by the producer, which shall show:

(a) The month and the identity of the handler and of the producer;

(b) The total pounds and average butterfat test of milk delivered by the producer;

(c) The minimum rate or rates at which payment to the producer is required under § 947.61;

(d) The rate which is used in making the payment, if such rate is other than the applicable minimum rate;

(e) The amount or the rate per hundredweight of each deduction claimed by the handler, together with a description of the respective deductions; and

(f) The net amount of payment to the producer.

MARKETING SERVICE DEDUCTIONS

§ 947.71 *Marketing services performed by market administrator.* On or before the 17th day after the end of each delivery period, in making payments to producers pursuant to § 947.65, each handler shall deduct, with respect to milk received from each producer during such delivery period, except as set forth in § 947.72, 4 cents per hundredweight, or such lesser amount as the market administrator shall determine to be sufficient; and shall pay an amount equivalent to such deductions to the market administrator. Such amount shall be expended by the market administrator only in providing for market information to, and for verification of weights, samples, and tests of milk received from producers. The market administrator may contract with a cooperative association or associations for the furnishing of the whole or any part of such services to, or with respect to the milk received by handlers from, producers.

§ 947.72 *Marketing services performed by cooperative associations.* On or before the 17th day after the end of each delivery period, in making payments to producers pursuant to § 947.65 each handler shall deduct, with respect to milk received from producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, known as the "Capper-Volstead Act", and which the market administrator determines is actually performing the services set forth in § 947.71, such amounts as are authorized by such producers, and pay an equivalent amount on or before the 20th day after the end of the delivery period, to the cooperative association rendering such services to its members.

MARKETING COMMITTEE

§ 947.75 *Establishment.* At the request of handlers of more than 50 percent of the milk which is produced for sale in the marketing area, the Director of the Dairy Branch, Production and Marketing Administration, United States Department of Agriculture (hereinafter referred to as Director), may select a committee, to be known as the "Marketing Committee," which shall have as its members representative of the various groups directly interested in the marketing of milk in the marketing area, all of whom may be selected from among the persons nominated by the handlers in accordance with the procedure established by the Director.

§ 947.76 *Duties.* The marketing committee shall have such duties as the Director determines to be necessary and appropriate to effectuate the declared policy of the act in its application to this subpart, as amended, and the administration of this subpart, all of which duties shall be prescribed by the Director.

§ 947.77 *Compensation.* The members of the marketing committee shall serve without compensation but shall be entitled to expenses necessarily incurred by them in the performance of their duties, and such expenses shall be paid by the market administrator out of the assessments collected under this subpart for the cost of administration of this subpart.

§ 947.78 *Supervision.* Each and every act of the marketing committee shall be subject to the continuing right of the Director or the Secretary to disapprove at any time.

§ 947.79 *Procedure.* The procedure to be followed by the marketing committee shall be recommended by the market administrator under this subpart and shall be approved by the Director.

ADMINISTRATION EXPENSE

§ 947.80 *Expense of administration; payments by handlers.* As his pro rata share of the expense of administration of this subpart, each handler not a producer-handler shall, on or before the 17th day after the end of each delivery period, pay to the market administrator 5 cents per hundredweight or such lesser amount as the Secretary may from time to time perscribe with respect to all milk and milk drinks received during such delivery period at a plant or plants described in paragraphs (a) and (b) of this section except milk and milk-drinks received from other plants of the type described in paragraphs (a) and (b) of this section: *Provided,* That such handler, which is a cooperative association, shall pay such pro rata share of expense of administration on such milk which it causes to be delivered by member producers to a handler's plant for the marketing area and for which milk such cooperative association collects payment: *And provided further,* That the rate of payment shall be 3 cents per hundredweight or such lesser amount as the Secretary may from time to time prescribe with respect to milk and milk drinks assessed for the cost of administration of another Federal order:

(a) A plant at which milk is received from producers.

(b) A plant from which Class I milk is disposed of in the marketing area to persons other than handlers.

OBLIGATIONS

§ 947.85 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books or records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a

handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 947.90 *Effective time.* The provisions of this subpart, or any amendments to its provisions, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 947.91.

§ 947.91 *Suspension or termination.* The Secretary may suspend or terminate this subpart or any provision of this subpart whenever he finds that it obstructs or does not tend to effectuate the declared policy of the act. This subpart shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 947.92 *Continuing power and duty of the Market Administrator.* If upon the suspension or termination of any or all provisions of this subpart, there are any obligations arising under this subpart, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate. The market administrator, or such other person as the Secretary may designate, shall:

(a) Continue in such capacity until removed by the Secretary;

(b) From time to time account for all receipts and disbursements, and, when so directed by the Secretary, deliver all funds on hand, together with the books and records of the market administrator or such person, to such person as the Secretary shall direct; and

(c) If so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant thereto.

§ 947.93 *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions of this subpart, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this subpart, over and above the amount necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

§ 947.94 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

Issued at Washington, D. C., this 14th day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-9834; Filed, Aug. 17, 1951; 8:47 a. m.]

[7 CFR Part 984]

HANDLING OF WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO PACK SPECIFICATIONS AND MINIMUM STANDARDS

Notice is hereby given that the Department is considering the issuance of the proposed administrative rules herein set forth in accordance with the provisions of Marketing Agreement No. 105 and Order No. 84 regulating the handling of walnuts grown in California, Oregon, and Washington (7 CFR Part 984), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). The proposed rules, which were adopted by the Walnut Control Board, the administrative agency under said program, prescribe walnut pack specifications and minimum standards to supersede those now in effect (13 F. R. 6121, 15 F. R. 5497).

Prior to the final issuance of such administrative rules, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the tenth day after the date of publication of this notice in the FEDERAL REGISTER, except that if such tenth day should fall on a holiday or a Sunday, such submissions should be received not later than the next following working day.

Such proposed administrative rules which would supersede the present provisions of § 984.101, are as follows:

§ 984.103 *Pack specifications for merchantable (unshelled) walnuts, including minimum standards of size, quality and maturity; (Part I) for walnuts produced in California*—(a) *Size grade specifications*—(1) *Mammoth Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{9}\%_{64}$ inches in diameter.

(2) *Jumbo Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{8}2\%_{64}$ inches in diameter.

(3) *Large Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{7}9\%_{64}$ inches in diameter, except that, for walnuts of the Eureka variety and type, such limiting dimension as to diameter shall be $^{7}8\%_{64}$ inches.

(4) *Medium Size.* Walnuts of which at least 88 percent, by count, pass through a round opening $^{7}9\%_{64}$ inches in diameter and of which not over 12 percent, by count, pass through a round opening $^{7}3\%_{64}$ inches in diameter.

(5) *Number 1 Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{7}1\%_{64}$ inches in diameter. This size is customarily obtained when lots of walnuts are graded for removal of Baby Size.

(6) *Baby Size.* Walnuts of which at least 88 percent, by count, pass through a round opening $^{7}5\%_{64}$ inches in diameter and of which not over 10 percent, by count, pass through a round opening $^{6}0\%_{64}$ inch in diameter.

(b) *External appearance and condition*—(1) *Specifications and tolerances.* Merchantable walnuts are walnuts which are not dirty or discolored and which are free from adhering hulls, and perforated, broken, or split shells, except that the following tolerances, by count, for these defects as prescribed for the quality grade specified shall be allowed:

(i) *First Quality Grade.* 10 percent for split shells and an additional 5 percent for defects other than split shells.

(ii) *Second and Third Quality Grades.* 10 percent for split shells and an additional 10 percent for defects other than split shells.

(2) *Definitions of defects.* The following definitions of defects shall be used in determining the qualification of walnuts with respect to external appearance and condition:

(i) *Dirty.* Any walnut which is affected by dirt or other foreign matter to the extent that it is readily discernible because it is in sharp contrast with the remainder of the lot; or any lot of walnuts so generally affected by dirt or other foreign matter as to be objectionable in appearance.

(ii) *Discolored.* Any walnut which is affected by spots or stains to the extent that it is readily discernible because it is in sharp contrast with the remainder of the lot; or any lot of walnuts so generally affected by stains as to be objectionable in appearance.

(iii) *Adhering hull.* Any walnut affected by adhering hull or hull fibre which is readily discernible.

(iv) *Perforated shells.* Any walnut with imperfectly developed areas of the shell resembling abrasions and usually including small holes penetrating the shell wall, if such an area of surface aggregating more than three-eights of an inch in diameter is so affected.

(v) *Broken shells.* Any walnut with a material portion of the shell missing or with the halves completely broken apart. Two separated halves shall be counted as one non-passable nut.

(vi) *Split shells or splits.* Any walnut with the shell halves completely separated, but held together by the kernel.

(c) *Internal or kernel quality.* Any lot of walnuts to be eligible for a quality grade must contain not less than 95 percent, by count, of kernels which are well dried (firm and crisp). A kernel, as referred to in this subpart, means all of the non-fibrous content of one individual walnut; that is, two halves, four quarters, etc.

The quality grade of any lot of walnuts, within the limits of the tolerances specified for external appearance and condition, shall be the highest grade to which such lot is eligible under the following internal or kernel quality grades.

(1) *First Quality Grade.* First quality grade walnuts shall contain not less than 90 percent, by count, of nuts which are free from insect damage, mold, shrivel, blanks, rancidity and black kernels, except that not less than 95 percent, by count, shall be free from insect damaged kernels. Not less than 50 percent of the kernels in any lot shall be light in color, in accordance with the WCB color chart. Only passable kernels shall be scored "light." The following definitions of defects shall be used in determining the qualification of walnuts for First Quality Grade:

(i) *Insect damage.* Any kernel affected in any way by insect larvae, ants, moths, beetles or any other insects.

(ii) *Mold.* Any kernel showing on its surface mold readily discernible to the eye, except that a kernel bearing a few loose filaments of white or light gray mold which are easily blown off shall not be considered moldy.

(iii) *Shrivel.* Any kernel which is noticeably shrunken, leathery or tough as distinguished from kernels which are fully developed. A kernel which is thin in cross-section but which otherwise is normally developed shall not be considered shriveled. A kernel with one-eighth or more of its surface affected by shriveling shall be considered as noticeably shrunken and scored as non-passable.

(iv) *Blank.* Any kernel so shrunken or so imperfectly developed as to be inedible or worthless.

(v) *Rancidity.* Any kernel which has a decomposed appearance or a rancid taste.

(vi) *Black kernel.* Any kernel as dark or darker in color than those illustrated in row "E" of the WCB color chart.

(2) *Second Quality Grade.* Second quality grade walnuts shall contain not less than a total of 86 percent, by count, of nuts which are free from mold, shrivel and black kernels, as defined below for Second Quality Grade, combined with the defects defined herein for Third Quality Grade; *Provided,* That not less than 90 percent, by count, shall be free from the defects defined for Third Quality Grade:

(i) *Mold.* Any kernel showing on its surface mold readily discernible to the eye, except that a kernel bearing a few loose filaments of white or light gray mold which can be easily blown off, or a kernel affected by a slight covering of white or gray mold which does not affect more than one-fourth of the surface of the kernel, shall not be considered moldy.

(ii) *Shrivel.* Any kernel which is noticeably shrunken, leathery or tough as distinguished from a kernel which is fully developed. A kernel which is thin in cross-section but which otherwise is normally developed shall not be considered shriveled. A kernel shriveled one-eighth or more but less than one-half shall be considered as noticeably shrunken and scored as non-passable. In any 100 nuts, not more than 10 such nuts may be scored one-half percent each to a maximum of 5 percent non-passable. Each additional such nut above 10 shall be scored one percent non-passable.

(iii) *Black kernel.* Any kernel as dark or darker in color than those illustrated in row "E" of the WCB color chart.

(iv) *Color.* Not less than 30 percent of the kernels in any lot shall be light in color in accordance with the WCB color chart. Only passable kernels shall be scored "light."

(3) *Third Quality Grade.* Third quality grade walnuts shall contain not less than 90 percent, by count, of nuts which are free from insect damage, mold, shrivel, blanks, and rancidity. The following definitions of defects shall be used in determining the qualification of walnuts for Third Quality Grade:

(i) *Insect damage.* Any kernel affected in any way by insect larvae, ants, moths, beetles, or any other insects.

(ii) *Mold.* Any kernel on which there is fruiting mold of any description, or mold mycelia affecting more than one-fourth of the surface of the kernel.

(iii) *Shrivel.* Any kernel which is edible, but so shriveled as to be one-half or less than half the normal size. Each shriveled kernel shall be classed as half sound; that is, two such kernels shall be counted as one sound and one defective kernel.

(iv) *Blank.* Any kernel so shrunken or so imperfectly developed as to be inedible or worthless.

(v) *Rancidity.* Any kernel which has a decomposed appearance or a rancid taste.

(d) *Minimum standards.* The specifications for Baby Size and Third Quality Grade with respect to internal or kernel quality and external appearance and condition, as prescribed in this subpart, including respective tolerances, shall be the minimum standards of quality and maturity for walnuts produced in California, prescribed pursuant to § 984.3 of Marketing Agreement 105 and Marketing Order 84 (7 CFR 984.3 (a)).

(e) *Color chart.* The color chart referred to in these specifications as the WCB color chart is the chart originally adopted June 15, 1944, by the then Program Committee, War Food Order 82, and adopted by the Walnut Control Board on August 26, 1948, and which is available for inspection at the office of the Walnut Control Board, 400 Corporation Building, 724 South Spring Street, Los Angeles 14, California.

§ 984.104 *Pack specifications for merchantable (unshelled) walnuts, including minimum standards of size, quality and maturity; (Part II) for walnuts produced in Oregon and Washington—*(a) *Size grade specifications—*(1) *Mammoth Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{9}\%_{64}$ inches in diameter.

(2) *Jumbo Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{8}2\%_{64}$ inches in diameter.

(3) *Large Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{7}9\%_{64}$ inches in diameter.

(4) *Medium Size.* Walnuts of which at least 88 percent, by count, pass through a round opening $^{7}9\%_{64}$ inches in diameter and of which not over 12 percent, by count, pass through a round opening $^{7}4\%_{64}$ inches in diameter.

(5) *Number 1 Size.* Walnuts of which not over 12 percent, by count, pass through a round opening $^{7}4\%_{64}$ inches in diameter. This size is customarily obtained when lots of walnuts are graded for removal of Baby Size.

(6) *Baby Size.* Walnuts of which at least 88 percent, by count, pass through a round opening $^{7}5\%_{64}$ inches in diameter and of which not over 10 percent, by count, pass through a round opening $^{6}0\%_{64}$ inch in diameter.

(b) *External appearance and condition.* (1) First Quality Grade walnuts are walnuts of similar varietal characteristics, which are fully dried, the shells of which are clean, bright, fairly uniform in color, well formed, and free from splits, injury by discoloration, and free from damage caused by broken shells, perforated shells, adhering hulls and other means, except that the following tolerances, by count, shall be allowed: 5 percent for splits and an additional 5 percent for other defects, including not more than 3 percent serious damage.

(2) Second Quality Grade walnuts are walnuts of similar varietal characteristics, which are fully dried, the shells of which are fairly clean, free from splits, and free from damage caused by broken shells, perforated shells, adhering hulls, discoloration, or other means, except that the following tolerances, by count, shall be allowed: 5 percent for splits and an additional 8 percent for other defects, including not more than 5 percent serious damage.

(3) Third Quality Grade walnuts are walnuts which are fully dried, the shells of which are fairly clean, free from splits, and free from damage caused by broken shells, and free from serious damage, caused by discoloration, perforated shells, adhering hulls, and other means, except that the following tolerances, by count, shall be allowed: 10 percent for splits and an additional 10 percent for other defects, including not over 5 percent serious damage by adhering hulls.

(4) *Definitions of terms.* The following definitions of terms shall be used in determining the qualification of walnuts with respect to external appearance and condition:

(i) Fully dried means that the kernel is crisp and with a moisture content (both shell and kernel) of not to exceed 10 percent.

(ii) Clean means that from the viewpoint of general appearance the walnuts are practically free from adhering dirt or other foreign matter and that the individual walnuts are not damaged by such means. A slight chalky deposit on the shell is characteristic of many bleached nuts and shall not be considered as dirt or foreign matter.

(iii) Fairly clean means that from the viewpoint of general appearance the lot is not seriously damaged by adhering dirt or other foreign matter and that individual walnuts are not coated or caked with dirt or foreign matter. Both the amount of surface affected and the color of the dirt shall be taken into consideration.

(iv) Bright means a light, uniform, attractive appearance. A slight chalky deposit on the shell shall not be considered as affecting brightness.

(v) Fairly uniform color means that the shell color of individual nuts does not contrast materially with the general color of the lot.

(vi) Well formed means that at least 88 percent of the pack have a normal shape characteristic of the variety.

(vii) Splits means walnuts with shell halves separated at the suture for 50 percent or more of the circumference of the nut.

(viii) Injury by discoloration means that the color of the affected portions of the shell contrasts materially with the color of the rest of the shell of the individual nut.

(ix) Damage means any injury or defect which materially affects the appearance, edible or shipping quality of the walnuts. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as damage:

(*a*) Broken shells, when any material portion of the shell is missing or the halves are completely broken apart and separated.

(*b*) Perforated shells, when the area affected aggregates more than one-fourth inch in diameter. The term "perforated shells" means imperfectly developed areas on the shell resembling abrasions and usually including small holes penetrating the shell wall.

(c) Adhering hulls, when affecting more than 5 percent of the shell surface.

(*d*) Discoloration (or stain), which covers in the aggregate one-fifth or more of the surface of the shell of an individual nut, and which is medium brown, light reddish brown or gray, contrasting with the color of the rest of the shell or the majority of shells in the lot; or darker discoloration covering a smaller area if the appearance is equally objectionable.

(x) Serious damage means any injury or defect which seriously affects the appearance, edible or shipping quality of the walnut. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as serious damage:

(*a*) Discoloration (or stain), which covers in the aggregate one-third or more of the surface of the shell of an individual nut, and which is brown, reddish brown or gray, contrasting sharply with the color of the rest of the shell or the majority of shells in the lot; or darker discoloration covering a smaller area if the appearance is equally objectionable.

(*b*) Perforated shells, when the area affected aggregates more than $\frac{3}{8}$ of an inch in diameter. The term "perforated shells" means imperfectly developed areas on the shell resembling abrasions and usually including small holes penetrating the shell wall.

(*c*) Adhering hulls, when affecting more than one-eighth of the surface in the aggregate.

(c) *Internal or kernel quality.* A kernel, as referred to in this subpart, means all of the nonfibrous content of one individual walnut; that is, two halves, four quarters, etc. The quality grade of any lot of walnuts, within the limits of the tolerances specified for external appearance and condition, shall be the highest grade to which such lot is eligible under the following internal or kernel quality grades.

(1) *First Quality Grade.* First Quality Grade walnuts shall consist of walnuts which are fully dried and the kernels of which are free from decay, dark discoloration, rancidity, insects or insect injury, and free from damage caused by mold, shriveling and other means. At least 60 percent, by count, of the walnuts of this grade shall contain kernels which are not darker than "light" (as defined by the English Walnut grading chart of the U. S. Department of Agriculture), and which are free from defects of the First Quality Grade. The following tolerances, by count, shall be allowed: Not more than 10 percent shall be below the requirements of the grade, including not more than 5 percent serious damage from causes other than shrivel. An additional tolerance of 10 percent shall be allowed for kernels otherwise sound, but with one-eighth or less shriveled. In arriving at this tolerance the following rules with respect to shrivel shall apply:

(i) Kernels otherwise sound with one-half or more shriveled shall be counted as one percent.

(ii) Kernels otherwise sound with more than one-eighth and less than one-half shriveled shall count as one-half of one percent: *Provided,* That if more than 10 such nuts are present per 100, each additional nut shall count as one percent.

(2) *Second Quality Grade.* Second Quality Grade walnuts shall consist of walnuts which are fully dried and the kernels of which are free from decay, dark discoloration, rancidity, insects or insect injury, and free from damage caused by mold, shriveling and other means. At least 50 percent, by count, of walnuts of this grade shall contain kernels which are not darker than "light" (as defined by the English Walnut grading chart of the U. S. Department of Agriculture), and which are free from defects of the Second Quality Grade. The following tolerances, by count, shall be allowed: Not more than 10 percent shall be below the requirements of the grade, including not more than 5 percent serious damage from causes other than shrivel. In arriving at this tolerance the following rules with respect to shrivel shall apply:

(i) Kernels otherwise sound with one-half or more shriveled shall be counted as 1 percent.

(ii) Kernels otherwise sound with one-fourth and less than one-half shriveled shall count as one-half of 1 percent sound.

(iii) Kernels otherwise sound with more than one-eighth but less than one-fourth shriveled shall count as one-fourth of 1 percent: *Provided,* That not more than 20 such kernels shall be allowed per each 100.

(iv) Kernels otherwise sound with one-eighth or less shriveled shall be considered sound in the Second Quality Grade: *Provided,* That not more than 50 percent, by count, of such kernels are present.

(3) *Third Quality Grade.* Third quality grade walnuts shall consist of walnuts which are fully dried and the kernels of which are free from decay, dark discoloration, rancidity, insects or insect injury, and free from damage caused by mold, shriveling and other means. The following tolerances, by count, shall be allowed: Not more than 10 percent shall be below the requirements of the grade. In arriving at this tolerance the following rules with respect to shrivel shall apply:

(i) Kernels otherwise sound but with more than one-half shriveled shall be counted as one percent.

(ii) Kernels otherwise sound with more than one-fourth but not more than one-half shriveled shall be counted as one-half of one percent.

(4) *Definitions of terms.* The following definitions of terms shall be used in determining the qualification of walnuts with respect to internal or kernel quality:

(i) Fully dried means that the kernel is crisp and with a moisture content (both shell and kernel) of not to exceed 10 percent.

(ii) Damage means any injury or defect which materially affects the appearance, edible or shipping quality of the walnuts. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as damage:

(*a*) Mold which kernels show on their surface and which is readily discernible to the eye. Kernels bearing a few loose filaments of white or light gray mold which are easily blown off shall not be considered moldy.

(*b*) Shrivel, severe shrivel or various degrees of shrivel affecting a greater area producing an equally objectionable appearance. Special rules for scoring shrivel are provided for each of the

quality grades, under tolerances for internal defects.

(iii) Dark discoloration means that the color of the kernel is darker than "dark amber" (as defined by the English Walnut grading chart of the U. S. Department of Agriculture).

(iv) Rancidity means the stage of deterioration in which the kernel has developed a rancid flavor. This condition is frequently indicated by a definite change in color of the nut tissue, a marked yellowing or blackening of the fleshy tissue of the meat. Rancidity should not be confused with a slightly astringent flavor of the pellicle (skin) or with staleness, the stage at which the flavor is flat but not distasteful.

(v) Insect injury means any evidence that codling moth larvae or other insects have been present in the nut, such as frass or webbing; or a powdery condition of the kernel such as might be caused by ants.

(vi) Serious damage means any injury or defect which seriously affects the appearance, edible or shipping quality of the walnut. Decay, rancidity, and insects or insect injury shall be considered serious damage.

(d) *Minimum standards.* The specifications set forth in Part I hereof for Baby Size and Third Quality Grade with respect to internal or kernel quality and external appearance and condition, including respective tolerances, shall be the minimum standards of quality and maturity for walnuts produced in Oregon and Washington, prescribed pursuant to § 984.3 of Marketing Agreement 105 and Marketing Order 84 (7 CFR 984.3 (a)).

(e) *Color chart.* The color chart referred to in these specifications for Oregon and Washington walnuts is the English Walnut Grading Chart issued by the U. S. Department of Agriculture on September 30, 1939, in connection with U. S. Standards for Unshelled English (Juglans regia), and reissued April 18, 1945. (Copies of the U. S. Standards, including the color chart, are available for inspection at: Office of the Walnut Control Board, 400 Corporation Building, 724, South Spring Street, Los Angeles 14, California; the Fruit and Vegetable Branch office, 515 Southwest Tenth Avenue, Portland, Oregon; and the Federal-State Inspection office, 207 Agricultural Building, Salem, Oregon.)

Issued at Washington, D. C., this 14th day of August 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51-9907; Filed, Aug. 17, 1951; 8:52 a. m.]

NOTICES

POST OFFICE DEPARTMENT

PARAGUAY

TEMPORARY SUSPENSION OF PARCEL POST SERVICE

The temporary suspension of parcel post service to Paraguay (16 F. R. 6779) is relaxed with respect to parcels addressed to members of the diplomatic corps stationed in Paraguay.

Parcels addressed to foreign diplomats in care of their respective embassies or legations in Paraguay may be accepted and dispatched under normal conditions.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-9828; Filed, Aug. 17, 1951; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Order 551, Amdt. 3]

CHIEF, BRANCH OF LANDS

DELEGATION OF AUTHORITY RELATING TO ACTION IN INDIVIDUAL CASES

AUGUST 14, 1951.

Section 2 of Order 551 is redesignated section 2 (a), and the following section 2 (b) is added:

(b) *Authority of the Chief, Branch of Lands.* The Chief, Branch of Lands, of the Bureau of Indian Affairs, may exercise any and all of the authority conferred upon the Commissioner of Indian Affairs by the Secretary of the Interior (1) in section 13 of his Order 2508, as amended, published in 14 F. R. 258, January 18, 1949, and 16 F. R. 473-475, January 18, 1951, and (2) in the general regulations in Title 25, Chapter I, Subchapters Q, R, T, and W, of the Code of Federal Regulations, insofar as the authority conferred upon the Commissioner by such regulations relates to action in individual cases.

H. REX LEE,
Acting Commissioner.

AUGUST 14, 1951.

[F. R. Doc. 51-9820, Filed, Aug. 17, 1951; 8:45 a. m.]

Office of the Secretary

ALASKA COMMERCIAL FISHERIES

NOTICE OF INTENTION TO ADOPT AMENDMENTS TO EXISTING REGULATIONS

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (60 Stat. 237; 5 U. S. C. 1003), and the authority contained in the act of June 6, 1924 (43 Stat. 465, 48 U. S. C. 221, et seq.), as amended and supplemented, notice was given on July 27, 1951 (16 F. R. 7573) of the intent to adopt amended regulations permitting and governing the time, means, and methods for the taking of commercial fish in the waters of Alaska, and related matters.

Said notice is hereby amended with respect to dates and places of open discussions as follows:

Seattle, Wash. ---------- Nov. 7, 8.
Juneau, Alaska ---------- Nov. 15.

MASTIN G. WHITE,
Acting Assistant Secretary of the Interior.

AUGUST 14, 1951.

[F. R. Doc. 51-9819; Filed, Aug. 17, 1951; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DESIGNATION OF DISASTER AREAS HAVING NEED FOR AGRICULTURAL CREDIT

Pursuant to the authority contained in Public Law 38, 81st Congress, approved April 6, 1949, the following designations of disaster areas were made as having a need for agricultural credit:

ILLINOIS

The following counties were designated, on July 26, 1951, as disaster areas due to excessive rainfall and floods:

Adams.	Monroe.
Alexander.	Pike.
Brown.	Pope.
Calhoun.	Pulaski.
Fayette.	Randolph.
Jackson.	St. Clair.
Jersey.	Union.
Madison.	Woodford.
Massac.	

IOWA

The following counties were designated, on July 27, 1951, as disaster areas due to excessive rainfall and floods:

Marion.	Mahaska.

NEBRASKA

The following counties were designated, on July 27, 1951, as disaster areas due to excessive rainfall and floods:

Gage.	Otoe.
Johnson.	Pawnee.
Nemaha.	Richardson.

OKLAHOMA

The following counties were designated, on July 25, 1951, as disaster areas due to adverse weather conditions and insect infestation. After December 31, 1952, disaster loans will not be made except to borrowers who previously received such assistance.

Alfalfa.	Grady.
Beaver.	Grant.
Beckham.	Greer.
Blaine.	Harmon.
Caddo.	Harper.
Canadian.	Jackson.
Cimarron.	Jefferson.
Comanche.	Kay.
Cotton.	Kingfisher.
Custer.	Kiowa.
Dewey.	Lincoln.
Ellis.	Logan.
Garfield.	Major.

Noble.	Tillman.
Payne.	Washita.
Roger Mills.	Woods.
Stephens.	Woodward.
Texas.	

The following counties were designated, on July 27, 1951, as disaster areas due to flood conditions:

Craig. Osage. Washington.

WISCONSIN

The following counties were designated, on July 27, 1951, as disaster areas due to excessive rainfall and floods:

Crawford. Richland. Vernon.

Done at Washington, D. C., this 14th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9836; Filed, Aug. 17, 1951; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10028]

WALDO HAGGBERG BRAZIL

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Waldo Haggberg Brazil, Grandview, Missouri, Docket No. 10028, File No. BP-7989, for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of August 1951;

The Commission having under consideration the above-entitled application for a permit to construct a new standard broadcast station on the frequency 1050 kilocycles with a power of 250 watts, daytime only at Grandview, Missouri;

It appearing, that the applicant is legally, technically and otherwise qualified to construct and operate the proposed station but that the applicant has not made a showing upon which to base a determination that he is financially qualified and that the proposed operation may involve objectionable interference to one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at 10:00 a. m. on September 19, 1951, at Washington, D. C., upon the following issues:

1. To determine the financial qualifications of the applicant, Waldo Haggberg Brazil, to construct and operate the proposed station particularly with reference to the financial ability of the person or persons from whom the applicant intends to borrow funds as well as the applicant's personal financial condition separate and distinct from the financial condition of the Pathfinder School of Radio Broadcasting.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with station WHO, Des Moines, Iowa, or any other existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice concerning Standard Broadcast stations.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9895; Filed, Aug. 17, 1951; 8:51 a. m.]

[Docket Nos. 10029, 10030]

VACATIONLAND BROADCASTING CO. AND WEST FLORIDA BROADCASTING SERVICE

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Robert L. F. Sikes and Wilbur R. Powell, d/b as Vacationland Broadcasting Company, Fort Walton, Florida, Docket No. 10029, File No. BP-8140; H. French Brown, James C. O'Neal and Tom C. Miniard, d/b as West Florida Broadcasting Service, Fort Walton, Florida, Docket No. 10030, File No. BP-8167; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of August 1951;

The Commission having under consideration the above-entitled applications of the Vacationland Broadcasting Company and the West Florida Broadcasting Service both requesting the facilities of 1260 kilocycles, one kilowatt power, daytime only at Fort Walton, Florida;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding commencing at 10:00 a. m. on September 25, 1951, at Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnerships and their partners to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9894; Filed, Aug. 17, 1951; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1667]

UNITED FUEL GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 14, 1951.

On April 16, 1951, United Fuel Gas Company (Applicant), a West Virginia corporation with its principal place of business at Charleston, West Virginia, filed an application, supplemented on June 22, 1951, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction, operation, and removal of certain natural-gas transmission pipeline facilities, subject to the jurisdiction of the Commission, as fully described in the application and supplement thereto on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on May 1, 1951 (16 F. R. 3816).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and pro-

cedure, a hearing be held on August 31, 1951, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the rules of practice and procedure.

Date of issuance: August 14, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9821; Filed, Aug. 17, 1951; 8:45 a. m.]

[Docket No. G-1754]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

AUGUST 14, 1951.

Take notice that Panhandle Eastern Pipe Line Company (Applicant) a Delaware corporation with its principal place of business in Kansas City, Missouri, filed on July 30, 1951, an application pursuant to section 7 of the Natural Gas Act for an order permitting and approving abandonment of natural-gas service to The Gas Service Company (Gas Service) being presently rendered at various points in the States of Kansas and Missouri under Applicant's filed Rate Schedules 31, 34, 103, 105, and 109.

Applicant proposes to abandon all service to Gas Service being rendered under the designated rate schedules under which in 1950 Gas Service purchased approximately 2,746,000 Mcf from Applicant, and under which Gas Service estimates that during the winter months of November and December 1951, and January, February, and March 1952 it would require a maximum daily volume of 41,049 Mcf.

Applicant states that approximately 97.5 percent of the gas purchased and distributed by Gas Service is obtained from its affiliate, Cities Service Gas Company, and since Cities Service's pipe lines pass through or near most of the cities and towns served by Gas Service, it is illogical and contrary to the public interest for Applicant to furnish any gas to Gas Service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 3d day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9823; Filed, Aug. 17, 1951; 8:45 a. m.]

[Docket Nos. IT-5696, IT-5697, IT-5698]

ALUMINUM CO. OF AMERICA ET AL.

ORDER POSTPONING DATE OF ORAL ARGUMENT

AUGUST 14, 1951.

In the Matters of Aluminum Co. of America, Knoxville Power Co., and Carolina Aluminum Co., Docket Nos. IT-5696, 5697, and 5698.

By order issued July 5, 1951, we granted respondents' motion for oral argument in the above-entitled matter and set the argument for September 10, 1951. Counsel for respondents and staff counsel have requested a postponement of the date for the argument.

The Commission finds: Good cause exists for postponing the date of oral argument as hereinafter provided.

The Commission orders: The oral argument in the above-entitled matter is hereby postponed to September 17, 1951, at 10 o'clock a. m., e. d. s. t., in the Hearing Room of the Commission, 1800 Pensylvania Avenue NW., Washington, D. C.

Date of issuance: August 14, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9822; Filed, Aug. 17, 1951; 8:45 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

OFFICIALS IN THE HOUSING AND HOME FINANCE AGENCY

DELEGATION OF AUTHORITY WITH RESPECT TO CMP REGULATION NO. 6 OF THE NATIONAL PRODUCTION AUTHORITY

The delegation of authority to officials in the Housing and Home Finance Agency with respect to CMP Regulation No. 6 of the National Production Authority, originally issued at 16 F. R. 7687 (August 1, 1951), is hereby amended to read as follows:

The authority of the Housing and Home Finance Administrator under Delegation No. 14 of the National Production Authority, as amended, August 3, 1951, to approve or disapprove construction schedules of prime contractors and related allotments of controlled materials for residential construction and in connection therewith to apply or assign to others the right to apply DO ratings and allotment numbers and symbols for procurement of materials and products other than controlled materials which are required for such construction, in accordance with the provisions of CMP Regulation No. 6, and to approve or disapprove applications for adjustment or exception and appeals under the provisions of CMP Regulation No. 6 is hereby delegated as follows, subject to such other instructions or directions as the Administrator may deem advisable:

1. To the Public Housing Commissioner and his designated representatives with respect to the construction of multi-unit residential structures by federal, state, and local public agencies.

2. To the Federal Housing Commissioner and his designated representatives with respect to all other construction of multi-unit residential structures not included in paragraph 1 hereof.

3. To the Assistant Administrator, Division of Plans and Programs of the Housing and Home Finance Agency with respect to the construction of any residential structure.

Effective as of the 15th day of August 1951.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-9839; Filed, Aug. 17, 1951; 8:48 a. m.]

Public Housing Administration

FIELD ORGANIZATION

DESCRIPTION OF AGENCY AND PROGRAM AND FINAL DELEGATION OF AUTHORITY

Section III, Field organization and final delegations of authority is amended as follows:

1. Subparagraph (x) is added to paragraph III b 7 as follows:

(x) Effective July 9, 1951, to execute on behalf of the PHA Requisition Agreements.

2. Subparagraph (s) is added to paragraph III b 8 as follows:

(s) Effective July 9, 1951, to execute on behalf of PHA Requisition Agreements.

Date approved: August 7, 1951.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 51-9824; Filed, Aug. 17, 1951; 8:46 a. m.]

FIELD ORGANIZATION

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATION OF AUTHORITY

Section III b, subparagraph 12 is hereby revoked. That is, there is revoked the authority of Field Office Directors to act under sections 6 and 11 of the National Production Authority Order M-4.

Section III, paragraph j, is hereby revoked. That is, there is revoked the authority of Assistant Directors for Development to act under sections 6 and 11 of the National Production Authority Order M-4.

Effective as of the 3d day of August 1951.

Date approved: August 10, 1951.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 51-9825; Filed, Aug. 17, 1951; 8:46 a. m.]

CENTRAL OFFICE

DESCRIPTION OF AGENCY AND PROGRAM AND FINAL DELEGATION OF AUTHORITY

Section II, Central Office organization and final delegations of authority to the Central Office officials is amended as follows:

Section II, paragraph j, is amended by adding section 9, reading as follows:

9. The authority of the Housing and Home Finance Administrator under Delegation No. 14 of the National Production Authority, as amended, to approve or disapprove construction schedules of prime contractors and related allotments of controlled materials for residential construction and in connection therewith to apply or assign to others the right to apply DO ratings and allotment numbers and symbols for procurement of materials and products other than controlled materials which are required for such construction, in accordance with the provisions of CMP Regulation No. 6 is hereby delegated to the Deputy Assistant Commissioner for Development to the extent such authority has been delegated to me by the Housing and Home Finance Administrator in 16 F. R. 7687 with respect to the construction of multiunit residential structures by Federal, State, and local public agencies.

Effective as of the 10th day of August 1951.

Date approved: August 10, 1951.

[SEAL] JOHN TAYLOR EGAN, *Commissioner.*

[F. R. Doc. 51-9826; Filed, Aug. 17, 1951; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th sec. Application 26322]

COTTON PIECE GOODS FROM MORRILTON, ARK., TO WAYNESBORO, VA.

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3909.

Commodities involved: Cotton piece goods, carloads.

From: Morrilton, Ark.

To: Waynesboro, Va.

Grounds for relief: Market competition.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3909, Supp. No. 9.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9842; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26323]

SILICA SAND FROM CLAYTON, IOWA, TO SOUTHWEST.

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3736.

Commodities involved: Silica sand, carloads.

From: Clayton, Iowa.

To: Points in Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

Grounds for relief: Circuitous routes and market competition.

Schedules filed containing proposed rates; D. Q. Marsh's tariff I. C. C. No. 3736, Supp. No. 174.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9843; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26324]

PAPER ARTICLES FROM MEMPHIS, TENN., TO KANSAS

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3905.

Commodities involved: Facial cleansing tissues and toilet paper, carloads.

From: Memphis, Tenn.

To: Stations in Kansas.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3905, Supp. 33.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9844; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26325]

BRICK FROM LOCHER, VA., TO ATLANTA, GA.

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Chesapeake and Ohio Railway Company and other carriers.

Commodities involved: Brick, carloads.

From: Locher, Va.

To: Atlanta, Ga.

Grounds for relief: Circuitous routes, competition with rail carriers, and market competition.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1044, Supp. 123.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because

of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9845; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26326]

PHOSPHATE ROCK FROM FLORIDA TO HATTIESBURG, MISS.

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and other carriers.

Commodities involved: Phosphate rock, carloads.

From: Florida mines.

To: Hattiesburg, Miss.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates; ACL RR. tariff I. C. C. No. B-3232, Supp. 45.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9846; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26327]

LUMBER FROM HAMPTON ROADS PORTS TO SOUTHWEST

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 934.

Commodities involved: Lumber and related articles, carloads.

From: Norfolk, Newport News, and Portsmouth, Va.

To: Points in the Southwest.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 934, Supp. 92.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9847; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26328]

MERCHANDISE FROM CHICAGO, ILL., TO DUNBARTON, S. C.

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to his tariff I. C. C. No. 639.

Commodities involved: Merchandise, mixed carloads.

From: Chicago, Ill.

To: Dunbarton, S. C.

Grounds for relief: Circuitous routes and competition with motor carriers.

Schedules filed containing proposed rates: R. G. Raasch's tariff I. C. C. No. 639, Supp. 38.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9848; Filed, Aug. 17, 1951; 8:49 a. m.]

[4th Sec. Application 26329]

COAL FROM ALABAMA TO SOUTH CAROLINA

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and Gulf, Mobile and Ohio Railroad Company.

Commodities involved: Coal, carloads.

From: Gulf, Mobile and Ohio Railroad mines in Alabama.

To: Columbia, Fort Jackson, and Reed, S. C.

Grounds for relief: Circuitous routes and competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9849; Filed, Aug. 17, 1951; 8:50 a. m.]

[4th Sec. Application 26330]

VARIOUS COMMODITIES FROM AND TO SOUTHERN POINTS

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1062 and other tariffs, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities.

From, to, and between points in southern territory.

Grounds for relief: Circuitous routes and competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9850; Filed, Aug. 17, 1951; 8:50 a. m.]

[4th Sec. Application 26331]

VARIOUS COMMODITIES FROM OFFICIAL TERRITORY TO SOUTH

APPLICATION FOR RELIEF

AUGUST 15, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to his tarff I. C. C. No. A-911, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

From: Points in official territory.

To: Points in southern territory.

Grounds for relief: Circuitous routes and competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9851; Filed, Aug. 17, 1951; 8:50 a. m.]

[Rev. S. O. 562, Amdt. 2 to King's I. C. C. Order 52]

RAILROADS IN KANSAS, MISSOURI, ILLINOIS AND KENTUCKY

REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of King's I. C. C. Order No. 52 and good cause appearing therefor: *It is ordered,* That:

King's I. C. C. Order No. 52 be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., August 31, 1951, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., August 15, 1951, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., August 13, 1951.

INTERSTATE COMMERCE COMMISSION, HOMER C. KING, *Agent.*

[F. R. Doc. 51-9840; Filed, Aug. 17, 1951; 8:48 a. m.]

[Rev. S. O. 874, Corr. Rev. General Permit 7]

RICE BRAN, RICE POLISH, AND RICE HULLS

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (d) of Revised Service Order No. 874 (16 F. R. 2040, 3133), permission is granted for any common carrier by railroad, subject to the Interstate Commerce Act to disregard the provisions of Revised Service Order No. 874 insofar as they apply to any car loaded with Rice Bran, Rice Polish and/or Rice Hulls, when such cars are loaded to at least 40,000 pounds, because the high moisture content of these commodities during the harvesting season causes them to heat, cake and mold.

The waybills shall show reference to this Revised General Permit and any consignor forwarding cars under this Revised General Permit shall furnish the Permit Agent with the car numbers, initials, weights, and destinations of the cars shipped under this Revised General Permit, as well as the car numbers, initials, and weights of all cars loaded with Rice Bran, Rice Polish and/or Rice Hulls shipped; such information to be furnished on the first day of each month.

This General Permit shall become effective at 12:01 a. m., August 13th, 1951, and shall expire at 11:59 p. m., September 15th, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this Revised General Permit has been served upon the Association of American Railroads, Car Service Division, as Agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this Permit shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of August 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-9841; Filed, Aug. 17, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-197, 59-12]

AMERICAN POWER AND LIGHT CO. ET AL.

NOTICE OF FILING OF PLAN PURSUANT TO PROPOSING A CASH DISTRIBUTION TO STOCKHOLDERS AND ORDER FOR HEARING AND ORDER OF CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 13th day of August A. D. 1951.

In the matter of American Power & Light Co., File No. 54-197. In the matter of Electric Bond and Share Company, American Power & Light Company, et al.; File No. 59-12.

Notice is hereby given that American Power & Light Company, ("American"), a registered holding company, has filed an application for approval of a plan (hereinafter referred to as the "Plan") pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, proposing a cash distribution to the holders of its capital stock. The Plan is stated to be in further compliance with the Commission's order dated August 22, 1942, directing that the existence of American be terminated and that it be dissolved.

All interested persons are referred to the said application, which is on file in the office of the Commission, for a full statement of the transactions therein proposed which may be summarized as follows:

On October 4, 1949, the Commission approved a prior plan which concerned American (hereinafter referred to as the "Stock Reclassification Plan") providing, among other things, for the distribution of most of the assets of American to its stockholders and for the reclassification of its stock into shares of a single class of capital stock. The Stock Reclassification Plan was subsequently approved and ordered to be carried out by the United States District Court for the Southern District of New York on the 14th day of November 1949. The effective date of the Stock Reclassification Plan was February 15, 1950.

In May 1950 the Washington Public Service Commission, the Idaho Public Utilities Commission, and H. Lane Ogle, a stockholder of American, filed petitions with this Commission requesting that the Commission cause American to cease to be a holding company with respect to its remaining electric utility subsidiary, The Washington Water Power Company,

and cause American to comply immediately with this Commission's order of August 22, 1942 for American's dissolution. Oral argument on the petitions and on American's answer thereto was heard before the Commission on June 27, 1950. The Commission has taken no further action with respect to said petitions.

American owns the common stocks of The Washington Water Power Company and Portland Gas & Coke Company and all the securities of Washington Irrigation & Development Company. In addition, as at June 30, 1951, American had on hand cash and cash items aggregating approximately $8,800,000. American states that the cash and cash items now exceed its forseeable requirements and that a portion thereof is therefore available for division among its stockholders as a liquidating distribution.

American proposes to distribute to the holders of its capital stock $2.00 per share for each of the 2,342,411 shares of capital stock issued or issuable pursuant to the Stock Reclassification Plan. The aggregate distribution will amount to $4,684,822 and will be charged to the reserve for contingencies established on American's books in connection with the Stock Reclassification Plan to provide for costs and charges with respect to the carrying out of that Plan and for unforseen liabilities and contingencies. Such reserve amounted to $18,569,665, as of June 30, 1951, and American states that it considers said reserve to be in excess of eventual requirements upon the reserve for the purposes for which it was created.

The cash distribution to the stockholders shall be payable on the Distribution Date which shall be a date thirty days (excluding Saturdays, Sundays, and Holidays) after the date the Commission issues its order approving the Plan, and the Record Date for the purpose of such distribution shall be a date ten days (excluding Saturdays, Sundays, and Holidays) after the date the Commission issues its order approving the Plan.

The distribution will be payable by American on the Distribution Date to the holders of record of shares of such capital stock issued and outstanding at the close of business on the Record Date. With respect to the remainder of the 2,342,411 shares of capital stock issuable but which shall not have been issued pursuant to the Stock Reclassification Plan on or before the Record Date, the distribution will be payable by American on the Distribution Date to City Bank Farmers Trust Company, New York, New York, as distribution agent under the Stock Reclassification Plan, for account of the respective holders who have not surrendered their shares of the former preferred and/or common stocks of American.

American has represented that the distribution provided for in the plan will be in partial liquidation of American and will be one of a series of distributions in complete liquidation of American and complete cancellation and redemption of the whole of the capital stock of American.

The holders of certificates for shares of the former preferred and common stocks of American (or scrip therefor) who do not surrender such stock prior to February 15, 1955, to the distribution agent, acting under the Stock Reclassification Plan, shall cease on February 15, 1955, to have any right to or any interest in the money paid to the distribution agent as provided in American's Stock Reclassification Plan, and shall have no rights in substitution therefor. It is further provided that, if American shall not theretofore have been dissolved, the distribution agent shall after February 15, 1955, thereupon pay to American, or, if American shall have been theretofore dissolved, to the person or persons appointed by a court of competent jurisdiction to administer its affairs in dissolution, any remaining balance of the payment made to the distribution agent pursuant to the Stock Reclassification Plan.

Until the Plan is approved by the Commission, the Plan may be withdrawn or modified or amended by American in any respect or particular. After the Commission has entered an order approving the Plan and before the Plan has been consummated, the Plan may be withdrawn or modified or amended in any respect or particular by American with the approval of the Commission.

While application for approval of the Plan is pending or while the Plan is being carried out, American reserves the right to dispose of any securities or other assets or take any other action in a manner consistent with the provisions of the Plan and of the act and other applicable provisions of law.

The Commission being required by the provisions of section 11 (e) of the act, before approving any plan thereunder, to find, after notice and opportunity for hearing, that the plan as submitted or as modified is necessary to effectuate the provisions of section 11 (e) of the act and is fair and equitable to the persons affected thereby, and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held concerning the Plan to afford all interested persons an opportunity to be heard with respect thereto; and

It appearing to the Commission that the respective records in the following proceedings: (a) With respect to the distribution of most of the assets of American to its stockholders and for the reclassification of its preferred and common stocks into shares of a single class of capital stock (File No. 54–168), and (b) with respect to the distribution of cash to American's stockholders (File No. 54–189) contain facts and data pertinent to the present proceeding and should be incorporated in and deemed a part of the record in these proceedings (File No. 54–197), subject, however, to the qualifications hereinafter set forth; and it further appearing that the proceedings directed to the dissolution of American (File No. 59–12) also contain facts and data pertinent to the present proceedings, and that the issues in said proceedings involve common questions of law and fact with this proceeding and should be consolidated with the record of these proceedings (File No. 54–197);

It is ordered, That the proceedings entitled "Electric Bond and Share Company, et al., File No. 59–12" be and the same hereby are, consolidated with these proceedings (File No. 54–197), and that all evidence adduced in said proceedings, and also in the proceedings under File Nos. 54–168 and 54–189 shall be incorporated in and be deemed a part of the record in the proceedings in File No. 54–197, without prejudice, however, to the right of the Commission, upon its own motion or upon the motion of any interested party, to strike such portions of the record in the prior proceedings as may be deemed irrelevant to the issues raised with respect to the proposed Plan, and without prejudice to the Commission's right upon its own motion or that of any interested party to separate for determination any of the issues involved in the consolidated proceedings or to consolidate with these proceedings other filings or matters pertaining to the subject matter of these proceedings, and to take such other action as may appear conducive to an orderly, prompt and economical disposition of the matters involved.

It is further ordered, That a hearing on the Plan be held on August 24, 1951, at 10 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At such hearing consideration will be given to the Plan.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the Plan and upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examinations:

1. Whether the Plan as submitted or as it may be modified is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby.

2. What further steps should be taken by American in order to comply with the Commission's Order dated August 22, 1942, directing that the existence of American be terminated and that it be dissolved.

3. Whether the Commission should apply to the appropriate United States District Court, pursuant to section 11 (d) of the act, to enforce compliance with said Order of the Commission dated August 22, 1942, and whether the Commission should, pursuant to section 11 (d) of the act, approve the plan heretofore filed herein by H. Lane Ogle, or such other plan as may be proposed by the Commission or by any person having a bona fide interest in the reorganization of American, providing among

other things for the distribution of American's holdings of the common stock of The Washington Water Power Company to the owners of the stock of American.

4. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and of the rules and regulations thereunder, whether any modification should be required to be made therein, and whether any terms and conditions should be imposed to satisfy applicable statutory standards.

It is further ordered, That notice of this hearing be given by registered mail to American, that notice shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the persons on the mailing list for releases under the act, and that further notice shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That American shall give notice of the filing of its Plan, the principal provisions thereof, and of the hearing herein ordered, by appropriate letter mailed at least nine days prior to the date set for said hearing to each of its security holders, including holders of its former preferred and common stocks who have not surrendered such shares under the Stock Reclassification Plan (in so far as the identity of such security holders is known or is available to American).

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9831; Filed, Aug. 17, 1951; 8:47 a. m.]

[File No. 70-2685]

UTAH POWER AND LIGHT CO.

NOTICE OF PROPOSED ISSUANCE AND SALE OF BONDS AND SHARES OF COMMON STOCK AT COMPETITIVE BIDDING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of August A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Utah Power & Light Company ("Utah"), a registered holding company. Declarant has designated sections 6 (a) and 7 of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than August 28, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing he held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 28, 1951, said declaration may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Utah proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $9,000,000 principal amount of First Mortgage, ____ Percent Bonds, Series due 1981. The interest rate on said bonds (to be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be received by the Company (to be not less than 100 percent nor more than 102.75 percent of the principal amount of said bonds) are to be determined at competitive bidding. The bonds are to be issued under and secured by a Mortgage to Guaranty Trust Company of New York, Trustee, dated December 1, 1943, as supplemented by various indentures, including a proposed Supplemental indenture to be dated October 1, 1951.

Utah also proposes to issue and sell 175,000 shares of the Company's common stock without par or face value. The price to be received for such stock will be determined at competitive bidding. Utah may acquire not more than 5,000 shares of its common stock by purchases on the New York Stock Exchange, or otherwise, on the morning of the day on which bids for the purchase of the stock are to be opened for the purpose of facilitating the distribution and offering of said 175,000 shares of such common stock. Any shares so acquired are to be purchased from Utah by the underwriters, in connection with the offering and sale of Utah's common stock by said underwriters. No commission other than the regular brokerage commissions will be paid in connection with such stabilizing operations.

The proceeds from the sale of the above securities, together with Utah's available cash, will be used to pay outstanding bank indebtedness incurred in connection with Utah's construction program and for further construction purposes.

The declaration states that the construction program of Utah and its subsidiary for the years 1951-53, inclusive, will require approximately $44,000,000. To the extent that the proceeds from the sale of the above securities and Utah's cash resources are not sufficient to meet construction expenditures during this period, Utah anticipates that such requirements will be provided by the issuance and sale of such additional securities, from time to time, as may be deemed desirable.

It is represented that the Idaho Public Utilities Commission and the Public Service Commission of Wyoming have jurisdiction over the proposed issuance and sale of the bonds and common stock and that a copy of the order of said commissions authorizing the transactions will be supplied by amendment.

It is requested that the Commission's order herein be issued as soon as practicable, and that it become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-9832; Filed, Aug. 17, 1951; 8:47 a. m.]

[File No. 812-674]

EQUITY CORP. ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of August A. D. 1951.

In the matter of The Equity Corporation, Industrial Insurance Company, Hawkeye Casualty Company, Security Fire Insurance Company, Erie Insurance Company, Northeastern Insurance Company of Hartford, Thomas J. Fisher & Company, Inc.; File No. 812-674.

Notice is hereby given that The Equity Corporation (Equity), 103 Park Avenue, New York, New York, has filed an amended application pursuant to section 6 (c) of the Investment Company Act of 1940 requesting that the order of the Commission dated August 3, 1950, which exempted from section 17 (e) (1) of the act, the acceptance by Thomas J. Fisher & Company, Inc. (Fisher), its agents and employees, of commissions arising from the sale of insurance policies by Fisher, as agent, for any insurance company at present or in the future affiliated with Equity (including Industrial Insurance Company (Industrial), Hawkeye Casualty Company (Hawkeye), Security Fire Insurance Company (Security), Erie Insurance Company (Erie), and Northeastern Insurance Company of Hartford (Northeastern)), be amended in certain respects.

Equity is a registered investment company which through indirect stock ownership controls Fisher and all of the above named insurance companies. Section 17 (e) (1) of the act makes it unlawful for Fisher or any person affiliated with it, acting as agent, to accept from any source any compensation for the purchase or sale of any property to or for any controlled company of Equity. The Commission on August 3, 1950, issued an exemptive order permitting Fisher, its agents and employees, to enter into agency arrangements with Industrial, Hawkeye, Security, Erie, Northeastern and any other insurance company which is or may be controlled by Equity, for the sale of various types of insurance policies. Pursuant to the proposed agency arrangements, Fisher receives commissions ranging from 15 to 30 percent of net premiums in connection with insurance sold by it, plus a contingent fee representing 15 percent of the net profits, if any, accruing to the insurance company from such insurance. The Applicant has filed an amendment to this application requesting an amended order of the Commission

permitting Industrial to enter into a revised agency contract with Fisher, with respect to the writing of certain automobile insurance. Pursuant to such contract, Fisher will receive automobile insurance commissions of 25 percent of net premiums plus an additional amount representing the sum by which loss experience is less than 60 percent of earned premiums.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said amended application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the amended application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after August 30, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than August 28, 1951, at 5:30 p. m., e. d. s. t., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9830; Filed, Aug. 17, 1951; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18307]

ANTONIE SELLMER ET AL.

In re: Securities owned by Antonie Sellmer and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, set forth below and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Ella Duisburg, whose last known address is Bad Toelz, Anna Str. 1, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That Else Klinge, whose last known address is Icking/Isartal, Haus No. 26, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Gertrude Taber, whose last known address is Garmisch-Partenkirchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Otto C. W. Jiesche, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That Otto Traum, whose last known address is Wuerzburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Wilhelm and Hedwig Specht, each of whose last known address is Mittelberg/Allgaue nr Oberstdorf, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

8. That Friedrich Hellmaier, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

9. That Johanna Dallaeus, whose last known address is Augsburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Adele Dolly Grombach, whose last known address is Gauting, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

11. That Olga Warns, whose last known address is Schliersee, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

12. That Helene Zeitler, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

13. That Josef Bartlberger, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

14. That Martha Odrich, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

15. That Carl Schreiner, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

16. That Christian Justus, whose last known address is Landshut bei Plateil, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

17. That Anna Reindl, whose last known address is c/o Dr. Rudolf Seidl, 14 Neuhauserstrasse, Nuenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

18. The Anna Roehm, whose last known address is Hundham-Oberweissenbach, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

19. That Margarete von Heymel, whose last known address is Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

20. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon,

b. One (1) The Baltimore and Ohio Railroad Company thirty-year 4½ percent convertible gold bond, due February 1, 1960, numbered 19261, of $1,000.00 face value, owned by Ella Duisburg, which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

c. Six (6) The Central Pacific Railway Company first refunding mortgage 4 percent gold bonds, due 1949, numbered 10513, 10514, 28219, 56406, 58513 and 62736, each of $1,000.00 face value, owned by Else Klinge, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

d. Eight (8) coupons detached from The Central Pacific Railway Company bonds numbered 70050, 70051, 70052 and 72597, said coupons of $20.00 face value each, numbered 82 and 83, due August 1940 and February 1941 respectively owned by Else Klinge, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

e. Six (6) coupons detached from The Central of Georgia Railway Company consolidated mortgage gold bond, numbered 4287, said coupons numbered 75 through 80, inclusive, each of $25.00 face value, owned by Gertrude Taber, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

f. One (1) scrip certificate numbered S157601 for 11/40ths of one share of Class A stock of the Central Public Service Corporation issued December 15, 1930, owned by Christian Justus, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

g. Two (2) Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Series A, five per cent convertible adjustment mortgage gold bonds, due January 1, 2000, numbered M19664 and M19665, each of $1,000.00 face value, owned by Otto C. W. Jiesche, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

h. One (1) certificate of deposit numbered NM2045 for The Chicago, Rock Island and Pacific Railway Company first and refunding mortgage 4 percent gold bond, due April 1, 1934, owned by Wilhelm and Hedwig Specht, which certificate is presently in the custody of the

Attorney General of the United States, together with any and all rights thereunder and thereto,

i. Six (6) Chicago, Milwaukee, St. Paul and Pacific Railroad Company, Series A, fifty-year five percent mortgage gold bonds, due February 1, 1975, numbered M47011 and M48437 each of $1,000 face value and D2039, D3944, D3349 and D7377, each of $500 face value, owned by Otto Traum, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

j. One (1) Chicago, Rock Island and Pacific Railway Company securcd 4½ percent gold bond, Series A, due September 1, 1952, numbered D1206, of $500 face value, owned by Friedrich Hellmaier, which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

k. One (1) Cincinnati & Lake Erie Railroad Company first and refunding mortgage gold bond, Series A, due January 1, 1941, numbered M1016, of $1,000 face value, owned by Johanna Dallaeus, which bond is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

l. Three (3) The Colorado Midland Railway Company, 4 percent first mortgage gold bonds, due 1947, numbered 4549, 4550 and 4551, each of $1,000 face value, owned by Adele Dolly Grombach, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

m. Three (3) coupons detached from The Denver and Rio Grande Railroad Company first consolidated mortgage bonds numbered 3131, 5153 and 22300, said coupons numbered 96, of $20.00 face value each, owned by Olga Warns, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

n. One (1) certificate of deposit, numbered 11726, issued by The Real Estate Bondholders Protective Committee for the principal amount of $1,000.00 for Eastern Ambassador Hotels, First and Refunding Mortgage Fee 5½ percent sinking fund gold bond numbered M15231, due June 15, 1947, owned by Helene Zeitler which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

o. One (1) certificate of interest numbered 2477, evidencing 500 units of $1.00 par value each, in the Harding Apartments Liquidation Trust, owned by Josef Bartlberger, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

p. Two (2) International Mercantile Marine Company first mortgage and collateral trust sinking fund 6 percent gold bonds, due October 1, 1941, numbered M4061 of $1,000 face value and D271 of $500 face value owned by Martha Odrich, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

q. Fifteen (15) The Kansas City Southern Railway Company 3 percent first mortgage gold bonds, due 1950, numbered 10020, 10119, 10601, 13919, 13920, 16446, 18505, 18619, 20734, 21463, 21464, 21465, 24650, 24869, and 24874, each of $1,000 face value, owned by Carl Schreiner, which bonds are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

r. One (1) certificate of interest numbered 453 evidencing 5 units, each of $100 face value, in Kedzie Liquidation Trust, owned by Anna Roehm, which certificate is presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

s. One (1) certificate numbered 363 of The Fatherland Corporation evidencing an indebtedness of said Corporation in the amount of $7.00, said certificate owned by Anna Reindl, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto, and

t. Two (2) stock trust certificates numbered TP771 and TP772, evidencing 200 shares of $100 par value preferred capital stock of the Georgia & Florida Railroad, owned by Margarete von Heymel, which certificates are presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is presently within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

21. That to the extent that the persons referred to in subparagraph 1 hereof and the persons named in subparagraphs 2 through 19, inclusive, hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 13, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate No.	Number of shares	Owner
Alina Colony Corp. of Merced County, Calif.	Capital	$100.00	7001	2	Antonie Sellmer.
Do	do	100.00	101	2	Do.
Do	do	5.00	1004, 1005	10	Do.
Do	do	5.00	5004, 5005	10	Do.
Baltimore & Ohio R. R. Co.	Common	100.00	D290258, D293539, D305821, D312635, D315075.	50	Max Weber.
Do	do	100.00	D111893	10	Maria Graefin von Thurn.
Bankers Loan & Investment Co.	Reorganized Class A.	100.00	1356	15	Vera Meyer-Obersleben.
Do	Reorganized Class B.	100.00	813	2	Do.
The Big Four-San Juan Oil & Development Co.	Capital	1.00	337	1,000	Berta Borzaga.
Central Public Service Corp.	Class A	None	CCA037711	10	Christian Justus.
			CCA0143011	1	
Chiapas Rubber Plantation and Investment Co.	do	5.00	483	2	Hedwig Soehn.
Do	Class B	5.00	5130	1.07	Do.
Duplex Shock-Absorber Co.	Capital	1.00	9	100	Anna Reindl.
Cities Service Co	Common	None	GL 422	2	Eduard Ellmann.
			AL 31374	30	
The Fatherland Corp	Preferred	10.00	1105	10	Anna Reindl.
1010 Fifth Ave., Inc	do	100.00	868	5	Hans Nissl.
Do	Common	None	1377	5	Do.
Globe Petroleum Corp	Capital	.25	9319, 9320	2,000	Anna Reindl.
The Great Victoria Gold Mining Co., Std.		1 pound Sterling.	22	100	Maria Sonntag
International Combustion Engineering Corp.	Common	None	68387	100	Anna Reindl.
Julian Oil & Royalty Co	Capital	None	3921, 3922	615	Juditha Antoinette Hoerning.
Kedzie-Judson Bldg. Corp.	Common	100.00	11	5	Josef Bartlberger.
Cities Service Co	do	None	GL 7342, VL 981166.	43	Kaethe Schneidt.

[F. R. Doc. 51-9904; Filed, Aug. 17, 1951; 8:51 a. m.]

FEDERAL REGISTER

VOLUME 16 NUMBER 162

Washington, Tuesday, August 21, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2937

REGISTRATION—CANAL ZONE

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, title I of the Universal Military Training and Service Act (62 Stat. 604), as amended, contains, in part, the following provisions:

"SEC. 3. Except as otherwise provided in this title, it shall be the duty of every male citizen of the United States, and every other male person now or hereafter in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and place or places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder."

* * * * *

"SEC. 6. (a) Commissioned officers, warrant officers, pay clerks, enlisted men, and aviation cadets of the Regular Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey and the Public Health Service; cadets, United States Military Academy; midshipmen, United States Navy; cadets, United States Coast Guard Academy; midshipmen, Merchant Marine Reserve, United States Naval Reserves; students enrolled in an officer procurement program at military colleges the curriculum of which is approved by the Secretary of Defense; members of the reserve components of the Armed Forces, the Coast Guard, and the Public Health Service, while on active duty * * * shall not be required to be registered under section 3 and shall be relieved from liability for training and service under section 4 * * *."

* * * * *

"(k) No exception from registration, or exemption or deferment from training and service, under this title, shall continue after the cause therefor ceases to exist."

* * * * *

"SEC. 10. * * *

(b) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this title;"

* * * * *

"(5) to utilize the services of any or all departments and any and all officers or agents of the United States, and to accept the services of all officers and agents of the several States, Territories, and possessions, and subdivisions thereof, and the District of Columbia, and of private welfare organizations, in the execution of this title;"

* * * * *

"SEC. 15. (a) Every person shall be deemed to have notice of the requirements of this title upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 3."

* * * * *

WHEREAS on the twentieth day of July 1948, I issued a proclamation calling upon all male persons subject to registration in the several States of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands to present themselves for and submit to registration; and

WHEREAS no provision heretofore has been made for the registration of male citizens of the United States who are in the Canal Zone:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by title I of the Universal Military Training and Service Act, as amended, do proclaim the following:

1. The registration of male citizens of the United States who shall have attained the eighteenth anniversary of the day of their birth and who shall have not attained the twenty-sixth anniversary of the day of their birth shall take place in the Canal Zone between the hours of 8:00 A. M and 5:00 P. M. on the day or days hereinafter designated for their registration, as follows:

(a) Persons born on or after September 7, 1925, but not after September 6, 1933, shall be registered on Thursday, the 6th day of September, 1951.

(b) Persons who were born after September 6, 1933, shall be registered on the day they attain the eighteenth anni-

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FEDERAL REGISTER

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versary of the day of their birth, or within five days thereafter.

2. (a) Every male citizen of the United States other than persons excepted by section 6 (a) of title I of the Universal Military Training and Service Act, as amended, and those previously registered pursuant to the said Proclamation of July 20, 1948, who is within the Canal Zone and who shall have attained the eighteenth anniversary of the day of his birth and who shall have not attained the twenty-sixth anniversary of the day of his birth on the day or any of the days fixed herein for his registration is required to and shall on that day or any of those days present himself for and submit to registration before a duly designated registration official or selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be on that day or any of those days.

(b) A person subject to registration may register after the day or days fixed for registration in case he is prevented from registering on that day or any of those days by circumstances beyond his control or because he is not present in the Canal Zone on that day or any of those days. If he is not in the Canal Zone on the day or any of the days fixed for registration but subsequently enters the Canal Zone, he shall within five days after such entrance present himself for and submit to registration before a duly designated registration official or selective service local board. If he is in the Canal Zone on the day or any of the days fixed for registration but because of circumstances beyond his control is unable to present himself for and submit to registration on that day or any of those days he shall do so as soon as possible after the cause for such inability ceases to exist.

3. Every person subject to registration is required to familiarize himself with the rules and regulations governing registration and to comply therewith.

4. The duty of any person to present himself for and submit to registration in accordance with any previous proclamation issued under said Act shall not be affected by this proclamation.

5. I call upon the Governor of the Canal Zone, all officers and agents of the Canal Zone, and all local boards which, and agents thereof who, are appointed under the provisions of title I of the Universal Military Training and Service Act, as amended, or the regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration.

6. In order that there may be full cooperation in carrying into effect the purposes of title I of the Universal Military Training and Service Act, as amended, I urge all employers and Government agencies of all kinds—Federal and local—to give those under their charge sufficient time in which to fulfill the obligations of registration incumbent upon them under the said Act and this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 51-10080; Filed, Aug. 20, 1951; 10:55 a. m.]

PROCLAMATION 2938

REGISTRATION—GUAM

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS title I of the Universal Military Training and Service Act (62 Stat. 604), as amended, contains, in part, the following provisions:

"SEC. 3. Except as otherwise provided in this title, it shall be the duty of every male citizen of the United States, and every other male person now or hereafter in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and place or places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder."

* * * * *

"SEC. 6. (a) Commissioned officers, warrant officers, pay clerks, enlisted men, and aviation cadets of the Regular Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey and the Public Health Service; cadets, United States Military Academy; midshipmen, United States Navy; cadets, United States Coast Guard Academy; midshipmen, Merchant Marine Reserve, United States Naval Reserves; students enrolled in an officer procurement program at military colleges the curriculum of which is approved by the Secretary of Defense; members of the reserve components of the Armed Forces, the Coast Guard, and the Public Health Service, while on active duty; and foreign diplomatic representatives, technical attachés of foreign embassies and legations, consuls general, consuls, vice consuls and other consular agents of foreign countries who are not citizens of the United States, and members of their families, and persons in other categories to be specified by the President who are not citizens of the United States, shall not be required to be registered under section 3 and shall be relieved from liability for training and service under section 4, except that aliens admitted for permanent residence in the United States shall not be so exempted."

* * * * *

"(k) No exception from registration, or exemption or deferment from training and service, under this title, shall continue after the cause therefor ceases to exist."

* * * * *

"SEC. 10. * * *

(b) The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this title;"

* * * * *

"(5) to utilize the services of any or all departments and any and all officers or agents of the United States, and to accept the services of all officers and agents of the several States, Territories, and possessions, and subdivisions thereof, and the District of Columbia, and of private welfare organizations, in the execution of this title;"

* * * * *

"SEC. 15. (a) Every person shall be deemed to have notice of the requirements of this title upon publication by the President of a proclamation or other public notice fixing a time for any registration under section 3."

* * * * *

WHEREAS on the twentieth day of July, 1948, I issued a proclamation calling upon all male persons subject to registration in the several States of the United States, the District of Columbia the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands to present themselves for and submit to registration; and

WHEREAS by section 1 (v) of the 1951 Amendments to the Universal Military Training and Service Act, approved June 19, 1951, the definition of the term "United States", when used in a geographical sense in title I of the Universal Military Training and Service Act, as amended, was extended to include Guam:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by title I of the Universal Military Training and Service Act, as amended, do proclaim the following:

1. The registration of male citizens of the United States, and other male persons, now or hereafter in Guam, who shall have attained the eighteenth anniversary of the day of their birth and who shall have not attained the twenty-sixth anniversary of the day of their birth shall take place in Guam between the hours of 8:00 A. M. and 5:00 P. M. on the day or days hereinafter designated for their registration, as follows:

(a) Every citizen of the United States born on or after September 7, 1925, but not after September 6, 1933, shall be registered on Thursday, the 6th day of September, 1951.

(b) Every citizen of the United States born after September 6, 1933, shall be registered on the day he attains the eighteenth anniversary of the day of his birth, or within five days thereafter.

(c) Every person who is not a citizen of the United States shall be registered on the day or any of the days fixed in this paragraph for the registration of a citizen of the United States of his age or on any day within the period of six months following the day on which he entered any of the following: The continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands, and Guam.

2. (a) Every male citizen of the United States and every other male person now or hereafter in Guam, other than persons excepted by or pursuant to section 6 (a) of title I of the Universal Military Training and Service Act, as amended, and those previously registered pursuant to the said Proclamation of July 20, 1948, who is within Guam and who shall have attained the eighteenth anniversary of the day of his birth and who shall have not attained the twenty-sixth anniversary of the day of his birth on the day or any of the days fixed herein for his registration is required to and shall on that day or any of those days present himself for and submit to registration before a duly designated registration official or selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be on that day or any of those days.

(b) If a person subject to registration is in Guam on the day of any of the days fixed for his registration but because of circumstances beyond his control is unable to present himself for and submit to registration on that day or any of those days he shall do so as soon as possible after the cause for such inability ceases to exist. If a citizen of the United States subject to registration is not in Guam on the day or any of the days fixed for his registration but subsequently enters Guam he shall, within five days after such entrance, present himself for and submit to registration before a duly designated registration official or selective service local board. If a person subject to registration who is not a citizen of the United States is not in Guam on the day or any of the days fixed in paragraph numbered 1 hereof for the registration of a citizen of the United States of his age but subsequently enters Guam he shall present himself for and submit to registration before a duly designated registration official or selective service local board within the period of six months following the day on which he entered any of the following: The continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands, and Guam.

3. Every person subject to registration is required to familiarize himself with the rules and regulations governing registration and to comply therewith.

4. The duty of any person to present himself for and submit to registration in accordance with any previous proclamation issued under said Act shall not be affected by this proclamation.

5. I call upon the Governor of Guam, all officers and agents of Guam, and all local boards which, and agents thereof who, are appointed under the provisions of title I of the Universal Military Training and Service Act, as amended, or the regulations prescribed thereunder, to do and perform all acts and services necessary to accomplish effective and complete registration.

6. In order that there may be full cooperation in carrying into effect the purposes of title I of the Universal Military Training and Service Act, as amended, I urge all employers and Government agencies of all kinds—Federal and local—to give those under their charge sufficient time in which to fulfill the obligations of registration incumbent upon them under the said Act and this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 16th day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 51-10081; Filed, Aug. 20, 1951; 10:55 a. m.]

PROCLAMATION 2939

NATIONAL EMPLOY THE PHYSICALLY HANDICAPPED WEEK, 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Nation needs the services of every person capable of productive work in its gigantic task of mobilizing to meet the requirements of defense and to maintain the civilian economy; and

WHEREAS the physically handicapped of our Nation have demonstrated that they are capable workers when placed in jobs suited to their abilities, training, and experience, and therefore, as a group, constitute a valuable resource of manpower; and

WHEREAS there is a continuing need for public support of informational and educational work in securing employment for the physically handicapped on the basis of their demonstrated abilities; and

WHEREAS the Congress, by a joint resolution approved on August 11, 1945 (59 Stat. 530), designated the first week in October of each year as National Employ the Physically Handicapped Week, and requested the President to issue a suitable proclamation inviting Nation-wide support of programs calling for full opportunity for physically handicapped men and women in employment:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby call upon the people of our Nation to observe the week beginning October 7, 1951, as National Employ the Physically Handicapped Week, and to cooperate with the President's Committee on National Employ the Physically Handicapped Week in carrying out the purposes of the aforementioned joint resolution of Congress. I also call upon the Governors of States, the mayors of municipalities, and other public officials, as well as leaders of

industry and labor, of civic, veterans', agricultural, women's and fraternal organizations, and of other groups representative of our national life, to lend their assistance and encouragement in the observance of the designated week, in order to enlist public interest in and support of programs for the employment of the physically handicapped.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 51-10082; Filed, Aug. 20, 1951; 10:55 a. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 C. C. C. Grain Price Support Bulletin 1, Amdt. 2 to Supp. 1, Wheat]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART — 1951-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

WAREHOUSE CHARGES AND SETTLEMENT

The regulation issued by Commodity Credit Corporation and the Production and Marketing Administration published in 16 F. R. 2777, and 5651, containing the specific requirements for the 1951-crop wheat price support program is hereby amended as follows:

1. Section 601.1219 *Warehouse charges* is amended by changing the first sentence of the last paragraph to include a reference to paragraph (c) (2) of § 601.1220 which provides that the warehouse storage charges will not be deducted from the support price on wheat stored in a warehouse operated by Eastern common carrier and delivered under a purchase agreement if evidence is submitted that the storage charges have been prepaid through April 30, 1952, so that the section reads as follows:

§ 601.1219 *Warehouse charges.* (a) Warehouse receipts and the wheat represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges not to exceed the Uniform Grain Storage Agreement rates from the date the grain is deposited in the warehouse for storage.

(b) Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing wheat stored in warehouses operating under the Uniform Grain Storage Agreement is on or before April 30, 1952, the storage charges shown in the following table shall be deducted in computing the amount of the loan or purchase price.

Date of deposit	Area I Ariz., Calif., Idaho, Minn., Mont., Nev., N. Dak., Oreg., S. Dak., Wash., Utah	Area II Colo., Ill., Iowa, Kan., Mo., Nebr., Wyo., Wis.	Area III Conn., Del., Ind., Ky., Maine, Md., Mass., Mich., N. H., N. J., N. Y., Ohio. Pa., R. I., Vt., Va., W. Va.	Area IV Ala., Ark., Fla., Ga., La., Miss., N. Mex., N. C., Okla., S. C., Tenn., Tex.
	Cents per bushel	*Cents per bushel*	*Cents per bushel*	*Cents per bushel*
Prior to Sept. 3, 1951	10	10½	11	11½
Sept. 3-Sept. 22, inclusive	10	10½	11	11
Sept. 23-Oct. 12, inclusive	10	10	10	10
Oct. 13-Nov. 1, inclusive	9	9	9	9
Nov. 2-Nov. 21, inclusive	8	8	8	8
Nov. 22-Dec. 11, inclusive	7	7	7	7
Dec. 12-Dec. 31, inclusive	6	6	6	6
Jan. 1-Jan. 20, inclusive, 1952	5	5	5	5
Jan. 21-Feb. 9, inclusive	4	4	4	4
Feb. 10-Mar. 1, inclusive	3	3	3	3
Mar. 2-Mar. 21, inclusive	2	2	2	2
Mar. 22-Apr. 10, inclusive	1	1	1	1
Apr. 11-Apr. 30, inclusive	0	0	0	0

(c) Warehouse receipts and the wheat represented thereby stored in approved warehouses operated by eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission.

(d) For wheat stored in approved warehouses operated by eastern common carriers there shall be deducted in computing the loan or purchase price, except as provided in paragraph (c) (2) of § 601.1220, the amount of the approved tariff rates for storage (not including elevation), which will accumulate from the date of deposit to the program maturity date. The county committee shall request the PMA commodity office to determine the amount of such charges. Where the producer presents evidence showing that the elevation has been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charge prepaid by the producer.

2. Section 601.1220 *Settlement* is amended by incorporating a paragraph relating to warehouse-storage loans not redeemed, and also by changing the paragraph relating to purchase agreements, to provide for refunding to the producer in the case of warehouse-storage loans, and for crediting the producer in the case of deliveries under purchase agreements, at the time of settlement, the storage charges he was required to prepay to the warehouseman at the time the wheat was deposited in the warehouse for storage, so that the section reads as follows:

§ 601.1220 *Settlement*—(a) *Farm-storage loans.* (1) In the case of wheat delivered to CCC from farm-storage under the loan program, settlement shall be made at the applicable support rate for the approved point of delivery. The support rate shall be for the grade and quality of the total quantity of wheat delivered.

(2) If the wheat under farm-storage loan, is, upon delivery, of a grade and/or quality for which no support rate has been established, the settlement value shall be the support rate established for the grade and/or quality of the wheat placed under loan less the difference, if any, at the time of delivery, between the market price for the grade and/or quality placed under loan and the market price of the wheat delivered, as determined by CCC.

(3) If farm-stored wheat is delivered to CCC prior to April 30, 1952, upon request of the producer and with the approval of CCC, the loan settlement shall be reduced as set forth in the table in § 601.1219.

(b) *Warehouse-storage loans.* (1) In the case of warehouse receipts issued on a warehouse approved under the Uniform Grain Storage Agreement, CCC Form 25, if the warehouse loan is not redeemed and the warehouse receipt or the accompanying supplemental certificate contains a statement in substantially the following form "Full storage charges, not including receiving charges, paid through April 30, 1952, $_____," a refund in the amount of the smaller of (i) the storage charges prepaid by the producer, or (ii) the amount of the storage charges deducted at the time the loan was completed, will be made to the producer by the PMA commodity office.

(2) For wheat stored in approved warehouses operated by Eastern common carriers, if the warehouse loan is not redeemed and the supplemental certificate and delivery order contains a statement in substantially the following form "Full storage charges paid through April 30, 1952, $_____," a refund will be made to the producer by the PMA commodity office of the amount of storage deducted at the time the loan was completed plus any elevation charge which was prepaid by the producer and for which he was given credit at the time the loan was completed.

(c) *Purchase agreement.* (1) Wheat delivered to CCC under a purchase agreement must meet the requirements of wheat eligible for loan. The purchase rate per bushel of eligible wheat shall be the support rate established for the approved point of delivery, subject to deduction of warehouse charges in accordance with § 601.1219, except as provided in subparagraph (2) of this paragraph.

In the case of warehouse receipts issued on a warehouse approved under the Uniform Grain Storage Agreement, CCC Form 25, if the warehouse receipt or the accompanying supplemental certificate representing wheat stored in the warehouse contains a statement in substantially the following form "Full storage charges, not including receiving charges, paid through April 30, 1952, $_____," the producer shall be given credit for the smaller of (i) the storage charges prepaid by the producer, or (ii) the amount of the warehouse storage charges determined according to the time of deposit as outlined in § 601.1219 at the time the settlement value of the commodity delivered is determined.

(2) For wheat stored in approved warehouses operated by Eastern common carriers, if the supplemental certificate and delivery order representing wheat stored in the warehouse contains a statement in substantially the following form "Full storage charges paid through April 30, 1952, $_____," no deduction for storage shall be made from the support rate at the time the settlement value of the commodity delivered is determined. The producer shall be given credit for the amount of any elevation charge prepaid at the time the settlement value of the commodity delivered is determined, if he presents evidence showing such prepayment.

(d) *Track-loading.* A track-loading payment of 2 cents per bushel shall be made to the producer on wheat delivered to CCC on track at a country point.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 16th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9960; filed, Aug. 20, 1951; 8:52 a. m.]

[1951 CCC Cotton Bulletin 1, Amdt. 2]

PART 607—COTTON

SUBPART—1951 COTTON LOAN PROGRAM

SCHEDULE OF BASE LOAN RATES BY COUNTIES FOR FARM-STORED COTTON

The 1951 Cotton Loan Bulletin (1951 CCC Cotton Bulletin 1) is hereby amended by adding § 607.251 to read as follows:

§ 607.251 *Basic loan rates for farm-stored cotton.* The base loan rates applicable to Middling White and Extra White 15/16-inch upland cotton, under Commodity Credit Corporation's 1951 Cotton Loan Program, are as follows:

[All rates expressed in cents per pound, gross weight, basis Middling, White and Extra White, 15/16-inch cotton]

ALABAMA	
In all counties east of De Kalb, Marshall, Blount, St. Clair, Shelby, Coosa, Elmore, Macon, Bullock, and Barbour	32.24
In the counties of De Kalb, Marshall, Blount, St. Clair, Shelby, Coosa, Elmore, Macon, Bullock, and Barbour	32.14
In the counties of Madison, Jackson, Morgan, Cullman, Jefferson, Bibb, Chilton, Autauga, Montgomery, Pike, Coffee, Dale, Henry, Geneva, and Houston	32.04
In the counties of Limestone, Lawrence, Winston, Walker, Fayette, Tuscaloosa, Hale, Perry, Dallas, Lowndes, Butler, Crenshaw, and Covington	31.94
In the counties of Lauderdale, Colbert, Franklin, Marion, Lamar, Pickens, Greene, Sumter, Marengo, Choctaw, Wilcox, Monroe, Clarke, Washington, Escambia, and Conecuh	31.84
In the counties of Mobile and Baldwin	31.73
ARIZONA	
In all counties	30.97
ARKANSAS	
In the counties of Craighead, Crittenden, Cross, Greene, Lee, Mississippi, Monroe, Phillips, Poinsett, St. Francis, and Woodruff	31.66
In the counties of Arkansas, Clay, Cleveland, Desha, Jackson, Jefferson, Lawrence, Lincoln, Lonoke, Prairie, Pulaski, and White	31.64
In the county of Chicot	31.63
In all counties not listed above	31.61
CALIFORNIA	
In all counties	30.97
FLORIDA	
In all counties east of Jackson, Liberty, and Franklin	32.15
In the counties of Bay, Calhoun, Franklin, Gulf, Holmes, Jackson, Liberty, and Washington	32.04
In the county of Walton	31.94
In the county of Okaloosa	31.84
In the counties of Santa Rosa and Escambia	31.73
GEORGIA	
In all counties east of Union, Lumpkin, Dawson, Forsyth, Gwinnett, Walton, Morgan, Putnam, Hancock, Jefferson, Glascock, and Burke	32.45
In all counties except Dade and counties having a rate of 32.45, north of Stewart, Webster, Sumter, Dooly, Wilcox, Telfair, Wheeler, Montgomery, Toombs, Tattnall, Evans, and Bryan	32.35
In county of Dade and all counties south of Chattahooche, Marion, Schley, Macon, Houston, Pulaski, Dodge, Laurens, Treutlen, Emanuel, Candler, Bullock, Effingham, and Chatham, and north of Quitman, Randolph, Calhoun, Baker, Mitchell, Colquitt, Cook, Berrien, Atkinson, Ware, Pierce, Brantley, and Glynn	32.25
In all counties south of Stewart, Webster, Terrell, Dougherty, Worth, Tift, Irwin, Coffee, Bacon, Appling, Wayne, and McIntosh	32.15
ILLINOIS	
In all counties	31.67
KENTUCKY	
In all counties	31.72
LOUISIANA	
In the Parishes of East Baton Rouge, East Feliciana, Livingston, Orleans, St. Helena, St. Tammany, Tangipahoa, Washington, and West Feliciana	31.67
In the Parishes of Concordia, East Carroll, Madison, and Tensas	31.63
In the Parish of West Carroll	31.62
In all Parishes not listed above	31.61
MISSISSIPPI	
In the counties of Alcorn, Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, De Soto, Grenada, Itawamba, Kemper, Lafayette, Lauderdale, Leake, Lee, Lowndes, Madison, Marshall, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha	31.73
In the counties of Clarke, Copiah, Covington, Forrest, George, Greene, Hinds, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Newton, Perry, Pike, Rankin, Scott, Simpson, Smith, Stone, Walthall, and Wayne	31.70
In the counties of Adams, Amite, Bolivar, Claiborne, Coahoma, Franklin, Hancock, Harrison, Holmes, Humphreys, Issaquena, Jefferson, Leflore, Pearl River, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington, Wilkinson, and Yazoo	31.67
MISSOURI	
In the counties of Dunklin, New Madrid, and Pemiscot	31.66
In the counties of Butler, Mississippi, Scott, and Stoddard	31.64
In all counties not listed above	31.61
NEW MEXICO	
In the county of Lea	31.44
In the county of Eddy	31.38
In the counties of Chaves, Colfax, Curry, De Baca Dona Anna, Guadalupe, Harding, Lincoln, Mora, Otero, Quay, Roosevelt, San Miguel, Sierra, Socorro, Torrance, and Union	31.37
In all counties not listed above	30.97
NORTH CAROLINA	
In all counties west of Granville, Wake, Harnett, Hoke, and Scotland	32.55
In all counties east of Person, Durham, Chatham, Lee, Moore, and Richmond	32.48
OKLAHOMA	
In all counties east of Kay, Noble, Logan, Oklahoma, Cleveland, McClain, Garvin, Murray, Carter, and Love	31.61
In all counties west of Osage, Pawnee, Payne, Lincoln, Pottawatomie, Pontotoc, Johnston, and Marshall; and east of Woods, Woodward, and Ellis	31.54
In all counties west of Alfalfa, Major, Dewey, and Roger Mills	31.52
SOUTH CAROLINA	
In all counties west of Marlboro, Darlington, Lee, Sumter, Calhoun, Orangeburg, and Barnwell	32.55
In all counties east of Chesterfield, Kershaw, Richland, Lexington, and Aiken	32.48

[All rates expressed in cents per pound, gross weight, basis Middling, White and Extra White, 15/16-inch cotton]

TENNESSEE	
In all counties east of Marion, Sequatchie, Bledsoe, Cumberland, Morgan, and Scott	32.24
In the counties of Marion, Sequatchie, Grundy, Bledsoe, and Cumberland	32.14
In the counties of Franklin, Coffee, Warren, Van Buren, White, and Overton	32.04
In the counties of Lincoln, Giles, Moore, Bedford, Marshall, Rutherford, Cannon, De Kalb, and Wilson	31.94
In the counties of Lawrence, Wayne, Lewis, Perry, Hickman, Humphreys, Dickson, Davidson, Williamson, and Maury	31.84
In the counties of Hardin, Decatur, Chester, Fayette, Hardeman, Henderson McNairy, Madison, and Shelby	31.73
In the counties of Benton, Stewart, Carroll, Crockett, Dyer, Gibson, Haywood, Henry, Lake, Lauderdale, Obion, Tipton, and Weakley	31.72
TEXAS	
In all counties east of Montague, Denton, Dallas, Ellis, Navarro, Anderson, Houston, Trinity, Walker, Grimes, Waller, Wharton, and Matagorda	31.61
In all counties west of Cooke, Collin, Rockwell, Kaufman, Henderson, Cherokee, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, and Brazoria; and east of Childress, Cottle, Knox, Haskell, Jones, Taylor, Coleman, San Saba, Llano, Gillespie, Kendall, Bexar, Wilson, Karnes, Goliad, Bee, and San Patricio	31.54
In the counties of Childress, Coke, Coleman, Collingsworth, Concho, Cottle, Dickens, Donley, Fisher, Gillespie, Gray, Hall, Haskell, Jones, Kendall, Kent, Llano, Knox, King, McCulloch, Mason, Mitchell, Motley, Nolan, Runnels, San Saba, Scurry, Stonewall, Taylor, Tom Green, and Wheeler	31.52
In the counties of Bee, Bexar, Goliad, Karnes, Nueces, San Patricio, and Wilson	31.50
In all counties west of Gray, Donley, Hall, Motley, Dickens, Kent, Scurry, Mitchell, Coke, Tom Green, Mason, Gillespie, Kendall, Bexar, Wilson, Karnes, Bee, San Patricio, and Nueces; and east of Winkler, Ward, Pecos, Terrell, and Val Verde	31.46
In the counties of Loving, Pecos, Reeves, Terrell, Ward, Winkler, and Val Verde	31.44
In the counties of Brewster, Culberson, Hudspeth, Jeff Davis, and Presidio	31.38
In the county of El Paso	31.37
VIRGINIA	
In all counties	32.48

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup. 1441, 1421)

Issued this 16th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9961; Filed, Aug. 20, 1951; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—BLACK STEM RUST

MISCELLANEOUS AMENDMENTS

On June 1, 1951, there was published in the FEDERAL REGISTER (16 F. R. 5135) a notice of proposed rule making concerning amendments of the Black Stem Rust Quarantine No. 38 (7 CFR Supp. 301.38) and §§ 301.38–1 (b), 301.38–6 (a) (1), 301.38–6 (b) (1), and 301.38–7 (a) of the regulations supplemental to the quarantine (7 CFR Supp. 301.38–1 (b), 301.38–6 (a) (1), 301.38–6 (b) (1), 301.38–7 (a)). After due consideration of all relevant matters presented and pursuant to section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), the Secretary of Agriculture hereby amends §§ 301.38, 301.38–1 (b), 301.38–6 (a) (1), 301.38–6 (b) (1), and 301.38–7 (a) in the following respects:

1. Section 301.38 is amended to read as follows:

§ 301.38 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 161), and having held the public hearing required thereunder, the Secretary of Agriculture quarantines each and every State of the continental United States and the District of Columbia, to prevent the establishment of continuous local sources of infection of the destructive disease of small grains known as the black stem rust (Puccinia graminis) in grain-growing areas. Hereafter, plants of berberis, mahonia, or mahoberberis, or parts thereof capable of propagation, shall not be transported by any person, firm, or corporation, from any State of the United States or the District of Columbia into any other State of the United States or the District of Columbia in manner or method or under conditions other than those prescribed in §§ 301.38–1 to 301.38–11: *Provided,* That whenever the Chief of the Bureau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the species of plants to which the regulations in §§ 301.38–1 to 301.38–11 apply, making it safe to modify, by making less stringent, the restrictions contained in such supplemental regulations, he shall set forth and publish such findings in administrative instructions, specifying the manner in which the applicable regulations should be made less stringent, whereupon such modification shall become effective for such period and for such plants or parts thereof capable of propagation as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected States.

2. Section 301.38–1 (b) is amended to read as follows:

(b) *Barberry, mahonia, and mahoberberis plants.* Plants growing on their own roots or parts of such plants capable of propagation, other than seeds and fruits, of any species, horticultural variety, or hybrid within the genera berberis, mahonia, and mahoberberis.

3. Section 301.38–6 (a) (1) is amended to read as follows:

§ 301.38–6 *Conditions of movement—*(a) *Barberry, mahonia, and mahoberberis plants.* (1) Movement is prohibited of barberry, mahonia, and mahoberberis plants, other than those designated as rust-resistant, except that parts of mahonia plants without roots intended for decorative purposes are hereby exempt from the requirements of the regulations in this subpart. Movement is also prohibited of rust-resistant barberry and mahoberberis plants of less than two seasons' growth, except that such movement is authorized in any case where a nurseryman holding a valid certificate of inspection, upon application to the Chief of the Bureau, is granted authority in writing to receive rust-resistant plants of less than two seasons' growth from another nurseryman holding a valid certificate of inspection, provided the receiving nurseryman shall agree that such plants (i) will be retained for at least two growing seasons and kept separate from plants eligible for movement, (ii) will be available for examination by an inspector prior to their movement to determine their trueness to species and variety, and (iii) will be immediately destroyed by the nurseryman if determined untrue as to species and variety.

4. Section 301.38–6 (b) (1) is amended to read as follows:

(b) *Barberry, mahonia, and mahoberberis seeds and fruits.* (1) Movement of seeds and fruits of barberry, mahonia, and mahoberberis plants into the eradication States is prohibited from any point outside thereof, except that such movement of mahonia seeds is authorized in any case where a nurseryman possessing a valid certificate of inspection, upon application to the Chief of the Bureau, is granted authority in writing to obtain such seeds from sources outside the eradication States under the following conditions:

(i) The receiving nurseryman shall state the location of the plants from which the seeds will be obtained.

(ii) The receiving nurseryman shall agree (*a*) that he will obtain such seeds only from a nurseryman possessing a valid certificate of inspection, (*b*) that such seeds will be used solely for growing commercial stock in his nursery, (*c*) that plants grown from such seeds will be retained for at least one growing season, (*d*) that such plants will be kept separate from plants eligible for movement, (*e*) that such plants will be available for examination by an inspector prior to their movement to determine their trueness as to species and variety, and (*f*) that such plants will be immediately destroyed by the nurseryman if determined untrue as to species and variety.

5. Section 301.38–7 (a) is amended to read as follows:

§ 301.38–7 *Conditions governing the issuance of permits—*(a) *Barberry, ma-*

honia, and mahoberberis plants. Permits will be issued to nurserymen for movement of rust-resistant plants and parts thereof capable of propagation (other than seeds and fruits) after determination by an inspector that no plants other than those which are rust-resistant are growing in the nursery or in the environs thereof. If barberry, mahonia, or mahoberberis plants not designated as rust-resistant are found in the nursery or in the environs thereof, certificates of inspection will be withheld until such plants have been eliminated to the satisfaction of the inspector, except that certificates of inspection may be issued to nurseries having in the nursery or environs thereof varieties of barberry, mahonia, or mahoberberis plants being held by nurserymen under agreement with the Bureau of Entomology and Plant Quarantine pending determination by that Bureau that such plants are rust-resistant.

The purpose of the amendment of § 301.38 is to eliminate the first proviso thereof because the proviso merely duplicates provisions spelled out in greater detail in the supplemental regulations.

The purpose of the amendment of § 301.38–1 (b) is to require that barberry, mahonia, and mahoberberis plants moved in accordance with regulations in this subpart shall be grown on their own roots. The amendment of § 301.38–6 (a) (1) allows the conditional movement of barberry and mahoberberis plants of less than two seasons' growth between approved nurserymen either within or without the eradication States. Section 301.38–6 (b) (1) is amended to allow an approved nurseryman within an eradication State to obtain mahonia seeds from another approved nurseryman outside such State under prescribed safeguards. As amended, § 301.38–7 (a) allows a nurseryman to retain a certificate of inspection while having on the premises varieties of barberry, mahonia, or mahoberberis plants being held under agreement pending determination that they are rust-resistant.

(Sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

These amendments shall be effective September 20, 1951.

Done at Washington, D. C., this 15th day of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–9930; Filed, Aug. 20, 1951; 8:48 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 384, Amdt. 1]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the provisions of Order No. 66 (7 CFR Part 966) regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of oranges grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (i) (*b*) of § 966.530 (Orange Regulation 384, 16 F. R. 7926) are hereby amended to read as follows:

(i) *Valencia oranges.* * * *

(b) Prorate District No. 2: 1,250 carloads;

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 17th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51–9986; Filed, Aug. 20, 1951; 8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. SR–367]

PART 40—AIR CARRIER OPERATING CERTIFICATION

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PART 45—COMMERCIAL OPERATOR CERTIFICATION AND OPERATION RULES

PART 61—SCHEDULED AIR CARRIER RULES

DELEGATION OF AUTHORITY TO CIVIL AERONAUTICS ADMINISTRATOR TO PERMIT AIR CARRIERS UNDER CONTRACT TO MILITARY SERVICES TO DEVIATE FROM PARTS 40, 41, 42, 45, AND 61 OF THE CIVIL AIR REGULATIONS

EDITORIAL NOTE: Federal Register Document 51–8828, published in the Notices Section of the FEDERAL REGISTER of Wednesday, August 1, 1951, page 7522, should have appeared in the Rules and Regulations Section under title, chapter, and parts as set forth above.

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

LABELING OF ANTIBIOTIC DRUGS FOR VETERINARY USE

Pursuant to section 3 of the Administrative Procedure Act (60 Stat. 237, 238; 5 U. S. C. 1002), the following statement of policy is issued:

§ 3.25 *Notice to manufacturers and labelers of antibiotic drugs for veterinary use.* Unless a proper interval of time is allowed following the use of antibiotic drugs for the treatment of mastitis in milk-producing animals, the antibiotic drugs may get into the general milk supply. Because of the specific action of antibiotic drugs on cheese starters, milk containing such drugs is of no value to cheese manufacturers.

The direct or inadvertent addition of antibiotic drugs to milk to be sold for human consumption or for the manufacture of dairy products may constitute an adulteration within the meaning of section 402 of the Federal Food, Drug, and Cosmetic Act (sec. 402, 52 Stat. 1046; 21 U. S. C. 342).

The labeling of antibiotic drugs intended for intramammary use in the treatment of mastitis in milk-producing animals should bear a prominent statement designed to prevent milk from treated portions of the udder from entering the general milk supply. The following statement is recommended for this purpose: "*Important:* Milk from treated segments of udders should be discarded or used for purposes other than human consumption for at least 72 hours after the last treatment."

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

Dated: August 15, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51–9935; Filed, Aug. 20, 1951; 8:55 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 5852]

PART 458—INSPECTION OF RETURNS

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED VALUE EXCESS-PROFITS, CAPITAL STOCK, ESTATE, AND GIFT TAX RETURNS FOR ANY PERIOD TO AND INCLUDING 1950 BY SENATE SPECIAL COMMITTEE TO INVESTIGATE ORGANIZED CRIME IN INTERSTATE COMMERCE

PARAGRAPH 1. Pursuant to the provisions of sections 55 (a), 508, 603, 729 (a), and 1204 of the Internal Revenue Code (53 Stat. 29, 111, 171; 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a),

508, 603, 729 (a), and 1204), and of the Executive order issued thereunder (Executive Order 10279, 16 F. R. 8227) opening income, excess-profits, declared value excess-profits, capital stock, estate, and gift tax returns for any period to and including 1950 to inspection by the Special Committee to investigate organized crime in interstate commerce, established pursuant to Senate Resolution 202 (81st Cong., 2d Sess.), Treasury Decision 5793, approved by me on June 17, 1950 (26 CFR 458.305), is hereby amended by striking out "1949" and inserting in lieu thereof "1950".

PAR. 2. Because of the immediate need of the said Special Committee to inspect such tax returns for 1950, it is found that it is impracticable and contrary to the public interest to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

PAR. 3. This Treasury decision shall be effective upon its filing for publication in the FEDERAL REGISTER.

(53 Stat. 467; 26 U. S. C. 3791)

JOHN W. SNYDER,
Secretary of the Treasury.

Approved: August 16, 1951.

HARRY S. TRUMAN,
The White House.

[F. R. Doc. 51-10031; Filed, Aug. 17, 1951; 4:40 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 581—PERSONNEL REVIEW BOARDS

ARMY BOARD ON CORRECTION OF MILITARY RECORDS

Paragraph (a) (3) (i) of § 581.3 is amended to read as follows:

§ 581.3 *Army Board on Correction of Military Records*—(a) *General.* * * *

(3) *Scope of inquiry*—(i) *General.* Unless directed by the Secretary of the Army, the Board shall not review any case:

(*a*) Wherein final action has been taken by the President of the United States, the Secretary of the Army, the Under Secretary of the Army, or an Assistant Secretary of the Army;

(*b*) Involving the sentence of a General Court-Martial;

(c) Involving the action of a selection board, or

(*d*) Involving an efficiency report.

No application will be considered until the applicant has exhausted all remedies afforded him by existing law or regulations.

* * * * *

[C1, AR 15-185, Aug. 10, 1951] (Sec. 207, 60 Stat. 837; 5 U. S. C. 191a)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51-9938; Filed, Aug. 20, 1951; 8:51 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 1 to Interpretation 33]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

INT. 33—NONMETALLIC MINERALS

Interpretation 33 to Ceiling Price Regulation 22 is amended to read as follows:

When the components of a nonmetallic mineral are separated out from the crude mineral solely by mechanical or physical means, such as grinding, washing, leaching, classification, flotation, evaporation, dehydration, and like processes, they are still regarded as nonmetallic minerals within the meaning of paragraph (v) of Appendix A to CPR 22, and are therefore exempt from that regulation (unless specifically excluded from the exemption by name). Derivatives of the crude mineral which are obtained by refining or purification processes involving recrystallization or chemical methods (including carbonation, ionic interchange, or similar methods) are no longer considered minerals and do not fall within the exemption of paragraph (v). Examples of commodities regarded as nonmetallic minerals within this exemption, when derived from the crude minerals, are:

Salt (sodium chloride).
Natural soda (trona, sesquicarbonate).
Crude soda.
Crude soda calcined.
Soda ash (less than 56 percent Na_2O).
Muriate of potash.
Potash salts crude.
Borax crude.
Kernite (rasorite).
Kernite anhydrous.
Tincal.
Tincal anhydrous.
Borax.
Borax anhydrous.
Salt cake crude.
Sodium sulphate crude.

On the other hand, the following commodities are among those regarded as chemicals subject to Ceiling Price Regulation 22 and not as nonmetallic minerals:

Soda ash (56 percent or more Na_2O).
Sodium bicarbonate.
Sulfate of potash.
Boric acid.
Sodium metaborate.
Potassium borate.
Ammonium borate.
Polybor chlorate.
Salt cake.
Sodium sulfate.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9994; Filed, Aug. 17, 1951; 3:47 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-55—Revocation]

M-55—FARM EQUIPMENT

NPA Order M-55 is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-55 nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

This revocation is effective July 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10051; Filed, Aug. 17, 1951; 5:04 p. m.]

[NPA Order M-56 as Amended August 17, 1951]

M-56—WATERFOWL FEATHERS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this order, as amended, consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action.

Sec.
1. What this order does.
2. Definitions.
3. Restrictions on processing of waterfowl feathers.
4. Restrictions on use of waterfowl feathers.
5. Restrictions on sale and delivery of processed waterfowl feathers.
6. Disposition of rejected processed waterfowl feathers.
7. Prohibited deliveries.
8. Applicability of CMP Regulation No. 5 to waterfowl feathers.
9. Exemptions.
10. Applications for adjustment or exception.
11. Records.
12. Audit and inspection.
13. Reports.
14. Communications.
15. Violations.

AUTHORITY: Sections 1 to 15 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies particularly to dealers, processors, and manufacturers of all waterfowl feathers and down. Its purpose is to conserve waterfowl feathers and down in order to meet military requirements and to serve the interests of the national defense. It places restrictions upon the sale, delivery, and processing of waterfowl feathers and down. It also supplements NPA Reg. 2, but only those provisions of Reg. 2 which are inconsistent with this order are superseded, and all other provisions of Reg. 2 continue to apply to the waterfowl feathers industry. This order also mod-

ifies CMP Regulation No. 5 with respect to waterfowl feathers.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Waterfowl feathers" means goose or duck feathers and down, separated from the fowl, domestic and imported, new and used, regardless of length; except flight feathers having no natural curl.

(c) "New waterfowl feathers" means waterfowl feathers which have not been previously incorporated into any product.

(d) "Used waterfowl feathers" means waterfowl feathers which have been previously incorporated into any product.

(e) "Processor" means any person who engages in the business of washing, steaming, blowing, or otherwise preparing waterfowl feathers for use, for his own account or for others.

(f) "Processed," with respect to waterfowl feathers, means any such feathers which have been washed, steamed, blown, or otherwise prepared for use.

(g) "NPA" means National Production Authority.

SEC. 3. *Restrictions on processing of waterfowl feathers.* No person shall process any waterfowl feathers except in accordance with the then existing specifications of the Department of Defense, the United States Coast Guard, or the General Services Administration, or except for the purpose of filling any DO rated order received by him.

SEC. 4. *Restrictions on use of waterfowl feathers.* (a) No person shall incorporate into any product or use in manufacture any waterfowl feathers, except to fill DO rated orders.

(b) No person other than a processor shall separate down from any waterfowl feathers.

(c) No person shall mix new waterfowl feathers with used waterfowl feathers, or mix any such feathers with chicken or turkey feathers, except in accordance with the then existing specifications of the Department of Defense, the United States Coast Guard, or the General Services Administration, or except for the purpose of filling any DO rated order received by him.

SEC. 5. *Restrictions on sale and delivery of processed waterfowl feathers.* No person shall sell, deliver, or accept delivery of any processed waterfowl feathers except to fill DO rated orders received by him.

SEC. 6. *Disposition of rejected processed waterfowl feathers.* No person shall dispose of processed waterfowl feathers which have been rejected as unsatisfactory by any person to whom delivery was tendered except as follows:

(a) He may process such feathers in accordance with specifications of the Department of Defense, the United States Coast Guard, or the General Services Administration, or for the purpose of filling any DO rated order received by him, and may dispose of such reprocessed feathers in accordance with the provisions of this order; or

(b) He may deliver such feathers to any other purchaser as permitted by this order; or

(c) He may dispose of such feathers in accordance with specific written authorization by NPA.

SEC. 7. *Prohibited deliveries.* No person shall accept an order for, sell, deliver, or cause to be delivered waterfowl feathers which he knows or has reason to believe will be accepted, held, or used in violation of this order.

SEC. 8. *Applicability of CMP Regulation No. 5 to waterfowl feathers.* Notwithstanding the provisions of CMP Regulation No. 5, the rating symbols DO–MRO or DO–97 may not be applied or extended to any order or contract for waterfowl feathers.

SEC. 9. *Exemptions.* (a) The provisions of sections 3 and 4 of this order shall not apply to waterfowl feathers for personal use by the owner thereof.

(b) The provisions of section 5 of this order shall not apply to deliveries to the General Services Administration for stockpile.

SEC. 10. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interests of national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 11. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 12. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 13. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 14. *Communications.* All communications and reports concerning this order shall be addressed to the National Production Authority, Washington 25, D. C. Ref: M–56.

SEC. 15. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on August 17, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10052; Filed, Aug. 17, 1951; 5:04 p. m.]

[NPA Order M–62 as Amended August 14, 1951]

M–62—HORSEHIDES, HORSEHIDE PARTS, GOATSKINS, CAERETTAS, SHEEPSKINS, SHEARLINGS, AND KANGAROO SKINS

Correction

In Federal Register Document 51–9804, published at page 8109 of the issue for Thursday, August 16, 1951, the last paragraph of the document should read as follows:

This order shall take effect on August 14, 1951.

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 3, Amdt. 2]

DFO 3—AGRICULTURAL IMPORTS

MISCELLANEOUS AMENDMENTS

The administration of Defense Food Order 3, Amdt. 1 (16 F. R. 7934), relating to agricultural imports, heretofore vested by said order in the Director of the Fats and Oils Branch, Production and Marketing Administration, has been delegated to the Director, Office of Requirements and Allocations, Production and Marketing Administration.

This amendment is issued to reflect such change. This amendment makes no change in the substantive provisions of the order, and, therefore, consultation with industry representatives has been omitted.

Defense Food Order 3, Amdt. 1 (16 F. R. 7934) is amended as follows:

1. Delete the provisions of paragraph (b) of section 1, *Definitions* and substitute, in lieu thereof, the following:

(b) "Director" means the Director of the Office of Requirements and Allocations, Production and Marketing Administration, United States Department of Agriculture, and any other officer or employee of that Department authorized to act in his stead.

2. Delete the words "Fats and Oils Branch" appearing in the first sentence in paragraph (a) of sec. 3, *Authorizations*, in the last sentence of paragraph (b) of sec. 9, *Records and reports*, and in sec. 11, *Communications* and substitute, in lieu thereof, the words "Office of Requirements and Allocations."

This order shall become effective upon issuance. With respect to violations, rights accrued, liabilities incurred, or appeals taken with respect to said Defense Food Order 3, Amdt. 1 prior to the effective time of the provisions hereof, all provisions of said Defense Food Order 3, Amdt. 1 shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Done at Washington, D. C., this 20th day of August 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 51-10091; Filed, Aug. 20, 1951; 12:26 p. m.]

[Defense Food Order 3, Sub-Order 1, Amdt. 1]

DFO 3—AGRICULTURAL IMPORTS

SO 1—POLICY STATEMENT RE IMPORT AUTHORIZATIONS FOR BROKEN RICE AND RICE STARCH

The administration of Defense Food Order 3, as amended (16 F. R. 7934), has been delegated[1] to the Director of the Office of Requirements and Allocations, Production and Marketing Administration. This amendment of Defense Food Order 3, Sub.-Order 1 (16 F. R. 7936), containing a statement of the policies relating to the issuance of import authorizations for broken rice and rice starch under said Defense Food Order 3, as amended, is issued to reflect such change by indicating the proper person with whom future applications for authorization to import brewers rice or rice starch are to be filed. This amendment makes no change in the substantive provisions of Sub-Order 1, and, therefore, consultation with industry representatives has been omitted.

Defense Food Order 3, Sub-Order 1 (16 F. R. 7936) is amended as follows:

1. Delete the words "Fats and Oils Branch" from paragraph (c) of section 1, *Policy statement re import authorizations for broken rice and rice starch* and substitute, in lieu thereof, the words "Office of Requirements and Allocations."

2. Add a new section to read as follows:

SEC. 2. *Definitions.* Terms used in this order shall have the same meaning as when used in Defense Food Order 3, as amended.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Done at Washington, D. C., this 20th day of August 1951 to become effective upon issuance.

[SEAL] F. MARION RHODES,
Director, Office of Requirements and Allocations, Production and Marketing Administration.

[F. R. Doc. 51-10092; Filed, Aug. 20, 1951; 12:26 p. m.]

[Defense Food Order 3, Sub-Order 2, Amdt. 1]

DFO 3—AGRICULTURAL IMPORTS

SO 2—POLICY STATEMENT RE IMPORT AUTHORIZATIONSB FOR CERTAIN DAIRY PRODUCTS

The administration of Defense Food Order 3, as amended (16 F. R. 7934), has been delegated[1] to the Director of the Office of Requirements and Allocations, Production and Marketing Administration. This amendment of Defense Food Order 3, Sub-Order 2 (16 F. R. 7936), containing a statement of the policies relating to the issuance of import authorizations for casein or lactarene, and mixtures in chief value thereof, n. s. p. f., and for cheese under said Defense Food Order 3, as amended, is issued to reflect such change by indicating the proper person with whom future applications for import authorizations for any such products are to be filed. This amendment makes no change in the substantive provisions of Sub-Order 2, and, therefore, consultation with industry representatives has been omitted.

Defense Food Order 3, Sub-Order 2 (16 F. R. 7936) is amended as follows:

1. Delete the words "Fats and Oils Branch" from paragraph (c) of section 1, *Policy statement re import authorizations for certain dairy products* and substitute, in lieu thereof, the words "Office of Requirements and Allocations."

2. Add a new section to read as follows:

SEC. 2. *Definitions.* Terms used in this order shall have the same meaning as when used in Defense Food Order 3, as amended.

(Sec. 704, Pub. Law 774; 81st Cong., as amended)

Done at Washington, D. C., this 20th day of August 1951 to become effective upon issuance.

[SEAL] F. MARION RHODES,
Director, Office of Requirements and Allocations, Production and Marketing Administration.

[F. R. Doc. 51-10093; Filed, Aug. 20, 1950; 12:27 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter L—Security of Waterfront Facilities

[CGFR 51-33]

PART 125—IDENTIFICATION CREDENTIALS FOR PERSONS REQUIRING ACCESS TO WATERFRONT FACILITIES AND VESSELS

IDENTIFICATION CREDENTIALS

Pursuant to the authority of 33 CFR 6.10-5 in Executive Order No. 10173 (15 F. R. 7007), the Commandant may define and designate those categories of vessels and waterfront facilities wherein any person seeking access thereto shall be required to carry identification credentials as prescribed in 33 CFR 6.10-7 and 125.11. The purpose of the following new regulation, designated as § 125.37, is to define and designate towing vessels or barges engaged in trade on the Great Lakes or the western rivers as two of the categories of vessels which will require persons seeking access thereto by reason of employment as masters or members of the crews of such vessels to carry identification credentials as provided for in 33 CFR 6.10-7 and 125.11. This is the first of a series of similar requirements. Since the security interests of the United States call for the aforesaid application of the provisions of 33CFR 6.10-5 at the earliest practicable date and because of the national emergency declared by the President, and in order that applications for necessary credentials may be filed and considered, and necessary credentials issued, where proper, in advance of the effective date of such application of the provisions of 33 CFR 6.10-5 to towing vessels or barges engaged in trade on the Great Lakes or western rivers, it is hereby found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Executive Order No. 10173, as amended by Executive Order No. 10277, the following regulations are prescribed which shall become effective on and after January 1, 1952:

Part 125 is amended by adding a new § 125.37 as follows:

§ 125.37 *Requirements for credentials; towing vessels or barges engaged in trade on the Great Lakes or the western rivers.* (a) On and after January 1, 1952, all persons desiring access to tow-

[1] See F. R. Doc. 51-10091, *supra*.

ing vessels or barges engaged in trade on the Great Lakes or the western rivers by reason of employment as masters or members of the crews of such vessels shall be required to be in possession of one of the identification credentials listed in § 125.11, and the master, operator, or owners of such vessels shall deny access to such vessels to any such persons who are not in possession of one of such identification credentials.

(b) The term "Great Lakes" as used in this section means the Great Lakes and their connecting and tributary waters as far east as Montreal. The term "western rivers" as used in this section means the Red River of the North, the Mississippi River and its tributaries above Huey P. Long Bridge, the Mobile River and its tributaries above Choctaw Point, and that part of the Atchafalaya River above its junction with the Plaquemine-Morgan City alternate waterway.

(c) Where the Coast Guard port security card (Form CG 2514) is to be used as the identification credential required by paragraph (a) of this section, application for such card may be made immediately by persons regularly employed or seeking regular employment on towing vessels or barges engaged in trade on the Great Lakes or the western rivers in accordance with § 125.19. The issuance of the Coast Guard port security card shall be in the form and manner prescribed by § 125.17.

(E. O. 10173, Oct. 18, 1950, as amended by E. O. 10277, Aug. 1, 1951, 15 F. R. 7005, 16 F. R. 7537. Interprets or applies 40 Stat. 220, as amended, 50 U. S. C. 191)

Dated: August 15, 1951.

[SEAL] A. C. RICHMOND,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 51-9939; Filed Aug. 20, 1951; 8:51 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. The cross reference immediately following § 4.49 is changed to read as follows:

CROSS REFERENCE: Death due to training, hospitalization, or medical or surgical treatment or examination (sec. 31, Pub. Law 141, 73d Cong., as amended by sec. 12, Pub. Law 866, 76th Cong.), or while pursuing a course of vocational rehabilitation (sec. 2, Pub. Law 16, 78th Cong.; par. 4, Part VII, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12)). (See § 3.121 of this chapter, and §§ 4.73 and 4.126.)

2. Section 4.50 is canceled.

§ 4.50 *Concurrent payment of two benefits to the same person.* [Canceled.]

3. Section 4.51 is amended to read as follows:

§ 4.51 *Concurrent payment of two benefits to the same person*—(a) *Periods prior to July 13, 1943.* (1) For the purposes of the General Law, the Service Pension Acts granting pension to widows and children and dependent parents of deceased veterans of the Civil and Indian wars, and the pension laws reenacted by Pub. Law 141, 73d Congress (act of March 28, 1934), and Pub. Law 269, 74th Congress (act of August 13, 1935), not more than one pension shall be allowed at the same time to the same person.

(2) Under the provisions of Pub. Law 2, 73d Congress (act of March 20, 1933), not more than one pension or award of compensation shall be payable to any one individual, except that the receipt of pension or compensation by a widow, child, or parent on account of the death of any person shall not bar the payment of pension or compensation on account of the death of any other person, paragraph XIII, Veterans Regulation 10.

(3) Death compensation or pension under Pub. Law 2, 73d Congress, and death pension under the laws reenacted by Pub. Law 269, 74th Congress, may not be paid concurrently with disability compensation or pension under either of these laws.

(4) Compensation or pension may not be paid concurrently with active duty pay.

(b) *Periods on and after July 13, 1943.* The provisions of this paragraph are applicable to all laws administered by the Veterans Administration. On and after July 13, 1943, not more than one award of pension, compensation, or emergency officers' or regular retirement pay shall be made concurrently to any person based on his own service. The receipt of pension or compensation by a widow, child, or parent on account of the death of any person or receipt by any person of pension or compensation on account of his own service shall not bar the payment of pension or compensation on account of the death or disability of any other person. Pension, compensation, or retirement pay on account of his own service shall not be paid while the person is in receipt of active service pay, but the receipt of active service pay shall not bar the payment of pension or compensation on account of the death of any other person. (Sec. 15, Pub. Law 144, 78th Cong.)

(c) *General.* (1) Compensation or pension may not be paid concurrently to a claimant as unremarried widow of one veteran and as remarried widow of another veteran.

(2) Compensation or pension may be paid on behalf of a child of a veteran concurrently with compensation or pension as a stepchild or adopted child of another veteran.

(d) *Employees compensation.* (1) Where a person is entitled to compensation from the Bureau of Employees' Compensation based upon death due to service in the Armed Forces and is also entitled based upon the same death to compensation or pension under the laws administered by the Veterans' Administration, he shall elect which benefit he shall receive. Compensation or pension may not be paid in such instances by the Veterans' Administration concurrently with compensation from the Bureau of Employees' Compensation.

(2) The provisions of subparagraph (1) of this paragraph are also applicable in those cases in which the veteran's death occurred under the circumstances contemplated by section 31, Pub. Law 141, 73d Congress (act of March 28, 1934), as amended by section 12, Pub. Law 866, 76th Congress (act of October 17, 1940); section 2, Pub. Law 16, 78th Congress (paragraph 4, Part VII, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12), act of March 24, 1943).

(50 Stat. 305, Vet. Reg. 10, as amended; 38 U. S. C. ch. 12 note)

4. In § 4.52, paragraph (a) is amended to read as follows:

§ 4.52 *Right of election*—(a) *General.* A person entitled to receive pension or compensation under more than one law on account of the death of the same person may elect to receive the benefit which is most advantageous. Any person who elects to receive pension or compensation under one of two or more laws, places the right under the other law or laws in suspense and may at any time cause the suspension to be lifted by making another election. However, the election by the widow settles the question as to which statute is applicable and her election controls not only her claim but those of the children as well. (See also §§ 3.218 and 3.302 of this chapter.)

* * * * *

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective August 21, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-9926; Filed, Aug. 20, 1951; 8:46 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 35—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

ROLL FILM AND FLAT NEGATIVES (ACETATE SAFETY)

In Part 35 (13 F. R. 8096) make the following change:

Insert a new section immediately following § 35.16a, to be designated 35.16b, to read as follows:

§ 35.16b *Roll film and flat negatives (acetate safety)*—(a) *Rolls of film found loose.* Mailings of roll film in lightweight envelopes shall not be permitted.

(b) *Cloth mailing bag.* A cloth mailing bag with a strong address tag sewed to the bottom is a good container for spools of film and its use is recommended wherever possible to prevent inconvenience to mailers and to the postal service. The drawstrings on these bags must be securely tied. Film processing plants should mention the use of such bags in their advertisements and literature.

(c) *When wrapped in paper.* Roll film may be wrapped in sufficient paper to prevent the spool or spools from cutting through and be fastened, and then be placed in a strong kraft or manila mailing envelope, preferably of end flap type.

When several rolls are to be mailed and a cloth mailing bag is not used, they should be placed in a small carton and then wrapped in strong paper and securely fastened. Such parcel must be firm with contents held in a fixed position. In lieu of using a small carton, the film may be placed between full sized sheets of cardboard and tied or taped, or be wrapped in flexible corrugated fiberboard and securely fastened both lengthwise and girthwise, before being wrapped for mailing. If coins are included in the parcel they must be wrapped or securely affixed to a card to prevent loss.

(d) *Coins sent in mailing bags.* If coins are sent in mailing bags containing spools of film, they should be placed at the end of a spool and be wrapped with the roll in strong paper before being placed in the bag. If impracticable to wrap with the film, the money should be wrapped separately in strong paper and fastened, and then be placed at the ends of the spools away from the drawstring opening.

(e) *Flat negatives (safety film).* Flat negatives (safety film) are mailable in good quality strong envelopes. If coins are included with such negatives they must be securely affixed to a card or be enclosed in a paper wrapper securely folded to prevent shifting of coins in transit and which will not cause the envelope to bulge. Coins must not be placed loose in envelopes, packages or mailing bags. A money order or a check should be used when any substantial amount of money is involved, or the parcel should be sent by registered mail.

(f) *Roll film (nitrate).* This film (usually 35 mm. or other small size) has the same hazardous properties as motion picture film except that it is in short lengths. Such film must be packed in a metal container such as the metal cartridge in which it was originally contained provided the cartridge is tightly closed with no exposed end of inflammable film, or be packed in a metal or a substantial fiber carton. Nitrate film, which is not in a metal container, is not acceptable when merely wrapped in paper or enclosed in a cloth mailing bag. These rolls after being processed and printed must also be packed in accordance with the foregoing requirements.

(R. S. 161, 396, sec. 24, 20 Stat. 361, secs. 304, 309, 42 Stat. 24, 25, 62 Stat. 781; 5 U. S. C. 22, 369, 18 U. S. C. 1716, 39 U. S. C. 250)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-9923; Filed, Aug. 20, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 927]

[Docket No. AO-71-A-20-RO-1]

HANDLING OF MILK IN NEW YORK METROPOLITAN MILK MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C. not later than the close of the business on the 12th day after its publication in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, began at Elmira, New York, on January 24, 1950, pursuant to notice thereof which was issued on December 28, 1949, (14 F. R. 7940). The hearing was recessed on January 24, 1950 and reconvened during the period February 6–11, 1950 at Elmira, New York. A recommended decision was issued on May 16, 1950 (15 F. R. 3064) and exceptions thereto were filed. No final decision was issued. Pursuant to a notice issued on March 20, 1951 (16 F. R. 2660) the hearing was reopened at Elmira, New York on April 10, 1951 to receive further evidence on all issues previously considered and on certain additional proposals.

The material issues presented on the record of hearing (original and reopened sessions), and on which findings and conclusions are herein set forth, are concerned with:

1. The classification and pricing of surplus milk which presently is classified in Class III, with particular reference to:

(a) Whether all such milk should continue to be classified in a single class and priced, as at present, at the same level, and whether such price should continue to be subject to the present fluid skim and butter-cheese adjustments, or whether different classes and prices should be established for (1) milk which, prior to April 1, 1949, was classified in Class II–C, (2) milk utilized in the manufacture of ice cream, or (3) milk used in the manufacture of American cheddar cheese.

(b) The formula or formulas which should be employed in the pricing of such milk involving determinations as to (1) factors which should be included in such a formula to most accurately reflect changes in the value of surplus milk, and (2) how such factors should be converted to a price for Class III milk.

2. The classification and pricing of milk used in fluid concentrated milk and in frozen concentrated milk.

3. The classification and pricing of fluid milk packed in hermetically sealed cans and exported to foreign countries or delivered to the United States Department of Defense.

4. The classification and pricing of milk used in the manufacture of food products packed in hermetically sealed containers.

5. The classification and pricing of milk utilized at plants within the marketing area in the manufacture of whipped topping mixtures.

6. Treatment under the order of milk obtained from either pool or nonpool sources which, in various forms, enters the marketing area for distribution to various types of outlets.

7. Whether the basis of classifying pool milk moved to nonpool plants should be changed.

8. Revision of the area outside which milk or cream may be shipped and remain eligible for classification other than at the plant from which the milk or cream is shipped.

9. Whether a special additional transportation allowance should be provided for milk moved by tank from plants outside the marketing area to processing plants in Nassau and Suffolk counties.

10. Whether milk received directly from farms at plants in Westchester County should be exempt from equalization.

11. Prohibiting changes in existing freight zones for pool plants or otherwise changing the basis of determining such zones.

12. Acknowledgement by the market administrator of reports filed by handlers.

13. Increasing the amount of the producer-settlement fund reserve.

Proposed findings and conclusions. The following proposed findings and conclusions on the material issues are based upon the evidence introduced at the hearing and the record thereof.

1. (a) *Single class for surplus milk.* It is concluded that surplus milk should continue to be classified in a single class and that a single price should continue to apply to all such milk, with such price subject to a modified plus fluid skim differential and a minus butter-cheese adjustment.

A major problem involved in pricing surplus milk is that of establishing a price to handlers which will result in optimum use of milk in the products which will afford the maximum return to producers. Other factors being equal, the use of surplus milk by handlers will be determined by the net return to be secured by handlers on such milk. The Secretary's decision of March 11, 1949, concluded (with reference to the then existing multiple price system applicable to surplus milk) that changing relationships between product values interfered with realization of the objective of securing a coincidence of the greatest net return to handlers on products which would yield the most to producers. The record of this hearing contains no evidence to support a different conclusion.

Fluid skim differential. The order should be amended by elimination of the fluid skim differential on skim milk for all uses except skim milk as such distributed in the marketing area, skim milk used in cultured milk drinks distributed in the marketing area and for standardization of milk in or shipped to the marketing area.

The Department of Health of the City of New York permits the use of concentrated skim in the preparation of flavored milk drinks, although requiring any fluid skim milk so utilized to be from approved sources. Flavored milk drinks packed in hermetically sealed cans and sterilized are not required to be made from approved skim milk. To some extent handlers have avoided payment of the fluid skim differential by using concentrated, rather than fluid, skim milk in flavored milk drinks made in the marketing area. Such practice is yielding no price advantage to producers, and handlers contend that, because the saving in transportation of the concentrated product fails to offset the added cost of concentration, they are at a competitive disadvantage in the sale of such drinks. The fluid skim differential should no longer apply to skim milk used in flavored drinks.

The amendment as herein provided will also permit the use of skim milk in the marketing area in the standardizing of sweet and sour cream without the payment of the fluid skim differential. Although skim milk so utilized must be from approved sources, the order at the present time does not require the payment of a fluid skim differential unless standardization takes place in the marketing area. Eliminating the fluid skim differential on such skim milk will tend to equalize the costs between handlers standardizing in the marketing area and those standardizing outside of the marketing area. Under the terms of the proposed amendment the burden still rests upon the handler to show that skim milk from Class II and Class III milk is not used as fluid skim milk in the marketing area, in cultured milk drinks, or to standardize whole milk. However, inconsistencies in the application of the fluid skim differential to skim milk used in other products, depending upon whether the product is prepared inside or outside the marketing area, will be eliminated.

Butter-cheese adjustment. A price adjustment for milk used in butter and cheese was provided for in conjunction with the establishment in 1949 of a single class for surplus milk. Such an adjustment was largely in recognition of the apparent necessity for utilizing some surplus milk in these products. Even though substantial shifts in the utilization of surplus milk in higher value product outlets occurred in 1949 and 1950, it appears that the shift in utilization which has taken place or is in prospect is not sufficient to eliminate the necessity of utilizing a significant portion of surplus milk in butter and cheese.

No increase should be granted in the amount of the butter-cheese adjustment. It is concluded rather that a moderate reduction should be made in the adjustment when cheese prices become comparatively high in relation to butter and powder prices. The price paid for milk subject to the butter-cheese adjustment will continue also to be affected by changes in the level of the Class III price.

An increase in the butter-cheese adjustment would result in making the utilization of milk in butter and cheese more advantageous to handlers than at the present time compared with other Class III uses. In other words, the incentive for handlers to find outlets for milk in products other than butter and cheese would be reduced. Such a change is not supported by evidence in the record.

Both butter and cheese manufacturers asserted or implied that their costs are not adequately reflected in the minimum price established for milk utilized in butter and cheese. One factor which butter manufacturers apparently have not considered in appraising the adequacy of the adjustment is the reduction in storage and handling which may be experienced when cream is churned, compared with that necessary when butterfat is disposed of in the form of cream. Data submitted concerning costs incurred in making cheese and churning butter are subject to the same limitations as those set forth hereinafter concerning costs of operating cream and nonfat dry milk solids processing facilities.

Cheese manufacturers proposed that milk used in the manufacture of cheese presently subject to the butter-cheese adjustment be priced on the basis of the price of cheese on the Wisconsin Cheese Exchange for the principal reason that cheese manufacturers invariably sell their cheese on the basis of that cheese price. Although proponents did not portray this proposal as a means of reducing the price of milk used in cheese, the proposed formula would have returned less to producers in each month of 1950 for milk used in cheese in amounts ranging from 16 to 36 cents per hundredweight. During the first three months of 1951 the proposed formula would have increased returns to producers in amounts ranging from 2 to 19 cents because the Wisconsin Cheese Exchange price of cheese during that period was unusually high in relation to prices of other dairy products. However, by the middle of April the price of cheese had declined to a level more in line with the 1950 relationship.

The present arrangement of pricing milk used in butter and cheese at the same level should be continued. That method provides some incentive for increasing cheese production as the price of cheese increases in relation to the price of butter and for increasing butter production when the price of butter increases in relation to the price of cheese, thus tending to permit a higher price to producers than could otherwise be established. Pricing of milk for cheese on cheese prices and milk for butter on butter prices would eliminate that incentive. The freight advantages for cheese and for butter produced in the milkshed over cheese and butter produced in the midwest are about the same on a milk equivalent basis. Unregulated cheese factories and creameries in the important manufacturing milk production areas compete with each other for supplies of milk, and while prices paid to producers at a given time vary, as between areas and between plants in the same area, such prices on a year-round basis average about the same.

Temporarily however, these prices may get somewhat out of line with each other as they did during the first three months of 1951. In order that the increased value of milk for making cheese during such periods may be reflected in the price to producers, it is concluded that the order should be amended to provide a moderate reduction in the butter-cheese adjustment when market prices of butter and nonfat dry milk solids are less than 2.5 times the market price of cheese. It is only during unusual periods that the ratio between these prices is less than 2.5. The proposed amendment would not cause the price of milk to increase as rapidly as its value to cheesemakers. At the present level of support prices, an increase in the price of cheese of 1.43 cents per pound above the price resulting in a 2.5 ratio would bring about a theoretical increase in the value of milk for cheese of about 13 cents per hundredweight. Under the amendment herein provided, however (a reduction in the butter-cheese adjustment of 1 cent per pound of butterfat for each reduction of 1 point in the 2.5 ratio) such an increase in cheese prices would increase the price of milk used in butter and cheese only 3.5 cents per hundredweight. Such a provision recognizes that recovery by handlers of a 9 cent increase in the value of milk as a result of each 1 cent increase in the price of a pound of cheese would be possible only if all of the milk subject to the butter-cheese adjustment were shifted into cheese manufacture. As a practical matter, however, it appears unlikely that that would be the case, but that some of such milk would have to be used for butter and nonfat dry milk solids.

No increase in differential appears necessary when cheese prices become unfavorable since there will remain opportunity to shift surplus milk into butter. The proposed amendment will bring about no change in this connection from the order provisions presently in effect. Butter and nonfat solids values used in

calculating the ratio should be those incorporated in the Class III pricing formula. Cheese values should be reflected by the prices quoted for cheddar cheese, f. o. b. Wisconsin assembly points by the United States Department of Agriculture. This price is recommended because it is established more frequently and on a broader basis than is the quotation from the Wisconsin Cheese Exchange at Plymouth. Trading on the Exchange takes place only one day each week. Volume of sales often is small or non-existent, and price quotations must sometimes be based on offers alone. Price quotations f. o. b. Wisconsin assembly points run slightly higher than those from the Exchange because of extra marketing services represented by the former. This fact has been considered in establishing the 2.5 ratio as contained in the amendment herein provided.

A proposal was considered at the hearing to establish an adjustment (in addition to the present butter-cheese adjustment) to the price of milk used for making cheese to reflect any departure from the normal historical relationship between the price of butter and the price of cheese. Most of the reasons given above for not adopting the proposal for a separate formula for the pricing of milk for cheese also apply to this proposal. Furthermore, the proposal fails to accomplish its apparent purpose of causing the price of milk for cheese to change with the price of cheese, particularly during periods when the Class III price is not based on butter prices.

Other proposals for new classes. Two other proposals for new classes were presented. A proposal was considered at the 1950 session of the hearing to reestablish a class similar to Class II–C as it existed prior to April 1, 1949. It was proposed that the price for this new class be 10 cents per hundredweight above the Class III price. Proponent contended that purchasers of cream which would be in the proposed class would pay a price high enough to justify increasing the return to producers by 10 cents per hundredweight on milk utilized in this manner.

From 1948 to 1950 the disposition of pool milk in the outlets included in the proposed new class about doubled. Important reasons for this increase appear to be (1) the revised surplus milk classification and pricing provisions which became effective on April 1, 1949, and (2) an increase of about 75 percent in the volume of surplus milk.

Most of the increase from 1948 to 1949 in disposition to outlets which would be included in the proposed new class occurred in shipments to northern New Jersey, and that shipments to upstate New York (all of New York State except the marketing area) were about the same in 1949 as in 1948. The record does not show the breakdown of shipments in 1950 between upstate New York and northern New Jersey. Apparently, price affected utilization of cream from pool sources to a greater extent in northern New Jersey than in upstate New York. On that basis, whatever justification exists for establishing the proposed new class appears to be greater with respect to outlets in upstate New York than with respect to outlets in northern New Jersey.

Another proposal considered at the hearing would establish a separate price for milk used to produce ice cream computed on the basis of an additional 2 cent premium over the butter price. In support of this proposal proponent contended that ice cream manufacturers could obtain butterfat from pool source at a lower cost than from other sources. However, in computing the costs of butterfat from various sources, it appears that proponent failed to take into account certain costs associated with the utilization of butterfat from pool sources.

The price which can be obtained from ice cream manufacturers for pool butterfat was one of the important considerations in establishing the present Class III pricing formula and also the one recommended herein, particularly during the spring and summer months when the volume of surplus milk, the production of ice cream, and the storage of butterfat for later use in ice cream and other products are heavy. Evidence in the record provides no basis for establishing a price for milk used for ice cream higher than for milk used for fluid cream.

The provisions of the order which permit a handler shipping milk or cream from his pool plant to a nonpool plant to elect to have classification determined at the pool plant were designed as a means of preventing or minimizing the possibility of classification of milk received from pool plants in classes higher than was contemplated by the purchaser.

Establishment of separate classes or prices for milk used in ice cream and in cream included in the former Class II–C apparently would necessitate (1) determination of the utilization of all butterfat received at any nonpool plant which disposed of butterfat in these outlets, and (2) assignment of butterfat received from various sources to the various utilizations. This could again introduce the possibility of classification of butterfat from pool sources disposed of to a nonpool plant in a class higher than was contemplated when the disposition was made. To the extent that such a possibility would discourage operators of nonpool plants from using milk or cream from pool plants, milk which in the absence of these proposed amendments would return producers the full Class III price might be forced into butter or cheese, thus returning producers less than the Class III price by the amount of the butter-cheese adjustment. Such a shift in utilization would tend to offset increases in returns to producers resulting from the higher class price. Because of these problems and on the basis of other findings and conclusions contained herein concerning a single class for surplus milk, it is concluded that a separate class or price should not be established for milk used in ice cream or for all or any part of the milk formerly classified as Class II–C.

(b) *The Class III formula; market values.* The price of Class III milk should continue to be based primarily on the market prices of nonfat dry milk solids, butter and cream. The present formula employing such market prices to measure changes in the value of Class III milk should be changed, however, in the following respects:

1. The midpoint of any range reported by the United States Department of Agriculture as a daily price quotation for Grade A (92-score) butter in the New York market should be used instead of the highest of such quotations.

2. The formula factor designed to convert the price per pound of butter to a price per pound of butterfat should be changed from 1.24 to 1.22.

3. A weighted average of prices paid for both roller and spray process nonfat dry milk solids f. o. b. manufacturing plants in the Chicago area, as reported by the United States Department of Agriculture, should be substituted in the formula for prices reported in "The Producers' Price-Current" for roller process nonfat dry milk solids.

4. The nonfat dry milk solids yield factor used in the formula should be changed from 7.5 to 7.8.

During times when there are relatively large quantities of surplus milk to be disposed of the butter price quotation at New York appears to be the best available indicator of changes in the value of butterfat for those outlets then available. During 1950 the volume of Class III milk ranged from 90.6 million pounds in November to 413.5 million pounds in May. Approximately 51 percent of the surplus pool milk in May 1950 was utilized in fluid cream, storage cream, cream cheese and ice cream with an additional 20 percent in butter. For the year, ice cream was the largest single outlet. Since most of the users for surplus pool milk have the alternative of obtaining the supplies of butterfat from nonpool sources, the price at which such supplies can be obtained is an important consideration in establishing the price of Class III milk.

Although the quotation of a range in New York butter prices indicates that actual sales were consummated at both extremes of the range, and perhaps at prices between the two extremes, no information is reported concerning the relative volumes sold at various prices within the range. Without such information, it is logical to assume that the midpoint of the range would be more likely to be representative of the average price at which butter was sold. Use of the midpoint as compared with using the highest point would reduce the effect of any attempt to influence the price artificially through sales at a price higher than prices at which other sales are being made. Some opinions were expressed or implied that the New York Mercantile Exchange butter quotations should be used in the formula. Much of the wholesale trading in butter in New York takes place outside of the Exchange. The prices quoted by the United States Department of Agriculture are based on sales made both through the Exchange and outside of it. Prices reported by the Department may be expected to be somewhat more representative than the Exchange prices.

The price of nonfat dry milk solids should be retained as an estimate of

the value of the nonfat portion of the milk. A large share of the skim from surplus milk continues to be marketed in this form. Nonfat dry milk solids represents the residual outlet for surplus skim milk which cannot be marketed in other forms. On the other hand, changes in the production of nonfat dry milk solids from pool milk are less likely to influence market prices for this product than for other skim milk products.

Both butter and nonfat dry milk solids are purchased by the Government in connection with its price support program. Use of these products to reflect market values ties the Class III price indirectly to the Government's price support program.

Revision of some of the formula factors used for reflecting the value of the nonfat portion of Class III milk appears to be desirable in order to bring about appropriate changes in the Class III price with changing market conditions. Approximately one-half of the nonfat dry milk solids for human consumption produced from pool milk during each of the last 3 years was made by the spray process. The difference between spray and roller process nonfat dry milk solids prices averaged a little over one cent in 1947 and 1948, about one and one-half cents in 1949 and increased to about 2 cents in 1950. The difference between the prices at which the United States Department of Agriculture is offering to buy spray and roller process nonfat dry milk solids for price support purposes has been two cents per pound since January 1, 1950, and that difference is scheduled to continue through March 1952.

It is concluded that changes in the value of the skim milk portion of Class III milk would be more accurately reflected by giving some weight in the formula to changes in the price of nonfat dry milk solids produced by the spray process rather than depending upon prices for roller process solids alone. Accordingly, it is concluded that spray and roller process prices should be given weights of 30 and 70 percent respectively. Greater weight is given to the roller process product because it is relatively more important during those months when the volume of surplus milk is the largest. Some handlers are not at present equipped to produce nonfat solids by the spray process. While a somewhat different weighing might be assigned if the record contained more complete information concerning the disposition of skim milk other than that used for nonfat dry milk solids, the 30–70 weighting here assigned will certainly reflect changes in the value of skim milk more accurately than the use of roller process prices alone.

The prices for nonfat dry milk solids, f. o. b. manufacturing plants in the Chicago area, as reported by the United States Department of Agriculture, should be used in place of prices reported in "The Producers' Price-Current." Use of an f. o. b. manufacturing plant price eliminates the necessity for providing an allowance for transportation to market. Changes in the cost of transportation are reflected in changes in the f. o. b. manufacturing plant price.

Evidence in the record indicates that some of the nonfat dry milk solids sold in New York City may not meet the grade and quality requirements for sale to the Department of Agriculture. Substantial quantities of nonfat dry milk solids made from pool milk have been sold to the Department of Agriculture under its price support program. It appears likely that the average quality of nonfat dry milk solids sold in New York City has been lower than the average quality of nonfat dry milk solids produced from pool milk and lower than in years prior to 1949 when nonfat dry milk solids were not purchased by the Department of Agriculture for price support purposes. A price of nonfat dry milk solids sold f. o. b. manufacturing plant may be expected to reflect the average quality of powder produced.

The Boston weighted average cream price should be retained as an alternative basis for establishing the value of butterfat in Class III milk during the months of August through February. While the number of cream transactions represented by this price is not large, particularly in months when locally produced cream is in abundant supply, evidence in the record shows the Boston weighted average cream price to be a reasonably accurate measure of the price of all cream traded in the Boston market. In addition, it appears that the volume of cream traded tends to be largest, and therefore represents a more reliable basis, during the fall and winter months when the Boston cream price may be effective in setting the Class III price.

It was contended by representatives of the ice cream manufacturers that the use of the Boston weighted average cream price in the Class III formula tends to subject them to various uncertainties of supply resulting from local northeastern conditions. It must be recognized, however, that ice cream is not one of the essential uses which must be supplied at all seasons of the year from current milk production. Ice cream is an outlet for surplus milk and should be priced accordingly. Ice cream manufacturers, like others that make use of surplus milk, can expect to obtain pool milk to supply their needs only if adequate surplus milk is available.

When surplus milk becomes short, that which is available should be priced to yield the highest returns to producers by increasing the Class III price in line with increases in the value of those products which provide the most favorable outlets. Buyers of surplus cream who need it for use as cream probably are in a position to pay the most for surplus milk under such market conditions. Unfortunately a usable quotation of prices actually received by New York pool handlers for substantial quantities of cream made from Class III milk is not available. In the absence of such a quotation, the Boston weighted average price appears to be the best available measure of the value of surplus pool butterfat when cream is in relatively short supply. The objective of making the most economical and efficient use of surplus milk would appear to be served best if ice cream manufacturers assure themselves of butterfat supplies through the storage of cream from pool milk during periods of the year when substantial quantities of surplus milk are available. Retention of the present provisions of the order relating to storage cream payments will continue to provide some incentive to handlers to store cream.

It was contended that an unwarranted increase in the price of Boston cream might drive the price of New York surplus milk so high as to discourage its use in production of ice cream. There is nothing in the record to indicate that the price of Boston cream is likely to increase materially when locally produced milk is in abundant supply. It was brought out, on the other hand, that any increase in the price of Boston cream relative to butter prices will increase the margin available to New York handlers from sales of cream in Boston up to the point where butterfat values under the cream formula equal those in the butter formula. Increases in cream prices beyond that point would make butter an increasingly unfavorable outlet relative to cream. In view of the increased incentive which New York handlers would have under these circumstances to sell cream in the Boston market, and considering the small volume of cream traded in Boston in relation to the amount of cream which can be made from surplus milk in the New York pool, it is unlikely that the price of butterfat in Boston cream will advance materially beyond the price of butterfat in butter so long as surplus milk supplies are large. During one month between April and December 1949 Boston cream prices advanced because of supply conditions to the point where they became effective in setting the Class III price. More New York pool cream was included in the Boston weighted average in that month than in any other during this period. Also, during the period August 1950 through February 1951 when the Boston cream price was effective in setting the Class III price the quantity of cream received at Boston from the midwest was relatively large.

Margins available to New York pool handlers on cream sold in Boston were higher, thus providing a larger incentive to ship cream to Boston, during those periods when the Boston cream price was effective in setting the Class III price than during other periods. That handlers were able to dispose of pool milk on relatively favorable terms and to desirable markets during those months when the Boston weighted average set the Class III price is evidenced by the fact that handling charges obtained in sales of fluid milk, as well as percentage utilization of surplus milk in cream and ice cream, were comparatively high during such months. At the same time ice cream makers tended to increase their use of butter due to the reduced supplies of surplus milk and the relatively high market prices for fat in cream.

Conversion of product market values to a Class III price. The above listed recommended changes in existing formula factors are primarily for the purpose of causing more timely and otherwise appropriate changes to be reflected in the Class III price as market values of surplus milk products change. How-

ever, the effect of such changes in the formula on the level of the Class III price must be appraised.

During the 12 months ending in March 1951 the average of the differences between the monthly averages of the highest prices reported for New York 92-score butter and the averages of the midpoints was 0.21 cent. The use of midpoints during that period would have resulted in an average reduction in the Class III price of about 0.9 cent.

It was contended at the hearing that the yield factor for butter should be reduced so as to allow for butterfat losses which occur in the handling and separating of milk. Providing for such a loss allowance in the conversion factor is reasonable since by so doing the actual amount of the loss allowance is caused to vary with the market value of butterfat. By reducing the theoretical conversion factor for butter from 1.24 to 1.22, a loss allowance of about 1.5 percent is provided during the months when the butter price becomes the basis for the Class III butterfat value. The effect of this change on the Class III price would be to reduce it about 5.0 cents per hundredweight (assuming a butter price of 69 cents per pound).

Evidence in the record indicates that about 7.8 pounds of nonfat dry milk solids are actually obtained from a hundredweight of milk after separating out 40 percent cream. Accordingly, it is concluded that the yield of 7.5 pounds which is presently reflected in the Class III formula should be changed to 7.8. At the roller support price of 15 cents per pound for nonfat dry milk solids, this change would result in increasing the Class III price 3.9 cents.

Based on the difference from June 1950 through May 1951 between the weighted average of the f. o. b. Chicago area manufacturing plant prices for roller and spray nonfat dry milk solids and the price of New York roller process nonfat solids (0.28 cent) it is estimated that shifting to the use of the Chicago area quotations for spray and roller nonfat solids will increase the Class III price about 2.2 cents (0.28 x 7.8). Since nonfat dry milk solids prices for months later than March 1951 are not in the hearing record, official notice of such prices is being taken.

The foregoing recommended changes would have the estimated net effect of increasing the Class II price by about 0.2 cent. This increase as calculated represents an average of the effect which would be brought about by the butter formula. During the months from August through February, however, the Class III butterfat value may be determined by the Boston weighted average cream price. Since no change in the conversion factor of 33.48 is recommended, the result would be a somewhat larger increase when cream prices become effective.

The record indicates that the average can of cream included in the Boston weighted average contains slightly less than 33 pounds of butterfat. Use of the 33.48 factor in the formula therefore has the effect of understating the market value of a pound of butterfat as reflected by Boston cream by about 1.5 percent. Since this compares very closely to the loss allowance provided by the use of 1.22 in the butter formula it is concluded that use of the 33.48 factor should be continued. The result will be to lower the price provided by the butter formula as compared to that provided by the cream formula, by about 5 cents. This change appears justified, however, in view of the adequate to excessive handling charges which New York handlers have enjoyed whenever market conditions for cream have been such that the cream formula has become effective. Handling charges have been considerably less favorable most of the time when the butter formula was effective.

It is impossible to predict during what months or how often the Boston weighted average cream price will set the Class III butterfat value. It is estimated, however, that the net aggregate effect of the changes in formula factors herein provided will be to increase the Class III price by an amount averaging about 3 cents. Such changes would have resulted in an average increase of 3.4 cents during the 12 months ended with June 1951.

Having selected the dairy product price quotations which are found to be the best available indicators of changes in the market value of surplus milk and the product yield factors to be used in connection therewith in the Class III pricing formula, the final step in arriving at a price which handlers will be required to pay to producers for Class III milk involves a determination of the amount which should be deducted from the gross market value of the milk, calculated at the market prices of the products selected for use in the formula, as an allowance to handlers for the handling and processing of the milk.

Class III milk constitutes the necessary reserve to insure the maintenance of an adequate supply to meet the requirements of the marketing area for fluid milk and cream. Since it constitutes a substantial proportion of all milk delivered by producers the level of the price established for Class III milk materially affects the uniform price paid for all milk delivered, and thus is a factor influencing both the supply and the level of the Class I–A price which is necessary in order to maintain an adequate supply. The objective then must be to price Class III milk at a level which will yield the maximum return to producers and which, at the same time, will afford reasonable assurance that milk offered by producers will be accepted. A pricing formula which fostered or encouraged inefficiency in handling and processing would be inconsistent with these standards.

The record indicates that no single measure or factor can be relied upon exclusively as a sure-fire method of deciding whether or not the Class III price is at the proper level. A conclusion concerning the amount of the handling allowance and the resulting level of the Class III price which is herein found to be appropriate in relation to the dairy product market prices selected for use in the formula, has been reached on the basis of all of the evidence in the record which appears to provide a reasonable measure or guide.

At the outset it is recognized that since it is not feasible to determine accurately what sales price handlers actually do obtain from all of the products they make from surplus milk, any specific handling allowance provided in a formula must be deducted from an assumed market value as the starting point. Surplus milk is to some extent utilized in products which command a price higher than the market price of products used in the formula. Since the existing Class III formula became effective substantially larger quantities of surplus milk have been marketed in higher value outlets such as cream, cream cheese and other non-cheddar type cheeses. Handlers who have been able to take advantage of these sales have benefitted. The advantage of any shift in utilization can accrue to producers only through increasing the price established for surplus milk. To some extent, ice cream itself is a relatively high value outlet for surplus milk. Some pool butterfat in the form of whole milk and plain condensed milk is used directly in ice cream without incurring the full cost allowed in the Class III formula for manufacture into cream and nonfat dry milk solids. Solids in this form cost substantially less than solids from alternative midwestern sources. The handling allowance specified is only one factor in the formula and, except coincidentally, does not constitute the actual allowance for handling surplus milk.

If a handler is to continue to receive milk from producers, his gross receipts realized from the sale of all products made from such milk must be sufficient, over a long period of time, to cover the minimum prices which the order requires him to pay producers, his costs of processing the milk, and a return on capital invested which will prevent its withdrawal from milk processing facilities.

Calculated costs of handling surplus milk, particularly if presented so as to constitute a means of measuring changes in costs, is one factor which should be considered in establishing the price. It is a factor, however, which is limited by practical considerations. Many difficulties are encountered in attempting to determine an average cost of processing surplus milk. Considerable differences in costs exist among plants because of variations in utilization of surplus milk in different products and in varying proportions. Processing costs vary for different products. The costs shown in the record for different handlers or groups of handlers vary in both the amount and breakdown by items. To some extent, costs tend to adjust themselves to margins.

The volume of surplus milk handled appears to be an important factor affecting both the unit cost of processing and the average market return on products made from surplus milk. Since, as hereinbefore indicated, the market price quotations used in the formula are only approximations of the actual returns to handlers from the sale of products made from surplus milk, the inconsistency of relying solely upon calculated unit cost

data for the determination of a reasonable operating allowance is apparent.

A comparison of cost data submitted for selected manufacturing plants shows no significant change in unit costs between 1949 and 1950. The influence on the cost per hundredweight of increasing volume from 1949 to 1950 appears to have been about offset by increases in certain cost factors including the cost of labor and the transfer from feeder plants of a somewhat larger portion of the milk manufactured. With the expectation of a continuing relatively large volume of surplus milk, at least during 1951, no basis is found in the record for predicting a change in costs in an amount to be significant factor in the determination of the operating allowance to be named in the Class III formula.

Handlers of surplus milk contended that the allowance presently provided in the Class III formula is not adequate to cover their costs of processing surplus milk. If handlers have been experiencing losses in the amount of 30 to 35 cents per hundredweight, which is the approximate amount by which reported costs exceed the present allowance, it is reasonable to expect evidence of reluctance on the part of handlers to continue to maintain adequate processing facilities, or at least that there would be evidence of a tendency for proprietary handlers to shift more of the function of handling surplus milk to cooperative associations. Yet, there is no such evidence in the record. Although some certain types of facilities have been largely withdrawn there is no evidence of an over-all shortage of facilities in the milkshed to handle all of the milk. No cooperative association reported having experienced losses in their over-all operations because of the necessity of handling surplus milk on an inadequate handling allowance or because of inability to collect reasonable handling charges on fluid sales due to distress among handlers in the disposition of surplus milk. During the first half of 1950, when handlers appear to have taken a rather pessimistic view of the market outlook for manufactured dairy products, handling charges for fluid milk in the marketing area were relatively low. During that period a relatively small volume of cream was stored and outlets for surplus milk were generally oversupplied. During 1949 and since the middle of 1950, however, there is evidence that handlers were not experiencing sufficient difficulty in the disposition of surplus milk to impell them to offer milk for fluid distribution at prices less than those affording adequate, and sometimes rather lucrative, handling charges.

Gross margins between the price for surplus milk to New York handlers and market value of products made therefrom increased between 1948 and 1949 and tended to increase further in 1950 for most products manufactured from surplus milk. This was particularly true for milk used for cream outside the marketing area or made into butter. Gross margins on milk used for cheese declined somewhat in 1949 from the exceptionally high levels prevailing during the summer of 1948 but remained during 1949 and 1950 at high levels in relation to other previous years, and then increased to a new high level early in 1951.

Size of margins does not indicate what profit, if any, can be realized by handlers from surplus milk since all expenses must be paid out of this margin. However, variations in gross margins without compensating changes in costs are indicative of changes in net margins available to handlers for disposing of surplus milk. Net margins in turn provide the incentive for handlers to utilize surplus milk for different products.

A comparison of Class III prices with producer prices paid by 18 midwestern condenseries shows that the Class III price averaged 7½ cents lower than the condensery price during the last 9 months of 1949, 13.6 cents lower during 1950 and 44.7 cents lower during the first 3 months of 1951. The Class III price was higher than the condensery price by 8.1 cents during the last 9 months of 1947 and higher by 5.2 cents during the same months of 1948.

A comparison of the Order 27 price of milk for making butter with prices paid for milk for making butter in 12 states for which information is shown in the record indicates that in the months of April through September 1949 the order cost was below any of the prices for the 12 states and in the same months of 1950 prices paid in only one of the 12 states averaged lower than the order price. In the same months of 1947 and 1948, prices in only 2 and 3 states, respectively, of the 12 were above the order price of milk. A similar comparison of the order price of milk for cheese with prices paid for milk for cheese in 21 states shows that in 1947, 1948, 1949, and 1950 prices paid in 20, 10, 9, and 14 states, respectively, of the 21 were higher than the order price of milk for cheese. The order price of milk for making butter was lower in 1949 and 1950 in relation to prices paid for milk similarly used in other states than in the two preceding years. The order price of milk for making cheese was somewhat lower in 1950 in relation to other states than in 1948 and 1949 but was higher than in 1947.

Comparing the Order 27 price of milk for butter and cheese with the Order 41 (regulating the handling of milk in the Chicago marketing area) Class IV (which includes butter and cheese) price in the last 4 years, the price of Order 27 milk for butter has averaged 8, 6, 38, and 25 cents per hundredweight below the Chicago price and the price of Order 27 milk for cheese has averaged 29, 19, 39, and 27 cents below the Chicago price. The Order 27 price of milk for butter and cheese in relation to the Chicago Class IV price declined in 1949 and increased in 1950, but remained substantially below the Chicago Class IV price.

A comparison of the Order 27 price of milk for making butter with prices paid for milk similarly used in the East North Central States and in Minnesota also shows that in 1949 and 1950 the price of pool milk so used had declined substantially since 1947 and 1948 in relation to prices in the East North Central States and in Minnesota. However, in 1949 and 1950 the price of pool milk for making cheese was somewhat higher in relation to prices paid for milk for cheese in the East North Central States and Wisconsin than in 1947 and 1948 and was considerably higher in relation to prices paid at unregulated cheese factories in New York State than in 1948.

In appraising comparisons of prices paid for milk by New York handlers with prices paid by unregulated plant operators in other areas for milk used in the manufacture of the same or similar products, however, certain differences in circumstances and conditions should be taken into account. Various differences in circumstances, such as freight costs, quality of products, concentration of supplies, regularity of supply, and labor wage rates, must be considered in evaluating these comparisons. Conditions surrounding the manufacture of surplus milk under the New York pool differ considerably from those experienced by unregulated plant operators. Unusually wide fluctuations in the supply of surplus milk on different days of the week and from one season to another, make it difficult for handlers to utilize labor and plant equipment efficiently. New York handlers have some advantages on the other hand by virtue of their location near market and because of high quality milk.

The record does not provide sufficient information concerning these differences to permit an adequate appraisal of the need of handlers for price differentials. Changes in price differentials from time to time are significant, however, since they indicate changes in the gross margin obtained by New York handlers relative to the gross margins of unregulated plant operators whose margins are determined competitively. Accordingly, the tendency for the average level of the Class III price to become lower in 1950 and early 1951 than formerly in relation to the average of prices paid for milk at unregulated manufacturing plants constitutes evidence supporting a conclusion that the Class III price is not too high. A comparison of the Class III price with prices for surplus milk established by orders for other markets adds further support to the same conclusion.

It does not follow, however, that the order should be amended to establish the average of the prices paid by the 18 condenseries as the Class III price floor. Evidence submitted at the hearing in connection with such a proposal indicates a pronounced absence of correlation between month to month variations in such pay prices and short-time variations in the market value of products with which pool milk competes and into which Class III milk is manufactured. It is concluded therefore that, while prices paid by unregulated plant operators constitute a reliable guide against which to check trends in the level of the Class III price, they do not constitute as good a basis as the market price quotations of dairy products for making month-to-month changes in the Class III price.

Proposals were considered at the hearing to incorporate in the Class III formula various types of "movers" which would cause automatic increases or decreases in the handling allowance.

The proposed movers designed to reflect changes in costs, even if established as accurate reflectors of such changes, are subject to the same limitations which are inherent in the cost approach. A proposal to relate the amount of the Class III handling allowance to handling charges paid for "spot" purchases of fluid milk in the marketing area possesses the virtue of recognizing such handling charges as being a factor appropriately to be considered but also possesses the fatal weakness of failing to take into account important factors influencing the amount of such handling charges other than level of the Class III price. While there appears to be considerable merit in these proposals for automatic changes in the handling allowance as conditions change, it cannot be found on the evidence in this record that any one or more of the movers considered will reflect such changed conditions with sufficient accuracy to justify their adoption as an alternative or supplement to the hearing and amendment process.

It is concluded that the order should not be amended to provide a separate allowance or set of allowances to be credited to handlers with respect to surplus milk transferred from the plant where received from producers to a plant where it is manufactured into Class III products.

Allowances of this sort were provided for in the order for a number of years ending in 1942. During that time numerous controversies arose as to whether the handler who made claims for the allowances had actually met the conditions requisite to their receipt. Uneconomic movements of milk were made in order that such milk would become subject to the allowances. Although so-called safeguards provided in connection with provision for separate transfer allowances might minimize abuse in isolated or individual instances, it is inconceivable that creation of incentives for increased transfers could be avoided within a large system of plants operated by a single handler or throughout the milkshed. Probably of more importance, however, in connection with transfer allowances than the questions of administerability are questions of principle involved.

Transfer allowances were represented by their proponents as a desirable refinement in the pricing of surplus milk and as constituting a means of correcting existing inequities among handlers in the cost of surplus milk by reason of the existence of wide differences among handlers in the intermittency of manufacturing plan operation and in the proportion of surplus milk which is transferred from receiving plants to manufacturing plants.

It was established, of course, that there are costs involved in the receiving of milk from producers whether at a plant which is equipped for the processing of surplus milk or at a plant not so equipped. It is also recognized that costs are incurred in the transfer of milk from one plant to another and in the maintenance and operation of manufacturing plants. All of such costs were shown to vary widely among plants and among handlers.

Bulkiness and perishability of fluid milk as received from producers are characteristics which provide economic incentives for processing milk into more concentrated forms as near to the source as possible. On the other hand, the economies associated with high volume per plant provide powerful incentives for handlers to centralize operations both for the receiving and processing of milk. There are important offsetting economies involved among various types of facilities and methods of handling surplus milk.

At the present time, with a single allowance employed in fixing a price for Class III which is uniform for all handlers at the plant where the milk is received from producers, all handlers have an equal opportunity so far as the handling allowance is concerned to manufacture surplus milk. Consequently there is an incentive for surplus milk to be handled by those with lowest costs. Whether or not the transfer of milk from receiving plants to manufacturing plants will contribute to greater economy in operation is a matter to be decided by each handler. The quantity of milk which he has or expects to have available for processing after taking into account demands of the market for fluid milk may very well be a factor influencing his decision. Each handler exercises the responsibility of deciding on the method of operation which he considers to be most economical in his situation. The existence of these incentives for handling surplus at the lowest possible cost makes possible the maximum return to producers.

If separate transfer allowances were provided, thus establishing a different allowance for some handlers than for others, special encouragement would be given to those handlers who transfer milk and those who do not would tend to be at an economic disadvantage in the handling of surplus milk. Because of extreme variation among handlers and among plants in actual costs of plant operation and of the interplant transfer of milk, the fixing of separate transfer allowance even though less than compensatory for one handler could readily be more than compensatory for another. Regardless of the amount of the separate allowance, the provision of such an allowance would be in the direction of offsetting those economies associated with high volume per plant operations and change the basis on which handlers would make decisions concerning the location and operation of receiving and processing facilities. The incentives provided would tend to increase the proportion of surplus milk transferred and the aggregate of allowances therefor, and thus tend to reduce the net return to producers.

On the basis of the evidence presented and its appraisal, it is concluded that the handling allowance (70 cents) and the transportation allowance (10 cents) now contained in the Class III pricing formula should be combined into a single allowance of 80 cents. Thus, a total allowance unchanged from the allowances presently provided together with the changes herein set forth in other formula factors may be expected to result in an increase in the level of the Class III price of about 3 cents per hundredweight.

2. *Concentrated milk.* The order should be amended to provide for the classification of concentrated fluid milk in Class I–A, or in Class I–B or I–C if distributed outside the marketing area, in the same manner as ordinary fresh fluid milk and other fluid products now included in those classes.

The term "concentrated fluid milk" should be specifically defined in the rules and regulations issued by the market administrator pursuant to the procedure set forth in the order. In general terms, however, "concentrated fluid milk" is intended to mean the product generally resembling plain condensed milk which in concentrated form, either fluid or frozen but not sterilized, is packaged and distributed in a manner designed primarily to be reconstituted by the consumer into a product resembling fresh whole milk as customarily distributed but which may, as an alternative, actually be used by the consumer as a substitute for fluid cream or for other purposes. It was contended that addition of water to such concentrated milk results in a fluid milk product virtually indistinguishable from regular fluid milk. It has been advertised as a direct and acceptable substitute for the customary type of unconcentrated fluid milk.

The product intended to be included under such a definition is the product which during the past year or so has been distributed for fluid consumption in various markets in 1 quart and ⅓ quart containers. Amendment of the order, however, as herein indicated is not intended to preclude definition of the product in a manner to include the same product in the event of its distribution for fluid consumption in containers of other sizes.

There is no evidence of concentrated fluid milk, as herein described, having been distributed in the New York marketing area. However, there is evidence that it may be so distributed at any time. It is being distributed in other Eastern markets and has been manufactured from New York pool milk. The specific sanitary requirements of marketing area health authorities applicable to concentrated fluid milk are not set forth in the record. However, in view of the nature of the product, it appears unlikely that such requirements will be materially different from those applicable to regular market milk. It is evident therefore, that concentrated milk for fluid consumption will compete directly with other Class I products, and in substantially the same manner, for available supplies of milk approved for fluid distribution. Requirements on a day-to-day basis and seasonally in relation to available supplies are likely to be of the same character.

The term "concentrated fluid milk" should be defined in a manner which does not include condensed or concentrated milk products other than the product herein described. The term should not include the product presently defined as

evaporated milk or the product presently defined as plain condensed whole milk when disposed of in bulk to such outlets as restaurants, bakeries and ice cream manufacturers for other than fluid uses.

It was proposed that concentrated milk be classified in Class III if the product is frozen after being concentrated. It was contended that such a product would be manufactured primarily for export, and could not be expected to compete effectively in domestic markets with regular fluid milk or concentrated fluid milk. The mere act of freezing, however, does not appear to constitute an adequate basis for distinguishing for classification purposes between the frozen and the unfrozen product. It seems unlikely that different sanitary requirements would apply, or that the act of freezing would necessarily preclude domestic distribution of the product for use in the same manner as fluid concentrated milk. Further reference is made to concentrated milk in connection with issue No. 6.

3. *Canned milk.* The order should be amended to provide that milk which would otherwise be classified in a higher priced class shall be classified in Class III if it is packed in hermetically sealed containers and sterilized.

The specific proposal included in the notice of hearing was to classify in Class III all milk packed in hermetically sealed cans which is exported to foreign countries or delivered to any branch of the United States Department of Defense. The product is not being manufactured commercially at least by the proponent or in the New York milkshed. The proponent asserted his intention of establishing processing facilities in a location where adequate supplies of high quality milk are available and where overall costs (including raw material, processing and transportation) are most favorable.

The prospective product is one for which no domestic outlet is anticipated. Its prospective outlet is visualized to be in competition with evaporated and dry milk in foreign countries where supplies of fresh milk are unavailable. It was contended that the price obtainable for the finished product would preclude payment of a price for raw milk higher than that for Class III milk.

Milk used in the product is not likely to be required to be from sources approved by marketing area health authorities as sources of milk for fluid distribution in the marketing area. It is a product which is to be sterilized and not designed for distribution in the marketing area in competition with fresh fluid products. The product, as represented, will be storable without refrigeration and thus unlike fresh fluid milk with respect to the character of its supply requirements. The same considerations apply to other products packed in hermetically sealed containers and sterilized. Approved milk is not now required to be used for evaporated milk or in milk drinks of various sorts currently available within the marketing area in hermetically sealed cans and sterilized. These circumstances dictate a policy of pricing milk utilized in such products at a level competitive with alternative sources of supply.

4. *Milk in manufactured food products.* The order should be amended to classify milk in Class III during the months of March through July which leaves a plant in the form of milk and is delivered in bulk to a food processing establishment outside of the marketing area engaged in the manufacture of food products packed in hermetically sealed containers provided no milk or milk product leaves such establishment in fluid form.

Milk utilized in such manufactured food products is presently classified as Class III if the butterfat from such milk is established as being on hand or to have left the plant at which classification is determined in the form of such manufactured food products, or in the form of other products the classification of which is not established in some other class. However, milk shipped in the form of milk from the plant at which classification is determined to some other establishment (outside Federal marketing areas) not considered to be a plant as defined, and there utilized in manufactured food products is presently classified as Class I–C.

Milk utilized in such manufactured food products appears to constitute a utilization more appropriately considered to be a manufacturing rather than a fluid use. Milk for that purpose is not required to be approved for marketing area distribution and is available from nonpool sources at a price comparable to that fixed under the order for milk for other manufactured product uses. The classification of such milk in Class III only during months when the supply of surplus milk is relatively large not only is consistent with the proposal considered and in conformity with the indicated seasonal character of the demand for such milk, but will also avoid the possibility of creating new demands for milk at the Class III price during periods of the year when requirements for milk for Class I and Class II uses constitute a larger proportion of the available supply.

Restricting a Class III classification to milk delivered only to those food processing establishments from which no milk or milk product leaves in fluid form is designed to alleviate the administrative problem which might otherwise exist in connection with verification of the utilization of milk in various types of manufactured food products. A Class III classification under the amendment, however, will be contingent upon satisfactory establishment by the handler of the fact that delivery is actually made to a food processing establishment of the type indicated and of the fact that no milk product leaves the plant in fluid form.

5. *Whipped topping mixtures.* The order should be amended to provide for the classification at a plant in the marketing area of milk the butterfat from which is shipped to such a plant in the form of cream and there utilized in the manufacture of whipped topping mixtures in the same manner as is presently provided in connection with frozen desserts, homogenized mixtures and cream cheese.

At present butterfat in the form of cream which is used in the manufacture of whipped topping mixtures at a plant located outside of the marketing area is classified as Class III. Butterfat in the form of cream used in the manufacture of such a product at a plant located within the marketing area is classified as Class II. The amendment herein set forth is largely in the interest of uniformity and consistency. The question of whether milk utilized in the manufacture of whipped topping mixtures at a plant outside of the marketing area is properly classified in Class III is an issue which was not within the scope of the hearing.

A consideration which tends to support marketing area classification and the departure from the general rule in the case of whipped topping mixtures is the fact that few plants are now or are likely to be enfranchised to manufacture and sell such mixtures. Furthermore, due to the conditions under which the product is marketed, elements are present which appear to inhibit evasion of the rule. Evidence was also presented to the effect that the manufacture of such mixtures is more suitably and effectively performed at a location in proximity to the area of consumption.

6. *Treatment under the order of milk delivered to docks, ships, warehouses and military establishments.* The order should be amended so as to make it clear that (1) the marketing area, as presently defined includes such establishments as military installations occupying territory within its boundaries and includes also all piers, docks and wharves connected with the land area within its boundaries together with crafts moored at such piers, docks and wharves; and (2) milk delivered to such outlets (as above named) from a plant outside the marketing area is to be classified in Class I–A and subject to compensatory payments (if from nonpool sources) unless the milk, even though physically passing through such outlets, is consigned to and delivered to a purchaser outside the marketing area. Such an amendment involves revision of the definitions of marketing area, Classes I–B and I–C milk and provisions of the order identifying the milk which is subject to compensatory payments.

The proposal considered and the evidence thereon submitted at the hearing with reference to treatment under the order of milk and milk products delivered to outlets of the type here referred to was for the declared purpose of providing a basis for amendment of the order so as to eliminate questions of interpretation resulting from the decision of the Judicial Officer in the Ideal Farms case issued on October 10, 1949 (8 A. D. 1119). In that case it was decided, in the particular circumstances involved, that compensatory payments were not applicable on nonpool milk in the form of packaged frozen milk delivered to ships moored at a dock in the marketing area from a plant located outside the marketing area. Industry representatives contend that the decision was con-

trary, at least in some respects, to the interpretation previously understood and generally accepted in the industry. Specifically, it appears that milk delivered to ships at docks connected with the land area within the boundaries of the political subdivisions named in the marketing area definition was understood to constitute delivery "to a purchaser in the marketing area," regardless of whether such milk was for consumption on the ship or as cargo to be transported by the ship for consumption at some location definitely outside the marketing area. At any rate, there appears to be sufficient uncertainty as to how existing language of the order should be interpreted to justify its clarification.

Some differences of opinion were expressed by industry representatives on the question of distinguishing, for classification and pricing purposes, between milk delivered to ships and other carriers for consumption thereon and milk which is merely loaded on to ships and other carriers as cargo for delivery elsewhere. Evidence in the record is in some respects inconclusive as to the extent of the jurisdiction of marketing area health authorities over milk, in the various forms named in the Class I–A definition, which is delivered to carriers or to Federal installations or reservations within the marketing area. It was established, however, that milk delivered to ships for consumption thereon and to Federal institutions historically has been supplied by pool handlers and from processing plants located within the marketing area. Since such plants are permitted to handle only milk from approved sources, it follows that milk furnished to ships and institutions from marketing area plants can come only from approved sources.

Even though it may not have been definitely established that milk delivered to ships from plants outside the marketing area is equally subject to marketing area health authority regulations, it appears much more logical that such regulations would be applicable to so-called commissary milk than to cargo milk. An indeterminable portion of commissary milk can reasonably be expected to be consumed while the carrier is moored within the legal bounds of the marketing area. That is unlikely to be the case, however, with cargo milk especially packaged for, and expressly consigned to, a foreign or other distant buyer. It is concluded that a reasonable basis exists for the classification in Class I–A of milk (in the various forms named in the Class I–A definition) delivered from out-of-area plants to all types of outlets within the marketing area (including ships and institutions) except that such milk shipped through the marketing area to points outside the marketing area, wherein the carriers are used as a means of transportation only, should not be considered to constitute a delivery in the marketing area. Such cargo milk, therefore, should be classified in I–B or I–C as the case may be, and when originating from nonpool sources, should not be subject to compensatory payments. To classify such cargo milk as Class I–A would constitute an inconsistency in the operation of the order since, under existing provisions of the order, milk transferred, for example, from a railroad car to a motor truck within the marketing area in the process of transporting the milk to an out-of-area plant or purchaser would be classified, if it was pool milk, in Class I–C (or I–B) and would not be subject to compensatory payments if it was nonpool milk. There appears to be no sound basis for a Class I–A classification on other milk consigned to and delivered to an out-of-area plant or purchaser merely by reason of the fact that one of the carriers involved is a ship rather than a motor truck.

Evidence presented indicates that no particular difficulty is likely to be experienced from an administrative standpoint in distinguishing between commissary and cargo milk with the possible exception of deliveries made to such places as docks, wharves, ships or warehouses for the account of the armed services. Even that possibility, however, does not appear to preclude effective administration of the proposed amendment since a lower priced classification than I–A will be contingent upon availability of evidence satisfactorily establishing the fact that the milk was consigned to and delivered to a purchaser outside the marketing area. If that fact could not be established with respect to milk delivered to a ship, dock, wharf, warehouse or other establishment within the marketing area, the milk would be considered to have been delivered to a purchaser in the marketing area and would be classified in Class I–A and, if from a nonpool source, would be subject to compensatory payments.

7, 8. *Basis of classification.* The order should not be amended to provide for the classification at the second nonpool plant of milk which is moved in the form of milk to such plant from the first nonpool plant when neither nonpool plant holds health authority approval.

The rule of establishing classification at the first nonpool plant has existed for a relatively long time and, apparently, to the general satisfaction of interested parties in the New York market. To relax the rule may impose reporting and verification requirements upon additional nonpool plants and in the process subject receipts of milk at such plants to complicated and, of necessity, somewhat arbitrary rules regarding the allocation of such milk between pool and nonpool sources. These considerations outweigh the reason advanced for modification of the rule.

The operations of the two nonpool plants which serve as a basis for the proposal are located within a relatively short distance from each other and are under the direct control and ownership of the proponent handler, thus constituting a situation in which it would seem to be encumbent upon the proponent to avail himself of alternate means by which a classification higher than Class III can be avoided.

Existing provisions of the order defining areas outside of which milk or cream may be shipped and remain eligible for classification other than at the plant from which such shipments are made (§ 927.4 (a) (3) (v) and (vi)) should be amended to provide for classification only at the shipping plant in the case of shipments of either milk or cream more than 65 miles (from the plant where received in the case of milk and from the plant where separated in the case of cream) to a plant outside of New York State, the New England States, the States of New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, Ohio, and the District of Columbia. The so-called 65-mile provision should be continued in conjunction with this expanded area of classification in order to permit classification at plants in the vicinity of a plant located outside of the named states but which could become a pool plant by reason of shipments of milk to the marketing area.

Such an expansion of the classification area was not shown to be required due to the inadequacy of manufacturing facilities for the disposition of excess pool milk within the area as now defined. Handlers did contend, however, that existing provisions are unnecessarily restrictive, that desirable outlets for surplus milk in areas adjacent to the milkshed were now available to some handlers and not to others, and that expansion of the area would permit handlers more freedom and flexibility in the selection of the best available outlet for surplus milk. The record contains no evidence from which to conclude that the change would result in a lower return to producers by reason of lower classification.

9. *Special transportation allowance.* The order should not be amended to provide a special transportation allowance on tank-lots of milk shipped from a plant outside the marketing area to a plant in Nassau or Suffolk Counties.

It was the contention of the proponents that extra transportation differentials of 5 cents and 8 cents, respectively, should be allowed on tank milk shipped from county plants to bottling plants in Nassau and Suffolk Counties in recognition of alleged higher costs of transportation to such bottling plants than to other bottling plants in the marketing area, and that such extra differentials were designed to equalize costs among handlers.

Milk is distributed to consumers in Nassau and Suffolk Counties both from bottling plants located in those counties and from bottling plants located in New York City. The point was made that all country plant milk distributed in Nassau and Suffolk Counties has to be hauled through New York City, and that hauling rates from country plants to Nassau and Suffolk Counties tend to be slightly higher than to New York City bottling plants. It was not established, however, that such higher costs more than offset the added costs incurred by handlers who haul bottled milk from New York City pasteurizing plants to distribution points in Nassau and Suffolk Counties.

Moreover, transportation differentials are an integral part of a pricing system which has for its purpose the establishment of uniform minimum prices which all handlers must pay for milk at the same receiving plant. The differentials themselves are designed to reflect differences in the value of milk depending

upon the distance from the marketing area to the plant at which milk is received from producers. Differences among handlers in the various costs of distribution may very well influence resale prices but not properly to be considered in establishing the minimum price to be paid to producers.

10. *Exemption from pooling.* The order should not be amended to exempt from pooling the milk received by direct delivery from farmers at plants located in Westchester County.

The proponents of such a proposal were six handlers who at the time of the hearing operated the only plants in Westchester County at which milk was being received directly from producers. Milk so received constitutes the principal source of milk distributed by these handlers. Sales from such plants constitute less than 17 percent of the total milk sold in Westchester County. Such plants are not approved for the distribution of milk in New York City. The balance of the milk distributed in Westchester County is milk received by other handlers at pool plants located outside the marketing area.

It was contended in support of the proposal that the historical source of supply for the proponent handlers has been from producers located in the so-called Harlem Valley extending north from New York City east of the Hudson River through the counties of Westchester, Putnam, Dutchess and Columbia, and that the payment of higher prices by Connecticut handlers in recent years has resulted in (1) a shift of some of such producers, principally in Westchester County, to Connecticut buyers, (2) the payment by the proponent handlers of substantial premiums to producers in the form of free cans, free hauling and cash in an effort to retain such producers and (3) the necessity for the proponent handlers to acquire new sources of supply, mainly from farms in Orange County. The premiums reported to have been paid by the six handlers averaged 50.7 cents in 1949 and 33.8 cents in 1950.

The order presently establishes a minimum producer price for milk received at plants in the marketing area which is 50 cents per hundred-weight higher than the 201–210 mile zone price, 30 cents of which comes out of the pool. Fundamentally, the question involved is whether the order should be amended (by exemption from equalization) to further enhance the price paid to certain producers at the expense of all other producers. Such an amendment does not appear to be justified by the evidence presented.

It is apparent that the territory from which the proponent handlers historically have obtained their supply has become one in which there is keen competion among buyers for the available supply of milk. It is a territory which is not necessarily indispensible, however, as a source of supply for the marketing area since adequate supplies of approved milk are available from other sources. The proponent handlers have the apparent alternative and may find it more advantageous to purchase bulk supplies of milk received elsewhere in the milkshed. While such purchases may be expected to involve the payment of a handling charge, it seems probable that such a charge would be more than offset by savings in the cost of receiving milk directly from producers together with the elimination of premiums which such handlers pay to producers from whom they obtain their present supply.

The exemption from pooling now provided for in the order for milk received from farms in Nassau and Suffolk Counties parallels the proposal here considered only to a limited extent. The present exemption applies only to milk received from farms located within a specifically defined and definitely isolated portion of the marketing area in which there is no direct competition in the procurement from producers of milk between that which is exempt and that which is not. However, the proposal now presented would apply to the milk from an indefinite number of farms without regard to location and to milk purchased in direct competition with other handlers purchasing milk to which the exemption would not apply. The proposed exemption might very well induce other handlers to receive milk directly from farms at plants in Westchester County, in which event it could apply to virtually all of the milk distributed in Westchester County, a volume roughly 6 times that currently handled by the proponent handlers. At least one other handler was in process at the time of the hearing of equipping his Westchester County processing plant to receive milk directly from producers who at that time were delivering to out-of-area plants.

11. *Freight zones.* The order should not be amended to prohibit the determination of freight zones for pool plants different from the zones currently in effect. The transportation differential provision should be amended, however, for clarification and to provide for the use of "Mileage Guide No. 5" (without supplements) issued by the Household Goods Carriers' Bureau, agent in computing highway mileages. The order should not be amended to require appointment by the market administrator of an advisory committee to recommend revisions in freight zones.

Evidence in the record indicates that failure to reestablish the ban which expired on December 31, 1949 on the determination of new freight zones is likely to result in changing the transportation differentials applicable to milk received at approximately 189 out of a total of 441 pool plants. Out of this total of 189 plants, 180 would be zoned nearer the market and 9 would be zoned farther from the market. Class I prices and the uniform price would be affected at 135 plants. Prices for Class II and III milk would be affected at 111 plants. Changes affecting the Class I and uniform prices would amount to 1 cent per hundredweight at 97 plants, 1½ cents at 33 plants, 2 cents at 2 plants, and 2½ cents at 3 plants. Changes affecting the Class II and Class III prices would amount to 1 cent at 110 plants, and 2 cents at one plant.

Proponents of the proposal to continue to freeze existing zones contended at the hearing that these changes in zones and differentials would disturb producer relationships and serve no useful purpose. The provision of the order freezing existing freight zones through December 1949 was adopted effective April 1, 1949 in response to a previously expressed desire of handlers for further opportunity to formulate a more satisfactory and acceptable method of determining freight zones. Handlers testified at this hearing that they had attempted to devise some system for determining freight zones other than on the basis of railway or highway mileage distances as the order now provides, but that their efforts had been unproductive. The only substitute proposed at the hearing was to freeze existing zones for all except a few plants and that for such few plants and for each new plant a zone be determined by the market administrator, assisted by an advisory committee, equitably on the basis of its distance from New York City and its proximity to other plants for which a zone is now established. To establish freight zones equitably is a laudable objective but by no means constitutes a sufficiently specific or uniform basis to be administratively practical. Railway or highway distances, therefore, constitute as equitable and satisfactory a basis for determining freight zones as has been developed so far and should continue to be used until a more satisfactory method is devised.

The differential changes resulting from full application of the principle of determining zones on the basis of railway and highway distances will be numerous but relatively minor in amount. No justification is found in the record for perpetuating errors and inaccuracies in the mileage zones currently in effect by prohibiting the use of the best available data known to exist in the computation of rail and highway distances. There is no reason to expect that minor changes in freight zones will disturb producer relationships any more than would the knowledge that a provision of the order continues to prevent the adjustment of transportation differentials in accordance with the principles uniformly applied in the milkshed.

One of the objections made to the method now provided for determination of zones was that frequent issuance of supplements to the Mileage Guide would result in changes in zones more frequently than is desirable. In recognition of that objection the amendment herein set forth provides for the computation of mileages on the basis of Mileage Guide No. 5 issued on July 20, 1949 without regard to supplements thereto issued at later dates or to later Guides. While such a provision may also appear to freeze the zones once they are determined, that result is avoidable by subsequent amendment of the order to provide for using a later Guide in the event of sufficient changes in mileages to be of significance.

12. *Acknowledgment of reports filed by handlers.* The proposal to require the market administrator to acknowledge within 48 hours the receipt of each and every report mailed to or filed with him should be adopted only with respect to notices of transfer of storage cream, re-

ports of the storage of cream and the utilization of storage cream.

The contention of proponents was that there have been instances in the past where handlers in good faith have filed the required reports with the market administrator and subsequently discovered that such reports had not been received, with the result that handlers have incurred increased financial obligations or have been denied payments to which the timely filing of the report would entitle them.

Evidence submitted indicates no useful purpose would be served by acknowledgment by the market administrator of those reports which are filed on a delivery period basis such as regular monthly reports of receipts and utilization. Such acknowledgment appears desirable, however, in the case of those reports required to be filed at a time contingent upon some act performed by the handler. Such reports include those required to be filed in connection with the storage of cream, the transfer of cream from one cold storage warehouse to another and the utilization of storage cream. Prompt acknowledgment by the market administrator of the filing with him of such reports will constitute positive evidence available both to the handler and to the market administrator that such forms were received, thus eliminating a point of potential controversy.

13. *Producer-settlement fund reserve.* The amount authorized to be subtracted, in the process of computing the uniform price, as a reserve to provide against the contingency of errors in reports and payments or of delinquencies in payments by handlers should be increased from not less than 4 cents nor more than 5 cents to not less than 8 cents nor more than 9 cents.

The aggregate amount of payments by handlers to the producer-settlement fund has increased materially since 1946. Such payments in total for 1949 were about two and one-half times greater than in 1947 and 1948. Payments into the producer-settlement fund, which formerly averaged about three times the amount of the reserve, averaged roughly six times the amount of the reserve in 1949. Thus, if equalization payments continue at about the 1949 rate, doubling of the rate per hundredweight subtracted for reserve would virtually restore the relationship which prevailed prior to 1949 between the amount of payments to the producer-settlement fund and the amount of the reserve. It was contended at the hearing that the purposes for which the reserve is provided would be more adequately served, particularly under currently existing marketing conditions, by increasing the amount of the reserve. There appears to be merit in this contention.

The possibility of investing money held in the producer-settlement reserve fund was suggested at the hearing. Evidence in this record leaves considerable room for doubt that such investment in a manner to insure immediate availability of the funds, if needed, would be of any significant benefiit to producers. No such provision is justified on this record.

Rulings on proposed findings and conclusions. Several briefs were filed by or on behalf of interested parties in this proceeding. Such briefs contained statements of fact, proposed findings and conclusions, and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied on the basis of the facts found and stated in connection with the conclusions in this recommended decision.

Recommended marketing agreement and amendment to the order. The following order, as amended and reissued, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The entire order is being rewritten and reissued to conform with Revised Regulations of the Federal Register Division issued October 12, 1948. A recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the recommended order.

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DEFINITIONS

§ 927.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended.

§ 927.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 927.3 *Marketing area.* "New York metropolitan milk marketing area" (hereinafter called the "marketing area") means all territory within the boundaries of the city of New York, the counties of Nassau, Suffolk (except Fisher's Island), and Westchester, all in the state of New York together with all piers, docks and wharves connected therewith and all crafts moored thereat, and including territory within such boundaries which is occupied by government (Federal, State, or Municipal) reservations, installations, institutions or other establishments.

§ 927.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 927.5 *Dairy farmer.* "Dairy farmer" means any person who produces milk.

§ 927.6 *Producer.* "Producer" means any dairy farmer whose milk is delivered direct from farm to a pool plant.

§ 927.7 *Handler.* "Handler" means (a) any person who engages in the handling of milk, or products therefrom, which milk was received at a pool plant, or at a plant approved by any health authority as a source of milk for the marketing area, (b) any person who engages in the handling of milk, cultured or flavored milk drinks, cream, or skim milk, all or a portion of which is shipped to, or received in, the marketing area, or (c) any cooperative association of dairy farmers with respect to any milk which it causes to be delivered from dairy farmers to a pool plant of any other handler for the account of such association and for which such association receives payment.

§ 927.8 *Plant.* "Plant" means the land, buildings, surroundings, facilities, and equipment, whether owned or operated by one or more persons, constituting a single operating unit or establishment for the receiving, handling, or processing of milk or milk products as determined by the market administrator pursuant to § 927.18 (j).

§ 927.9 *Pool plant.* "Pool plant" means any plant which is designated as a pool plant pursuant to §§ 927.20 through 927.27.

§ 927.10 *Market administrator.* "Market administrator" means the agency, which is described in §§ 927.15 through 927.18, for the administration of this subpart.

§ 927.11 *Northern New Jersey.* "Northern New Jersey" means the following counties in the State of New Jersey:

Bergen.	Morris.
Essex.	Passaic.
Hudson.	Sommerset.
Hunterdon.	Sussex.
Middlesex.	Union.
Monmouth.	Warren.

MARKET ADMINISTRATOR

§ 927.15 *Selection, removal, and bond.* The agency for the administration of this subpart shall be a market administrator who shall be a person selected and subject to removal by the Secretary. The market administrator shall, within 45 days following the date upon which he enters upon his duties, execute and deliver to the Secretary a bond, conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary.

§ 927.16 *Compensation.* The market administrator shall be entitled to such reasonable compensation as shall be determined by the Secretary.

§ 927.17 *Powers.* The market administrator shall have the following powers:

(a) To administer the terms and provisions of this subpart;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 927.18 *Duties.* The market administrator, in addition to the duties hereinafter described, shall:

(a) Keep such books and records as will clearly reflect the transactions provided for in this subpart;

(b) Submit his books and records to examination by the Secretary at any and all times;

(c) Furnish such information and such verified reports as the Secretary may request;

(d) Obtain a bond with reasonable security thereon covering each employee who handles funds entrusted to the market administrator;

(e) Publicly disclose, after reasonable notice, the name of any person who has not made reports pursuant to §§ 927.50, 927.51 and 927.53, or made payments required by §§ 927.65, 927.66, 927.67, 927.72, 927.75, 927.77, 927.78, and 927.80;

(f) Prepare and disseminate for the benefit of producers, consumers, and handlers such statistics and information concerning the operation of this subpart, as amended, as do not reveal confidential information;

(g) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this subpart;

(h) Pay out of the funds received pursuant to § 927.80 the cost of his bond and of the bonds of such of his employees as handle funds entrusted to the market administrator, his own compensation, and all other expenses which will necessarily be incurred by him for the maintenance and functioning of his office and the performance of his duties;

(i) Maintain a main office and such branch offices as may be necessary; and

(j) The market administrator shall, from time to time, cause inspections to be made of the buildings, facilities and surroundings of the plant and shall notify handlers of his determination as to what constitutes the plant and its equipment. If any handler makes written request for such determination, the market administrator shall promptly notify such handler of his determination: *Provided,* That if the request is for a revised determination or for affirmation of a previous determination, the handler shall set forth in his request the changed conditions which he believes makes a new determination necessary. Such determination shall be ruling for all purposes under this subpart, and any revision in the determination of which handlers have been notified shall be effective not earlier than the date of notice to handlers of such revised determination.

POOL PLANTS

§ 927.20 *Carryover designation.* Any plant for which the report of milk received from dairy farmers was used in the computation of the uniform price for November 1944 is hereby designated as a pool plant from August 1, 1945, until such designation is cancelled pursuant to § 927.24.

§ 927.21 *Eligible applicants.* Any person who operates a plant which is located in New York State, Vermont, Massachusetts, Connecticut, New Jersey, or Pennsylvania and which is either approved as a source of milk by a health authority in the marketing area at the time of application and under the sanitary supervision of such authority, or was a pool plant during the preceding October, November, and December, may apply to the Secretary prior to July 1 of any year to have such a plant designated as a pool plant: *Provided,* That if 50 percent or more of the dairy farmers delivering milk at such plant deliver such milk for the account of a cooperative association which does not operate the plant but for which milk such association receives payment, an application must be made by such cooperative association as well as by the person operating the plant. Applications shall be addressed to the Secretary and filed at the office of the market administrator.

§ 927.22 *Designation.* Any plant for which an application has been made pursuant to § 927.21 shall be designated as a pool plant upon determination by the Secretary that the requirements of § 927.23 are being met. Such designation shall be effective as of August 1 following the date of application and until cancelled pursuant to § 927,24. If, based upon the information contained in an application filed pursuant to § 927.21, the Secretary determines that the requirements of § 927.23 are not being met, the applicant or applicants shall be so notified. Within 15 days after receipt of such notice, the applicant or applicants may submit additional information and request further consideration. Prior to the issuance of the determination of the Secretary, an application may be withdrawn by written request of the applicant or applicants. In the event that no determination is made by the Secretary prior to August 1, the effective date of the designation, upon written request of the applicant or applicants prior to the issuance of a determination, shall be deferred until the first of the month following the date of such determination. If the application is not so withdrawn, or the effective date of designation is not so deferred, the plant shall be treated as a pool plant as of August 1: *Provided,* That all payments into or out of the producer settlement fund (except such payments which are made on the basis of operations during a month in which a plant meets the requirements of § 927.27) shall be held in reserve by the market administrator until a determination is made.

§ 927.23 *Requirements.* In order to qualify as a pool plant pursuant to §§ 927.20, 927.22, or 927.25, the person operating the plant shall meet each of the following requirements.

(a) Be willing to ship in the form of milk to the marketing area, milk received at the plant from dairy farmers;

(b) Keep such control over the sanitary conditions under which milk received at the plant is produced and handled, that the plant can meet the requirements of a source of milk for the marketing area: *Provided,* That approval by a health authority of the plant as a source of milk for the marketing area shall constitute sufficient evidence that this requirement is being met even though such approval is restricted to prohibit shipment to the marketing area of milk for specified periods during which permission is given by such health authority for receiving unapproved milk or skim milk

at the plant or for shipment of approved skim milk from such plant; and

(c) Have no commitments for disposition of milk that prevent him from utilizing milk as set forth in § 927.24 (g).

§ 927.24 *Suspension and cancellation of designation.* The designation of a pool plant pursuant to §§ 927.20, 927.22, or 927.25 may be suspended or cancelled under any of the following provisions:

(a) The designation shall be cancelled upon application to the market administrator by the handler operating the plant effective at any time during the months of April through July of any year but not sooner than 30 days after receipt of such application: *Provided,* That such applications for cancellation shall be accompanied by proof that the handler, if not a cooperative association qualified pursuant to § 927.76, has notified any qualified cooperative association which has any members who deliver milk to such plant, and has notified individually all producers delivering to such plant who are not members of such qualified cooperative association, of his intention to make such application: *Provided, further,* That if 50 percent or more of the producers delivering milk at such plant deliver such milk for the account of a cooperative association which does not operate the plant, but for which milk such association receives payment, an application must be made by such cooperative association as well as by the handler operating the plant.

(b) The designation of any plant which on June 15 of any year is not approved by a health authority as a source of milk for the marketing area shall be automatically cancelled effective on August 1 of such year unless the absence of such approval is a temporary condition covering a period of not more than 15 days: *Provided,* That the designation of a plant approved by a health authority as a source of milk for the marketing area, even though such approval is restricted to prohibit shipment to the marketing area of milk for specified periods during which permission is given by such health authority for receiving unapproved milk or skim milk at the plant or for shipment of approved skim milk from such plant, shall not be cancelled pursuant to this provision. This provision does not prevent a handler from applying, pursuant to §§ 927.21 and 927.22, for a new designation effective on August 1 of the same year.

(c) The designation of any plant shall be suspended, effective no sooner than 10 days nor later than 20 days after the date of mailing of notice, by registered letter, to the handler, whenever the market administrator, subject to the limitations set forth in paragraph (g) of this section, finds on the basis of available information that the handler operating the plant is not meeting the requirements set forth in § 927.23: *Provided,* That, if the handler operating the plant is not a cooperative association qualified pursuant to § 927.76, the market administrator shall also notify any qualified cooperative association which has any members who deliver milk to such plant, and shall notify individually all producers delivering to such plant who are not members of such qualified cooperative association, of such suspension of designation.

(d) In the case of the suspension, pursuant to this section, of the designation of one or more plants for failure to meet the requirements of § 927.23 (a) or (c), the handler operating such plant may select, prior to the effective date of such suspension, some other pool plant or plants to be substituted for the plant or plants suspended if, during the preceding month, the quantity of milk received from producers at such substituted plant or plants was not less than the quantity of milk received from producers at the suspended plant or plants. The handler may also select the order in which plant designations are to be cancelled in the event of a later determination by the Secretary cancelling the designation of some but not all of the plants suspended.

(e) Not later than 10 days after the effective date of suspension of designation, pursuant to this section, the handler operating the plant may apply to the Secretary for a review. If the handler fails to so apply for such review, the designation of the plant as a pool plant shall be cancelled as of the effective date of the suspension. If the handler does so apply, the Secretary shall, after review, either determine that the requirements set forth in § 927.23 have been met and order the suspension revoked, or determine that such requirements have not been met and order the designation cancelled as of the effective date of the suspension: *Provided,* That, if the Secretary has made no determination within two months after the end of the month in which the suspension was made effective, but later orders the designation cancelled, such cancellation shall be effective as of the first of the month following the date of such determination.

(f) Beginning with the effective date of a suspension pursuant to this section, and until the Secretary has either ordered the designation cancelled or ordered the suspension revoked, the plant shall be treated as a pool plant: *Provided,* That all payments into or out of the producer settlement fund (except such payments on the basis of operations during a month in which the plant meets the requirements of § 927.27), shall be held in reserve by the market administrator until an order is issued by the Secretary, but not longer than two months after the end of the month in which the suspension was made effective.

(g) No pool plant designation shall be suspended for failure to meet the requirements of § 927.23 (a) except under the following conditions:

(1) A meeting has been held, no sooner than three days after notice by the market administrator to all handlers operating reserve pool plants, for consideration of the desirable utilization of milk received from producers during a period ending not later than the end of the second month after the month during which such meeting is held.

(2) There has been issued by the market administrator, following such meeting, and mailed to all handlers operating reserve pool plants the market administrator's determination of the desirable utilization of milk received from producers each month during all or a part of the period set forth in subparagraph (1) of this paragraph. Such determination shall include a schedule setting forth, by months, the desired minimum percentage of milk received from producers to be utilized in specified classes. Such specified classes shall include Class I–A, and Class I–C to the extent of 50 percent of the milk received by a handler from producers which is ultimately distributed in the State of New York, in Northern New Jersey, in Fairfield County, Connecticut, or in Pennsylvania outside the counties of Allegheny, Beaver, Fayette, Greene, Washington, and Westmoreland. In addition, such specified classes may include all or a part of Class II and other I–C.

(3) The market administrator finds on the basis of available information that the handler operating a plant or the cooperative reporting a plant is not utilizing milk received from producers in accordance with the minimum percentage set forth in the determination of the market administrator previously announced pursuant to subparagraph (2) of this paragraph: *Provided,* That the suspension of the pool plant designation of a plant may be made effective during the months of November and December if the market administrator finds that the handler is utilizing any milk received from producers in classes other than those set forth in the determination of the market administrator announced pursuant to subparagraph (2) of this paragraph.

(h) The cancellation of pool plant designations for failure to meet the requirements of § 927.23 (a) shall be subject to the following conditions:

(1) No pool plant designation shall be cancelled if the handler operating the plant utilized the milk received by him at all pool plants from producers during the month in which the suspension is made effective in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section.

(2) No pool plant designation shall be cancelled if the handler operating the plant utilized in the specified classes set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section a percentage of the total milk received by him at all pool plants from producers during the month in which the suspension is made effective which is not less than the percentage of the total milk reported by all handlers to have been received from producers during such month which was reported to have been used in the specified classes: *Provided,* That the limitations as to quantity and area set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section shall apply in computing the utilization percentage of the individual handler but shall not apply in computing the utilization percentage of all handlers.

(3) In the event that all milk received from producers at a plant is reported to the market administrator by a cooper-

ative association qualified pursuant to § 927.76, and such association pays the producers for such milk, the pool plant designation of such plant shall not be cancelled if a percentage of all milk reported by such cooperative association is utilized in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section, or in accordance with the percentage set forth in subparagraph (2) of this paragraph.

(4) Cancellation of designations shall be limited to those plants necessary to result in a utilization of milk received at the remaining pool plants operated by the handler, or reported by the cooperative, as the case may be, in accordance with the minimum percentage set forth in the determination of the market administrator announced pursuant to paragraph (g) (2) of this section.

(i) Loss of approval by health authorities of a plant as a source of milk for the marketing area may in itself constitute adequate reason for the market administrator to suspend the designation of a plant for failure to meet the requirements of § 927.23 (b), only if the absence of such approval continues for more than 15 days.

§ 927.25 *Plant replacements.* In addition to designations pursuant to §§ 927.21 and 927.22, a plant may be designated at any time as a pool plant upon application made by the person operating the plant to the Secretary showing that the plant is a replacement for one or more pool plants operated by him and that substantially all of the dairy farmers delivering milk at the plant previously delivered milk to the pool plant or plants replaced. Upon designation of a plant pursuant to this section, the designation of the plant or plants which it replaced shall be automatically cancelled.

§ 927.26 *Change of operator.* The designation of pool plants pursuant to §§ 927.20 through 927.26 shall be considered as applicable to the plant as such, and subject to cancellation only pursuant to §§ 927.24 and 927.25, regardless of change in the person owning or operating the plant. The market administrator shall be notified, by the handlers involved, if any transfer from one person to another of ownership or operation of a pool plant.

§ 927.27 *Plants shipping Class I–A milk to the marketing area.* For any month a plant from which during such month Class I–A milk, either directly or through other plants, is sold or distributed in or shipped to the marketing area, which quantity of milk during the months of July through March, is equal to more than 25 percent of the milk received directly from dairy farmers, or during the months of April through June is equal to more than 10 percent of the milk received from directly dairy farmers, shall automatically be designated a pool plant: *Provided,* That for the months of April, May, or June no plant at which milk was received from dairy farmers during the preceding period of October, November, and December shall be a pool plant on this basis, unless at least 60 percent of such milk was classified in Class I–A, and either directly, or through other plants, was sold or distributed in or shipped to the marketing area in the form of milk: *Provided further,* That no plant shall be a pool plant on this basis during the months of January through July, if the designation of the plant as a pool plant was cancelled for failure to meet the requirements of § 927.23 (a) during the preceding year. At the time of announcing the uniform price for each month, the market administrator shall make public the location, and name of the operator, of any plant for which a report of receipts from dairy farmers was used, pursuant to this section, in the computation of that uniform price.

CLASSIFICATION

§ 927.30 *Basis of classification.* All milk the butterfat from which is received at a plant at which the classification of milk received from producers is to be determined pursuant to § 927.33, and all milk entering the marketing area in the form of milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products or skim milk, shall be classified in accordance with the form in which it is held at, or moved from, the plant at which classification is determined.

§ 927.31 *Burden of proof.* In establishing the classification of milk received from producers, the burden rests upon the handler who received the milk from producers to show that the milk should not be classified as Class I–A, and that the skim milk in Class II and Class III milk should not be subject to the fluid skim differential. The burden rests upon the handler who receives or distributes in the marketing area milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products, or skim milk to establish the source of all his milk or milk products.

§ 927.32 *Period for establishing classification.* A period ending with the last day of the month following the month during which the milk was received from dairy farmers shall be allowed for handling such milk as a basis for establishing the classification as other than Class I–A: *Provided,* That the holding of milk in the form of cream in a licensed cold storage warehouse for at least 7 days shall constitute that portion of the handling of such cream required pursuant to § 927.37 (e) (2) that is required to be performed during the month following its receipt from dairy farmers.

§ 927.33 *Plant at which classification is to be determined.* Classification shall be determined at the plant at which milk is received from dairy farmers: *Provided,* That if such milk is shipped in the form of milk or cream to another plant or other plants, it shall be classified, subject to the provisions of paragraphs (a) through (e) of this section, at the plant or plants to which it is shipped, and there shall be no limit on the number of interplant movements in the form of milk or cream except as set forth in paragraphs (a) through (e) of this section.

(a) The classification of milk shipped in the form of milk to a plant in the marketing area shall be determined at the plant from which such milk is shipped to the plant in the marketing area.

(b) Except as set forth in paragraph (c) of this section, the classification of milk the butterfat from which is shipped in the form of cream to a plant in the marketing area shall be determined at the plant from which such cream is shipped to the plant in the marketing area.

(c) The classification of milk the butterfat from which is shipped in the form of cream to a plant in the marketing area shall be determined, if such cream is moved in the form of frozen desserts or homogenized mixtures, whipped topping mixtures, or cream cheese either from the plant at which cream is first received in the marketing area or from the first plant to which cream is shipped from the plant where first received in the marketing area, at the first plant from which the frozen desserts or homogenized mixtures, whipped topping mixtures or cream cheese are so moved.

(d) Except as set forth in paragraph (e) of this section, the classification of milk shipped in the form of milk and of milk the butterfat from which is shipped in the form of cream to a non-pool plant shall be determined at the non-pool plant, unless the handler operating the pool plant from which such shipments are made to the non-pool plant elects in writing on his monthly reports to have classification of all milk or cream received during the month at such handler's pool plant and shipped as milk or cream to the non-pool plant determined at the pool plant from which the milk or cream is shipped to the non-pool plant.

(e) The classification of milk shipped in the form of milk more than 65 miles from the plant where received from dairy farmers and of milk the butterfat from which is shipped in the form of cream more than 65 miles from the plant where the milk was separated to a plant outside Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York State, Ohio, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, West Virginia, or the District of Columbia shall be determined at the plant from which the milk or cream is so shipped.

§ 927.34 *Plant loss.* Allowances for plant loss not to exceed 5 percent of the butterfat in the product resulting from any specific plant operation, which plant loss may be classified the same as the milk equivalent of the butterfat in the product, shall be determined by the market administrator pursuant to § 927.36.

§ 927.35 *Accounting procedure.* The accounting procedure for classifying milk pursuant to §§ 927.30 through 927.37 shall be set up by the market administrator pursuant to § 927.36. Such accounting procedure shall include conversion factors to be used in the absence of specific weights and tests, specific definitions of products, and such methods

for assignment of milk to classes according to source and form as may be necessary to effectuate the provisions of §§ 927.30 through 927.37 and which are not inconsistent with the following general principles:

(a) Milk, concentrated fluid milk, fluid milk products, cream, fluid cream products and skim milk received from pool plants or from producers shall be assigned, as far as possible, to Class I–A, Class II, or to skim milk subject to the fluid skim milk differential.

(b) If milk, cream, or skim milk is received at a plant from producers or from pool plants and in like form from dairy farmers not producers or from non-pool plants, the total milk equivalent of such products from producers and pool plants, and the total milk or milk equivalent from dairy farmers not producers and non-pool plants shall be assigned pro rata to the total classification of all such milk or milk equivalent and to all skim milk subject to the fluid skim differential after the assignment in accordance with paragraph (a) of this section.

(c) The milk received from producers which is eliminated from the computation of the handler's net pool obligation pursuant to § 927.60 shall be assigned pro rata to the total classification of all milk from producers and pool plants.

§ 927.36 *Rules and regulations.* The rules and regulations to effectuate the terms and provisions of §§ 927.30 through 927.37 shall be made, and may from time to time be amended by the market administrator in accordance with the procedure set forth in this section: *Provided,* That at any time upon a determination by the Secretary that an emergency exists which requires the immediate adoption of rules and regulations, the market administrator may issue, with the approval of the Secretary, temporary rules and regulations without regard to the following procedure: *Provided, further,* That if any interested person makes written request for the issuance, amendment, or repeal of any rule, the market administrator shall within 30 days either issue notice of meeting pursuant to paragraph (a) of this section or deny such request, and except in affirming a prior denial, or where the denial is self-explanatory, shall state the grounds for such denial.

(a) All proposed rules and regulations and amendments thereto shall be the subject of a meeting called by the market administrator, at which time all interested persons shall have opportunity to be heard. Notice of such meeting shall be given by the market administrator, and a copy of the proposed rules and regulations shall be sent at least five days prior to the date of the meeting to all handlers operating pool plants. A stenographic record shall be made at all such meetings and such record shall be public information available for inspection at the office of the market administrator.

(b) A period of at least five days after the meeting held pursuant to paragraph (a) of this section shall be allowed for the filing of briefs. Such briefs shall be public information available for inspection at the office of the market administrator.

(c) Not later than 30 days after a meeting held pursuant to paragraph (a) of this section, the market administrator shall issue and send to all handlers operating pool plants the tentative rules and regulations or amendments thereto relating to the issues considered at such meeting, or a tentative notice that no rules or regulations or amendments thereto are to be issued prior to further consideration at another meeting. The tentative rules and regulations, or tentative notice, together with copies of the stenographic record and briefs, shall also at the same time be forwarded by the market administrator to the Secretary.

(d) Not later than 30 days after issuance by the market administrator, the Secretary shall either approve the tentative rules and regulations or tentative notice as issued, or direct the market administrator to reconsider. In which latter event, the market administrator shall within 30 days either issue revised tentative rules and regulations or tentative notice, or call another meeting pursuant to paragraph (a) of this section.

(e) The tentative rules and regulations and amendments thereto or tentative notice issued pursuant to paragraph (c) of this section shall be effective as of the first of the month following approval by the Secretary, but not sooner than ten days after issuance by the market administrator.

§ 927.37 *Classes of utilization.* Subject to all of the conditions set forth in §§ 927.30 through 927.36, milk shall be classified at the plant at which classification is to be determined as follows:

(a) Class I–A milk shall be all milk, except as provided in paragraphs (b) and (c) of this section, the butterfat from which leaves or is on hand at the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and all milk the classification of which is not established in some other class named in this section.

(b) Class I–B milk shall be all milk the butterfat from which leaves the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and which is delivered to a plant or a purchaser in an area regulated by another order of the Secretary and remains outside the marketing area. This class shall not include milk the butterfat from which leaves the plant in the form of products specified in this paragraph which are delivered to warehouses, piers, docks or wharves in the marketing area or to crafts moored thereat unless such products are consigned to and delivered to a plant or a purchaser in an area regulated by another order of the Secretary.

(c) Class I–C milk shall be all milk the butterfat from which leaves the plant in the form of milk, concentrated fluid milk, fluid milk products, or as cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, and which is delivered to a plant or a purchaser in an area not regulated by another order of the Secretary and remains outside the marketing area. This class shall not include milk the butterfat from which leaves the plant in the form of products specified in this paragraph which are delivered to warehouses, piers, docks or wharves in the marketing area or to crafts moored thereat unless such products are consigned to and delivered to a plant or a purchaser in an area not regulated by another order of the Secretary.

(d) Class II milk shall be all milk the butterfat from which leaves or is on hand at the plant in the form of cream, sweet or sour, fluid cream products, or in the form of cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, unless such cream fluid cream products, or cultured or flavored milk drinks are established to have been so handled or marketed as to classify such milk in some other class named in this section.

(e) Class III milk shall be all milk which meets the conditions set forth in any one of the following subparagraphs:

(1) All milk the butterfat from which leaves or is on hand at the plant in the form of cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat or in the form of cream, or fluid cream products which cream, fluid cream products, or cultured or flavored milk drinks are delivered to a plant or a purchaser outside the marketing area and remain outside the marketing area.

(2) All milk the butterfat from which leaves or is on hand at the plant in the form of cream which is subsequently held in a licensed cold storage warehouse for at least 28 days, and which is subject at all times until utilization of such cream to being inspected by a representative of the market administrator to determine the physical presence of the cream. After the first 7 days, such cream may be moved from one licensed cold storage warehouse to another: *Provided,* That the market administrator receives notice of such removal within 7 days thereafter. Any handler whose report claimed the original classification of milk pursuant to this subdivision shall be liable under the provisions of § 927.75 for the difference between the Class II and Class III prices for the month in which the Class III classification was claimed on any such milk if the storage of cream does not comply with all the requirements of this subparagraph.

(3) All milk the butterfat from which leaves the plant in the form of products named in paragraphs (a), (b), (c), or (d), of this section if such products have been sterilized and leave the plant in hermetically sealed containers.

(4) All milk received during the months of March through July the butterfat from which leaves the plant in the form of milk which is delivered in bulk to an establishment outside the marketing area (other than a plant as defined in § 927.8), at which food products are processed and packed in hermetically sealed containers and at which

establishment there is no disposition of milk or milk products specified in paragraphs (a), (b), (c), or (d) of this section other than milk or milk products received in consumer packages for consumption on the premises.

(5) All milk the butterfat from which leaves or is on hand at the plant in the form of some product the classification of which is not established in some other class named in this section.

MINIMUM PRICES

§ 927.40 *Class prices.* For milk received during each month from producers or cooperative associations of producers, each handler shall pay per hundredweight not less than the prices set forth in this section, subject to the differentials and adjustments in §§ 927.41 through 927.44. Any handler who purchases or receives, during any month, milk from a cooperative association of producers which is also a handler shall, on or before the 15th day of the following month, pay such cooperative association in full for such milk at not less than the minimum class prices applicable pursuant to this section, subject to the differentials and adjustments in §§ 927.41 through 927.44.

(a) For Class I–A milk the price during each month shall be a price computed pursuant to subparagraphs (1) through (11) of this paragraph:

(1) Divide by 164.9 the monthly wholesale price index for all commodities in the second preceding month as reported by the Bureau of Labor Statistics, United States Department of Labor, with the year 1926 as the base period. Express the result to three decimal places.

(2) Multiply the base price of $5.66 by the result determined pursuant to subparagraph (1) of this paragraph. Express the result to the nearest cent.

(3) For each month during the 3-year period ending with the second preceding month, calculate to one decimal place the percentage that the total volume of milk in Classes I–A, I–B, and I–C was of the total volume of reported receipts of milk from producers and from unrevealed sources (these percentages to be referred to as utilization percentages).

(4) Calculate the average of the 36 monthly utilization percentages for the 3-year period ending with the second preceding month.

(5) Calculate the average of the 6 utilization percentages for the second and third preceding months and for the same months of the 2 preceding years.

(6) Divide the result determined pursuant to subparagraph (5) of this paragraph by the result determined pursuant to subparagraph (4) of this paragraph expressing the result to three decimal places.

(7) Calculate the average of the 2 utilization percentages in the second and third preceding months.

(8) Divide the result determined pursuant to subparagraph (7) of this paragraph by the result determined pursuant to subparagraph (6) of this paragraph. Express the result to one decimal place and add 100.

(9) Calculate a utilization adjustment percentage by subtracting the base utilization percentage of 63.6 from the result determined pursuant to subparagraph (8) of this paragraph.

(10) Multiply the result determined pursuant to subparagraph (2) of this paragraph by the utilization adjustment percentage determined pursuant to subparagraph (9) of this paragraph.

(11) Multiply the result determined pursuant to subparagraph (10) of this paragraph by the following seasonal adjustment factor for the month for which the Class I–A price is being determined:

January	1.05	July	0.95
February	1.03	August	1.00
March	1.00	September	1.04
April	0.94	October	1.07
May	0.88	November	1.09
June	0.88	December	1.07

(b) Whenever any of the following conditions exist for 3 consecutive months, the Secretary shall call a public hearing promptly to consider those and other economic conditions, or promptly announce his determination that such a hearing should not be held, together with reasons for such determination:

(1) There is a difference of more than 6 points for each of 3 consecutive months between the index of the cost of production announced pursuant to § 927.46 (a) (6) and the index of wholesale prices (1948 base) announced pursuant to § 927.46 (a) (1).

(2) There is a difference of more than 15 points for each of 3 consecutive months between the index of the cost of production announced pursuant to § 927.46 (a) (6) and the index of the Class I–A price announced pursuant to § 927.46 (a) (7).

(3) The Class I–A price for each of 3 consecutive months is less than $1.00 higher than the condensery price announced pursuant to § 927.46 (a) (8) for such months or more than $2.50 higher than such condensary price.

(c) For Class I–B milk the price during each month shall be the price for Class I–A milk.

(d) For Class I–A milk the price shall be the uniform price computed by the market administrator pursuant to § 926.61 plus 20 cents per hundredweight.

(e) For Class II milk the price during each month shall be the sum of the amounts computed pursuant to subparagraphs (1) and (2) of this paragraph.

U. S. Grade A or U. S. 92-score butter, wholesale, at New York, average price announced pursuant to § 927.46 (a) (4) for the period ending on the 24th of the preceding month (cents per pound)	Class II price	
	March through July	August through February
	Dollars per cwt.	*Dollars per cwt.*
Under 21.5	1.35	1.50
21.5 or over, but under 25.0	1.50	1.65
25.0 or over, but under 28.5	1.65	1.80
28.5 or over, but under 32.0	1.80	1.95
32.0 or over, but under 35.5	1.95	2.10
35.5 or over, but under 39.0	2.10	2.25
39.0 or over, but under 42.5	2.25	2.40
42.5 or over, but under 46.0	2.40	2.55
46.0 or over, but under 49.5	2.55	2.70
49.5 or over, but under 53.0	2.70	2.85
53.0 or over, but under 56.5	2.85	3.00
56.5 or over, but under 60.0	3.00	3.15
60.0 or over, but under 63.5	3.15	3.30
63.5 or over, but under 67.0	3.30	3.45
67.0 or over, but under 70.5	3.45	3.60
70.5 or over, but under 74.0	3.60	3.75
74.0 or over, but under 77.5	3.75	3.90
77.5 or over, but under 81.0	3.90	4.05

Should the average butter price set forth above be 81.0 cents or more, the Class II price shall be the price which would result from further extension of this table at the same rate to cover such average butter price.

(2) Multiply by 7.5 the average of all the hot roller process dry skim milk or nonfat dry milk solids quotations for "other brands, human consumption, carlots, bags, or barrels" (using midpoint of any range as one quotation), published for the delivery period in "The Producers' Price-Current," and subtract 48 cents.

(f) For Class III milk, the price shall be computed as follows: multiply the applicable butterfat value computed pursuant to subparagraph (1) and (2) of this paragraph by 3.5; add an amount obtained by multiplying by 7.8 the weighted average, as computed by the market administrator using a weight of 70 for roller process prices and a weight of 30 for spray process prices, of the prices per pound of roller process and spray process for nonfat dry milk solids, for human consumption in carlot, f. o. b. manufacturing plants in the Chicago area, as published by the United States Department of Agriculture for the period from the 26th day of the immediately preceding month through the 25th day of the current month; and subtract 80 cents. The butterfat value for the months of March through July shall be computed pursuant to subpargaraph (1) of this paragraph, and the butterfat value for the months of August through February shall be computed pursuant to subparagraph (2) of this paragraph: *Provided,* That during the months of August through February the butterfat value shall be no lower than that computed pursuant to subparagraph (1) of this paragraph.

(1) To the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) reported during such month by the United States Department of Agriculture for Grade A or 92-score bulk creamery butter in the New York City market, add two cents and multiply by 1.22.

(2) Divide the audited weighted average price per 40-quart can of 40-percent bottling quality cream f. o. b. Boston as published by the United States Department of Agriculture for such month by 33.48. In the event that no such price is published, the butterfat value shall be computed pursuant to subparagraph (1) of this paragraph.

§ 927.41 *Butterfat differentials.* The minimum price for Class I–A, Class I–B and Class I–C milk shall be plus or minus four cents for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent. The minimum price for Class II and Class III milk shall be plus or minus, for each one-tenth of 1 percent of butterfat therein above or below 3.5 percent, an amount computed as follows: subtract from the respective class prices an amount computed pursuant to § 927.40 (e) (2), and divide by 35.

§ 927.42 *Transportation differentials.* The market administrator shall determine and publicly announce the freight

zone for each pool plant located outside the marketing area. Such freight zones shall be based on the shorter of (a) the railroad mileage distance from the railway shipping point nearest the plant to New York City terminals and (b) the shortest highway mileage distance from the plant to Columbus Circle, New York City, as computed (without using supplements issued thereto) from Mileage Guide No. 5 issued on July 20, 1949, effective August 21, 1949, by the Household Goods Carriers' Bureau, Agent, Washington, D. C. The freight zone for plants located in the marketing area shall be the 1–10 mile zone. The minimum prices set forth in § 927.40 shall be plus or minus the amounts as set forth in the following schedule:

A	B	C
Freight zone (miles)	Classes I-A, I-B and I-C and skim milk subject to the fluid skim differential	Classes II and III
	Cents per cwt.	*Cents per cwt.*
1–10	+15	+8
11–20	+14	+8
21–25	+13	+8
26–30	+13	+7
31–40	+13	+7
41–50	+10.5	+7
51–60	+10.5	+6
61–70	+9.5	+6
71–75	+8	+6
76–80	+8	+5
81–90	+8	+5
91–100	+7	+5
101–110	+7	+4
111–120	+6	+4
121–125	+5	+4
126–130	+5	+3
131–140	+5	+3
141–150	+3.5	+3
151–160	+2.5	+2
161–170	+2.5	+2
171–175	+1.5	+2
176–180	+1.5	+1
181–190	+1.5	+1
191–200	0	+1
201–210	0	0
211–220	−1	0
221–225	−1	0
226–230	−1	−1
231–240	−2	−1
241–250	−2	−1
251–260	−3.5	−2
261–270	−3.5	−2
271–275	−3.5	−2
276–280	−3.5	−3
281–290	−4.5	−3
291–300	−5.5	−3
301–310	−5.5	−4
311–320	−5.5	−4
321–325	−7	−4
326–330	−7	−5
331–340	−7	−5
341–350	−8	−5
351–360	−8	−6
361–370	−8	−6
371–375	−9	−6
376–380	−9	−7
381–390	−9	−7
391–400	−9	−7
401–410	−10.5	−8
411–420	−10.5	−8
421–425	−10.5	−8
426–430	−10.5	−9
431–440	−11.5	−9
441–450	−11.5	−9
451–461	−11.5	−10
461–470	−12.5	−10
471–475	−12.5	−10
476–480	−12.5	−11
481–490	−14	−11
491–500	−14	−11

§ 927.43 *Butter-cheese adjustment.* For milk received from producers which is classified as Class III pursuant to § 927.37 (e) (3), and which leaves or is on hand at the plant at which classification is determined in the form of butter or Cheddar, American Cheddar, Colby, washed curd, or part skim Cheddar cheese, or is assigned to plant loss which pursuant to § 927.34 is associated with such products, there shall be credited to the handler receiving the milk from producers four cents per pound of butterfat in such milk: *Provided,* That the amount so credited shall be reduced one cent per pound of butterfat for each one-tenth by which the ratio of 2.5 exceeds a ratio computed as follows: Add to the New York 92-score butter price for the month announced pursuant to § 927.46 (b) (6) the amount obtained by multiplying by 1.83 the nonfat dry milk solids price for the period ending with the 25th day of the month as announced pursuant to § 927.46 (b) (8); divide this sum by the price of Cheddar cheese for the month as announced pursuant to § 927.46 (b) (9) and round the result to the nearest tenth: *Provided further,* That for such milk received from producers at a plant in a freight zone farther from New York City than the 321–325 mile zone, there shall be deducted from the amount so credited the following amounts per hundredweight of milk:

Zones of plant:	*Cents per hundredweight*
326–350	1
351–375	2
376–400	3
401–425	4
426–450	5
451–475	6
476–500	7

With respect to each plant at which milk received from producers is reported by the handler operating the plant to have been utilized (either at the plant where received or at another plant), in an amount exceeding an average of 4,000 pounds per day in the manufacture of butter or of Cheddar, American Cheddar, Colby, washed curd or part skim Cheddar cheese, the market administrator shall publicly disclose (a) the location of the plant at which the milk was received from producers, and (b) the name of the handler operating such plant. Such public disclosure shall be made monthly on the basis of handlers' monthly reports, and may be made more frequently on the basis of such other utilization reports as may be required by the market administrator.

§ 927.44 *Fluid skim differential.* For skim milk derived from Class II or Class III milk which skim milk enters the marketing area in the form of milk, fluid skim milk, cultured milk drinks and there utilized or disposed of in one of such forms, and for all other skim milk derived from Class II or Class III milk which is not established to have been otherwise utilized or disposed of the handler shall pay a fluid skim differential per hundredweight computed as follows: Deduct the price of Class II milk computed pursuant to § 927.40 (e) from the price for Class I–A milk computed pursuant to § 927.40 (a), and divide by .9125.

§ 927.45 *Use of equivalent prices.* If for any reason a price (or prices) for milk or any milk product specified in §§ 927.40 through 927.46 for use in computing and announcing class prices and for any other purpose is not reported or published in the manner therein described, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 927.46 *Announcement of prices.* The market administrator shall publicly announce the following:

(a) Not later than the 25th day of each month, or the next succeeding workday in any month in which the 25th day is a Sunday or holiday:

(1) The monthly wholesale price index for all commodities in the preceding month as reported (with the year 1926 as the base period) by the Bureau of Labor Statistics, United States Department of Labor, and the resulting index obtained by converting the reported index to a 1948 base by dividing it by 164.9.

(2) The utilization adjustment percentage computed pursuant to § 927.40 (a) for the following month.

(3) The preliminary Class I–A price computed pursuant to § 927.40 (a) for the following month.

(4) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month of the highest prices reported daily by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market.

(5) The preliminary calculation for the following month pursuant to § 927.40 (e) (1).

(6) The index of the cost of production for the preceding month computed by the market administrator as follows:

Combine the index numbers for the States of New York, Pennsylvania, and Vermont with weights of 84 for New York, 13 for Pennsylvania, and 3 for Vermont. The index numbers of cost of production for New York shall be index numbers computed by the New York State College of Agriculture at Cornell University (1910–14 base), converted to a 1948 base by dividing by 321.

The index numbers of cost of production for Pennsylvania shall be computed by combining the index (using a base of 54 cents and a weight of 50) of hourly composite wage rates, reported for Pennsylvania by the United States Department of Agriculture; the index (using a base of $4.53 and a weight of 30) of all purchases of mixed dairy feeds, reported for Pennsylvania by the United States Department of Agriculture; and the index (using a base of $23.31 and a weight of 20) of prices received by farmers for all hay, baled per ton, reported for Pennsylvania by the United States Department of Agriculture.

The index numbers of cost of production for Vermont shall be computed by combining the index (using a base of 69 cents and a weight of 50) of hourly composite wage rates, reported for Vermont by the United States Department of Agriculture; the index (using a base of $4.63 and a weight of 30) of all purchases of mixed dairy feeds, reported for Vermont by the United States Department of Agriculture; and the index (using a base of $25.42 and a weight of 20) of prices received by farmers for all hay, baled per ton, reported for Vermont by

the United States Department of Agriculture.

(7) The index computed by dividing the Class I–A formula price, prior to the seasonal adjustment, for the following month by $5.66.

(8) The average of prices paid in the preceding month by 18 midwestern condenseries as reported by the United States Department of Agriculture.

(9) Other statistics relating to economic conditions affecting the market supply and demand for milk.

(b) Not later than the 5th day of each month for the preceding month:

(1) The minimum class prices, pursuant to § 927.40.

(2) The butterfat differentials, pursuant to § 927.41.

(3) The butter and cheese adjustment, pursuant to § 927.43.

(4) The fluid skim differentials, pursuant to § 927.44.

(5) The audited weighted average price per 40-quart can of 40-percent bottling quality cream f. o. b. Boston as published by the United States Department of Agriculture.

(6) The simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) reported by the United States Department of Agriculture for Grade A or 92-score bulk creamery butter in New York City.

(7) The average of the prices (using midpoint of any range as on quotation) reported daily in "The Producers' Price-Current," for hot roller process dry skim milk or nonfat dry milk solids "other brands, human consumption, carlots, bags, or barrels."

(8) The weighted averages of the carlot prices per pound of spray process and of roller process nonfat dry milk solids for human consumption, f. o. b. manufacturing plants in the Chicago area as published for the period from the 26th day of the second preceding month through the 25th day of the preceding month by the United States Department of Agriculture, and the simple average of the two weighted averages.

(9) The average selling prices per pound reported by the United States Department of Agriculture for Wisconsin State Brand Cheddars f. o. b. Wisconsin assembly points.

REPORTS OF HANDLERS

§ 927.50 *Monthly reports.* On or before the 10th day of each month, each handler shall report to the market administrator, for the preceding month, in the manner and on forms prescribed by the market administrator, with respect to milk or milk products received at each of his pool plants, and at each of his plants where milk or milk products subjected to payments under § 927.78 were handled, the following:

(a) The total quantity of milk and of each milk product, with the average butterfat content thereof, received from dairy farmers from other plants, from such handler's own farm, from other handlers, and from other sources:

(b) The total quantity of milk and of each milk product moved out of, or on hand at, such plant, the average butterfat content thereof, and the destination of any milk or milk product the classification of which wholly or partially depends upon its destination, moved out of such plant;

(c) The disposition of milk or milk products at each other plant at which the disposition of any milk or milk products is claimed as the basis of classification, such disposition to be covered by a signed statement of the plant operator if such other plant is not a pool plant;

(d) The computation pursuant to § 927.60 of such handler's net pool obligation; and

(e) The computation of the amount of any payments pursuant to § 927.78.

§ 927.51 *Producer payroll reports.* Each handler shall report with respect to producers as follows:

(a) On or before the 10th day after the end of each month, the information required by the market administrator with respect to producer additions, producer withdrawals, and changes in names of farm operators; and

(b) On or before the last day of each month, such handler's producer payroll for the preceding month, which shall show for each producer:

(1) The total delivery of milk with the average butterfat test thereof,

(2) The amount of payment due such producer,

(3) Any deductions and charges made by the handler,

(4) The net amount of payment to such producer made pursuant to §§ 927.65 through 927.67, and

(5) Such other information with respect thereto as the market administrator may require.

§ 927.52 *Storage cream reports.* On or before the last day of the period for establishing classification pursuant to § 927.32, or, if earlier, not later than 15 days prior to the date of final removal of the cream from storage, each handler who separates milk the cream from which is stored as a basis for Class III classification pursuant to § 927.37 (e) (2) shall report to the market administrator on forms prescribed by the market administrator information with respect to the storage of cream. Failure to make such report shall result in the disallowance of Class III classification pursuant to § 927.37 (e) (2).

The handler who made such reports shall report to the market administrator, not later than the end of the second month following the month during which frozen cream is utilized, information with respect to the utilization of such cream. Failure to make such reports shall result in the disallowance of storage cream payments pursuant to § 927.77.

With respect to notices of transfer of cream filed pursuant to § 927.37 (e) (2) and with respect to storage cream reports filed pursuant to this section, a receipt form acknowledging receipt of such notice or report shall be mailed by the market administrator to the handler within 48 hours after such notice or report is received by the market administrator.

§ 927.53 *Other reports.* At such time as the market administrator may request, each handler shall report to the market administrator in the manner and on forms prescribed by the market administrator:

(a) The total quantity of milk and of each milk product received, at his non-pool plants, with the average butterfat content thereof, from dairy farmers, from other plants, from such handler's own farm, from other handlers, and from other sources;

(b) The total quantity of milk and of each milk product moved out of, or on hand at, his non-pool plants, the average butterfat content thereof, and the destination of any milk or milk product moved out of such plants;

(c) Information concerning land, ings, surroundings, facilities, and equipment at any of his plants;

(d) The current receipts and utilization of milk at each of his pool plants; and

(e) Such other information as may be necessary for the administration of the provisions of this subpart.

§ 927.54 *Verification of reports and payments.* The market administrator shall promptly verify all reports and payments of each handler by audit of such handlers records and of the records of any handler or person upon whose disposition of milk such handler claims classification, and each such handler shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities, of his own or other persons, as will enable the market administrator to:

(a) Verify the receipts and disposition of all milk required to be reported pursuant to §§ 927.50 through 927.53, and, in case of errors or omissions, ascertain the correct figures;

(b) Weigh, sample, and test for butterfat content the milk received from producers and any product of milk upon which classification depends;

(c) Verify the payments to producers prescribed in §§ 927.65 through 927.67; and

(d) Verify all claims for payments pursuant to §§ 927.76 and 927.77.

§ 927.55 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain, except that all such books and records pertaining to transactions before August 1, 1946, shall be retained until October 1, 1949: *Provided*, That if, within such three-year period, or before October 1, 1949, whichever is applicable, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the rec-

ords are no longer necessary in connection therewith.

DETERMINATION OF UNIFORM PRICE

§ 927.60 *Net pool obligation of handlers.* Milk received from farms in Nassau or Suffolk Counties, New York, which farms are not approved for sale of milk in New York City, or received from the handler's own farm shall not be included in the determination of the uniform price, and such milk shall be deemed to be excluded by the phrase, "milk received from producers" as such phrase is used in this section, in § 927.61, in § 927.43, in § 927.74, in §§ 927.76 and 927.77, and in § 927.80.

(a) Determine the classification pursuant to §§ 927.30 through 927.37 of milk received from producers, at each pool plant;

(b) Subject to adjustment for appropriate differentials pursuant to §§ 927.41 and 927.42, multiply the Class I–C milk by 20 cents per hundredweight, multiply the remaining milk in each class by the class price, multiply the skim milk subject to the fluid skim differential by the fluid skim differential per hundredweight, and add together the resulting values;

(c) Deduct, in the case of each plant where the average butterfat content of all milk received from producers is in excess of 3.5 percent and add, in the case of each plant where the butterfat content of all milk received from producers is less than 3.5 percent, the total value of the butterfat differential applicable pursuant to § 927.67;

(d) Deduct, in the case of each plant nearer New York City than the 201–210 mile zone, and add, in the case of each plant farther from New York City than the 201–210 mile zone, the sum obtained by multiplying the milk received from producers by the zone differential set forth in column B of the schedule in § 927.42 applicable to the plant;

(e) Deduct the total amount of the butter-cheese adjustment computed pursuant to § 927.43;

(f) With respect to milk received from producers, deduct 30 cents per hundredweight at plants in the marketing area; and 20 cents per hundredweight at plants located at Accord, Ellenville, Gardiner, Kyserike, New Paltz, Phinney's Crossing, Wallkill, and West Coxsackie, New York, and in the following counties:

New Jersey counties: Burlington, Essex, Hunterdon, Morris, Passaic, Somerset, Sussex, Union, Warren.

New York counties: Columbia, Dutchess, Orange, Putnam, Rockland.

Connecticut: Litchfield.

Massachusetts: Berkshire.

(g) Add together the handler's net pool obligation for all plants at which milk was received from producers.

§ 927.61 *Computation of the uniform price.* The market administrator shall, on or before the 14th day of each month, audit for mathematical correctness and obvious errors the report submitted for the preceding month by each handler. If the unreserved cash balance in the producer settlement fund to be included in the computation is less than two cents per hundredweight of milk received from producers on all reports, the report of any handler who has not made payment of the last monthly pool debit account rendered pursuant to § 927.71 shall not be included in the computation of the uniform price. The report of such handler shall not be included in the computation for succeeding months until he has made full payment of outstanding monthly pool debits. Subject to the aforementioned conditions, the market administrator shall compute the uniform price in the following manner:

(a) Combine into one total the net pool obligations of all handlers;

(b) Subtract the total of payments required to be made for such month by § 927.76;

(c) Add the total payments required to be made by handlers for such month pursuant to § 927.78;

(d) Add the amount of unreserved cash in the producer settlement fund;

(e) Subtract an amount equal to not less than eight cents nor more than nine cents per hundredweight of milk received from producers to provide against the contingency of errors in reports and payments or of delinquencies in payments by handlers;

(f) Subtract the Class I–C milk of all handlers whose reports are included in this computation from the total milk received from producers by all such handlers; and

(g) Divide the result obtained in paragraph (e) of this section by the result obtained in paragraph (f) of this section. The result shall be known as the uniform price for milk containing 3.5 percent butterfat received from producers at plants in 201–210 mile zone.

§ 927.62 *Announcement of uniform price and weighted average butterfat differential.* The market administrator shall announce not later than the 14th day of each month, the uniform price computed pursuant to § 927.61 and not later than the 5th day of each month, the weighted average butterfat differential pursuant to § 927.67.

PAYMENT BY HANDLERS DIRECTLY TO PRODUCERS

§ 927.65 *Time and rate of payments.* On or before the 25th day of each month each handler shall make payment to each producer for all milk delivered by such producer during the preceding month at not less than the uniform price subject to differentials set forth in §§ 927.66 and 927.67: *Provided,* That each handler which is also a cooperative marketing association determined by the Secretary to be qualified under the Capper-Volstead Act, may, with respect to producers who are members of and under contract with such association, make distribution, in accordance with the contract between the association and such members, of the net proceeds of all its sales in all markets in all use classifications. Whenever verification by the market administrator of the payment to any producer or cooperative association of the payment to any producer or cooperative association of producers for milk delivered to any handler discloses payment of less than is required by this subpart, the handler shall make up such payment to the producer or cooperative association of producers not later than the time of making payment next following such disclosure: *Provided, further,* That if a handler claims that he cannot make the required payment because the producer is deceased or cannot be located, or because the cooperative association or its lawful successor or assignee is no longer in existence, such payment shall be made to the producer settlement fund, and in the event that the handler subsequently locates and pays the producer or a lawful claimant, or in the event that the handler no longer exists and a lawful claim is later established, the market administrator shall make such payment from the producer settlement fund to the handler or to the lawful claimant as the case may be: *Provided, further,* That if not later than the date when such payment is required to be made, legal proceedings have been instituted by the handler for the purpose of administrative or judicial review of the market administrator's finding upon verification as provided above, such payment shall be made to the producer settlement fund and shall be held in reserve until such time as the above-mentioned proceedings have been completed, or until the handler submits proof to the market administrator that the required payment has been made to the producer or association of producers, in which latter event the payment shall be refunded to the handler.

§ 927.66 *Transportation and location differentials.* The uniform price at any plant shall be:

(a) Plus or minus the differential shown in column B of the schedule contained in § 927.42 for the zone of the plant in effect pursuant to § 927.42; and

(b) Plus the differentials, if any, applicable pursuant to § 927.60 (f) plus five cents.

§ 927.67 *Butterfat differential.* The uniform price shall be plus or minus, as the case may be, for each one-tenth of 1 percent above or below 3.5 percent of average butterfat content of milk delivered by any producer during any month, an amount equivalent to the average of the butterfat differentials determined pursuant to § 927.41, for each class weighted by the pounds of butterfat in the milk in each such class used in the computation of the uniform price for the preceding month. Such differential shall be computed to the nearest even tenth of a cent.

PRODUCER SETTLEMENT FUND AND ITS OPERATION

§ 927.70 *Producer settlement fund.* The market administrator shall establish and maintain a separate fund known as "the producer settlement fund" into which he shall deposit all payments and out of which he shall make all payments pursuant to §§ 927.70 through 927.78.

§ 927.71 *Handlers' accounts.* The market administrator shall establish an account for each handler who is required to make payments to the producer settlement fund or who received payments from the producer settlement fund.

After computing the uniform price and each handler's pool debit or credit each month, and at such times as he deems appropriate, the market administrator shall render each handler a statement of his account showing the debit or credit balance, together with all debits or credits entered on such handler's account since the previous statement was rendered.

§ 927.72 *Payment to the producer settlement fund.* On or before the 18th day of each month each handler shall make full payment of the debit balance, if any, of such handler shown on the last statement of account rendered pursuant to § 927.71.

§ 927.73 *Payments out of producer settlement fund.* On or before the 20th day of each month the market administrator shall make payment to each handler of the credit balance, if any, of such handler shown on the last statement of account rendered pursuant to § 927.71. If, at any such time, the balance in the producer settlement fund is insufficient to make full payment due to each handler, the market administrator shall reduce uniformly the payments to each handler and shall complete such payments as soon as the necessary funds are available. No handler who, on the 25th day of the month, has not received such payments in full from the market administrator shall be deemed to be in violation of §§ 927.65 through 927.67 if he reduces his total payments to producers for milk delivered by such producers during the preceding month by not more than the amount of the reduction in payment from the producer settlement fund.

§ 927.74 *Handlers' pool debit or credit.* After computing the uniform price for each month, the market administrator shall compute each handler's pool debit or pool credit as follows:

(a) Add to each handler's net pool obligations the value of his Class I–C milk at the uniform price.

(b) Multiply the quantity of milk received by each handler from producers by the uniform price.

(c) If the result obtained in paragraph (b) of this section is less than the result in paragraph (a) of this section, the difference shall be entered on the handler's producer settlement fund account as such handler's pool debit.

(d) If the result obtained in paragraph (b) of this section is greater than the result in paragraph (a) of this section, the difference shall be entered on the handler's producer settlement fund account as such handler's pool credit.

§ 927.75 *Adjustments of errors in payments.* Whenever verification by the market administrator of reports or payments of any handler discloses errors made in payments to or from the producer settlement fund, the market administrator shall debit the handler's producer settlement fund account for any unpaid amount. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall credit the handler's producer settlement fund account for any such amount.

§ 927.76 *Cooperative payments.* Any cooperative association of producers may apply to the Secretary for a determination of its qualifications to receive payments pursuant to this section by reason of its having and exercising full authority in the sale of the milk of its members; arranging for and supplying, in a manner commensurate with the marketing capacity of the several types of cooperative associations designed in this section, in times of short supply, Class I milk to the marketing area; securing utilization of milk, in times of long supply, in a manner to assure the greatest possible return to all producers; having its entire activities under the control of its members; and complying with all provisions of this subpart applicable to it.

After the Secretary has determined any cooperative to be qualified to receive payments pursuant to this section, such cooperative shall, from time to time, as requested by the market administrator, make reports to the market administrator with respect to services rendered to the market and the use of the sums received under this section. Whenever the market administrator has reason to believe that any cooperative qualified by the Secretary is failing to perform the obligations covered by the payments under this section, he shall suspend and hold in reserve such payments, notifying the Secretary and the cooperative of his action and the reasons therefor. Such suspended payments shall be held in reserve until the Secretary has, after hearing, disqualified such cooperative or ruled upon the performance of the cooperative and either ordered the suspended payments to be paid to the cooperative in whole or in part or disqualified the cooperative, in which event the balance of payments held in reserve shall be returned to the producer settlement fund.

The market administrator shall make the payments authorized by this section, or issue credit therefor, out of the producer settlement fund on or before the 25th day of each month, subject to verification of the reports upon which such payment is based. Such payments shall be made to each cooperative association of producers under the following conditions and at the following rates:

(a) Three-quarters of one cent per hundredweight of milk received from producers at any handler's plant which was caused to be delivered from its members by such associations and on which such handler has made the reports and payments required by this order;

(b) Except as set forth in paragraph (c) of this section, two cents per hundredweight of milk received from producers at plants of other complying handlers which was reported and collected for by such association; and

(c) Four cents per hundredweight of milk received from producers at plants operated by such association and, if, in addition to the other qualifications, such association has been determined by the Secretary to have sufficient plant capacity to receive all the milk of producers who are members and to be willing and able to receive milk from producers not members, four cents per hundredweight of milk received from producers which was caused by it to be delivered to any other complying handler and which is reported and collected for by such association.

§ 927.77 *Storage cream payments.* For milk received from producers which is classified as Class III pursuant to § 927.37 (e) (2) the butterfat from which is subsequently assigned in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.36 to sour cream or reconstituted cream shipped to, received in, or distributed in the marketing area, or is not established to have been otherwise utilized, or to be still in storage, the handler required to file reports pursuant to § 927.52 shall pay to the producer settlement fund or be issued debits against balances due to such handler from the producer settlement fund an amount equal to 9 cents per pound of butterfat if the milk was separated in the months of March through July, and 10 cents per pound of butterfat if the milk was separated in the months of August through February.

On the basis of reports pursuant to § 927.52 of the utilization of frozen cream and the market administrator's investigation and audit of such reports, the market administrator shall make payment out of the producer settlement fund to the handler filing such reports, or issue credit against balances due from such handler to the producer settlement fund, an amount equal to the butter-cheese adjustment on each pound of butterfat in such cream which was separated in the months of April through September from milk received from producers and was assigned, in accordance with the provisions of the rules and regulations issued by the market administrator pursuant to § 927.36, to butter in the months of January through March.

§ 927.78 *Payments for milk or milk products from other than producer sources.* Payment shall be made by handlers to producers, through the producer settlement fund, for milk and milk products under conditions, in amounts, and by the handler pursuant to paragraphs (a) through (d) of this section.

(a) Payments shall be made for milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products, or skim milk, which milk or milk product meets each of the following provisions:

(1) It was derived from milk received at some plant from dairy farmers (other than the handler operating such plant) who are not producers;

(2) It was received at a plant in, or delivered to a purchaser in the marketing area (including deliveries to warehouses, piers, docks or wharves therein, or to crafts moored thereat), or was received at a pool plant outside the marketing area and assigned either to shipments to the marketing area of milk, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream, fluid cream products, or skim milk, or to plant loss; and

(3) The milk or milk equivalent of the butterfat is classified as Class I–A or

Class II, or the skim milk is subject to the fluid skim differential.

(b) The amount of payment for the products set forth in paragraph (a) of this section shall be as follows:

(1) If the milk, or the milk equivalent of the butterfat, or the skim milk is classified and paid for under another order issued pursuant to the act, the amount of payment on such products except skim milk shall be any plus amount obtained by subtracting the value of the milk or the milk equivalent of the butterfat at the class price or prices under such order from the value computed in accordance with the classification and pricing set forth in this subpart. The amount of payment on skim milk shall be an amount computed pursuant to § 927.44.

(2) If the milk or milk products is derived from milk the handling of which is not regulated by another order issued pursuant to the act, the amount of payment shall be as follows: for milk, concentrated fluid milk, fluid milk products, or for cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, the difference between the value of such milk, fluid milk products, or cultured or flavored milk drinks at the Class I–A price in the 201–210 mile zone and the Class III price in the 201–210 mile zone; for cream, fluid cream products, or for cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the difference between the value of the milk equivalent of such cream, or milk drinks at the Class II price and at the value computed at the Class III price (milk equivalent in each case to be computed on the basis of milk containing 3.5 percent of butterfat); and for skim milk (either as skim milk or in cultured milk drinks), the amount computed pursuant to § 927.44.

(3) In the event that the source of such milk or milk product is not revealed, the amount of the payment shall be as follows: on milk, concentrated fluid milk, fluid milk products, or cultured or flavored milk drinks containing 3.0 percent or more but not more than 5.0 percent of butterfat, the value at the Class I–A price in the 201–210 mile zone; on cream, fluid cream products, or cultured or flavored milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the value of the milk equivalent of such product at a rate per hundredweight computed pursuant to § 927.40 (e) (1) (milk equivalent to be computed on the basis of milk containing 3.5 percent of butterfat); and on skim milk in the form of fluid skim milk or cultured milk drinks containing less than 3.0 percent or more than 5.0 percent of butterfat, the value at a rate per hundredweight computed as follows: divide the amount computed pursuant to § 927.40 (e) (2) by 0.9125 and add an amount computed pursuant to § 927.44.

(c) Payment for any milk or milk product pursuant to this section shall be made only once and shall be made by the appropriate handler as set forth in the following provisions:

(1) By the handler first receiving the milk or milk product at a pool plant outside the marketing area;

(2) By the handler operating the plant where the milk or milk product is first received in the marketing area if the milk or milk product is not received at a pool plant outside the marketing area; or

(3) By the handler operating the plant from which the milk or milk product was delivered to a purchaser in the marketing area if such milk or milk product is neither received at a pool plant outside the marketing area nor at a plant in the marketing area.

(d) The amount due pursuant to this section shall be entered on the handler's account as a debit immediately after the filing of the report pursuant to § 927.50.

EXPENSE OF ADMINISTRATION

§ 927.80 *Payment by handlers.* As his pro rata share of the expense of administration of this subpart, each handler shall, on or before the 18th day of each month, pay to the market administrator a sum not exceeding two cents per hundredweight on the total quantity of milk which was received from producers at plants operated by such handler, directly or at the instance of a cooperative association of producers, the exact amount to be determined by the market administrator subject to review by the Secretary. This section shall not be deemed to duplicate any similar payment by any handler under an order issued by the Commissioner of Agriculture and Markets of the State of New York, with respect to the marketing area. Whenever verification by the market administrator discloses an error in the payment made by any handler, such error shall be adjusted not later than the date next following such disclosure on which payments are due pursuant to this section.

MISCELLANEOUS

§ 927.85 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received (or with respect to storage cream payments pursuant to § 927.77, two years after the end of the calendar month during which such cream is utilized) if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable periods of time, files pursuant to section 8c (15) (A) of the act, a petition claiming such money.

§ 927.86 *Continuing obligation of handlers.* Unless otherwise provided by the Secretary in any notice of amendment, termination, or suspension of any or all of the provisions of this subpart, such amendment, termination, or suspension shall not affect, waive, or terminate any right, duty, obligation, or liability which shall have risen or may thereafter arise in connection with any provision of this subpart; release or waive any violation of this subpart occurring prior to the effective date of such amendment, termination, or suspension; or affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violations.

§ 927.87 *Continuing power and duty of market administrator.* The market administrator shall (a) continue in such capacity until discharged by the Secre-

tary; (b) from time to time account for all receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, to such person as the Secretary shall direct; and (c) if so directed by the Secretary execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator pursuant to this subpart.

§ 927.88 *Liquidation.* Upon the termination or suspension of this subpart, the market administrator shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such termination or suspension. Any funds collected for expenses, pursuant to the provisions of this subpart, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator in liquidating the business of the market administrator's office shall be distributed by the market administrator to handlers in an equitable manner.

§ 927.89 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

Filed at Washington, D. C., this 15th day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-9931; Filed, Aug. 20, 1951; 8:49 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10027]

SOUTHERN BELL TELEPHONE AND TELEGRAPH CO.

CORRECTED ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of the application of Southern Bell Telephone and Telegraph Company for a certificate under section 221 (a) of the Communications Act of 1934, as amended; Docket No. 10027, File No. P-C-2630.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 8th day of August 1951;

The Commission, having under consideration the application filed by Southern Bell Telephone and Telegraph Company for a certificate under section 221 (a) of the Communications Act of 1934, as amended, that the proposed acquisition by Southern Bell Telephone and Telegraph Company of certain telephone plant and property of the Carolina Mountain Telephone Company, located in Buncombe County, North Carolina, will be of advantage to persons to whom service is to be rendered and in the public interest;

It is ordered, That pursuant to the provisions of section 221 (a) of the Communications Act of 1934, as amended, the above application is assigned for public hearing for the purpose of determining whether the proposed acquisition will be of advantage to persons to whom service is to be rendered and in the public interest;

It is further ordered, That the hearing upon the said application be held at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m. on the 21st day of August 1951, and that a copy of the order shall be served on Southern Bell Telephone and Telegraph Company, the Carolina Mountain Telephone Company, the Governor of North Carolina, the North Carolina Public Utilities Commission, and the Postmasters of Enka, Candler, and Leicester, North Carolina;

It is further ordered, That within five days after the receipt from the Commission of a copy of this order, the applicant herein shall cause a copy hereof to be published in a newspaper or newspapers having general circulation in Buncombe County, North Carolina, and shall furnish proof of such publication at the hearing herein.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-9957; Filed, Aug. 20, 1951; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF ASSOCIATED STEAMSHIP LINES (MANILA) CONFERENCE

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 5600-18, between the member lines of the Associated Steamship Lines (Manila) Conference (No. 5600), modifies the management provision of the basic agreement of said Conference to provide that Conference Affairs shall be managed by a three-member committee elected from the registered representatives of the member lines of the Conference. The management provision as presently in effect provides that the Chairmanship of the Conference shall rotate among the member lines with no individual or agency serving more than six months and that in the absence of the Chairman his duties shall be assumed by the Chairman of the Finance Committee.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval or modification, together with request for hearing should such hearing be desired.

Dated: August 15, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-9937; Filed, Aug. 20, 1951; 8:51 a. m.]

National Production Authority

[NPA Delegation 6, as Amended August 21, 1951]

CIVIL AERONAUTICS ADMINISTRATION

DELEGATION OF AUTHORITY TO MAKE ALLOTMENTS OF CONTROLLED MATERIALS AND TO APPLY DO RATINGS AND ALLOTMENT NUMBERS

1. Pursuant to the authority of the Defense Production Act of 1950, as amended, Executive Orders 10161 and 10200, and Defense Production Administration Delegation 1, the Civil Aeronautics Administration is hereby delegated the authority (with power of redelegation) to make allotments of controlled materials and to apply or assign to others the right to apply DO ratings and allotment numbers and symbols, as the case may be, with respect to contracts and purchase orders to meet authorized programs of the Civil Aeronautics Administration for which the Secretary of Commerce is claimant under Defense Production Administration Order No. 1, and to meet such other supporting programs as have been, or may be, designated by the National Production Authority.

2. The Civil Aeronautics Administration is also hereby delegated authority (with power of redelegation) to assign the right to apply DO ratings and allotment numbers and symbols to certain contractors on orders for delivery of construction equipment for use on construction outside of the United States (48 States and District of Columbia).

3. The authority herein delegated shall be exercised within the limits of such program determinations or other quantitative restrictions as may be es-

tablished, and in accordance with such instructions, conditions, record-keeping and reporting requirements, and policy directives, as may be issued from time to time by the National Production Authority. The exercise of this authority shall also conform to the terms of the regulations and orders of the National Production Authority and to such priorities and allocations policy directives as may be issued by the Civil Aeronautics Administration to implement policies and procedures issued by the National Production Authority.

4. In making allotments of controlled material and in applying DO ratings and allotment numbers and symbols, as the case may be, the certification prescribed by the appropriate regulation or order of the National Production Authority shall be used. In assigning to others the right to exercise this authority, the following certification shall be used:

By authority of the National Production Authority, the right is hereby assigned to (description of scope of assignment).

This certification shall be authenticated with the signature of an authorized official of the Civil Aeronautics Administration or its delegate agency.

5. This authority shall not be used for (a) direct procurement or contractors' purchase of construction equipment for use in the United States (48 States and the District of Columbia) or (b) material purchased from exclusively retail establishments except in emergency situations and then only for small amounts to prevent imminent stoppage.

This amended delegation shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10084; Filed, Aug. 20, 1951; 5:10 p. m.]

Office of International Trade

[Case No. 107]

MANNING, MAXWELL, & MOORE, INC., ET AL.

ORDER REVOKING AND DENYING LICENSE PRIVILEGES

In the matter of Manning, Maxwell & Moore, Inc., M. H. Edelman, Edward Cacheiro, 405 Lexington Avenue, New York 17, New York; Case No. 107.

This proceeding was instituted on June 28, 1951, by the transmission of a charging letter by the Investigation Staff, Office of International Trade to Manning, Maxwell & Moore, Inc., M. H. Edelman, its general export manager, and Edward Cacheiro, Jr. (inaccurately named in the charging letter as Ed Cacheiro), its assistant general export manager (hereinafter called the respondents), charging respondents with having violated the Export Control Act of 1949 and the regulations issued thereunder.

The letter alleges, in substance, that in May 1950, Manning, Maxwell & Moore, Inc. (hereinafter referred to as the company), filed an application for a license to export a quantity of temperature indicating and recording equipment to a named consignee in Hong Kong; that while this application was pending before the Office of International Trade, respondents were informed by their customer that the commodity was for a different consignee in Tientsin, China; and that respondents failed to divulge this material information to the Office of International Trade, as required by the export control regulations.

The respondents, after receiving the charging letter, conferred, through their counsel and officials of the company, with officials of the Office of International Trade and with the Compliance Commissioner. Thereafter, respondents submitted to the Office of International Trade, with the advice of and through their counsel, a statement dated July 23, 1951, in which they admitted, for the purpose of this compliance proceeding only, the charges made in the charging letter of June 28, 1951, waived all right to a hearing thereon, and consented to the entry of an order the terms of which are set forth below.

The charging letter and above-stated proposal for a consent order have been submitted to the Compliance Commissioner for review, and the Compliance Commissioner has also informally reviewed the evidence presented by the Investigation Staff in support of the charges. Upon the basis of such review the Compliance Commissioner has concluded that the proposed consent is just and fair, and should be approved.

It appears from the Compliance Commissioner's report that the violation was primarily attributable to careless and negligent supervision of the export department of the company by its responsible export officials, respondents Edelman and Cacheiro, general manager and assistant general manager, respectively. Although they had received information about the change of the ultimate consignee and destination while the license application was still pending in the Office of International Trade, they allowed the letter containing this information to be misfiled by a clerk in their export department, and maintained their files in such condition that the information was not available for disclosure when other opportunities arose to inform the Office of International Trade of the facts. It further appears that Edelman has previously committed other careless infractions of export regulations.

While the Compliance Commissioner has properly found and his report shows that the company, as well as these responsible employees, must be held responsible for these negligent actions, he has pointed out certain extenuating factors in this case, in addition to his conclusion that the violation here was not willful or intentional.

When the heads of the company were informed of this case, they took immediate steps to relieve the respondent employees of their positions in charge of the export department, and have reassigned them to other posts removed from responsibility for the conduct of its export trade. The company has also reorganized the operations of its export department, placed it in charge of a responsible, experienced senior officer, and taken other steps to assure compliance with the export control law and regulations in the future. In addition, it may be noted that no export license was issued or shipment made in this case, as prompt investigation prevented such from taking place.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the above-mentioned evidentiary material, the charging letter and the proposal for a consent order. It appears that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered, as follows:

(1) All outstanding export licenses held by or issued to respondents or any of them are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.

(2) Respondent Manning, Maxwell & Moore, Inc., is hereby denied the privileges of obtaining or using or participating, directly or indirectly, in the obtaining or using of validated export licenses, for the export to any destination of any commodity on the Positive List, as such list may be constituted at the time of any proposed shipment, for a period of three months from the date of this order; respondents M. H. Edelman and Edward Cacheiro, Jr., are hereby denied, for a period of two years from the date of this order, or until the termination of export control, whichever occurs earlier, the privilege of obtaining or using or participating, directly or indirectly, in the obtaining or using of export licenses, including general as well as validated export licenses, for the export to any destination of any commodity subject to export control. Such denial of export privileges shall be deemed to preclude and prohibit participation, directly or indirectly, by respondents or any of them as a party or as a representative of a party to any export license application or to any exportation under a validated export license in any manner or capacity including the financing, forwarding, transporting, or other servicing of exports, limited as to respondent Manning, Maxwell & Moore, Inc., only for any of the aforesaid Positive List of commodities, for the period and to the extent applicable as above set forth.

(3) Such revocation and denial of export license privileges shall extend not only to the named respondents, but also to any person, firm, corporation or other business association with which they, or any of them, may be now or hereafter related by ownership or control, or in which they or any of them may hold a position of responsibility in the conduct of trade involving exports from the United States or services connected therewith.

(4) This order shall not be deemed to deny to respondent Manning, Maxwell & Moore, Inc., the privilege to file applications for validated licenses, where required, for the export of commodities not on the Positive List at the time of the particular shipment, and to make exportations under general licenses in cases where either validated export licenses are not required or where the export commodities involved are not on

the Positive List at the time of the particular shipment.

Dated: August 15, 1951.

JOHN C. BORTON,
Assistant Director for Export Control.

[F. R. Doc. 51-9934; Filed, Aug. 20, 1951; 8:50 a. m.]

Office of the Secretary

HEADS OF CERTAIN PRIMARY ORGANIZATION UNITS

DELEGATION OF CONTRACTING AUTHORITY

All of the material in § 12.2 *Contracting authority* (11 F. R. 177A-303), is hereby revoked and the following substituted therefor:

1. *Delegation of authority.* Pursuant to the provisions of section 161 R. S. (5 U. S. C. 22), and Reorganization Plan No. 5 of 1950, the head of each primary organization unit of the Department of Commerce is hereby authorized, subject to provisions of applicable laws and regulations, to approve and execute, without submission to the Secretary of Commerce:

(a) All advertised contracts and accompanying bonds, when the amount thereof in any instance is less than $25,000, and any contract supplemental thereto when the amount thereof is less than $10,000; and

(b) All negotiated contracts and accompanying bonds, when the amount thereof in any one instance is $500 or less (for purposes of this notice, a negotiated contract is one entered into without advertising, whether or not it falls within any of the exceptions mentioned in R. S. 3709 (41 U. S. C. 5)).

Any advertised contract and accompanying bond in the amount of $25,000 or more, or any contract in the amount of $10,000 or more which is supplemental to an advertised contract, and any negotiated contract and accompanying bond in an amount in excess of $500 or any contract supplemental thereto, shall be submitted to the Secretary for his approval.

The authority delegated by this notice shall not include authority to execute negotiated contracts under Executive Order 10210 of February 2, 1951, unless and until appropriate regulations relating thereto are issued by the Secretary.

2. *Provision for redelegation.* The head of each primary organization unit may redelegate the authority delegated to him by this notice whenever he deems it necessary or desirable.

3. *Exceptions.* The provisions of this notice shall not apply to the following primary organization units, to the extent specified:

(a) Inland Waterways Corporation: All contracts.

(b) Civil Aeronautics Administration: For grant offers and amendment to grant offers and grant agreements relating to grants-in-aid to municipalities for airport construction under the Federal Aid Airport Program; all contracts chargeable to the following programs regardless of appropriation: Establishment and operation of Federal Airways; Technical Development and Evaluation; all contracts which do not involve expenditure of CAA funds; and concession contracts.

(c) Bureau of Public Roads: Agreements with States and their subdivisions, the Territories and possessions of the United States; direct construction contracts and contracts for road construction and maintenance materials and equipment; agreements for rights-of-way and easements for access road projects; leasing of space in the field for use as offices, storage, and quarters for project employees; foreign purchases in connection with programs for assistance to foreign governments.

(d) Maritime Administration: All contracts chargeable to the following appropriations: Ship construction; Operating-differential subsidies; State Marine schools; Maritime training; Vessel operating functions; Vessel operating revolving fund; Repair of Reserve fleet vessels; Maintenance of shipyard facilities; Operation of warehouses; Maintenance and operation of terminals; Reserve fleet expense; and settlement of prior year obligations; and all contracts which do not involve the expenditure of Maritime Administration funds.

The provisions of this notice shall apply in full to all other primary organization units of the Department of Commerce, except as such provisions may subsequently be modified with respect to any such primary unit by Department order or letter signed by the Secretary.

This notice is effective August 16, 1951.

[SEAL] CHARLES SAWYER,
Secretary of Commerce.

[F. R. Doc. 51-9958; Filed, Aug. 20, 1951; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4863]

CHICAGO AND SOUTHERN AIR LINES, INC., PAN AMERICAN WORLD AIRWAYS, INC.; JOINT APPLICATION FOR EQUIPMENT INTERCHANGE AGREEMENT

NOTICE OF HEARING

In the matter of the joint application of Chicago and Southern Air Lines, Inc., and Pan American World Airways, Inc., for approval by the Civil Aeronautics Board under section 412 and, if such approval is deemed necessary, under section 408 of the Civil Aeronautics Act, of an agreement relating to the interchange of equipment.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that the above-entitled proceeding is assigned for hearing on September 11, 1951, at 10:00 a. m., e. d. s. t., in Room 5855, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner William F. Cusick.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

(1) Whether the agreement is adverse to the public interest or in violation of the act.

(2) Whether there is substantial control of either carrier by the other to require approval by the Civil Aeronautics Board under section 408 of the act; and if such approval is necessary whether such control is inconsistent with the public interest and whether it would result in creating a monopoly or monopolies and thereby restrain competition or jeopardize another air carrier.

Notice is further given that any person, other than parties of record, desiring to be heard in this proceeding shall file with the Board on or before September 11, 1951, a statement setting forth the issues of fact and law raised by this proceeding which he desires to controvert.

Dated at Washington, D. C., August 15, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-9936; Filed, Aug. 20, 1951; 8:50 a. m.]

[Docket No. 4961]

AIRNEWS, INC.

NOTICE OF HEARING

In the matter of the certificate of public convenience and necessity held by Airnews, Inc.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 (h) and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 27, 1951, at 10:00 a. m., e. d. s. t., in Room E-214, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

Without limiting the scope of the issues presented by the order to show cause (Serial Number E-5422) instituting this proceeding, particular attention will be directed to the following matters and questions:

1. Whether the public convenience and necessity require the suspension of the certificate authorizing Airnews, Inc. to engage in air transportation.

2. Whether Airnews, Inc. has intentionally failed to comply with the terms, conditions and limitations of its certificate of public convenience and necessity, and whether the Board should, by reason of such intentional failure, revoke such certificate.

Notice is further given that any person, other than parties of record, desiring to be heard in this proceeding must file with the Board, on or before August 27, 1951, a statement setting forth the allegations of fact or law, pertinent to the issues herein, that he desires to present.

For further details of the issues and of the matters leading to the institution of this proceeding, interested parties are referred to Order Serial Number E-5422 on file with the Civil Aeronautics Board.

Dated at Washington, D. C., August 15, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-9959; Filed, Aug. 20, 1951; 8:52 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 377]

BLUE BELL INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Blue Bell Inc., 350 Fifth Ave., New York 1, N. Y. has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of boys' jeans, jackets, shirts sold through wholesalers and retailers and having the brand name(s) "Hopalong Cassidy" shall be the proposed retail ceiling prices listed by Blue Bell Inc., 350 Fifth Ave., New York 1, N. Y. hereinafter referred to as the "applicant" in its application dated March 23, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 23, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Blue Bell Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____ .

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9648; Filed, Aug. 10, 1951; 12:37 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 379]

MOTOROLA, INC.

CEILING PRICE AT RETAIL

Statement of consideration. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Motorola, Inc., 4545 Augusta Boulevard, Chicago 51, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

This special order also requires applican to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of car radios, home radios, and television sets sold through wholesalers and retailers and having the brand name(s) "Motorola" shall be the proposed retail ceiling prices listed by Motorola, Inc., 4545 Augusta Boulevard, Chicago 51, Illinois hereinafter referred to as the "applicant" in its application dated April 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Motorola, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes, the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after, the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9650; Filed, Aug. 10, 1951; 12:38 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 380]

PAPER ART CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Paper Art Company, Inc., 3500 N. Arlington, Indianapolis 18, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of napkins, table covers, bridge table sets, plates, cups, hand towels, candles sold through wholesalers and retailers and having the brand name(s) "Paper Art" shall be the proposed retail ceiling prices listed by Paper Art Company, Inc., 3500 N. Arlington, Indianapolis 18, Indiana, hereinafter referred to as the "applicant" in its application dated May 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, Paper Art Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division. Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9651; Filed, Aug. 10, 1951; 12:38 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 385]

THE BORG-ERICKSON CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order. The Borg-Erickson Corporation, 469 East Ohio Street, Chicago, 11, Illinois has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of bathroom, household, utility and parcel post scales sold through wholesalers and retailers and having the brand name(s) "Borg" shall be the proposed retail ceiling prices listed by The Borg-Erickson Corporation hereinafter referred to as the "applicant" in its application dated June 8, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951. The Borg-Erickson Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9687; Filed, Aug. 10, 1951; 4:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 396]

THE LIONEL CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Lionel Corporation, 15 East 26th Street, New York 10, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of Toy electric trains and accessories sold through wholesalers and retailers and having the brand name(s) "Lionel" shall be the proposed retail ceiling prices listed by The Lionel Corporation, 15 East 26th Street, New York 10, New York hereinafter referred to as the "applicant" in its application dated July 16, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 10, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 10, 1951, The Lionel Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 9, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 9, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes, the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to reseller*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 11, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 10, 1951.

[F. R. Doc. 51-9698; Filed, Aug. 10, 1951; 4:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Amdt. 1 to Special Order 132]

REED & BARTON CORPORATION

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to special Order 132 under Section 43 of Ceiling Price Regulation 7 modifies those provisions relating to preticketing usually required by orders of this type. This amendment, designed to meet the particular requirements of the silverware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

3. On and after September 17, 1951, Reed & Barton Corporation must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for Reed & Barton sterling flatware, sterling hollowware, plated hollowware, plate flatware and accessories have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Reed & Barton price book have been approved by OPS under section 43, CPR 7.

The tags and stickers must be in the following form:

Reed & Barton
OPS—Sec. 43—CPR 7
Price $_____

On and after October 17, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is offered for sale on open display (except in show windows or decorative displays) a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective on August 14, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 14, 1951.

[F. R. Doc. 51-9805; Filed, Aug. 14, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 397]

DONAHUE SALES CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Donahue Sales Corporation, 420 Lexington Avenue, New York 17, N. Y. (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of slide fasteners sold through wholesalers and retailers and having the brand name(s) "Talon" shall be the proposed retail ceiling prices listed by Donahue Sales Corporation, 420 Lexington Avenue, New York 17, New York, hereinafter referred to as the "applicant" in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended by manufacturer's application dated May 16, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Donahue Sales Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 13, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 13, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or

before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 14, 1951.

[F. R. Doc. 51-9806; Filed, Aug. 14, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 398]

LANDERS, FRARY & CLARK

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Landers, Frary & Clark, New Britain, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric blankets, food mixers, choppers, juicers, percolators, heating pads, table stoves, irons, toasters, blenders, combination sandwich grill and waffle makers; vacuum bottles, food jars, lunch kits, vacuum bottle fillers, vacuum pitchers, outing sets, motor luncheon sets, sportsman's sets, ice cube jars, leather carrying cases, jugs, cork packages, health scales, minute timers, corn mills sold through wholesalers and retailers and having the brand name(s) "Universal", "Landers", and "Stanley" shall be the proposed retail ceiling prices listed by Landers, Frary & Clark, New Britain, Connecticut, hereinafter referred to as the "applicant" in its application dated May 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 14, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Landers, Frary & Clark must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 13, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 13, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After

receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 14, 1951.

[F. R. Doc. 51-9807; Filed, Aug. 14, 1951; 4:59 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1581]

MISSISSIPPI RIVER FUEL CORP.

FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 14, 1951.

Findings and order issuing certificate of public convenience and necessity authorizing part of Waterloo Field gas storage facilities and providing for further hearings on remaining Waterloo storage facilities.

On January 5, 1951, Mississippi River Fuel Corporation (Applicant), a Delaware corporation with its principal office at 407 North 8th Street, St. Louis, Missouri, filed an application, and on June 27, 1951, filed a first amended application, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas underground storage and related facilities, subject to the jurisdiction of the Commission, namely: not more than 25 injection and withdrawal wells; about 2 miles of 4-inch, 3.2 miles of 6-inch, 1.7 miles of 12-inch and 9.3 miles of 24-inch diameter pipeline; an 1800 hp compressor station; a 75,000 Mcf-per-day-capacity dehydration plant; 25 liquid separators; 2 regulating and metering stations; and other incidental facilities, as more fully described in the amended application filed on June 27, 1951, and the data contained in the application supplements filed on June 27 and July 26 and 31, 1951.

Temporary authorization was granted on January 12, 1951, to construct and operate a portion of the facilities covered by the application filed on January 5, 1951, for the purpose of testing the gas storage possibilities of the Waterloo Field in Monroe County, Illinois.

Pursuant to due notice, public hearings were held in Washington, D. C., on July 30, and August 1, 6 and 7, 1951, respecting the matters involved and the issues presented by the amended application as supplemented. No protest to this application has been received.

Applicant proposes, by means of the facilities covered by its amended application, to develop and operate underground natural gas storage facilities in the Waterloo oil field on the Waterloo Anticline in Monroe County, Illinois, approximately 6 miles south and slightly east of Applicant's Columbia measuring station, which is near Applicant's major market area in and near St. Louis, Missouri.

The Waterloo oil field, according to the record herein, was discovered in 1920 with production being from the Trenton (Kimmswick limestone) of Ordovician Age, at a depth of approximately 450 feet; some 60 to 75 wells have been drilled to the Trenton in the field, but at the present time there are no wells in production. By reason of the large number of abandoned wells in the area which were drilled to and formerly produced oil from the Trenton lime, Applicant, pursuant to the temporary authorization granted in this Docket under date of January 12, 1951, tested the St. Peter sandstone (a water bearing sandstone found, in one of the old oil wells drilled in the crestal area of the field, approximately 488 feet below the top of the Trenton limestone) and, after injecting approximately 54,000 Mcf of natural gas into the formation, found there was leakage from the St. Peter sandstone upwards into the Trenton lime and from the Trenton, through some of the old wells, to the surface. Having been unable to stop the leakage from the St. Peter sandstone to the Trenton lime (whether through certain old wells or through faults or fissures in the intervening beds), Applicant, pursuant to the said temporary authorization, has tested the storage possibilities of the apparently highly porous and permeable salt-water bearing Roubidoux and Gasconade dolomites of the lower Ordovician System in the Waterloo field area.

Accordingly to the data presented by Applicant, the Roubidoux dolomite, occurring at an approximate average depth of 1,475 feet, and the Gasconade dolomite, occurring at an approximate average depth of 1,525 feet, appear favorable for gas storage. As of June 17, 1951, Applicant had injected into these lower formations (Roubidoux and Gasconade) a total of approximately 46,553 Mcf of natural gas with no apparent leakage. Tests made to date by Applicant indicate that satisfactory withdrawals of gas can be obtained from these formations. Applicant has expressed the opinion that the existing leakage from the St. Peter sandstone does not warrant its abandonment as a storage reservoir but, because of the urgency of developing storage for meeting peak day requirements during the coming winter, it proposes to proceed immediately with the development of the project for utilization of the lower formations for the storage of gas.

In response to the request for additional data contained in the Commis-

sion's letter dated July 19, 1951, Applicant, in the application supplement filed on July 26, 1951, herein, has estimated the reservoir capacity, cushion gas requirements and gas annually available for market upon completion of the project, as follows:

Formation	Reservoir capacity	Cushion gas	Available for market
	Mcf	*Mcf*	*Mcf*
Roubidoux	1,476,000	148,000	1,328,000
Gasconade	11,808,000	1,181,000	10,627,000
Total	13,284,000	1,329,000	11,955,000

After the reservoir has been filled, Applicant has estimated that a daily deliverability of 50,000 Mcf can be obtained, through the proposed 25 wells, on intermittent occasions, but that continuous withdrawals for periods of time in excess of a few days would no doubt reduce the daily deliverability of the edge wells and possibly all of the withdrawal wells. There is evidence indicating, however, that if the storage reservoir capacity developed approximates the currently estimated potential of about 13.2 billion cubic feet, the daily storage deliverability through the proposed 25 wells will be not less than 100,000 Mcf per day.

According to the record Applicant proposes to construct by December 1951 all of the proposed facilities with the exception of the proposed 24-inch diameter pipeline and the dehydration plant; the latter mentioned line and plant apparently will be constructed sometime during 1952 if the storage project develops satisfactorily to something near the maximum potential storage and delivery capacity now estimated for it. By means of the drilling of the additional wells proposed (18, in addition to the 7 covered by the temporary authorization) and the construction of the proposed compressor station and the pipelines other than the 24-inch diameter line. Applicant estimates that it will be able to store in the Roubidoux and Gasconade formations by December 1951 approximately 1.2 billion cubic feet of gas and that during the forthcoming 1951–52 heating season it will be possible to withdraw from storage an average of approximately 12,500 Mcf per day on approximately 10 intermittent occasions or days.

The estimated cost of the proposed facilities is $2,953,125, which Applicant proposes to finance by means of cash on hand or short-term bank loans. There is evidence indicating that the cost of the project may be less than the estimate. Applicant estimated that total annual charges for the project, including return at 6 percent will approximate $515,568.75, and that, upon the assumption of 2 billion cubic feet of gas in storage and annual sales of approximately 500,000 Mcf therefrom, revenues would approximate $737,000 per annum. Should the Waterloo storage project actually develop capabilities near the maximum potentials currently estimated by Applicant for it, it would appear that much greater revenues can reasonably be anticipated than reflected by Applicant's estimates presented herein. Applicant's stated policy, according to the record herein, is to develop as quickly as possible the proposed Waterloo underground gas storage project to the maximum extent possible within the limits of the physical capacity of the said Waterloo field and to utilize fully such storage facilities for serving its customers and markets.

According to the data and evidence presented by Applicant, it does not presently know whether or not it will be necessary to dehydrate the gas as it is withdrawn from storage. There is an indication in the record that there likely will be no necessity for such dehydration. Applicant states that it plans to defer installation of the dehydration plant until experience gained from withdrawals during 1951–52 heating season indicates that it is or is not required. Applicant estimates the cost of the proposed dehydration plant at approximately $105,000. A somewhat similar situation is presented by the record with reference to the proposed 9.3 miles of 24-inch diameter pipeline, with an estimated cost of approximately $830,000. This 24-inch line, according to the record, is not proposed to be constructed until the summer of 1952 or until such time as Applicant has obtained such experience in the development of the storage project as will indicate clearly that it has actual capabilities near the maximum potentials currently estimated for it, namely, a storage capacity of approximately 13.2 billion cubic feet of gas and daily deliverability of about 100,000 Mcf.

The evidence as presented by Applicant shows that, if the proposed Waterloo field area is capable of storing the approximately 13 billion cubic feet of gas currently estimated therefor as the maximum potential, Applicant will have available from its existing pipeline system during summer months a supply of gas reasonably adequate for filling the storage field at such capacity, beginning in the summer season of 1952. The data presented also shows, by reference to the market data and estimates presented previously in Docket No. G–1281, that there is a market demand and public need for the maximum volumes of gas as are now estimated may be made available by means of the proposed Waterloo storage project.

Convincing evidence has not been presented by Applicant that it would be in the public interest to grant at this time authorization of the proposed 9.3 miles of 24-inch diameter pipeline and of the proposed dehydration plant. It does not appear that the public interest will be adversely affected by postponing a decision on such facilities until more complete data can be obtained by Applicant by its drilling additional wells in the Waterloo field and constructing the facilities hereinafter authorized. The evidence does show that it would be in the public interest to authorize the facilities covered by the amended application herein with the exception of the said 24-inch pipeline and dehydration plant. In the circumstances it appears reasonable to require, among the conditions attached to the certificate hereinafter issued, that Applicant furnish periodic reports of progress and of data developed pertaining to the Waterloo storage project.

Notice is taken of the Commission's findings, orders and authorizations heretofore issued in proceedings involving Applicant. Upon consideration of the foregoing and the record here, the Commission further finds:

(1) Applicant, a Delaware corporation with its principal place of business at St. Louis, Missouri, is engaged in the transportation of natural gas in interstate commerce and the sale in interstate commerce of natural gas for resale for ultimate public consumption, and is a "natural-gas company" within the meaning of the Natural Gas Act, as heretofore found by the Commission in its order of March 1, 1944, In the Matter of Mississippi River Fuel Corporation, Docket No. G–291 (4 FPC 535).

(2) The G–1581 facilities hereinbefore described are proposed to be used in the transportation and sale of natural gas in interstate commerce, subject to the jurisdiction of the Commission, as integral parts of Applicant's existing natural gas pipeline system, and the construction and operation thereof by Applicant are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act, as amended.

(3) Applicant is able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act, as amended, and the requirements, rules and regulations of the Commission thereunder.

(4) Applicant having requested the omission of the intermediate decision procedure and all the requirements and provisions of § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) having been satisfied, sufficient cause exists for the Commission forthwith to render its final decision in the instant proceeding.

(5) The G–1581 facilities as designed and proposed to be constructed and operated, except for the aforesaid 9.3 miles of 24-inch diameter pipeline and the 75,000 Mcf-per-day-capacity dehydration plant, with respect to which further hearings are hereinafter provided, are reasonably adequate and required for undertaking the proposed Waterloo field natural gas underground storage project.

(6) Construction and operation of the proposed G–1581 facilities, with the exception of the aforesaid 24-inch pipeline and the dehydration plant, and the transportation and sale of natural gas thereby, are required by the public convenience and necessity and a certificate therefor should be issued as hereinafter ordered and conditioned.

The Commission orders:

(A) A certificate of public convenience and necessity be and the same is hereby issued authorizing Applicant, Mississippi River Fuel Corporation, to construct and operate the G–1581 facilities, exclusive of the proposed 9.3 miles of 24-inch diameter pipe line and the proposed dehydration plant, all as more fully described in the amended application and other pleadings in this proceeding and exhibits appended thereto, for the transportation

and sale of natural gas as therein set forth, subject to the jurisdiction of the Commission, upon the terms and conditions of this order.

(B) Unless otherwise ordered by the Commission for good cause shown, the construction of the facilities herein authorized shall be commenced as promptly as possible and such construction shall be completed not later than January 1, 1952.

(C) Applicant shall report to the Commission in writing, under oath, the commencement date of the construction of the facilities herein authorized, thereafter shall submit monthly reports of construction progress until the facilities authorized are completed, and shall report the completion date of the construction of the facilities, together with the date of commencement of operations. Such progress reports shall include, among other things, data pertaining to storage well completions, volumes of gas put into storage by means of the completed wells, volumes of gas withdrawn from storage, together with data as to pressures, temperatures, and other matters pertinent to giving a complete report of progress with respect to the Waterloo field storage project and its ultimate capabilities as to storage and deliverability therefrom.

(D) Applicant shall submit further to the Commission in writing, under oath, on or about May 1, 1952, a full report of the construction and operations by Applicant of the Waterloo field storage project for the 1951–52 winter heating season, including in such report all pertinent engineering and operating data showing the results of Applicant's operations of this storage project and indicating its future potentialities for gas storage operations.

(E) Further hearings in the above-entitled proceeding be held commencing on June 2, 1952 at 10:00 o'clock a. m. e. d. s. t. in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C., for the specific purpose of receiving evidence: (i) Showing the necessity for the construction of the proposed 9.3 miles of 24-inch diameter pipeline and the dehydration plant covered by the amended application herein; and (ii) pertaining to any matters pertinent to the issues presented in this proceeding.

(F) If prior to the hearing date fixed by paragraph (E) hereof, Applicant desires to go forward with the presentation of further evidence upon the pertinent issues, Applicant shall file with the Commission a written statement to such effect setting forth therein, among other things, the following: (i) Date that Applicant desires to have fixed for the commencement of the further hearings hereinbefore ordered; (ii) concise statement of the substance of the additional evidence which Applicant proposes to present at further hearings; and if the additional evidence consists of evidence in documentary or written form, or reference to documents or records, there shall be included copies of such documents, records or writings proposed to be offered. Upon the filing by Applicant of such notice and offer of proof, the date and place of further hearings will be fixed by the Commission.

(G) This certificate is not transferable and shall be effective only so long as Applicant continues the operations hereby authorized in accordance with the provisions of the Natural Gas Act, as amended, this order, and any pertinent rules, regulations, or orders heretofore or hereafter issued by the Commission.

Date of issuance: August 15, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–9920; Filed, Aug. 20, 1951; 8:45 a. m.]

[Docket No. G–1764]

TENNESSEE GAS TRANSMISSION CO.

ORDER SUSPENDING PROPOSED RATE SCHEDULES AND CONSOLIDATING PROCEEDINGS

On July 24, 1951, Tennessee Gas Transmission Company (TGT), filed with the Commission FPC Gas Tariff, First Revised Volume No. 1, Rate Schedules CD–4, CD–5, G–4, G–5, S–5, R–4, T–3 and T–4, to take effect as of August 24, 1951, superseding TGT's FPC Gas Tariff, Original Volume No. 1, Rate Schedules CD–4, CD–5, G–4, G–5, S–5, R–4, T–1 and T–4, respectively.[1]

According to information furnished by TGT the rates and charges in TGT's proposed revised rate schedules would increase TGT's revenues for the 12 months ending July 31, 1952 by $4,418,472.

The Commission finds:

(1) TGT's FPC Gas Tariff, First Revised Volume No. 1, Rate Schedules CD–4, CD–5, G–4, G–5, S–5, R–4, T–3 and T–4, proposed to take effect as of August 24, 1951, may be unjust, unreasonable, unduly discriminatory or preferential, and may place an undue burden upon ultimate consumers of natural gas, so that the Commission should enter upon a hearing, pursuant to section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, and classifications, including rules, regulations and contracts relating thereto, and that said rate schedules should be suspended pending hearing and decision thereon.

(2) Good cause exists to consolidate the proceedings herein with the proceedings at Docket No. G–1741, involving the suspension and investigation of certain of TGT's rate schedules as therein set forth.

The Commission orders:

(A) TGT's FPC Gas Tariff, First Revised Volume No. 1, Rate Schedule CD–4, CD–5, G–4, G–5, S–5, R–4, T–3 and T–4, proposed to take effect as of August 24, 1951, be and the same are hereby suspended, pursuant to section 4 of the Natural Gas Act, and pending a hearing and decision thereon, their use is deferred until January 24, 1952, and until such further time as such rate schedules may be made effective in the manner prescribed by the Natural Gas Act.

(B) The proceedings herein be and the same are hereby consolidated with the proceedings at Docket No. G–1741.

(C) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act, a public hearing be held on such consolidated proceedings upon a date to be fixed by further order of the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: August 14, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–9921; Filed, Aug. 20, 1951; 8:45 a. m.]

[1] These latter rate schedules were filed on July 24, 1951, to be effective as of August 15, 1951, and by order issued concurrently herewith are allowed to take effect as therein prescribed.

[Docket Nos. ID–413, ID–958, ID–976, ID–1131]

CARL S. HERRMANN ET AL.

NOTICE OF ORDERS AUTHORIZING APPLICANTS TO HOLD CERTAIN POSITIONS

AUGUST 15, 1951.

In the matters of Carl S. Herrmann, Docket No. I–D413; Arthur E. LaCroix, Docket No. ID–958; Irwin L. Moore, Docket No. ID–976; Edgar H. Dixon, Docket No. ID–1131.

Notice is hereby given that, on August 15, 1951, the Federal Power Commission issued its orders entered August 14, 1951, in the above-entitled matters, authorizing applicants to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–9922; Filed, Aug. 20, 1951; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

COMMODITY ASSIGNMENTS TO BRANCHES

MISCELLANEOUS CHANGES

In order to reflect the current status of the respective responsibilities of PMA Branches for designated agricultural and food commodities for program and inspection purposes, the following changes are hereby made in the indicated listings of agricultural and food commodity assignments as published in the March 2, 1951, daily issue of the FEDERAL REGISTER (16 F. R. 2007):

1. Delete the branch symbol "FV" in the listing of the commodity "citric acid" appearing under the center heading, "Alphabetical Listing of Agricultural and Food Commodities Assigned to Branches

for Program Purposes," and insert, in lieu thereof, the branch symbol "SU." [1]

2. Delete the branch symbol "DA" in the listing of the commodities shown below, which appear under the center heading, "Alphabetical Listing of Agricultural and Food Commodities Assigned to Branches for Inspection Purposes," and insert, in lieu thereof, the branch symbol "PY." [2]

Eggs (frozen, shell, dried).
Poultry, live and dressed, including chickens, turkeys, ducks, geese, guineas, squabs (fresh and frozen).
Poultry, eviscerated, including chickens, turkeys, ducks, geese, guineas, squabs and domestic rabbits (fresh, frozen, canned).
Rabbits, dressed, domestic.

Issued at Washington, D. C., this 16th day of August 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 51-9965; Filed, Aug. 20, 1951; 8:55 a. m.]

GENERAL SERVICES ADMINISTRATION

SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY WITH RESPECT TO CONTRACTS FOR PROCUREMENT OF PUBLIC UTILITY SERVICES (POWER, GAS, WATER) FOR PERIODS NOT EXCEEDING TEN YEARS

1. Pursuant to authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949, as amended (Pub. Laws 152 and 754, 81st Congress), authority is hereby delegated to the Secretary of Defense to enter into contracts for public utility services for periods extending beyond a current fiscal year but not exceeding ten years, under one or more of the following circumstances:

a. Where there are obtained lower rates, larger discounts or more favorable conditions of service than those available under contracts the firm term of which would not extend beyond a current fiscal year.

b. Where connection or special facility charges payable under contracts the firm term of which would not extend beyond a current fiscal year are eliminated or reduced.

c. The utility refuses to render the desired service except under a contract the firm term of which extends beyond a current fiscal year.

2. Copies of, and other pertinent data and information with respect to such contracts executed by the Department of Defense for such utility services under the authority of this delegation will be furnished to the General Services Administration unless distribution thereof is inadvisable for reasons of security.

3. This authority shall be exercised strictly in accordance with the applicable provisions of the "Statement of areas of understanding between the Department of Defense and General Services Administration" entitled "Procurement of Utility Services" (Power, Gas, Water) (15 F. R. 8227).

4. The authority herein delegated may be redelegated to any officer, official or employee within the Department of Defense.

5. This delegation of authority shall be effective as of the date hereof.

Date: August 14, 1951.

RUSSELL FORBES,
Acting Administrator.

[F. R. Doc. 51-9929; Filed, Aug. 20, 1951; 8:48 a. m.]

[1] This change reflects transfer of responsibility from the Fruit and Vegetable Branch to the Sugar Branch. As set forth in the statement following the "Alphabetical Listing of Agricultural and Food Commodities Assigned to Branches for Program Purposes" (16 F. R. 2008), it is understood with respect to commodity assignments for "program purposes" that each such assignment is subject to existing agreements, or agreements which may hereafter be negotiated affecting the division of responsibility for certain commodities as between major departments or agencies of the Government.

[2] This change reflects transfer of responsibility from the Dairy Branch to the Poultry Branch.

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2674]

GENERAL PUBLIC UTILITIES CORP.

ORDER AUTHORIZING CAPITAL CONTRIBUTION BY HOLDING COMPANY TO SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 14th day of August A. D. 1951.

General Public Utilities Corporation ("GPU"), a registered holding company, having filed a declaration pursuant to section 12 (b) of the Public Utility Holding Company Act of 1935 ("the act") and Rules U-23 and U-45 thereunder with respect to the following transaction:

GPU proposes to make a $300,000 cash capital contribution to its subsidiary, Northern Pennsylvania Power Company ("North Penn"), which contribution will be credited by North Penn to the stated capital applicable to its Common Stock. GPU will, by this cash contribution, assist North Penn with its construction program which is designed to insure that North Penn will continue to be in a position to meet the demands of its consuming public.

Declarant alleges that no State commission has jurisdiction over the proposed transaction.

Such declaration having been duly filed, and notice of its filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interests of investors and consumers that said declaration be permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and provisions prescribed in Rule U-24, that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9924; Filed, Aug. 20, 1951; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26332]

MALT LIQUORS FROM BELLEVILLE, ILL., AND ST. LOUIS, MO. TO MEMPHIS, TENN.

APPLICATION FOR RELIEF

AUGUST 16, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for Missouri Pacific Railroad Company and other carriers, pursuant to fourth-section order No. 16101.

Commodities involved: Malt liquors, viz: ale, beer, beer tonic, porter or stout, carloads.

From: Belleville, Ill., and St. Louis, Mo.

To: Memphis, Tenn.

Grounds for relief: Circuitous route and competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9932; Filed, Aug. 20, 1951; 8:50 a. m.]

[4th Sec. Application 26333]

MOTOR-RAIL-MOTOR RATES FOR CHICAGO GREAT WESTERN RAILWAY

APPLICATION FOR RELIEF

AUGUST 16, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Middlewest Motor Freight Bureau, Agent, for the Chicago Great Western Railway Company and Merchants Motor Freight, Inc.

Commodities involved: All commodities.

Between: St. Paul, Minn., on the one hand, and Council Bluffs and Des Moines, Iowa, and Kansas City, Mo., on the other.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: Middlewest Motor Freight Bureau, Agent, tariff I. C. C. No. 39, Supp. 2.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-9933; Filed, Aug. 20, 1951; 8:50 a. m.]

VETERANS' ADMINISTRATION

DELEGATIONS OF AUTHORITY

MISCELLANEOUS AMENDMENTS

1. The centerhead "Delegation of Authority to Employees To Issue Subpenas" appearing on page 5855 of the issue for Saturday, September 24, 1949, is amended to read as follows: "Delegations of Authority."

2. In the Delegations of Authority, a new section 1.2 is added and former sections 1.2, 1.3, and 1.4 redesignated 1.3, 1.4, and 1.5, respectively.

SEC. 1.2 *Delegation of authority to employees to take affidavits, to administer oaths, etc.* (a) An employee to whom authority is delegated by the Administrator in accordance with Title III, Pub. Law 844, 74th Congress, June 29, 1936, section 616, Pub. Law 801, 76th Congress, and section 1200, Pub. Law 346, 78th Congress, is by virtue of such delegated authority empowered to take affidavits, to administer oaths and affirmations, to aid claimants in the preparation and presentation of claims, and to make investigations, examine witnesses, and certify to the correctness of papers and documents upon any matter within the jurisdiction of the Veterans' Administration. Such employee is not authorized to administer oaths in connection with the execution of affidavits relative to fiscal vouchers and is not authorized to take acknowledgments to policy loan agreements and applications for cash surrender value of United States Government Life Insurance and National Service Life Insurance.

(b) Any such oath, affirmation, affidavit, or examination, when certified under the hand of any such employee by whom it was administered or taken and authenticated by the seal of the Veterans' Administration, as provided by Veterans' Administration procedure, may be offered or used in any court of the United States and, without further proof of the identity or authority of such employee, shall have like force and effect as if administered or taken before a clerk of such court.

(c) The delegated authority from the Administrator to employees to take affidavits, to administer oaths, etc., will be evidenced by VA Form 4505 series.

[SEAL] O. W. CLARK, *Deputy Administrator.*

[F. R. Doc. 51-9928; Filed, Aug. 20. 1951; 8:47 a. m.]

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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

OFFICE OF WAGE STABILIZATION

Effective upon publication in the FEDERAL REGISTER, § 6.155 (c) (4) is amended so as to increase the number of exceptions of executive assistants and technical assistants from three to six, and a subparagraph (6) is added, as set out below:

§ 6.155 *Economic Stabilization Agency* * * *

(c) *Office of Wage Stabilization.* * * *

(4) Not to exceed six executive assistants and six technical assistants to the National Wage Stabilization Board.

* * * * *

(6) Not to exceed three confidential assistants to the industry and labor groups of the National Wage Stabilization Board, at grade GS–9 or lower.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 51–9755; Filed, Aug. 21, 1951; 8:45 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 CCC Cotton Bulletin 1, Amdt. 1]

PART 607—COTTON

SUBPART—1951 COTTON LOAN PROGRAM

SCHEDULE OF BASE LOAN RATES FOR WAREHOUSE-STORED COTTON

The 1951 Cotton Loan Bulletin (1951 CCC Cotton Bulletin 1) is hereby amended by adding § 607.250 to read as follows:

§ 607.250 *Basic loan rates by warehouse locations.* The base loan rates applicable to Middling White and extra white 15/16-inch upland cotton, under Commodity Credit Corporation's 1951 Cotton Loan Program, are as follows:

ALABAMA

City and county	Basis Middling White and Extra White 15/16" loan rate
Abbeville, Henry	32.04
Akron, Hale	31.94
Albertville, Marshall	32.14
Alexander City, Tallapoosa	32.24
Aliceville, Pickens	31.84
Altoona, Etowah	32.24
Andalusia, Covington	31.94
Anniston, Calhoun	32.24
Arab, Marshall	32.14
Ardmore, Limestone	31.94
Ashford, Houston	32.04
Ashland, Clay	32.24
Athens, Limestone	31.94
Atmore, Escambia	31.84
Attalla, Etowah	32.24
Auburn, Lee	32.24
Banks, Pike	32.04
Bankston, Fayette	31.94
Belk, Fayette	31.94
Berry, Fayette	31.94
Birmingham, Jefferson	32.04
Blountsville, Blount	32.14
Boaz, Marshall	32.14
Boligee, Greene	31.84
Brantley, Crenshaw	31.94
Brantley, Dallas	31.94
Brent, Bibb	32.04
Brewton, Escambia	31.84
Bridgeport, Jackson	32.04
Browntown (P. O. Henagar), Jackson	32.04
Brundidge, Pike	32.04
Butler, Choctaw	31.84
Camden, Wilcox	31.84
Camp Hill, Tallapoosa	32.24
Carbon Hill, Walker	31.94
Carrollton, Pickens	31.84
Centerville, Bibb	32.04
Centre, Cherokee	32.24
Chavies, De Kalb	32.14
Childersburg, Talladega	32.24
Clanton, Chilton	32.04
Clayton, Barbour	32.14
Clio, Barbour	32.14
Collinsville, De Kalb	32.14
Columbia, Houston	32.04
Columbiana, Shelby	32.14
Cooper, Chilton	32.04
Cordova, Walker	31.94
Courtland, Lawrence	31.94
Cullman, Cullman	32.04

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- Part 958 8319

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- Part 3 8320

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ALABAMA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Dadeville, Tallapoosa	32.24
Dancy, Pickens	31.84
Decatur, Morgan	32.04
Demopolis, Marengo	31.84
Detroit, Lamar	31.84
Dothan, Houston	32.04
Dozier, Crenshaw	31.94
Dutton, Jackson	32.04
Elba, Coffee	32.04
Elkmont, Limestone	31.94
Enterprise, Coffee	32.04
Ethelsville, Pickens	31.84
Eufaula, Barbour	32.14
Eutaw, Greene	31.84
Evergreen, Conecuh	31.84
Fackler, Jackson	32.04
Fadette, Geneva	32.04
Faunsdale, Marengo	31.84
Fayette, Fayette	31.94
Flat Rock, Jackson	32.04
Florala, Covington	31.94
Florence, Lauderdale	31.84
Fort Deposit, Lowndes	31.94
Fort Payne, De Kalb	32.14
Fyffe, De Kalb	32.14
Gadsden, Etowah	32.24
Gantt, Covington	31.94
Geneva, Geneva	32.04
Georgiana, Butler	31.94
Glen Allen, Fayette	31.94
Good Water, Coosa	32.14
Gordo, Pickens	31.84
Goshen, Pike	32.04
Greensboro, Hale	31.94
Greenville, Butler	31.94
Guin, Marion	31.84
Guntersville, Marshall	32.14
Hackleburg, Marion	31.84
Haleyville, Winston	31.94
Hamilton, Marion	31.84
Hanceville, Cullman	32.04
Hartford, Geneva	32.04
Hartselle, Morgan	32.04
Headland, Henry	32.04
Heflin, Cleburne	32.24
Henagar, De Kalb	32.14
Hodges, Franklin	31.84
Hollywood, Jackson	32.04
Huntsville, Madison	32.04
Hurtsboro, Russell	32.24
Ider, De Kalb	32.14
Jacksonville, Calhoun	32.24

ALABAMA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Jasper, Walker	31.94
Jemison, Chilton	32.04
Kennedy, Lamar	31.84
Lafayette, Chambers	32.24
Larkinsville, Jackson	32.04
Leighton, Colbert	31.84
Lester, Limestone	31.94
Linden, Marengo	31.84
Lineville, Clay	32.24
Livingston, Sumter	31.84
Louisville, Barbour	32.14
Luverne, Crenshaw	31.94
McCullough, Escambia	31.84
Madison, Madison	32.04
Malvern, Geneva	32.04
Maplesville, Chilton	32.04
Marion, Perry	31.94
Millport, Lamar	31.84
Mobile, Mobile	31.73
Monroeville, Monroe	31.84
Montevallo, Shelby	32.14
Montgomery, Montgomery	32.04
Moores Bridge, Tuscaloosa	31.94
Moores Valley, Wilcox	31.84
Moulton, Lawrence	31.94
Moundville, Hale	31.94
Newbern, Hale	31.94
New Brockton, Coffee	32.04
New Hope, Madison	32.04
Newville, Henry	32.04
Northport, Tuscaloosa	31.94
Notasulga, Macon	32.14
Oakman, Walker	31.94
Oneonta, Blount	32.14
Opelika, Lee	32.24
Opp, Covington	31.94
Ozark, Dale	32.04
Panola, Sumter	31.84
Pell City, St. Clair	32.14
Peterman, Monroe	31.84
Phil Campbell, Franklin	31.84
Pickensville, Pickens	31.84
Pine Hill, Wilcox	31.84
Pisgah, Jackson	32.04
Pollard, Escambia	31.84
Prattville, Autauga	32.04
Red Bay, Franklin	31.84
Red Level, Covington	31.94
Reform, Pickens	31.84
Repton, Conecuh	31.84
Roanoke, Randolph	32.24
Rogersville, Lauderdale	31.84
Russellville, Franklin	31.84
Samantha, Tuscaloosa	31.94
Samson, Geneva	32.04
Scottsboro, Jackson	32.04
Section, Jackson	32.04
Selma, Dallas	31.94
Sheffield, Colbert	31.84
Slocomb, Geneva	32.04
Stevenson, Jackson	32.04
Stewart, Hale	31.94
Sulligent, Lamar	31.84
Sweet Water, Marengo	31.84
Sylacauga, Talladega	32.24
Sylvania, De Kalb	32.14
Talladega, Talladega	32.24
Tallassee, Elmore	32.14
Thomasville, Clarke	31.84
Thorsby, Chilton	32.04
Troy, Pike	32.04
Tuscaloosa, Tuscaloosa	31.94
Tuscumbia, Colbert	31.84
Tuskegee, Macon	32.14
Union Springs, Bullock	32.14
Uniontown, Perry	31.94
Vernon, Lamar	31.84
Vina, Franklin	31.84
Wadley, Randolph	32.24
Warrior, Jefferson	32.04
Webb, Houston	32.04
Wetumpka, Elmore	32.14
Winfield, Marion	31.84
Woodville, Jackson	32.04
York, Sumter	31.84

ARIZONA

City and county	Basis Middling White and Extra White 15/16" loan rate
All warehouse points in the entire State	30.97

ARKANSAS

Arkadelphia, Clark	31.61
Ashdown, Little River	31.61
Batesville, Independence	31.61
Blytheville, Mississippi	31.66
Boughton, Nevada	31.61
Bradley, Lafayette	31.61
Brinkley, Monroe	31.66
Camden, Ouachita	31.61
Conway, Faulkner	31.61
Cotton Plant, Woodruff	31.66
Dardanelle, Yell	31.61
Dell, Mississippi	31.66
Dumas, Desha	31.64
Earle, Crittenden	31.66
England, Lonoke	31.64
Eudora, Chicot	31.63
Evadale, Mississippi	31.66
Fordyce, Dallas	31.61
Forrest City, St. Francis	31.66
Fort Smith, Sebastian	31.61
Gurdon, Clark	31.61
Harrisburg, Poinsett	31.66
Helena, Phillips	31.66
Hope, Hempstead	31.61
Hughes, St. Francis	31.66
Hulbert (P. O. West Memphis, Crittenden)	31.70
Jonesboro, Craighead	31.66
Junction City, Union	31.61
Leachville, Mississippi	31.66
Lepanto, Poinsett	31.66
Little Rock, Pulaski	31.64
Lonoke, Lonoke	31.64
McCrory, Woodruff	31.66
McGehee, Desha	31.66
Magnolia, Columbia	31.61
Malvern, Hot Springs	31.61
Marianna, Lee	31.66
Marked Tree, Poinsett	31.66
Marvell, Phillips	31.66
Morrilton, Conway	31.61
Nashville, Howard	31.61
Newport, Jackson	31.64
Osceola, Mississippi	31.66
Paragould, Greene	31.66
Pine Bluff, Jefferson	31.64
Portland, Ashley	31.61
Prescott, Nevada	31.61
Russellville, Pope	31.61
Searcy, White	31.64
Sparkman, Dallas	31.61
Truman, Poinsett	31.66
Waldo, Columbia	31.61
Walnut Ridge, Lawrence	31.64
Warren, Bradley	31.61
West Memphis, Crittenden	31.70
Wilson, Mississippi	31.66
Wynne, Cross	31.66

CALIFORNIA

All warehouse points in the entire state	30.97

FLORIDA

Pensacola, Escambia	31.73

GEORGIA

Abbeville, Wilcox	32.25
Adairsville, Bartow	32.35
Adrian, Emanuel	32.35
Albany, Dougherty	32.25
Allentown, Wilkinson	32.35
Alma, Bacon	32.25
Alvaton, Meriwether	32.35
Americus, Sumter	32.25
Arlington, Calhoun	32.15
Athens, Clarke	32.45
Atlanta, Fulton	32.35
Augusta, Richmond	32.45
Bainbridge, Decatur	32.15
Barnesville, Lamar	32.35

GEORGIA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Bartow, Jefferson	32.35
Baxley, Appling	32.25
Bishop, Oconee	32.45
Blackshear, Pierce	32.15
Blakely, Early	32.15
Braselton, Jackson	32.45
Bronwood, Terrell	32.25
Brooklet, Bulloch	32.35
Buchanan, Haralson	32.35
Buena Vista, Marion	32.35
Buford, Gwinnett	32.35
Butler, Taylor	32.35
Byromville, Dooly	32.25
Cadwell, Laurence	32.35
Calhoun, Gordon	32.35
Camilla, Mitchell	32.15
Canon, Franklin	32.45
Carrollton, Carroll	32.35
Cartersville, Bartow	32.35
Cedartown, Polk	32.35
Chauncey, Dodge	32.35
Chester, Dodge	32.35
Claxton, Evans	32.25
Cochran, Bleckley	32.35
Colquitt, Miller	32.15
Columbus, Muscogee	32.35
Comer, Madison	32.45
Commerce, Jackson	32.45
Conyers, Rockdale	32.35
Cordele, Crisp	32.25
Covington, Newton	32.35
Culloden, Monroe	32.35
Cuthbert, Randolph	32.15
Dallas, Paulding	32.35
Dalton, Whitfield	32.35
Davisboro, Washington	32.35
Dawson, Terrell	32.25
Dexter, Laurens	32.35
Doerun, Colquitt	32.15
Donalsonville, Seminole	32.15
Douglas, Coffee	32.25
Dublin, Laurens	32.35
Dudley, Laurens	32.35
Eastman, Dodge	32.35
East Point, Fulton	32.35
Eatonton, Putnam	32.35
Edison, Calhoun	32.15
Elberton, Elbert	32.45
Ellaville, Schley	32.35
Fairburn, Fulton	32.35
Farrar, Jasper	32.35
Fayetteville, Fayette	32.35
Fitzgerald, Ben Hill	32.25
Forsyth, Monroe	32.35
Fort Gaines, Clay	32.15
Fort Valley, Peach	32.35
Gainesville, Hall	32.45
Garfield, Emanuel	32.35
Gay, Meriwether	32.35
Glennville, Tattnall	32.25
Grantville, Coweta	32.35
Graymont, Emanuel	32.35
Greensboro, Greene	43.45
Greenville, Meriwether	32.35
Gresston, Dodge	32.35
Griffin, Spalding	32.35
Haralson, Coweta	32.35
Harrison, Washington	32.35
Hartsfield, Colquitt	32.15
Hartwell, Hart	32.45
Hawkinsville, Pulaski	32.35
Hogansville, Troup	32.35
Ideal, Macon	32.35
Jackson, Butts	32.35
Jefferson, Jackson	32.45
Jeffersonville, Twiggs	32.35
Jesup, Wayne	32.25
Jonesboro, Clayton	32.35
Kelly, Jasper	32.35
Kingston, Bartow	32.35
Kite, Johnson	32.35
LaFayette, Walker	32.35
La Grange, Troup	32.35
Lavonia, Franklin	32.45
Lawrenceville, Gwinnett	32.35

GEORGIA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Leary, Calhoun	32.15
Leslie, Sumter	32.25
Lilly, Dooly	32.25
Lincolnton, Lincoln	32.45
Locust Grove, Henry	32.35
Loganville, Walton	32.35
Louisville, Jefferson	32.35
Lumpkin, Stewart	32.25
Luthersville, Meriwether	32.35
McDonough, Henry	32.35
McRae, Telfair	32.25
Macon, Bibb	32.35
Madison, Morgan	32.35
Manchester, Meriwether	32.35
Mansfield, Newton	32.35
Marietta, Cobb	32.35
Marshallville, Macon	32.35
Meansville, Pike	32.35
Melgs, Thomas	32.15
Metter, Candler	32.35
Midville, Burke	32.35
Millan, Dodge	32.35
Milledgeville, Baldwin	32.35
Millen, Jenkins	32.35
Monroe, Walton	32.35
Montezuma, Macon	32.35
Monticello, Jasper	32.35
Montrose, Laurens	32.35
Moreland, Coweta	32.35
Moultrie, Colquitt	32.15
Newnan, Coweta	32.35
Ochlocknee, Thomas	32.15
Ocilla, Irwin	32.25
Oglethorpe, Macon	32.35
Omega, Tift	32.25
Orchard Hill, Spalding	32.35
Parrott, Terrell	32.25
Pelham, Mitchell	32.15
Perry, Houston	32.35
Pinehurst, Dooly	32.25
Pitts, Wilcox	32.25
Plains, Sumter	32.25
Portal, Bulloch	32.35
Pulaski, Candler	32.35
Rebecca, Turner	32.25
Rentz, Laurens	32.35
Reynolds, Taylor	32.35
Rhine, Dodge	32.35
Richland, Stewart	32.25
Roberta, Crawford	32.35
Rochelle, Wilcox	32.25
Rockmart, Polk	32.35
Rocky Ford, Screven	32.35
Rome, Floyd	32.35
Royston, Franklin	32.45
Rutledge, Morgan	32.35
Sandersville, Washington	32.35
Savannah, Chatham	32.35
Scotland, Telfair	32.25
Senoia, Coweta	32.35
Shady Dale, Jasper	32.35
Sharpsburg, Coweta	32.35
Shellman, Bartow	32.35
Shellman, Randolph	32.15
Social Circle, Walton	32.35
Soperton, Treutlen	32.35
Sparta, Hancock	32.35
Statesboro, Bulloch	32.35
Summit, Emanuel	32.35
Swainsboro, Emanuel	32.35
Sycamore, Turner	32.25
Sylvania, Screven	32.35
Sylvester, Worth	32.25
Tallapoosa, Haralson	32.35
Taylorsville, Bartow	32.35
Temple, Carroll	32.35
Tennille, Washington	32.35
Thomaston, Upson	32.35
Thomson, McDuffie	32.45
Tifton, Tift	32.25
Tignall, Wilkes	32.45
Toccoa, Stephens	32.45
Turin, Coweta	32.35
Tyrone, Fayette	32.35
Unadilla, Dooly	32.25
Valdosta, Lowndes	32.15

GEORGIA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Vidalia, Toombs	32.25
Vienna, Dooly	32.25
Villa Rica, Carroll	32.35
Wadley, Jefferson	32.35
Warrenton, Warren	32.45
Washington, Wilkes	32.45
Watkinsville, Oconee	32.45
Waynesboro, Burke	32.35
West Point, Troup	32.35
Williamson, Pike	32.35
Winder, Barrow	32.45
Woodbury, Meriwether	32.35
Woodland, Talbot	32.35
Wrightsville, Johnson	32.35
Zebulon, Pike	32.35

ILLINOIS

Cairo, Alexander	31.67

LOUISIANA

Alexander, Rapides	31.61
Arcadia, Bienville	31.61
Bernice, Union	31.61
Bryceland, Bienville	31.61
Bunkie, Avoyelles	31.61
Chatham, Jackson	31.61
Choudrant, Lincoln	31.61
Coushatta, Red River	31.61
Delhi, Richland	31.62
Dubach, Lincoln	31.61
Farmerville, Union	31.61
Ferriday, Concordia	31.63
Franklinton, Washington	31.67
Gibsland, Bienville	31.61
Haynesville, Claiborne	31.61
Homer, Claiborne	31.61
Jonesboro, Jackson	31.61
Lake Charles, Calcasieu	31.61
Lake Providence, East Carroll	31.63
Logansport, DeSoto	31.61
Mansfield, DeSoto	31.61
Marion, Union	31.61
Minden, Webster	31.61
Monroe, Ouachita	31.61
Natchitoches, Natchitoches	31.61
Newellton, Tensas	31.63
New Orleans, Orleans	31.67
Oak Grove, West Carroll	31.62
Opelousas, Saint Landry	31.61
Plain Dealing, Bossier	31.61
Rayville, Richland	31.61
Ringgold, Bienville	31.61
Ruston, Lincoln	31.61
Shreveport, Caddo	31.61
Springhill, Webster	31.61
Tallulah, Madison	31.63
Winnsboro, Franklin	31.61

MISSISSIPPI

Aberdeen, Monroe	31.73
Amory, Monroe	31.73
Batesville, Panola	31.73
Belmont, Tishomingo	31.73
Belzoni, Humphreys	31.67
Booneville, Prentiss	31.73
Brookhaven, Lincoln	31.70
Canton, Madison	31.73
Carthage, Leake	31.73
Clarksdale, Coahoma	31.67
Cleveland, Bolivar	31.67
Coffeeville, Yalobusha	31.73
Columbia, Marion	31.70
Columbus, Lowndes	31.73
Como, Panola	31.73
Corinth, Alcorn	31.73
Drew, Sunflower	31.67
Durant, Holmes	31.73
Forest, Scott	31.70
Gloster, Amite	31.67
Goodman, Holmes	31.73
Greenville, Washington	31.67
Greenwood, Leflore	31.67
Grenada, Grenada	31.73
Gulfport, Harrison	31.67
Hattiesburg, Forest	31.70
Hollandale, Washington	31.67

MISSISSIPPI—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Holly Springs, Marshall	31.73
Houston, Chickasaw	31.73
Indianola, Sunflower	31.67
Inverness, Sunflower	31.67
Itta Bena, Leflore	31.67
Jackson, Hinds	31.70
Kosciusko, Attala	31.73
Laurel, Jones	32.70
Leland, Washington	31.67
Lexington, Holmes	31.67
Liberty, Amite	31.70
Louisville, Winston	31.73
McComb, Pike	31.70
Macon, Noxubee	31.73
Magee, Simpson	31.70
Magnolia, Pike	31.70
Marks, Quitman	31.67
Meridian, Lauderdale	31.73
Mount Olive, Covington	31.70
Natchez, Adams	31.67
New Albany, Union	31.73
Newton, Newton	31.70
Okolona, Chickasaw	31.73
Oxford, Lafayette	31.73
Philadelphia, Neshoba	31.73
Pontotoc, Pontotoc	31.73
Port Gibson, Claiborne	31.67
Quitman, Clarke	31.70
Ripley, Tippah	31.73
Rolling Fork, Sharkey	31,67
Rosedale, Bolivar	31.67
Ruleville, Sunflower	31.67
Shaw, Bolivar	31.67
Shelby, Bolivar	31.67
Shuqualak, Noxubee	31.73
Sledge, Quitman	31.67
Summit, Pike	31.70
Tunica, Tunica	31.67
Tupelo, Lee	31.73
Tutwiler, Tallahatchie	31.67
Tylertown, Walthall	31.70
Union, Newton	31.73
Vicksburg, Warren	31.67
Water Valley, Yalobusha	31.73
Wesson, Copiah	31.70
West Point, Clay	31.73
Yazoo City, Yazoo	31.67

MISSOURI

Arbyrd, Dunklin	31.66
Caruthersville, Pemiscot	31.66
Charleston, Mississippi	31.64
Gideon, New Madrid	31.64
Haytl, Pemiscot	31.66
Kennett, Dunklin	31.64
Lilbourn, New Madrid	31.64
Malden, Dunklin	31.64
Portageville, New Madrid	31.66
Sikeston, Scott	31.64

NEW MEXICO

Artesia, Eddy	31.38
Carlsbad, Eddy	31.38
Hobbs, Lea	31.44
Las Cruces, Dona Ana	31.37
Roswell, Chaves	31.37

NORTH CAROLINA

Avondale, Rutherford	32.55
Battlesboro, Nash	32.48
Benson, Johnston	32.48
Bethel, Pitt	32.48
Bladenboro, Bladen	32.48
Bostic, Rutherford	32.55
Cander, Montgomery	32.55
Carthage, Moore	32.55
Charlotte, Mecklenburg	32.55
Cherryville, Gaston	32.55
Clayton, Johnston	32.48
Clinton, Sampson	32.48
Columbus, Polk	32.55
Concord, Cabarrus	32.55
Dunn, Harnett	32.48
Durham, Durham	32.55
Edenton, Chowan	32.48
Elizabeth City, Pasquotank	32.48
Enfield, Halifax	32.48
Farmville, Pitt	32.48

NORTH CAROLINA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Fayetteville, Cumberland	32.48
Forest City, Rutherford	32.55
Franklinton, Franklin	32.48
Gastonia, Gaston	32.55
Goldsboro, Wayne	32.43
Greensboro, Guilford	32.55
Gumberry, Northampton	32.48
Harris, Rutherford	32.55
Henderson, Vance	32.48
Hickory, Catawba	32.55
Hope Mills, Cumberland	32.48
Jackson, Northampton	32.48
Kings Mountain, Cleveland	32.55
Kinston, Lenoir	32.48
LaGrange, Lenoir	32.48
Laurel Hill, Scotland	32.48
Laurinburg, Scotland	32.48
Lewiston, Bertie	32.43
Lilesville, Anson	32.55
Lincolnton, Lincoln	32.55
Littleton, Halifax	32.48
Louisburg, Franklin	32.48
Lumberton, Robeson	32.48
Marshville, Union	32.55
Matthews, Mecklenburg	32.55
Maxton, Robeson	32.48
Monroe, Union	32.55
Mooresville, Iredell	32.55
Morven, Anson	32.55
Mount Gilead, Montgomery	32.55
Mount Olive, Wayne	32.48
Murfreesboro, Hertford	32.48
Nashville, Nash	32.48
Newton, Catawba	32.55
Norlina, Warren	32.48
Parkton, Robeson	32.48
Pates, Robeson	32.48
Pembroke, Robeson	32.48
Pikeville, Wayne	32.48
Pinetops, Edgecombe	32.48
Raeford, Hoke	32.48
Raleigh, Wake	32.48
Ranlo, Gaston	32.55
Red Springs, Robeson	32.48
Reidsville, Rockingham	32.55
Rich Square, Northampton	32.48
Roanoke Rapids, Halifax	32.48
Rockingham, Richmond	32.55
Rocky Mount, Edgecombe	32.48
Rowland, Robeson	32.48
Rutherfordton, Rutherford	32.55
Saint Pauls, Robeson	32.48
Salisbury, Rowan	32.55
Sanford, Lee	32.55
Scotland Neck, Halifax	32.48
Seaboard, Northampton	32.48
Shelby, Cleveland	32.55
Smithfield, Johnston	32.43
Spring Hope, Nash	32.48
Stantonsburg, Wilson	32.48
Statesville, Iredell	32.55
Tarboro, Edgecombe	32.43
Wadesboro, Anson	32.55
Wagram, Scotland	32.48
Wake Forest, Wake	32.48
Warrenton, Warren	32.48
Washington, Beaufort	32.48
Weldon, Halifax	32.48
Wilmington, New Hanover	32.48
Wilson, Wilson	32.48
Woodland, Northampton	32.48

OKLAHOMA

City and county	Basis Middling White and Extra White 15/16" loan rate
Ada, Pontotoc	31.61
Altus, Jackson	31.54
Anadarko, Caddo	31.54
Ardmore, Carter	31.54
Carter, Beckham	31.54
Chandler, Lincoln	31.54
Chickasha, Grady	31.54
Clinton, Custer	31.54
Cushing, Payne	31.61
Durant, Bryan	31.61
Elk City, Beckham	31.54
Erick, Beckham	31.54
Foss, Washita	31.54

OKLAHOMA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Frederick, Tillman	31.54
Guthrie, Logan	31.54
Hobart, Kiowa	31.54
Hugo, Choctaw	31.61
Lawton, Comanche	31.54
McAlester, Pittsburg	31.61
Mangum, Greer	31.54
Marlow, Stephens	31.54
Mountain View, Kiowa	31.54
Muskogee, Muskogee	31.61
Oklahoma City, Oklahoma	31.54
Pauls Valley, Garvin	31.54
Purcell, McClain	31.54
Ryan, Jefferson	31.54
Sentinel, Washita	31.54
Shawnee, Pottawatomie	31.61
Snyder, Kiowa	31.54
Stroud, Lincoln	31.61
Tipton, Tillman	31.54
Waurika, Jefferson	31.54
Weleetka, Okfuskee	31.61
Wynnewood, Garvin	31.54

SOUTH CAROLINA

City and county	Basis Middling White and Extra White 15/16" loan rate
Abbeville, Abbeville	32.55
Aiken, Aiken	32.55
Allendale, Allendale	32.48
Anderson, Anderson	32.55
Andrews, Georgetown	32.48
Angelus, Chesterfield	32.55
Ashwood, Lee	32.48
Atkins, Lee	32.48
Bamberg, Bamberg	32.48
Barnwell, Barnwell	32.48
Batesburg, Lexington	32.55
Belton, Anderson	32.55
Bennettsville, Marlboro	32.43
Bethune, Kershaw	32.55
Bishopville, Lee	32.48
Blacksburg, Cherokee	32.55
Blackstock, Fairfield	32.55
Blackville, Barnwell	32.48
Blairs, Fairfield	32.55
Blaney, Kershaw	32.55
Blenheim, Marlboro	32.48
Bowman, Orangeburg	32.48
Boykin, Kershaw	32.55
Brunson, Hampton	32.48
Calhoun Falls, Abbeville	32.55
Camden, Kershaw	32.55
Cameron, Calhoun	32.48
Campobello, Spartanburg	32.55
Carlisle, Union	32.55
Catawba, York	32.55
Cateechee, Pickens	32.55
Centenary, Marion	32.48
Central, Pickens	32.55
Chappells, Newberry	32.55
Charleston, Charleston	32.48
Cheraw, Chesterfield	32.55
Chesnee, Spartanburg	32.55
Chester, Chester	32.55
Chesterfield, Chesterfield	32.55
Clinton, Laurens	32.55
Clio, Marlboro	32.48
Clover, York	32.55
Columbia, Richland	32.55
Conestee, Greenville	32.55
Cope, Orangeburg	32.48
Cordova, Orangeburg	32.48
Cowpens, Spartanburg	32.55
Crockettville, Hampton	32.48
Cross Anchor, Spartanburg	32.55
Cross Hill, Laurens	32.55
Darlington, Darlington	32.48
Davis Station, Clarendon	32.48
Dillon, Dillon	32.48
Drake, Marlboro	32.48
Due West, Abbeville	32.55
Dunbar, Marlboro	32.48
Dunbarton, Barnwell	32.48
Duncan, Spartanburg	32.55
Easley, Pickens	32.55
Edgefield, Edgefield	32.55
Ehrhardt, Bamberg	32.48
Elko Barnwell	32.48

SOUTH CAROLINA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Ellenton, Aiken	32.55
Elliot, Lee	32.48
Elloree, Orangeburg	32.48
Enoree, Spartanburg	32.55
Estill, Hampton	32.48
Eureka, Aiken	32.55
Eutawville, Orangeburg	32.48
Fairfax, Allendale	32.48
Fair Forest, Spartanburg	32.55
Fairmont, Spartanburg	32.55
Filbert, York	32.55
Fingerville, Spartanburg	32.55
Florence, Florence	32.48
Fountain Inn, Greenville	32.55
Gaffney, Cherokee	32.55
Gray Court, Laurens	32.55
Greenville, Greenville	32.55
Greenwood, Greenwood	32.55
Greer, Greenville	32.55
Hamer, Dillon	32.48
Hampton, Hampton	32.48
Hartsville, Darlington	32.48
Heath Springs, Lancaster	32.55
Hickory Grove, York	32.55
Holly Hill, Orangeburg	32.48
Honea Path, Anderson	32.55
Inman, Spartanburg	32.55
Iva, Anderson	32.55
Jefferson, Chesterfield	32.55
Jenkinsville, Fairfield	32.55
Johnsonville, Florence	32.48
Johnston, Edgefield	32.55
Jonesville, Union	32.55
Kershaw, Kershaw	32.55
Kings Creek, Cherokee	32.55
Kingstree, Williamsburg	32.48
Kline, Barnwell	32.48
Kollock, Marlboro	32.48
Lake City, Florence	32.48
Lamar, Darlington	32.48
Lancaster, Lancaster	32.55
Landrum, Spartanburg	32.55
Lanford, Laurens	32.55
Latta, Dillon	32.48
Laurens, Laurens	32.55
Leesville, Lexington	32.55
Lester, Marlboro	32.48
Liberty, Pickens	32.55
Little Rock, Dillon	32.48
Lowrys, Chester	32.55
Lugoff, Kershaw	32.55
Luray, Hampton	32.48
Lynchburg, Lee	32.48
McColl, Marlboro	32.48
McCormick, McCormick	32.55
Manning, Clarendon	32.48
Marion, Marion	32.48
Mauldin, Greenville	32.55
Mayesville, Sumter	32.48
Mount Carmel, McCormick	32.55
Mount Croghan, Chesterfield	32.55
Mullins, Marion	32.48
Neeses, Orangeburg	32.48
Newberry, Newberry	32.55
Newry, Oconee	32.55
New Zion, Clarendon	32.48
Ninety Six, Greenwood	32.55
Norris, Pickens	32.55
North, Orangeburg	32.48
Norway, Orangeburg	32.48
Olanta, Florence	32.48
Olar, Bamberg	32.48
Orangeburg, Orangeburg	32.48
Oswego, Sumter	32.48
Owings, Laurens	32.55
Pageland, Chesterfield	32.55
Pamplico, Florence	32.48
Parksville, McCormick	32.55
Pelzer, Anderson	32.55
Pendleton, Anderson	32.55
Pickens, Pickens	32.55
Piedmont, Greenville	32.55
Plum Branch, McCormick	32.55
Pomaria, Newberry	32.55
Princeton, Laurens	32.55
Remini, Clarendon	32.48

SOUTH CAROLINA—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Richburg, Chester	32.55
Ridge Springs, Saluda	32.55
Ridgeway, Fairfield	32.55
Rock Hill, York	32.55
Roebuck, Spartanburg	32.55
Rowesville, Orangeburg	32.48
Salley, Aiken	32.55
Saluda, Saluda	32.55
Sandy Springs, Anderson	32.55
Scotia, Hampton	32.48
Seigling, Allendale	32.48
Sellers, Marion	32.48
Seneca, Oconee	32.55
Sharon, York	32.55
Silver, Clarendon	32.48
Simpsonville, Greenville	32.55
Six Mile, Pickens	32.55
Smoaks, Colleton	32.48
Spartanburg, Spartanburg	32.55
Springfield, Orangeburg	32.48
Starr, Anderson	32.55
St. Matthews, Calhoun	32.48
Summerton, Clarendon	32.48
Sumter, Sumter	32.48
Swansea, Lexington	32.55
Syracuse, Darlington	32.48
Tatum, Marlboro	32.48
Timmonsville, Florence	32.48
Trenton, Edgefield	32.55
Union, Union	32.55
Vance, Orangeburg	32.48
Van Wyck, Lancaster	32.55
Wagener, Aiken	32.55
Walhalla, Oconee	32.55
Walterboro, Colleton	32.48
Waterloo, Laurens	32.55
Wedgefield, Sumter	32.48
Westminster, Oconee	32.55
West Union, Oconee	32.55
Whitmire, Newberry	32.55
Whitney, Spartanburg	32.55
Williamston, Anderson	32.55
Williston, Barnwell	32.48
Windsor, Aiken	32.55
Winnsboro, Fairfield	32.55
Wisacky, Lee	32.48
Wolfton, Orangeburg	32.48
Woodruff, Spartanburg	32.55
York, York	32.55

TENNESSEE

Appleton, Lawrence	31.84
Brownsville, Hayward	31.72
Chattanooga, Hamilton	32.24
Covington, Tipton	31.72
Decherd, Franklin	32.04
Dyersburg, Dyer	31.72
Elora, Lincoln	31.94
Fayetteville, Lincoln	31.94
Five Points, Lawrence	31.84
Halls, Lauderdale	31.72
Henderson, Chester	31.73
Jackson, Madison	31.73
Knoxville, Knox	32.24
Lawrenceburg, Lawrence	31.84
Loretto, Lawrence	31.84
Memphis, Shelby	31.75
Memphis, Shelby	31.73
Milan, Gibson	31.72
Murfreesboro, Rutherford	31.94
Ripley, Lauderdale	31.72
South Pittsburg, Marion	32.14
Tiptonville, Lake	31.72
Winchester, Franklin	32.04

TEXAS

Abernathy, Hale	31.46
Abilene, Taylor	31.52
Ackerly, Dawson	31.46
Afton, Dickens	31.52
Aiken, Floyd	31.46
Alba, Wood	31.61
Alvarado, Johnson	31.54
Amherst, Lamb	31.46
Anson, Jones	31.52
Anton, Hockley	31.46

TEXAS—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Aspermont, Stonewall	31.52
Athens, Henderson	31.61
Atlanta, Cass	31.61
Austin, Travis	31.54
Austonio, Houston	31.54
Avery, Red River	31.61
Baileyboro, Bailey	31.46
Ballinger, Runnels	31.52
Barry, Navarro	31.54
Bartlett, Bell	31.54
Beaumont, Jefferson	31.61
Beckville, Panola	31.61
Belton, Bell	31.54
Bertram, Burnett	31.54
Big Spring, Howard	31.46
Bledsoe, Cochran	31.46
Bloomburg, Cass	31.61
Bogata, Red River	31.61
Bonham, Fannin	31.61
Bovina, Parmer	31.46
Brady, McCulloch	31.52
Brenham, Washington	31.54
Broadview, Lubbock	31.46
Brownfield, Terry	31.46
Brownsville, Cameron	31.46
Brownwood, Brown	31.54
Bryan, Brazos	31.54
Bula, Bailey	31.46
Bynum, Hill	31.54
Caldwell, Burleson	31.54
Calbert, Robertson	31.54
Cameron, Milam	31.54
Carthage, Panola	31.61
Celina, Collin	31.54
Center, Shelby	31.61
Childress, Childress	31.52
Chillicothe, Hardeman	31.54
Clarksville, Red River	31.61
Cleburne, Johnson	31.54
Coble, Hockley	31.46
Coleman, Coleman	31.52
Colorado City, Mitchell	31.52
Commerce, Hunt	31.61
Cooper, Delta	31.61
Corpus Christi, Nueces	31.50
Corsicana, Navarro	31.54
Crockett Houston	31.54
Crosbyton, Crosby	31.46
Cuero, DeWitt	31.54
Daingerfield, Morris	31.61
Dallas, Dallas	31.54
Dean, Hockley	31.46
Dean, Clay	31.54
Dean, Leon	31.54
Decatur, Wise	31.54
Denison, Grayson	31.61
Denton, Denton	31.54
Deport, Lamar	31.61
Dublin, Erath	31.54
Eden, Concho	31.52
Edgewood, Van Zandt	31.61
El Campo, Wharton	31.54
Elgin, Bastrop	31.54
Elkhart, Anderson	31.54
El Paso, El Paso	31.37
Elysian Fields, Harrison	31.61
Emhouse, Navarro	31.54
Enloe, Delta	31.61
Ennis, Ellis	31.54
Enochs, Bailey	31.46
Fabens, El Paso	31.37
Fairfield, Freestone	31.54
Farwell, Parmer	31.46
Floydada, Floyd	31.52
Forney, Kaufman	31.54
Fort Stockton, Pecos	31.44
Fort Worth, Tarrant	31.54
Frisco, Collin	31.54
Gainesville, Cooke	31.61
Galveston, Galveston	31.61
Ganado, Jackson	31.54
Garland, Dallas	31.61
Gary, Panola	31.61
Gatesville, Coryell	31.54
Gilmer, Upshur	31.61
Gonzales, Gonzales	31.54

TEXAS—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Grand Saline, Van Zandt	31.61
Grandview, Johnson	31.54
Granger, Williamson	31.54
Grapeland, Houston	31.54
Grassland, Lynn	31.46
Greenville, Hunt	31.61
Hale Center, Hale	31.46
Hamilton, Hamilton	31.54
Hamlin, Jones	31.52
Harlingen, Cameron	31.46
Haskell, Haskell	31.52
Hearne, Robertson	31.54
Hebron, Denton	31.54
Hedley, Donley	31.52
Henderson, Rusk	31.61
Hillsboro, Hill	31.54
Honey Grove, Fannin	31.61
Houston, Harris	31.61
Hubbard, Hill	31.54
Hughes Spring, Cass	31.61
Huntsville, Walker	31.54
Irene, Hill	31.54
Itasca, Hill	31.54
Jacksonville, Cherokee	31.61
Jarrell, Williamson	31.54
Jayton, Kent	31.52
Jefferson, Marion	31.61
Jewett, Leon	31.54
Kaufman, Kaufman	31.61
Kenedy, Karnes	31.50
Kerens, Navarro	31.54
Killeen, Bell	31.54
Knox City, Knox	31.52
Krum, Denton	31.54
Ladonia, Fannin	31.61
La Grange, Fayette	31.54
Lamesa, Dawson	31.46
Levelland, Hockley	31.46
Lindale, Smith	31.61
Littlefield, Lamb	31.46
Lockhart, Caldwell	31.54
Lockney, Floyd	31.46
Longview, Gregg	31.61
Loraine, Mitchell	31.52
Lorenzo, Crosby	31.46
Lovelady, Houston	31.54
Lubbock, Lubbock	31.46
Lueders, Jones	31.52
McAdoo, Dickens	31.52
McGregor, McLennan	31.54
McKinney, Collin	31.61
McLean, Gray	31.52
Madisonville, Madison	51.54
Marfa, Presidio	31.38
Marlin, Falls	31.54
Marshall, Harrison	31.61
Mart, McLennan	31.54
Maypearl, Ellis	31.54
Meadow, Terry	31.46
Memphis, Hall	31.52
Mereta, Tom Green	31.52
Merkel, Taylor	31.52
Mexia, Limestone	31.54
Midland, Midland	31.46
Midlothian, Ellis	31.54
Mineola, Wood	31.61
Monahans, Ward	31.44
Morton, Cochran	31.46
Mount Pleasant, Titus	31.61
Muleshoe, Bailey	31.46
Munday, Knox	31.52
Nacogdoches, Macogdoches	31.61
Naples, Morris	31.61
Navasota, Grimes	31.54
Needmore, Bailey	31.46
Needmore, Delta	31.61
New Boston, Bowie	31.61
New Braunfels, Comal	31.54
Nocona, Montague	31.54
Norton, Runnels	31.52
O'Donnell, Lynn	31.46
Old Glory, Stonewall	31.52
Olton, Lamb	31.46
Omaha, Morris	31.61
Paducah, Cottle	31.52
Palestine, Anderson	31.54

TEXAS—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Paris, Lamar	31.61
Patricia, Dawson	31.46
Peacock, Stonewall	31.52
Pecos, Reeves	31.44
Petersburg, Hale	31.46
Pettit, Hockley	31.46
Pilot Point, Denton	31.54
Pittsburg, Camp	31.61
Plainview, Hale	31.46
Plano, Collin	31.61
Post, Garza	31.46
Presidio, Presidio	31.38
Princeton, Collin	31.61
Quanah, Hardeman	31.54
Quitaque, Briscoe	31.46
Quitman, Wood	31.61
Ralls, Crosby	31.46
Raymondville, Willacy	31.46
Rice, Navarro	31.54
Roans Prairie, Grimes	31.54
Roaring Springs, Motley	31.52
Robstown, Nueces	31.50
Roby, Fisher	31.52
Rochelle, McCulloch	31.52
Rochester, Haskell	31.52
Rockwall Rockwall	31.61
Roscoe, Nolan	31.52
Rosebud, Falls	31.54
Rotan, Fisher	31.52
Rowlett, Dallas	31.61
Royse City, Rockwall	31.61
Rule, Haskell	31.52
Salado, Bell	31.54
San Angelo, Tom Green	31.52
San Augustine, San Augustine	31.61
San Marcos, Hays	31.54
Schulenburg, Fayette	31.54
Seagraves, Gaines	31.46
Seguin, Guadalupe	31.54
Seymour, Baylor	31.54
Shallowater, Lubbock	31.46
Shamrock, Wheeler	31.52
Sherman, Grayson	31.61
Shiner, Lavaca	31.54
Shiro, Grimes	31.54
Silverton, Briscoe	31.46
Slaton, Lubbock	31.46
Snyder, Scurry	31.52
Spade, Mitchell	31.52
Spade, Lamb	31.46
Spur, Dickens	31.52
Stamford, Jones	31.52
Stanton, Martin	31.46
Streetman, Freestone	31.54
Sudan, Lamb	31.46
Sugar Land, Fort Bend	31.61
Sulphur Springs, Hopkins	31.61
Sweetwater, Nolan	31.52
Swenson, Stonewall	31.52
Taft, San Patricio	31.50
Tahoka, Lynn	31.46
Tatum, Rusk	31.61
Taylor, Williamson	31.54
Teague, Freestone	31.54
Temple, Bell	31.54
Tenaha, Shelby	31.61
Terrell, Kaufman	31.61
Texarkana, Bowie	31.61
Texas City, Galveston	31.61
Timpson, Shelby	31.61
Troup, Smith	31.61
Turkey, Hall	31.46
Twitty, Wheeler	31.52
Tyler, Smith	31.61
Valley Mills, Bosque	31.54
Venus, Johnson	31.54
Vernon, Wilbarger	31.54
Victoria, Victoria	31.54
Waco, McLennan	31.54
Wall, Tom Green	31.52
Waxahachie, Ellis	31.54
Wellington, Collingsworth	31.52
Weslaco, Hidalgo	31.46
West, McLennan	31.54
Whitewright, Grayson	31.61
Wichita Falls, Wichita	31.54

TEXAS—Continued

City and county	Basis Middling White and Extra White 15/16" loan rate
Wills Point, Van Zandt	31.61
Wilson, Lynn	31.46
Winnsboro, Wood	31.61
Winters, Runnels	31.52
Wolfe City, Hunt	31.61
Wolfforth, Lubbock	31.46
Yoakum, Lavaca	31.54
Yorktown, De Witt	31.54

VIRGINIA

Brodnax, Brunswick	32.48
Kenbridge, Lunenburg	32.48
Norfolk, Norfolk	32.48

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c, 7 U. S. C. Sup., 1441, 1421)

Issued this 16th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-9962; Filed, Aug. 21, 1951; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture

Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.4]

PART 850—DOMESTIC BEET, MAINLAND CANE, HAWAII AND VIRGIN ISLANDS SUGAR PRODUCING AREAS

1951 CROP

Pursuant to the provisions of section 302 of the Sugar Act of 1948 (herein referred to as "act"), the following determination is hereby issued:

§ 850.4 *Proportionate shares for farms in the domestic beet, mainland cane, Hawaiian and Virgin Islands areas*—(a) *Farm proportionate shares.* The proportionate share for the 1951 crop for each farm shall be as follows:

(1) In the domestic beet sugar area, the number of acres of sugar beets planted thereon for the production of sugar beets to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1951 crop season;

(2) In the Mainland cane sugar area, the number of acres planted thereon for the production of sugarcane to be marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1951 crop season;

(3) In Hawaii, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the calendar year 1951; and

(4) In the Virgin Islands, the amount of sugar, raw value, commercially recoverable from sugarcane grown thereon and marketed (or processed by the producer) for the extraction of sugar or liquid sugar during the 1951 crop season.

(b) *Share tenant, share cropper and adherent planter protection.* Notwithstanding the establishment of a proportionate share for any farm under paragraph (a) of this section, eligibility for payment of any producer of sugarcane shall be subject to the following conditions:

(1) That the number of share tenants, share croppers or adherent planters on any sugarcane farm shall not be reduced below the number on such farm during the previous crop year, unless such reduction is approved by the respective State Committee or Director of the Area Office of the Production and Marketing Administration; and

(2) That such producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or other producer any payment to which share tenants, share croppers or adherent planters would be entitled if their leasing or cropping agreements for the previous crop year were in effect.

STATEMENT OF BASES AND CONSIDERATIONS

Requirements of the Sugar Act. As a condition for payment, section 301 (b) of the act requires compliance with the proportionate share established for the farm. Such proportionate share shall be the farm's share of the quantity of sugar beets or sugarcane required to be processed to enable the producing area to meet its quota (and provide a normal carryover inventory) as estimated by the Secretary for the calendar year during which the larger part of the sugar from such crop normally would be marketed. Section 302 (a) of the act provides that the amount of sugar with respect to which payment may be made shall be the amount of sugar, raw value, commercially recoverable from the sugar beets or sugarcane grown on a farm and marketed (or processed) for sugar or liquid sugar not in excess of the proportionate share established for the farm. Section 302 (b) provides that in determining the proportionate share for a farm the Secretary may take into consideration the past production on the farm of sugar beets or sugarcane marketed (or processed) for the extraction of sugar or liquid sugar and the ability to produce such sugar beets or sugarcane, and that the Secretary shall, insofar as practicable, protect the interests of new producers and small producers, and the interests of producers who are cash tenants, share tenants, adherent planters, or share croppers.

Beet sugar area. Sugar from each crop in this area is normally marketed during two calendar years. The major portion of such sugar is marketed in the year following the beginning of the harvest. Thus, the carryover of sugar from any crop into the following calendar year may be a relatively high proportion of the crop and still not be regarded as excessive. (The term "sugar" as used herein means sugar, raw value, and all amounts are expressed in short tons.

"Effective inventory" as used herein means the stocks of sugar actually on hand plus the sugar to be produced from the remainder of a crop.) The effective beet sugar inventory on January 1, 1951 was about 1,500,000 tons. On the basis of the July 1 Crop Production report of the Bureau of Agricultural Economics, as adjusted for estimated plantings of sugar beets in the Imperial Valley this fall, the 1951 crop of sugar beets should yield approximately 1,500,000 tons of sugar. The total of the effective January 1, 1951 inventory and the 1951-crop outturn will be about 3,000,000 tons. Thus, the marketing in 1951 of the basic quota for the area of 1,800,000 tons should result in an effective inventory on January 1, 1952 of only about 1,200,000 tons.

Mainland cane sugar area. The production of sugar from 1950-crop sugarcane in this area amounted to 564,000 tons and the effective inventory on January 1, 1951 was approximately 197,000 tons. On the basis of the July 1 crop report of the Bureau of Agricultural Economics, a 1951-crop production of approximately 510,000 tons is indicated. The total of the effective January 1, 1951 inventory and the indicated 1951 crop production is 707,000 tons. Thus, the marketing in 1951 of the basic quota for the area of 500,000 tons will result in an effective inventory on January 1, 1952 of approximately 207,000 tons, an amount which is not deemed excessive.

Hawaii. The carryover for Hawaii on January 1, 1951 was 17,000 tons. With a 1951 estimated production of 1,050,000 tons, available supplies in 1951 will total 1,067,000 tons, all of which can be marketed against a mainland quota of 1,052,000 tons and a local consumption quota of 45,000 tons.

Virgin Islands. The 1950 quota for this area was increased from the basic quota of 6,000 tons to 11,000 tons as a result of deficits in other areas. This permitted the marketing of all the surplus stocks which resulted from the large 1950 crop. It is currently estimated that this area's 1951-crop production will be about 8,000 tons. Thus its January 1, 1952 carryover will be about 2,000 tons, unless it benefits from 1951 deficit prorations. This amount of inventory is not deemed excessive under the prevailing circumstances.

Determination. In view of the foregoing, it is deemed appropriate to establish proportionate shares for the 1951 crop for farms in these areas at the level of actual marketings of sugar beets or sugarcane, as the case may be.

The provisions of this determination relating to the protection of share tenants, share croppers and adherent planters are the same as those established for the 1950 crop. Since the marketing of sugarbeets and sugarcane is not limited under this determination, special protection for new producers, small producers and cash tenants is unnecessary.

Accordingly, I hereby find and conclude that the foregoing determination, will effectuate the purposes of section 302 of the Sugar Act of 1948.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Sup., 1153. Interprets or applies sec. 302, 61 Stat. 930; 7 U. S. C. Sup. 1132)

Issued this 17th day of August, 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9988; Filed, Aug. 21, 1951; 8:51 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 958—IRISH POTATOES GROWN IN COLORADO

APPROVAL OF BUDGET EXPENSES AND FIXING RATE OF ASSESSMENT

Notice of proposed rule making regarding rules and regulations relative to a proposed budget and rate of assessment, to be made effective under Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958), regulating the handling of Irish potatoes grown in Colorado was published in the FEDERAL REGISTER (16 F. R. 7050). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the administrative committee for Area No. 1 (established pursuant to said agreement and order), the following rules and regulations are hereby approved.

§ 958.208 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the administrative committee for Area No. 1, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to carry out its functions pursuant to the provisions of the aforesaid marketing agreement and order, during the fiscal year ending May 31, 1952, will amount to $1,350.00;

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be one-half of one cent ($0.005) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal year; and

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR, Part 958).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 17th day of August 1951, to become effective 30 days after publication hereof in the FEDERAL REGISTER.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-9985; Filed, Aug. 21, 1951; 8:51 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 110—PRIMARY INSPECTION AND DETENTION

PART 116—CIVIL AIR NAVIGATION

MISCELLANEOUS AMENDMENTS

The following amendments to Parts 110 and 116 of Chapter I, Title 8 of the Code of Federal Regulations, are hereby prescribed:

1. The headnote to § 110.3 and the introductory sentence in paragraph (a) of that section are amended to read as follows:

§ 110.3 *International airports for the entry of aliens.* (a) The following are international airports for the entry of aliens:

2. Section 110.3 is further amended by revoking paragraph (b), by changing the designation of paragraph (c) to (b), and by amending that paragraph to read as follows:

(b) In addition to the places named in paragraph (a) of this section, places where permission for certain aircraft to land has been given by the Commissioner of Customs in accordance with the provisions of § 116.3 (a) of this chapter, and places where emergency or forced landings are made under the provisions of § 116.3 (f) of this chapter, shall be regarded as designated for the entry of aliens arriving by such aircraft.

(Sec. 7 (d), 44 Stat. 572; 49 U. S. C. 177 (d))

3. The last sentence of § 116.52, *Aircraft; how considered,* is amended by deleting the word "Newfoundland" and the comma following it.

4. Section 116.58 is amended to read as follows:

§ 116.58 *Preexamination in Canada of aircraft passengers.* The endorsement on forms issued by officers of the Immigration and Naturalization Service to persons preexamined in Canada who travel to the United States by aircraft shall be as prescribed in §§ 114.1 to 114.4 of this chapter, and the period of validity of said forms shall be as prescribed therein. Upon surrendering such properly endorsed forms at the international airport, the rightful holders will be admitted, provided their status has undergone no change between the time of issuance of the forms and the arrival of the holders at the international airport. The international airport at which persons preexamined in Canada actually enter the United States shall be the "record" port of entry for all purposes. Aliens excluded from admission to the United States upon preexamination in Canada shall be accounted for as heretofore by the office at which exclusion occurs.

5. Sections 116.61 and 116.62 are amended to read as follows:

§ 116.61 *Designation of international airports.* Application for designation of an airport as an international airport for the entry of aliens shall be made to the Attorney General and shall state whether the airport (a) has been approved by the Secretary of Commerce as a properly equipped airport, (b) has been designated by the Secretary of the Treasury as a port of entry for aircraft arriving in the United States from any place outside thereof and for the merchandise carried on such aircraft, and (c) has been designated by the Federal Security Administrator as a place for quarantine inspection. An airport will not be designated by the Attorney General as an international airport without such prior approval and designation, and unless it appears to the satisfaction of the Attorney General that conditions render such designation necessary or advisable, and unless adequate facilities have been or will be provided thereat, without cost to the Federal Government, for the proper inspection and disposition of aliens, including office space and temporary detention quarters found necessary.

CROSS REFERENCE: For list of international airports, see § 110.3 of this chapter.

§ 116.62 *Withdrawal of designation of international airport.* The designation of an airport as an international airport for the entry of aliens may be withdrawn whenever, in the judgment of the Attorney General, there appears just cause for such action.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) with respect to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendments of §§ 110.3, 116.58, 116.61, and 116.62 pertain solely to agency management, and the amendment of § 116.52 merely deletes matter now obsolete.

(R. S. 161, sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, secs. 7, 11, 44 Stat. 572, 574–575, 48 Stat. 1116, 52 Stat. 1029, sec. 37, 54 Stat. 675; 5 U. S. C. 22, 8 U. S. C. 102, 222, 458, 49 U. S. C. 177, 181)

J. HOWARD MCGRATH,
Attorney General.

Recommended: July 2, 1951.

ARGYLE R. MACKEY,
Commissioner,
Immigration and Naturalization.

[F. R. Doc. 51-9992; Filed, Aug. 21, 1951; 8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4960]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARTER PRODUCTS, INC., AND SMALL & SEIFFER, INC.

Subpart—*Advertising falsely or misleadingly:* § 3.170 *Qualities or properties of product or service;* § 3.195 *Safety.* In connection with the offering for sale, sale or distribution of a cosmetic preparation designated "Arrid", or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce of said preparation, which advertisements represent, directly or through inference, (a) that the application of said preparation stops underarm perspiration; (b) that said preparation will keep the armpits dry or odorless; (c) that the use of said preparation immediately after shaving will not irritate the skin; (d) that said preparation will prevent the accumulation of odor—creating secretions or excretions in the armpits; or (e) that said preparation is safe or harmless to use, without disclosing that it may cause irritation of sensitive skin; prohibited, subject to the provision, however, as respects clause (a), that nothing therein shall prevent the respondents from representing that the use of Arrid will prevent the appearance of perspiration when used as directed, namely, "daily" or "as frequently as you find necessary"; to the provision, as respects clause (b), that nothing therein shall prevent respondents from representing that the use of Arrid will keep the armpits dry or odorless when used as directed, namely, "daily" or "as frequently as you find necessary"; and to the provision, as respects clause (d), that nothing therein shall prevent respondents from representing that the use of Arrid will prevent the accumulation of odor-creating body secretions or excretions in the armpits when used as directed, namely, "daily" or "as frequently as you find necessary."

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, Carter Products, Inc., et al., Docket 4960, May 24, 1951]

In the Matter of Carter Products, Inc., a Corporation, and Small & Seiffer, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence in support of the complaint and in opposition thereto, taken before a trial examiner of the Commission theretofore duly designated by it, the recommended decision of the trial examiner and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission, having made its findings as to the facts and its conclusion, that the respondents have violated the provisions of the Federal Trade Commission Act and issued its order to cease and desist on July 14, 1949; and

Respondents having filed in the United States Court of Appeals for the Seventh Circuit their petition to review and set aside the order to cease and desist issued herein, and that Court having heard the matter on briefs and oral argument, fully considered the matter, and, on February 20, 1951, entered its final decree modifying and affirming, as modified, the aforesaid order to cease and desist pursuant to its opinion announced on February 2, 1951:

Now therefore it is hereby ordered, That respondents, Carter Products, Inc., a corporation, and Small & Seiffer, Inc., a corporation, and their respective agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of a cosmetic preparation designated "Arrid," or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That the application of said preparation stops underarm perspiration: *Provided, however,* That nothing herein shall prevent the respondents from representing that the use of Arrid will prevent the appearance of perspiration when used as directed, namely, "daily" or "as frequently as you find necessary."

(b) That said preparation will keep the armpits dry or odorless: *Provided,* That nothing herein shall prevent respondents from representing that the use of Arrid will keep the armpits dry or odorless when used as directed, namely, "daily" or as "frequently as you find necessary."

(c) That the use of said preparation immediately after shaving will not irritate the skin.

(d) That said preparation will prevent the accumulation of odor-creating secretions or excretions in the armpits: *Provided,* That nothing herein shall prevent respondents from representing that the use of Arrid will prevent the accumulation of odor-creating body secretions or excretions in the armpits when used as directed, namely, "daily" or "as frequently as you find necessary."

(e) That said preparation is safe or harmless to use, without disclosing that it may cause irritation of sensitive skin.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in Paragraph 1 hereof.

It is further ordered, That the respondents shall, within ninety (90) days after the entry of the aforesaid decree by the United States Court of Appeals for the Seventh Circuit, file with the Commission a report in writing setting forth in detail the manner and form in

which they have complied with this order.

Issued: May 24, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-9982; Filed, Aug. 21, 1951; 8:50 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52796]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

CERTIFIED SEED POTATOES, AND SEED CORN OR MAIZE

Item 724 in the Torquay Schedule XX of the General Agreement on Tariffs and Trade (16 F. R. 5381; T. D. 52739) reads:

Seed corn or maize, certified by a responsible officer or agency of a foreign government in accordance with the rules and regulations of that government to have been grown and approved especially for use as seed, in containers marked with the foreign government's official certified seed corn tags: 12½ cents per bushel of 56 pounds.

To outline the procedure for obtaining this reduced rate of duty, § 10.57 Customs Regulations of 1943 (19 CFR 10.57), is amended to read as follows:

§ 10.57 *Certified seed potatoes, and seed corn or maize.* Claim for classification as seed potatoes under paragraph 771, Tariff Act of 1930, as modified (T. D. 51802, or as seed corn or maize under paragraph 724, Tariff Act of 1930, as modified (T. D. 52739), shall be made at the time of entry. Such classification shall be allowed only if the articles are white or Irish potatoes, or maize or corn, imported in containers and if, at the time of importation, there is firmly affixed to each container an official tag supplied by the government of the country in which the contents were grown, or an agency of such government. The tag shall bear a certificate to the effect that the specified contents of the container were grown, and have been approved, especially for use as seed. The tag shall also bear a number or other symbol identifying the potatoes or corn in the container with an inspection record of the foreign government or its agency on the basis of which the certificate was issued.

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: AUGUST 15, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10032; Filed, Aug. 21, 1951; 8:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter C—Personnel

PART 711—NAVAL RESERVE OFFICERS' TRAINING CORPS

Part 711 is revised to read as follows:

GENERAL PRINCIPLES

Sec.
711.101 Authorization.
711.102 Supervision.
711.103 Mission.
711.104 Scope as an agency to provide and maintain naval officer strength.

ORGANIZATION

711.201 Organization of the NROTC.
711.202 Department of Naval Science.
711.203 Designation of units.
711.204 Course of training.
711.205 Requirements for establishment of units.
711.206 Application for establishment of units.
711.207 Inspection of institution prior to the establishment of unit.
711.208 Limitation of personnel of NROTC.
711.209 Withdrawal of authority for establishment of a unit.
711.210 Land-grant institutions.

CONDITIONS OF SERVICE

711.301 Types of NROTC students.
711.302 Naval sciences students.
711.303 Faculty members.
711.304 Enrollment procedures.
711.305 General qualifications for enrollment.
711.306 Medical examinations.
711.307 Disenrollment.
711.308 Transfer between NROTC institutions.
711.309 Appointment of NROTC students to service academies.
711.310 Entry of NROTC students into U. S. Naval Academy.
711.311 Delay in completion of course.
711.312 Commissioning procedure.
711.313 Commissioned status upon completion.
711.314 Determination of precedence upon commissioning.
711.315 Transfer to flight training program.

ADMINISTRATION

711.401 General policies.
711.402 Communications.
711.403 Inspection.
711.404 Review of accomplishments.
711.405 Officer and enlisted personnel.
711.406 Head of Department of Naval Science.
711.407 Duties and status of additional officers and of enlisted men.
711.408 Discipline.
711.409 Residence and uniform of officers and enlisted men.
711.410 Conducting additional courses of instruction or taking courses of instruction offered by an institution.
711.411 Armed Forces Day observance.

TRAINING

711.501 General.
711.502 Advanced standing and degree credit (Naval Science).
711.503 Courses of instruction.
711.504 Supply Corps courses.
711.505 Civil Engineer Corps program.
711.506 Curriculum requirements and limitations.
711.507 Aptitude for the service.
711.508 Practice cruises.
711.509 Marking, student records, and class standing.
711.510 Status-of-training reports.
711.511 Athletics.
711.512 Absence from instruction.
711.513 Military organization.

MARINE CORPS

711.601 Enrollment in the Marine Corps Naval Science courses.
711.602 Training.
711.603 Appointment to commissioned rank in the Marine Corps.
711.604 Clothing.

PAY AND ALLOWANCES

711.701 Retainer pay.
711.702 Active duty pay.
711.703 Subsistence allowances. Contract students.
711.704 Subsistence in kind.
711.705 National Service Life Insurance.
711.706 Travel allowances.
711.707 Educational expenses.

UNIFORM AND INSIGNIA

711.801 Authorized uniforms.
711.802 Issue of uniforms.
711.803 Alterations to NROTC uniforms.
711.804 Wearing the uniform.
711.805 Replacement of uniform clothing.
711.806 Purchases from clothing and small stores.
711.807 Purchases from armed services exchanges.
711.808 Return of uniforms.

FACILITIES, SUPPLIES, AND EQUIPMENT

711.901 Facilities.
711.902 Protection of Naval property.
711.903 Allowance list.
711.904 Allotments.
711.905 Procurement of materials, supplies, and equipment.

NROTC FORMS AND REPORTS

711.1001 Form of application for establishment of an NROTC unit.
711.1002 Forms and reports.

AUTHORITY: §§ 711.101 to 711.1002 issued under sec. 22, 43 Stat. 126, as amended; 34 U. S. C. 821.

NOTE: §§ 711.101 to 711.1002 are also contained in regulations for Administration and Training of the Naval Reserve Officers' Training Corps, Navy Department, 1950.

GENERAL PRINCIPLES

§ 711.101 *Authorization.* The Naval Reserve Officers' Training Corps is established under authority of section 22 of the act of March 4, 1925, as amended (34 U. S. C. 821).

§ 711.102 *Supervision.* (a) In conformity with the provisions of existing law, the NROTC is operated through appropriate administrative regulations issued by the Secretary of the Navy.

(b) The Secretary of the Navy is also authorized to prescribe standard courses for theoretical and practical Naval training for NROTC units and to issue to institutions with NROTC units such transportation, equipment, and uniforms belonging to the United States as he may deem necessary, and to authorize such expenditures from proper Navy appropriations as he may deem necessary for the efficient maintenance of the NROTC.

(c) The Bureau of Naval Personnel is the administrative agency of the Secretary of the Navy, as explained in §§ 711.401 to 711.411.

(d) NROTC Bulletins and Memoranda, issued when required by the Bureau of Naval Personnel, will embody current Bureau directives dealing with the operation and administration of the NROTC.

§ 711.103 *Mission.* The mission of the Naval Reserve Officers' Training Corps is to provide by a permanent system of training and instruction in essential naval subjects at civil educational institutions a source from which qualified officers may be obtained for the Navy and the Marine Corps, and the Naval Reserve and the Marine Corps Reserve.

§ 711.104 *Scope as an agency to provide and maintain naval officer strength.* The NROTC will accomplish its mission as an agency for providing and maintaining naval officer strength by:

(a) Qualification of students for appointment as ensigns in the Regular Navy and the Naval Reserve, or second lieutenants in the Marine Corps and the Marine Corps Reserve, thus assisting in meeting the needs for commissioned personnel.

(b) Increased dissemination of knowledge concerning the Navy and Marine Corps, their purposes, ideals, achievements, and handicaps, thereby gaining and holding increased public interest in the maintenance of adequate naval preparedness.

ORGANIZATION

§ 711.201 *Organization of the NROTC.* The Naval Reserve Officers' Training Corps is composed of naval training units established in civil educational institutions of the United States. A unit is the total enrollment of Regular and Contract students in the NROTC at any one civil educational institution. (See § 711.301.)

§ 711.202 *Department of Naval Science.* Instruction given at any institution in accordance with programs prescribed by the Navy Department will be conducted and supervised by a Department of Naval Science.

§ 711.203 *Designation of units.* The unit established at any civil educational institution will be officially designated as "NROTC Unit, (name of institution)."

§ 711.204 *Course of training.* (a) The NROTC course of training consists of those courses, practice periods, and exercises prescribed by the Navy Standard Curriculum currently in effect, together with such summer training duty or training cruises as may be prescribed. A midshipman pursuing a normal four-year college course will be required to carry a minimum of one Naval Science course per semester or quarter, unless otherwise authorized by the Professor of Naval Science.

(b) During the junior and senior years, special professional courses are provided at all units for students desiring to obtain commissions in the Marine Corps, and at certain designated units for those desiring commissions in the Supply Corps.

(c) In order that NROTC graduates may have a sound and liberal background of academic as well as professional knowledge, additional standard academic courses, as offered by the college faculty, are prescribed, and certain elective subjects are recommended.

§ 711.205 *Requirements for establishment of units.* The following requirements must be met prior to the establishment of an NROTC unit at a civil educational institution:

(a) For normal operation an annual minimum initial enrollment in the Naval Science courses of 80 qualified male students is required to maintain a Naval Reserve Officers' Training Corps Unit. Such input into the NROTC will be limited and controlled as directed by the Bureau of Naval Personnel on a schedule consonant with the needs of the Service.

(b) The authorities of the institution will agree to establish and maintain the courses in Naval Science prescribed by the Bureau of Naval Personnel.

(c) Credits toward a degree will be granted for Naval Science subjects commensurate with the time expended, in the same manner as for other academic subjects.

(d) The authorities of the institution shall agree to appoint to the faculty, with appropriate rank, a Naval or Marine Corps officer detailed as Professor of Naval Science and such additional officers of the Regular Navy, Naval Reserve, Marine Corps, or Marine Corps Reserve as may be assigned by the Navy Department.

§ 711.206 *Application for establishment of units.* A civil educational institution desiring the establishment of a unit of the NROTC should make application to the Bureau of Naval Personnel on the form prescribed in § 711.1001.

§ 711.207 *Inspection of institution prior to establishment of unit.* When the establishment of a new unit is to be considered by the Navy Department, an officer will be designated by the Bureau of Naval Personnel to visit and inspect any educational institution submitting the application for establishment of a unit prescribed in § 711.206. This officer will report to the Bureau of Naval Personnel upon completion of his inspection as to whether or not the institution inspected fulfills the requirements of the laws and regulations governing the establishment of a unit, and he will specifically recommend in his report whether or not a unit should be established.

§ 711.208 *Limitation of personnel of NROTC.* The enacting law as amended prescribes that the total NROTC students in training shall not exceed 15,400 at any one time. Of these not more than 14,000 shall be Regular NROTC students as defined in § 711.301 (a). The remainder of the 15,400 total may be composed of Contract NROTC students whose tuition is not paid by the Navy, as specified in § 711.301 (b).

§ 711.209 *Withdrawal of authority for establishment of a unit.* An institution desiring to withdraw from the NROTC will so report in writing, giving reasons in full therefor to the Bureau of Naval Personnel at least 3 months prior to the date upon which withdrawal is to be effective. A unit will not be maintained at an institution when the institution, after thorough consideration, desires its withdrawal. Ordinarily, however, a unit will be withdrawn only at the end of an academic year. The Secretary of the Navy may, upon the recommendation of the Bureau of Naval Personnel, and upon at least 3 months notice in writing to the institution, withdraw the unit from any institution where such unit is established and rescind authorization for a unit at that institution should it be considered that the work of the unit is not compatible with the mission of the NROTC. Whenever the authorities of an institution request the withdrawal of a unit, or when in the opinion of the Professor of Naval Science a unit should be withdrawn, the Professor of Naval Science shall forward to the Bureau of Naval Personnel a report stating in full those details of the situation existing at the institution which would be of assistance to the Chief of Naval Personnel in arriving at an understanding of the facts and circumstances involved in the request or recommendation for the withdrawal of the unit.

§ 711.210 *Land-grant institutions.* The obligations of land-grant institutions to provide military instruction imposed by the act of July 2, 1862 (12 Stat. 503; 7 U. S. C. 304), are not altered by the enacting law authorizing the NROTC, or by the regulations in this part. The military training requirements prescribed by the above act are considered to be fulfilled by students who have successfully completed 2 years of Naval Science courses and drills.

CONDITIONS OF SERVICE

§ 711.301 *Types of NROTC students.* Officer candidates in the NROTC are of two types:

(a) Regular NROTC students are appointed Midshipmen, USNR, and will be granted the compensation and benefits specified in §§ 711.701 to 711.808. In accordance with their contract (§ 7.11. 1002 (a)), such students are obliged to make all required summer practice cruises (§ 711.508) and to serve at least 15 months on active duty after commissioning, as Ensigns, U. S. Navy, or Second Lieutenants, U. S. Marine Corps, unless sooner released by the Secretary of the Navy. Should such officers elect to terminate their regular status, they will be commissioned in the Naval or Marine Corps Reserve, and, at the discretion of the Secretary of the Navy, may be required to continue on active duty under the terms of their contract until they have completed 2 years' commissioned service. They may apply for retention as career officers in the Regular Navy or Marine Corps in accordance with § 711.313.

(b) Contract NROTC students have the status of civilians who have entered into a mutual contract with the Navy (§ 711.1002 (b)). For administrative purposes they are referred to as Reserve Midshipmen. They are not entitled to the compensation or benefits paid Regular NROTC students except that they are entitled to the uniform issue specified in § 711.802, payment of commutation of subsistence during their final 2

years of NROTC training (§ 711.703), and the practice cruise compensations specified in § 711.702. Contract NROTC students agree to accept a commission in the Naval Reserve or the Marine Corps Reserve but may, if they so desire and if their services are required, be commissioned as Ensigns, USN, or Second Lieutenants, USMC, and serve for 2 years on active duty. They may then apply, if they so desire, for retention in the Service (§ 711.313). Contract NROTC students are required to make one summer practice cruise. Contract students desiring to transfer to the status of Regular students must qualify through the annual competitive examination and selection procedure.

§ 711.302 *Naval Science students.* (a) With the approval of the Professor of Naval Science and the academic authorities, civilian students who have not entered into any contract with the Navy may be permitted to pursue Naval Science courses for college credit provided the acceptance of such students will not affect adversely the instruction given to NROTC students. They will be designated as Naval Science students. They will not be eligible to make NROTC practice cruises or to be paid any compensation or benefits. They may withdraw at their own request upon approval of the Professor of Naval Science.

(b) Naval Science students may become eligible for enrollment in the NROTC as Contract students, provided they comply in every respect with the requirements for original enrollment, when vacancies occur in the unit quota. They may also compete in the annual competition for entrance into the NROTC as Regular students.

(c) Naval Science students must be informed that they are not actually enrolled in the NROTC. They may, with the approval of the Professor of Naval Science, participate in local drills.

(d) Naval Science students shall be allowed access only to such classified instructional materials and publications as are necessary for the pursuit of Naval Science subjects and which are required in the curriculum.

(e) A Regular or Contract student who is attending an institution having compulsory military training, and who is disenrolled from the NROTC prior to the completion of the military requirements of the institution, shall be retained as a Naval Science student until the military training requirements of the institution have been completed. This procedure may be dispensed with only if the student desires to transfer to the Army or Air Force ROTC and such transfer is approved by the Professor of Military Science and Tactics or the Professor of Air Science and Tactics in accordance with the Statement of Joint ROTC Policies as approved by the Secretary of Defense.

§ 711.303 *Faculty members.* Members of the faculty may, with the approval of the Professor of Naval Science, take any of the courses of instruction prescribed for members of the NROTC. Participation in these courses will not entitle them to enrollment in the NROTC or to any pay or allowances.

§ 711.304 *Enrollment procedures.* (a) Regular NROTC students, in general, will be enrolled after a competitive selection procedure from among young men in civilian life and enlisted men in the Navy and Marine Corps. This selection is controlled by the Chief of Naval Personnel subject to the concurrence of the Commandant of the Marine Corps in the case of enlisted men of the Marine Corps, and detailed directives concerning procedures will be issued and widely distributed from time to time. Such students must be qualified for admission to an NROTC institution under the regulations of that institution.

(1) Contract students selected for regular status will be required to obtain their degrees and commissions in the same time they would normally have taken had they remained in their original contract status. They will be required to make as many cruises as possible in the time available before graduation, and if at the time of graduation they have made fewer than three cruises they will be required to make one cruise after graduation in order to qualify for a commission.

(2) Naval Science students selected for regular status will be treated in the same manner as Contract students selected for regular status.

(b) Contract NROTC students are to be enrolled by the Professor of Naval Science within limited numbers specified by the Chief of Naval Personnel in accordance with instructions issued from time to time. Such students must meet the qualifications specified for all NROTC enrollees in § 711.305 and must be in attendance at an NROTC institution.

(c) Naval Science students may be enrolled by the Professor of Naval Science as long as the number so enrolled is within the limits of the instructional staff and facilities available.

§ 711.305 *General qualifications for enrollment.* In general, each candidate for enrollment in the NROTC must meet the following requirements:

(a) Be an unmarried male citizen of United States and agree to remain unmarried until commissioned or disenrolled.

(b) Have attained the seventeenth anniversary of his birth on or before July first of the year of enrollment and be of such age that he will not have passed the twenty-fifth anniversary of his birth on July first of the year he will be commissioned (i. e., not over 21 on July first for initial enrollment at the beginning freshman level). The Professors of Naval Science are authorized, however, to waive the minimum age requirements for Contract students of the freshman class in those cases where they consider the student involved to be of sufficient maturity to undertake the Naval Science courses and drills. A special letter report, stating the names of all students for whom such waivers have been granted, will be forwarded to the Bureau of Naval Personnel. No waiver of the age requirements for Regular students will be granted.

(c) Be morally qualified and possess officer-like qualifications and character as evidenced by appearance, scholarship, extracurricular activities, and record in his home community.

(d) Be at least a high school graduate or person of equivalent educational level if selected competitively; or, be enrolled in good standing and attending an NROTC institution if selected by the Professor of Naval Science.

(e) Be physically qualified in accordance with the requirements of the current Manual of the Medical Department for entrance into the Naval Academy.

(f) Any person receiving compensation from the United States Veterans' Administration for disability incurred in the Naval or Military service of the United States, or who has any claim pending under that Bureau on account of such disability, is not eligible for enrollment in the NROTC. Veterans who have previously filed such claims may become eligible for enrollment if (1) the Veterans' Administration has disallowed the claim or if (2) the veteran has withdrawn or (3) withdraws his claim. Procedures for establishing such eligibility shall be in accordance with current directives. All such veterans should understand that any such actions initiated by them are voluntary on their part. While no individual is required to waive any such claims, enrollment in the NROTC is contingent upon fulfilling all entrance requirements.

(g) A citizen of the insular possessions of the United States, unless he has been legally admitted as a citizen of the United States, is not eligible for membership in the NROTC.

(h) No member of the Regular Armed Forces in active service, or members of the Reserve or National Guard components thereof, shall be eligible for enrollment as a Regular student (Midshipman, USNR) in the NROTC while retaining his status in the other organization. No commissioned officer, Regular or Reserve, of any service is eligible. Enlisted members of the Organized and Volunteer Naval or Marine Corps Reserve in an inactive duty status may be enrolled as Contract students. Members of other Reserve components of the Armed Forces although not eligible for enrollment as Contract students while retaining such status, may be enrolled as Naval Science students pending discharge from such status or transfer to the Naval or Marine Corps Reserve.

(i) Students selected for appointment as Midshipmen, USNR, or for enrollment as Contract students, who formerly attended one of the United States Service Academies, or one of the United States or State Merchant Marine or Maritime Academies, shall not be appointed or enrolled without the specific approval of the Bureau of Naval Personnel. Before taking action on such cases the Bureau will obtain comments and recommendations from the Commandant of the appropriate Academy.

(j) Students selected for appointment as Midshipmen, USNR, or for enrollment as Contract students shall be required to

execute current Loyalty Certificates prior to their appointment or enrollment.

§ 711.306 *Medical examinations*—(a) *Initial examination.* (1) Each applicant for enrollment as a Contract student by the Professor of Naval Science, will be first examined to determine his physical qualifications. Standard Form 88, in duplicate, shall be forwarded to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.

(2) Regular students need not be physically examined upon arrival, as they will already have been approved as physically qualified. Their first medical examination after enrollment will be that required by paragraph (b) of this section.

(b) *Annual medical examinations.* The Professor of Naval Science shall require each student enrolled in the NROTC to be physically examined during the last semester or quarter of each academic year and Standard Form 88, in duplicate, shall be forwarded as in paragraph (a) of this section. Each copy of Standard Form 88 shall contain the student's officer file number. This examination may be given at the same time as the pregraduation medical examination required by paragraph (e) of this section.

(c) *Health records.* Health records shall be opened for both Contract and Regular students at their first medical examination after entry into the NROTC.

(d) *Vaccinations and inoculations.* At the time of the annual medical examinations, appropriate vaccinations and inoculations should be given to all students expecting to go on the summer cruise or to camp.

(e) *Pregraduation medical examinations.* Graduating students must complete their annual medical examination 90 days prior to graduation (§ 711.1002 (d)). This medical examination, which must be conducted by a Board of Medical Examiners, shall include, whenever practicable, roentgenographic examination of the chest and serologic tests for syphilis and shall be made as a part of the pregraduation medical examination to determine physical fitness of NROTC graduates for appointment to commissioned rank in the U. S. Naval Service. (If it is impracticable to conduct roentgenographic or serologic tests as part of the pregraduation medical examination, a statement to that effect shall be made on the Standard Form 88 and on NavMed H–8 (Medical History Sheet), with a request that these examinations be conducted at the first active duty station.) This pregraduation medical examination shall be conducted in accordance with the appropriate provisions of the Manual of the Medical Department, and qualifications shall be as specified therein. The report thereof on Standard Form 88, in duplicate, shall be forwarded as in paragraph (a) of this section with the application for commission. The student's officer file number shall be entered on the Form 88. The purpose of the medical examination shall be clearly indicated on the Form 88 as appropriate, i. e., "Appointment to Commissioned Rank as Ensign, line (or SC or CEC) in the U. S. Navy (or Naval Reserve) or Second Lieutenant in the U. S. Marine Corps (or Marine Corps Reserve). The following statements, in duplicate, shall be attached to the Standard Form 88: "We hereby certify that the examined candidate is (is not) physically qualified for appointment to commissioned rank as Ensign, line, in the U. S. Navy (or as appropriate)," over the signature of the Board of Medical Examiners, and "I certify that I have informed the Board of Medical Examiners of all the bodily ailments which I have suffered, and to the best of my knowledge and belief, I am free from any bodily or mental ailments (except those as follows:)," over the signature of the candidate examined.

Attention is invited to the provisions of Section 0811, Naval Supplement to the Manual for Courts-Martial.

(f) *Visual standard.* Visual standard for original entry into the NROTC is 20/20, each eye. Any student whose vision in either eye during his period of service falls below 20/20 may be subject to disenrollment. The Professor of Naval Science shall carefully review the entire record of any student whose vision falls below 20/20 and shall recommend retention or disenrollment in accordance with the student's over-all record. However, the Professor of Naval Science shall recommend disenrollment in every case where the student's vision has dropped below 20/27, correctable to 20/20 in each eye, unless he is pursuing a course of study which should qualify him for appointment in the Staff Corps, USN, if a Regular student, or as a Staff Corps or Special Duty Officer in the USNR if a Contract student. In all cases where the student's vision drops below 20/100, the Professor of Naval Science shall recommend his disenrollment for physical reasons.

(g) *Disposition of physically disqualified.* Students not meeting physical standards shall be recommended for disenrollment (§ 711.307).

(h) *Assistance.* The Professor of Naval Science shall request whatever medical or dental assistance may be required for carrying out any of these medical examinations from the Commandant of the Naval District.

§ 711.307 *Disenrollment* — (a) *General.* Any NROTC student dropped by the institution for academic failure or any other reason shall be immediately disenrolled by the Professor of Naval Science. The date of disenrollment shall be set by the Professor of Naval Science and reported to the Bureau of Naval Personnel on the Student Disenrollment Report (NavPers 364). If a Contract student, no further correspondence will be required. If the student being disenrolled is a Regular student, the Chief of Naval Personnel will recommend to the Secretary of the Navy that appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination will be prepared by the Chief of Naval Personnel, and appointment terminated retroactive to the date set by the Professor of Naval Science.

(b) *Physical.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel direct, on NavPers 364, the disenrollment of any student who does not meet the required physical standards for retention in the NROTC. Recommendations shall be accompanied by Standard Form 88, in duplicate.

(c) *Academic.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel the disenrollment of any NROTC student whose general academic record is such as to make his value as an officer in the Navy doubtful. Such recommendations shall be submitted on NavPers 364 and shall include a complete statement of the student's academic record to date with an estimate by the academic authorities of the student's academic performance and capabilities. This recommendation may be made at any time during the student's course. Any considerable deficiency in the quality of a student's work in Naval Science courses will be considered grounds for such a recommendation, regardless of the quality of his other academic work.

(d) *Disciplinary.* The Professor of Naval Science may recommend for disenrollment any student from the NROTC for disciplinary reasons as specified in § 711.408 to be reported as above under paragraph (c) of this section.

(e) *Inaptitude.* The Professor of Naval Science shall recommend to the Chief of Naval Personnel on NavPers 364 the disenrollment of any student who has demonstrated at any stage of training such lack of officer aptitude as to make his further retention unjustified.

(f) *Special reasons.* In special cases, generally involving unusual hardship, the Chief of Naval Personnel may direct the disenrollment of an NROTC student for "Special Reasons." Disenrollments for "Special Reasons" will be the exception and not the rule and should be recommended by the Professor of Naval Science only in very unusual circumstances and after personal investigation of the facts presented by the student.

(g) *Own request.* The Professor of Naval Science may disenroll at his own request (Bureau approval not being required) the following types of NROTC students:

(1) Regular students at any time prior to the end of their first year of NROTC training. For the purpose of this type of disenrollment, the first year of training shall be considered as completed with the close of the second semester or spring quarter of the academic year. A Regular student in his first year of training whose disenrollment is pending or who would normally be disenrolled or recommended for disenrollment for the reasons specified in paragraphs (a) to (e), inclusive, of this section, shall not be disenrolled at his "Own Request". Upon receipt of information from the Professor of Naval Science that a Regular student has been disenrolled in accordance with the provisions of this paragraph, the Chief of Naval Personnel will recommend to the Secretary of the Navy that the appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination of appointment and discharge from the Naval Service will be prepared by the Chief of Naval Personnel and the appointment terminated retroactive to the date of disenrollment from the Naval

Reserve Officers' Training Corps as effected by the Professor of Naval Science.

(2) Contract students who have not yet qualified for entitlement to payments on account of commutation of subsistence.

(h) *Statements from students concerning disenrollment recommendations.* (1) A student being recommended for disenrollment for disciplinary reasons or because of inaptitude shall be offered the opportunity of presenting a signed statement in his own behalf concerning the circumstances which have resulted in the disenrollment recommendation.

(2) If the disenrollment recommendation is for disciplinary reasons due to the student's refusal to fulfill the provisions of his signed contract with the Secretary of the Navy, he shall acknowledge in his written request to the Bureau of Naval Personnel that he is aware of the obligations he assumed in his agreement or contract with the Navy and, furthermore, that he understands that disenrollment for disciplinary reasons as stated above, if effected, will be prejudicial to his interests if he should ever apply for a commission in the armed services.

(i) *Disenrollments (own request) requiring bureau approval.* A Regular NROTC student subsequent to his first year of NROTC training as defined above in this section, or a Contract NROTC student who has qualified for entitlement to payments on account of commutation of subsistence, may withdraw at his own request only when such request is approved by the Professor of Naval Science and the disenrollment has been authorized by the Chief of Naval Personnel. Release at their own request of students described in this paragraph will be approved only under the provisions of paragraphs (b) to (f), inclusive, of this section.

(j) *Continuance as Naval Science students.* Students disenrolled for any of the above reasons before the end of an academic term may be authorized by the Professor of Naval Science to complete the current term of Naval Science as Naval Science students.

(k) *Procedures for disenrollment and termination of appointment.* In effecting disenrollments under paragraphs (b) to (f), inclusive, of this section of Regular students and of Contract students who have qualified for entitlement to payments on account of commutation of subsistence, the following procedures will be followed:

(1) The Chief of Naval Personnel will review the case and approve or disapprove the recommendation for disenrollment. If approved, the Chief of Naval Personnel will direct the student's disenrollment from the Naval Reserve Officers' Training Corps, such disenrollment to be effective upon the date designated by the Chief of Naval Personnel.

(2) In the case of a Regular student whose disenrollment has been directed, the Chief of Naval Personnel will recommend to the Secretary of the Navy that the appointment as Midshipman be terminated. If approved by the Secretary, the letter of termination of appointment and discharge from the Naval Service will be prepared by the Chief of Naval Personnel and the appointment terminated retroactive to the effective date of disenrollment from the Naval Reserve Officers' Training Corps as set by the Chief of Naval Personnel.

§ 711.308 *Transfer between NROTC institutions.* (a) A Regular NROTC student may transfer from the NROTC Unit at one institution to the NROTC Unit at another if honorably released by the first institution and accepted by the second institution: *Provided,* That his transfer is approved by the Professors of Naval Science at both institutions and by the Bureau of Naval Personnel.

(1) The Professor of Naval Science of the NROTC Unit at the first institution shall include in his endorsement (if not in the student's request) a statement of the exact field of study the student proposes to follow together with any information which would be of assistance to the Professor of Naval Science and the academic authorities of the second institution in determining the student's probable acceptance for admission. There should be enclosed with this endorsement a transcript of the student's academic record, together with a statement of the courses in progress. This transcript need not be forwarded to the Bureau of Naval Personnel.

(2) The Professor of Naval Science of the NROTC Unit at the second institution in forwarding his recommendation to the Bureau shall include a statement as to the probable action of the academic administrative authorities on the student's request. His forwarding endorsement shall also state what effect, if any, on the student's date of commissioning will be entailed by the requested transfer if effected.

(3) The Bureau, upon favorable recommendation from the Professors of Naval Science, will generally approve those transfers which are motivated by reason of unusual personal hardships, or the impossibility of obtaining the required courses for certain degrees.

(4) The Bureau will view unfavorably those requests for transfers which are motivated by reason of personal convenience or desire, particularly those which stem from the fact that a student is not attending the school of his first choice. Such transfers would be in direct conflict with the principles established in the Plan of Distribution of NROTC students adopted jointly by the Association of NROTC Colleges and by the Bureau of Naval Personnel.

(b) A Contract NROTC student may transfer from one NROTC institution to another under the conditions specified in the first sentence of paragraph (a) of this section, except that prior approval of the Bureau of Naval Personnel will not be required. He must agree to continue his mutual contract with the Navy.

(c) A Naval Science student who transfers from one NROTC institution to another may be reenrolled as a Naval Science student provided he is recommended by the Professor of Naval Science of the institution from which transferred.

(d) The Professor of Naval Science of the institution from which such transfer is made shall forward to the Professor of Naval Science of the institution to which the transfer is made

(1) An official transcript,

(2) A complete listing of IBM items established for the student,

(3) Marks for all Naval Science courses completed and aptitude marks (4.0 basis),

(4) Health Record (Form H),

(5) Pay Accounts (Regular students),

(6) For Contract students:

(i) Date admitted to advanced standing for commutation of subsistence.

(ii) Date on which commutation of subsistence was discontinued because of transfer.

(iii) Three certified copies of student's contract.

§ 711.309 *Appointment of NROTC students to service academies.* Any student enrolled in the NROTC who so desires and produces evidence that he has been successful in passing the required entrance examination(s) and has been selected for entrance into one of the Service Academies, will be released from his contract with the Secretary of the Navy. In the case of Naval Academy and Military Academy candidates, this provision applies to all principal appointees and to any alternate appointee who may become a principal appointee. Whether the student will fulfill the physical requirements to enter the Academy concerned need not be determined prior to his being eligible for such release.

§ 711.310 *Entry of NROTC students into the U. S. Naval Academy*—(a) *Eligibility for entry.* Members of the NROTC, either as Regular or Contract students, are eligible for appointment to the Naval Academy by any of the existing procedures, with the following single exception: Only Contract students will be permitted to compete for appointment to the Naval Academy by competitive examination from among members of the NROTC, as provided by an act of February 27, 1936, ch. 89, 49 Stat. 1144, as amended. This act authorizes the Secretary of the Navy to appoint not more than 20 midshipmen annually to the Naval Academy from among the honor graduates of educational institutions which are designed as honor schools by the Department of the Army or the Department of the Navy, in accordance with regulations established by the Secretary of the Navy, and from among members of the NROTC.

(b) *Procedures for effecting entry.* The entry of NROTC students, both Regular and Contract, into the Naval Academy shall be effected in accordance with the following procedures:

(1) The candidates will be informed by the Bureau of Naval Personnel as to the date on which they should report to the Naval Academy. It is expected that the reporting dates will generally be during the week of about June 15, or as soon thereafter as the candidates become eligible for call.

(2) The Professor of Naval Science will issue instructions to the student authorizing him to report, on the proper date, to the Commanding Officer, U. S. Naval Barracks, U. S. S. Reina Mercedes, U. S. Naval Academy, Annapolis, Md., for

medical examination prior to appointment as Midshipman, USN. Such examinations normally require 3 days for completion. These authorizations shall indicate that all travel performed in compliance therewith will be at the student's own expense, in accordance with the Regulations Governing the Admission of Candidates into the U. S. Naval Academy. Reimbursement for travel will be made in the case of candidates who are appointed midshipmen, USN. The student will not be considered in an active duty status while complying with such authorizations.

(3) The authority for the student to take the entry medical examination will be forwarded by the Bureau of Naval Personnel to the Naval Academy.

(4) The records, accounts, and as much as possible of government clothing and equipment shall be retained at the NROTC unit or activity holding the accounts.

(5) If the candidate is admitted as a Midshipman, USN, the Naval Academy shall forward to the Chief of Naval Personnel a request for disenrollment of the individual concerned as of the date preceding admission to the Naval Academy. A copy of the request for disenrollment shall be forwarded to the appropriate Professor of Naval Science.

(6) Upon receipt of such request the Bureau of Naval Personnel will disenroll the student in accordance with standard procedures.

(7) Should the student be found not physically qualified for appointment as Midshipman, USN, he may be ordered to an appropriate NROTC summer cruise if he is physically qualified for retention in the NROTC. Otherwise he shall be recommended to the Bureau of Naval Personnel for disenrollment for physical reasons. The recommendation for disenrollment will be approved only after it is determined that the student is not physically qualified for retention in the NROTC.

§ 711.311 *Delay in completion of course.* In certain cases, because of institutional requirements for certain degrees, minor academic deficiencies, illness, or other legitimate reasons, it may become necessary to allow a student one or more additional semesters to enable him to qualify for his first baccalaureate degree. If recommended by the Professor of Naval Science and authorized by the Bureau of Naval Personnel, such additional time may be allowed. However, the total time during which a Regular student may be retained in a regularly enrolled NROTC status, receiving benefits and retainer pay, may not exceed four academic years. Similarly, a Contract student may not receive commutation of subsistence for a period exceeding two academic years plus one intervening summer vacation.

(a) Where it is necessary to extend the normal time for completion of degree requirements, the student may be placed in a leave status, without compensation or allowances, for such periods as are necessary to comply with the requirements of the program of studies as normally conducted by the institution. While in such leave status the student will not be eligible to receive the compensation or benefits paid to, or in behalf of, NROTC students under instruction, nor will he be required to take any Naval Science courses.

(b) In the case of students who are regularly enrolled in college cooperative programs requiring alternate periods of employment in industry or business and normally requiring 5 years for the completion of a baccalaureate degree, leave status may be established during the periods in which a student is engaged in such employment and is not effectively in residence at the institution, or upon the completion of the fourth year of his academic program if he has remained in residence (on a part-time basis) throughout 4 years of the program.

(c) A student enrolled in a curriculum normally requiring 5 years for completion who chooses to receive his retainer pay and benefits in successive years beginning with his first year of NROTC training will be placed in a leave status, without compensation, at the end of his fourth year of such training in order that he may continue to completion the curriculum leading to his degree. While in such leave status he will not be eligible to receive the compensation or benefits paid to, or in behalf of, NROTC students under instruction, nor will he be required to take any Naval Science courses. Men in this category who are about to complete their fifth year of college training should be reported to the Bureau of Naval Personnel by the Professor of Naval Science at the same time he reports the names of those who are about to be graduated and receive their commissions; i. e., 90 days in advance of the date of graduation. Upon the completion of his fifth academic year and the granting of the baccalaureate degree, he will be commissioned at the same time and in the same manner as other NROTC students who have completed a normal 4-year course and receive the baccalaureate degree at that time.

(d) A student enrolled in a curriculum normally requiring 5 years for completion who chooses to receive his retainer pay and benefits other than during his first 4 years of NROTC training, may be placed in a leave status, without compensation, during any one of the 5 years, and will be commissioned at the end of his fifth year, as in the preceding paragraph.

(e) The Professor of Naval Science is authorized to place in or to remove from leave status, students of the types described in paragraphs (b), (c), and (d) of this section. While prior Bureau approval will not be required in these cases, the Professor of Naval Science shall advise the Bureau of Naval Personnel of such action whenever taken.

(f) Recommendation for commissioning and other administrative action pertinent thereto shall be forwarded at the same time and in the same manner as for NROTC students completing a four-year program, even though the student is in leave status at the time of such action, i. e., 90 days in advance of his date of graduation.

§ 711.312 *Commissioning procedure.* (a) Regular and Contract NROTC students, upon successful completion of the prescribed Naval Science courses, and upon satisfactory completion of requirements for a degree, will be commissioned in the Navy or Naval Reserve, or in the Marine Corps or Marine Corps Reserve, respectively, depending upon the needs of the service, if recommended by the Professor of Naval Science and approved by the Secretary of the Navy. The Professor of Naval Science shall determine whether the student is in all respects academically qualified for appointment. However, the responsibility of the Professor of Naval Science shall not extend to the point of determining whether a Staff Corps candidate is professionally qualified for an appointment in either the Supply Corps or Civil Engineer Corps, since, by law, such is the responsibility of the appropriate Staff Corps Board. No student shall be recommended for appointment until he has been carefully appraised by the Professor of Naval Science not only academically but also for officer-like qualities and general ability. Candidates need not submit individual applications for commissions except as noted below.

(b) The Bureau of Naval Personnel will promulgate instructions relative to the appointment, during each calendar year, of Regular and Contract NROTC students in the Supply and Civil Engineer Corps, U. S. Navy. These instructions will be forwarded to all Professors of Naval Science as soon as practicable after the beginning of each calendar year. Normally the percentage of NROTC graduates appointed annually in the Supply and Civil Engineer Corps, U. S. Navy, will be in proportion to the percentages of such officers authorized by law for the regular Navy.

(c) The Professor of Naval Science shall forward direct to the Chief of Naval Personnel, to arrive 90 days prior to graduation, a report, in letter form, giving his recommendations concerning the commissioning of NROTC students who are about to be graduated, and in addition, the following, in duplicate, for each graduating student, USN or USNR candidate:

(1) Student's complete name, date of birth, file number, and student type (Midshipman, USNR, or Contract, NROTC, as the case may be). Indicate whether applicant is a candidate for Line, Staff Corps, SDO, or Marine Corps, and whether Regular Service or Reserve.

(2) Report of medical examination on Standard Form 88, in duplicate (§ 711.306 (e)). Attention is invited to Section 0811, Naval Supplement to the Manual for Courts-Martial, and Article 216 of the Manual of the Medical Department, U. S. Navy.

(3) Applicants for appointment to commissioned rank in the Navy or Marine Corps or the Naval or Marine Corps Reserve who have a claim pending for or who are drawing a pension, disability allowance, or disability compensation from the Government of the United States, are not eligible for appointment to commissioned rank in the Navy or Marine Corps or the Naval or Marine Corps Reserve, even though they may have been found physically qualified by a Board of Medical Examiners and the

Bureau of Medicine and Surgery for such appointment.

(d) If student is a candidate for a Staff Corps (USN-USNR), SDO (USNR), or Marine Corps (USMC-USMCR) commission, the following information shall be included with paragraph (c) of this section:

(1) Request for Staff Corps or SDO commissions for those who so desire and who have been nominated under quotas authorized. (Quotas need be authorized only for appointments in the Staff Corps, U. S. Navy.) Each applicant for appointment in the Staff Corps, USN or USNR, shall indicate in his request therefor, the type appointment desired if not selected for appointment in the Staff Corps.

(2) Application for commission in the Marine Corps for each Marine Corps candidate (§ 711.603 (c)).

(3) Transcript of student's educational record including a list of the courses in which enrolled for the current term. (No duplicate required.) Upon completion of the current term, final grades shall be forwarded, as soon as practicable, for inclusion in the officer's file.

(e) In all cases where Contract NROTC students desire appointment in regular rather than reserve status, as provided in §§ 711.301 (b) and 711.313 (b), the Professor of Naval Science shall obtain and forward with his endorsement, along with the reports and applications specified in paragraphs (c) and (d) of this section, each student's request for such appointment, in duplicate. The student's request shall be in letter form, addressed to the Secretary of the Navy, via the Chief of Naval Personnel, or the Commandant of the Marine Corps, as appropriate, and shall specify the branch or corps in which appointment is desired and shall include an agreement to serve on active duty for a period of 2 years upon appointment. To be submitted only in accordance with existing instructions or specific directive. (See also, §§ 711.601 (c) and 711.603 (a).)

(f) The Professor of Naval Science is authorized and directed to withhold the commission of any student who fails to fulfill all of the requirements for graduation and commissioning. In every case where the appointment and commission are withheld, the Professor of Naval Science shall return the commission, and NavPers 962 (Acceptance and Oath of Office) to the Bureau of Naval Personnel with a letter of transmittal indicating the reason therefor, and making appropriate recommendations concerning extension of the time allowed for completion of the requirements, placing the student in a leave status (§ 711.311), or disenrollment of the student.

(g) The Professor of Naval Science shall forward to the Chief of Naval Personnel, as soon after graduation as possible, a transcript of each student's academic record, with the exception of those already sent in for the staff corps applicants.

§ 711.313 *Commissioned status upon completion.* (a) Regular NROTC students, if in all respects qualified, are commissioned in the U. S. Navy or Marine Corps upon successful completion of the course. In accordance with their contract (§ 711.1002 (a)), Regular NROTC students are required to serve as Regular officers on active duty for at least 15 months. They may volunteer to serve for 3 years. Officers may apply for retention in the Regular Navy or Marine Corps during their third year of service, and if selected will continue in the Navy or Marine Corps as career officers. Should they elect to terminate their Regular status, they will be commissioned in the Naval or Marine Corps Reserve, and, at the discretion of the Secretary of the Navy, may be required to continue on active duty, under the terms of their contract, until they have completed a total of 2 years commissioned service. They will then be placed on inactive duty to remain in that status until their commissioned service totals a minimum of 6 years.

(b) Contract NROTC students may, upon graduation, volunteer for 2 years of active duty. If accepted under current quotas, they will receive commissions in the Navy or Marine Corps, and will have the same options of service, including retention as Regular officers, that Regular NROTC students have. Otherwise, they will be commissioned in the Naval Reserve or Marine Corps Reserve and placed on inactive duty.

(c) Naval Science students will not be eligible for commissions under NROTC provisions but may be eligible under separate procurement procedures open to any college graduate. Directives covering such procurement will be issued separately when required.

§ 711.314 *Determination of precedence upon commissioning.* (a) All Ensigns of the Navy and Second Lieutenants of the Marine Corps commissioned in accordance with the act of August 13, 1946, ch. 962, 60 Stat. 1057, as amended (34 USC 1020), are assigned as their date of rank the date of graduation at the Naval Academy in that year and are assigned precedence according to their demonstrated performance.

(b) In order to provide a basis for determination of precedence, as soon as practicable after each graduation the Professor of Naval Science shall prepare and forward to the Bureau of Naval Personnel a report (NavPers 391), Class Standing of NROTC Students Commissioned.

(c) In the period of service pending the determination of precedence of Ensigns of the Navy and Second Lieutenants of the Marine Corps commissioned in any year, the following general rules will apply:

(1) Officers commissioned between January 1 and the date of graduation of midshipmen from the Naval Academy, both dates inclusive, shall have precedence among themselves in the order of alphabetical listing of names and shall be senior to the graduating class of the Academy and to officers commissioned later in the year.

(2) Officers commissioned upon graduation from the Naval Academy shall take precedence among themselves in accordance with their class standing upon graduation, and shall be senior to officers commissioned subsequent to the date of graduation from the Academy in the same calendar year.

(3) Officers commissioned between the day following the date of graduation of midshipmen from the Naval Academy and December 31 of the same year shall take precedence among themselves in the order of alphabetical listing of names and shall be senior to officers commissioned in the ensuing year.

§ 711.315 *Transfer to flight training program.* NROTC graduates may, after commissioning, apply for flight training in a manner similar to graduates of the Naval Academy.

ADMINISTRATION

§ 711.401 *General policies.* (a) Supervision, control, and direction of the NROTC will be administered by the Navy Department through the Bureau of Naval Personnel, which is hereby given all necessary authority in the premises.

(b) The supervisory powers of the Bureau of Naval Personnel over the NROTC are delegated to the Commandants of the Naval Districts in all matters except those which have been expressly reserved to the Navy Department and the Bureau of Navy Personnel in these and other Regulations of the Navy Department.

(c) Civilian heads of institutions have the same academic relationship with the Department of Naval Science that they ordinarily have with other departments of the institution.

§ 711.402 *Communications.* It shall be the responsibility of the Professor of Naval Science to see that the information contained in NROTC Bulletins, Memoranda, and letters to all Professors of Naval Science is properly disseminated to appropriate college and university officials.

§ 711.403. *Inspections.* The Commandant of the Naval District shall inspect the NROTC units in his District in accordance with Article 0504, United States Navy Regulations, 1948. An inspection of this character should be made at least once each academic year.

§ 711.404 *Review of accomplishments.* Annual review of the efficiency of the NROTC program at each NROTC institution may be made by a committee appointed by the Secretary of the Navy, consisting of civilian educators and representatives of the Training Division, Bureau of Naval Personnel, and Headquarters, U. S. Marine Corps.

§ 711.405 *Officer and enlisted personnel.* (a) The detailing of officers and enlisted personnel for duty with NROTC units and relief therefrom is a function of the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate.

(b) The number of officers and enlisted men assigned to duty with NROTC units will be determined by the Bureau of Naval Personnel, based upon the exigencies of the Naval Service and the personnel requirements of the units.

(c) The institution will normally be notified by the Bureau before any

change of officer presonnel is made. Only personnel acceptable to the institution will be ordered thereto.

(d) Special reports on enlisted personnel who have served as instructors in the NROTC program shall be prepared by the Professor of Naval Science. Such reports, perpared according to current directives, shall be forwarded for each enlisted man completing a tour of duty as in instructor.

§ 711.406 *Head of Department of Naval Science.* (a) The head of the Department of Naval Science at an educational institution where a unit of the NROTC is established is the officer ordered as Professor of Naval Science by the Chief of Naval Personnel. He shall be the senior commissioned line officer of the Navy or Marine Corps ordered to duty with the NROTC unit at that institution. He shall be designated the Professor of Naval Science and Commanding Officer of the NROTC Unit.

(b) He will have the academic standing which the institution accords the heads of its other major departments. He will be a member of the university; college, or school faculty, with the appropriate rights and privileges of a faculty member.

(c) He is a subordinate, in his strictly military capacity, of the Commandant of the Naval District and is subject to his orders. Such orders shall not infringe upon the province of institutional regulations. He is subject, in his academic capacity, to institutional regulations.

(d) He shall be responsible for carrying out policies relative to the administration of the NROTC in the unit under his command. He is responsible that the proper institutional authorities are advised as to the provisions of law and regulations in all matters affecting the conduct of the NROTC unit maintained at the institution.

(e) At those NROTC institutions where student officers are undertaking post-graduate courses under the general supervision of the U. S. Post-Graduate School, the Professor of Naval Science will act as their Commanding Officer and conduct administrative affairs in connection with their military supervision and conduct. The Superintendent of the Post-Graduate School will exercise, through the Professor of Naval Science, supervision over educational matters pertaining to such student officers.

(f) The Professor of Naval Science will act as the Commanding Officer of all student officers ordered to the institution for duty under instruction in connection with the Navy's Five-Term Program.

§ 711.407 *Duties and status of additional officers and of enlisted men.* (a) Officers and enlisted men ordered to report to the Professor of Naval Science at an educational institution for duty at that institution shall perform such duties as may be assigned them by the Professor of Naval Science.

(b) In order that the maximum integration possible may be achieved between the Naval Science and other academic courses, it is desired that the officers assigned to the staff of the Professor of Naval Science be made members of the university or college faculty in appropriate ranks and be accorded the rights and privileges of faculty members. As such, it is desired that the Professor of Naval Science encourage the institutional authorities, when appropriate, to use these officers on special faculty committees in order that their services may be utilized in the same manner as are the services of all other faculty members. It is further desired that all NROTC staff members accept invitations which may be extended them to join special college or school faculties within the university and join faculty clubs or societies and faculty-student organizations.

§ 711.408 *Discipline.* (a) Officers on duty in connection with NROTC units shall require NROTC students to conduct themselves in a military manner at all times when the students are under naval jurisdiction, i. e., when attending Naval Science classes, drills, and exercises, and during summer training periods.

(b) Reserve midshipmen in uniform shall observe all the courtesies and traditions of the service.

(c) Students may be disenrolled from the NROTC for cause by the Professor of Naval Science as a disciplinary measure upon approval of the Chief of Naval Personnel. In such cases college authorities shall be consulted and their recommendations given due weight. Such recommended disenrollments shall be reported on the NROTC Disenrollment Form.

§ 711.409 *Residence and uniform of officers and enlisted men.* Officers and enlisted men performing duty with NROTC units shall, when practicable, reside at or near the educational institution in which the unit to which they are assigned is established. In the performance of their duties they shall wear the uniform prescribed by the Professor of Naval Science, or senior naval officer present.

§ 711.410. *Conducting additional courses of instruction or taking courses of instruction offered by an institution.* (a) The primary academic duty of officers and enlisted men detailed to duty with an NROTC unit shall be that of administration and instruction. This shall not be considered, however, as prohibiting officers and enlisted men from conducting courses of instruction in other departments of the educational institution when the Professor of Naval Science considers this procedure inadvisable and conducive to closer liaison with the institution. In no case, however, will the teaching of an academic course be considered sufficient reason for modification of orders.

(b) Professors of Naval Science may pursue a course of instruction conducted by an educational institution upon approval of the Bureau of Naval Personnel. Professors of Naval Science may authorize officers and enlisted men under their command to pursue courses of instruction at institutions. Such authorization shall not in any way interfere with the proper discharge of Naval duties, which duties at all times shall be considered paramount.

(c) Enrollment in courses of study at the institution shall be subject to the regulations of the institution and with the consent of the authorities of the institution.

§ 711.411 *Armed Forces Day observance.* The Professor of Naval Science shall cooperate insofar as possible with the District Commandants and university authorities in the observance of Armed Forces Day, in accordance with the instructions issued annually by the Secretary of Defense.

TRAINING

§ 711.501 *General.* (a) The courses of study given by an educational institution that, upon completion of the course in Naval Science, NROTC students will possess the following essential qualifications of a junior officer of the Navy or Marine Corps:

(1) A good general education.

(2) A general knowledge of essential Naval subjects.

(3) A well-disciplined mind and body.

(4) An alacrity to assume intelligent responsibility and initiative.

(5) A well-developed sense of Naval ideals, customs, and traditions.

§ 711.502 *Advanced standing and degree credit (Naval Science).* (a) The successful conduct of NROTC units depends in a large measure upon the granting of credit on the same basis, hour for hour, for practical and theoretical instruction in Naval Science as is given for laboratory and classroom work in other departments.

(b) When approved by the Prefessor of Naval Science, courses successfully completed as a student in the NROTC at another institution or as a student at one of the United States or State Merchant Marine or Maritime Academies may be counted toward advanced standing in Naval Science without substantiating examination if such courses parallel the content of Naval Science courses.

(c) Any enlisted man in the Naval Science or any male citizen who has had active military or naval service may be given such advanced standing in Naval Science as his previous education and training justify. Substantiating examinations, administered by a Professor of Naval Science, must be successfully completed in order to justify such advance standing. Since advance standing for a portion of a course will not be allowed, these examinations shall cover the complete contents of the course involved.

(d) The granting of advance standing in Naval Science as described in paragraphs (b) and (c) of this section shall be understood to involve only the excusing of an NROTC student from scheduling a particular Naval Science subject required for a commission. It is advanced standing in the Department of Naval Science only and must not be confused with college credit toward a degree. Such credit may be established only in accordance with all rules of the institution governing acceptance of credits by examination. It is a matter over which the institution has complete jurisdiction.

§ 711.503 *Courses of instruction.* (a) Subjects and outlines of courses of study for the Department of Naval Science are prescribed by the Bureau of Naval Personnel.

(b) The Professor of Naval Science may approve the request of a student for the substitution of a college course for a similar Naval Science course. Any such substitution shall be reported to the Bureau of Naval Personnel and provision shall be made to give a special supplementary course in the purely naval subjects not covered by the college course.

(c) Each Professor of Naval Science shall prepare schedules of instruction and practice periods, based on the curricula prescribed by the Bureau of Naval Personnel and adapted to the time allowed the Department of Naval Science by the academic authorities of the institution.

§ 711.504 *Supply Corps courses.* (a) Naval Science courses in Supply Corps subjects are offered at approximately one-fourth of the NROTC institutions.

(b) NROTC students desiring to apply for Supply Corps courses should do so early in their junior year. Selection of applicants will be made in the middle of the junior year by the Professors of Naval Science and the Supply Corps instructors of the NROTC units at which such courses are given.

(c) Candidates selected shall complete, during the first 3 years, the prescribed Naval Science courses but shall substitute the specialized Supply Corps courses for the Naval Science courses normally required in the senior year. While on the summer cruise between the junior and senior years, they shall complete the prescribed practice training in regular supply duties afloat.

(d) While the provisions of this section establish the procedure to be followed by students desiring Supply Corps commissions, all NROTC students are eligible to apply for such commissions upon graduation regardless of which Naval Science courses were completed. However, if the number of applicants for Supply Corps commissions, USN, exceeds the quota currently established for such commissions, priority will be given to those students who have fulfilled the requirements of this section.

(e) Inasmuch as there is no quota for Supply Corps appointments in the Naval Reserve, the Professor of Naval Science may select from among Contract students desiring USNR commissions, such number for Supply Corps training as he deems advisable.

(f) Students attending an institution where specialized Naval Science Supply Corps courses are not offered, and desiring to qualify for commissions in the Supply Corps, USN, in accordance with the provisions of paragraph (c) of this section, may submit to the Chief of Naval Personnel, during the first half of their junior year, a request for transfer to an NROTC unit where Supply Corps Naval Science courses are offered. This request for transfer, submitted in accordance with § 711.308, should indicate as the reason for transfer the desire of the student to take Naval Science Supply Corps courses. The Professor of Naval Science of the institution to which transfer is requested shall state in his forwarding endorsement (1) whether on the basis of the academic record to date the student will be acceptable for admission to the university and (2) whether the student will be accepted for enrollment in the Supply Corps courses desired. Such a transfer, if allowed, would be effected at the beginning of the senior year.

§ 711.505 *Civil Engineer Corps program.* (a) Regular NROTC students expecting to receive a scientific degree in engineering, particularly civil engineering, may apply to the Bureau of Naval Personnel for inclusion in a special program normally leading to a commission as Ensign (CEC), USN.

(b) Students selected for this option will complete the instructional program prescribed for Regular NROTC students with the following exception:

(1) During the second summer of their course students selected for this option will attend a summer surveying session under naval jurisdiction but conducted in conjunction with the regularly scheduled summer surveying session of an NROTC institution. Midshipmen will attend this summer training under rules and regulations similar to those in effect for summer cruises.

(2) During the third summer of the course they will participate in the aviation-amphibious indoctrination training instead of the ordinarily scheduled summer cruise.

(c) Application for selection under this CEC option will be submitted via the Professor of Naval Science to the Bureau of Naval Personnel in time to reach the Bureau prior to March 1 of the sophomore year. Applications will be prepared in accordance with current directives.

(d) Final selection of candidates will be made by a Board composed of CEC officers.

§ 711.506 *Curriculum requirements and limitations.* (a) The regular NROTC Program is being maintained as a source of regular officer procurement which is supplemental to the United States Naval Academy. It is designed to produce Regular officers for the Line, Supply Corps and Civil Engineer Corps of the Navy and for the Marine Corps. Regular NROTC students should select, therefore, a major course of study which lends itself to helping the student become better prepared for his later duties as a Naval Officer. Recommended fields of study are Engineering Mathematics, Natural or Social Science, English, Business Administration, and Foreign Languages.

(b) An NROTC Regular student appointed Midshipman, USNR, prior to 1950 may select, subject to the approval of the academic authorities, any major field of study leading to a first baccalaureate degree.

(c) An NROTC Regular student appointed Midshipman, USNR, in 1950 or thereafter may select, subject to the approval of the academic authorities, any major field of study leading to a first baccalaureate degree except Pre-Dental, Pre-Medical, Pre-Theological, Pre-Veterinary, Dentistry, Medicine, Theology, Veterinary Medicine, Pharmacy, Music or Art.

(d) NROTC students will be required to complete a total of not less than 24 semester hours of Naval Science courses by the end of eight college semesters or equivalent quarters of enrollment in the NROTC. Normally they will complete one Naval Science course each semester or quarter.

(e) In certain fields—for example, Engineering—at certain institutions, first baccalaureate degrees regularly require five years of academic (or combined academic and industrial) work. In such cases, the NROTC student who is a candidate for such a degree will be entitled to receive retainer pay and the other benefits of the program for not more than four years as specified in § 711.311 (a).

§ 711.507 *Aptitude for the service.* (a) Each NROTC student will be observed closely by the Professor of Naval Science and the officers of his staff, for those qualities considered most desirable in a young naval officer. The following factors should be particularly noted:

(1) Conduct.
(2) Leadership.
(3) Interest.
(4) Initiative and industry.
(5) Cooperation.
(6) Military bearing and neatness.
(7) Performance of duty.
(8) Military courtesy.

(b) Aptitude marks will be given in accordance with §§ 711.509 and 711.602 (d) 6.

§ 711.508 *Practice cruises.* (a) To furnish NROTC students the opportunity to gain experience in the practical application of their studies in Naval Science, a practice cruise or training period is held each summer. For Regular students, these cruises and training periods are about 6 to 8 weeks in length. For Contract students, these cruises will be approximately 3 weeks in length.

(b) Each Regular NROTC student (§ 711.301 (a)) is required to make three such cruises or training periods. Normally a practice cruise is made between the freshman and sophomore years; an "Aviation Summer" training period, including both aviation and amphibious training, is held between the sophomore and junior years; a second cruise is made between the junior and senior years.

(c) Each Contract NROTC student (§ 711.301 (b)) is required to make only one cruise, normally between the junior and senior years.

(d) Regular and Contract students who are candidates for Marine Corps commissions will train at a Marine Corps Station in the summer between the junior and senior years.

(e) It is expected that during each annual competition a number of Contract students will be selected for regular status. In order that such students, at the time of their appointment as Midshipmen, USNR, may have had all the advantages of the same training as their classmates, it is desirable that they attend one of the regular cruises during the

summer intervening between their selection for regular status and their appointment. The Chief of Naval Personnel is authorized, therefore, to order such Contract students to participate in one of the Regular NROTC summer cruises during the summer immediately preceding their appointment. They will participate in such cruises, however, as Contract students.

(f) Regular students will receive all medical care commensurate with their status as midshipmen in the Naval Reserve. Contract students will receive medical care only for disease or injury contracted in line of duty while on training duty. No dental or surgical treatment other than that of an emergency nature will be performed.

§ 711.509 *Marking, student records, and class standing.*—(a) Marks in Naval Science subjects and in Aptitude for the Service shall be assigned on the basis of the Navy 0 to 4.0 scale.

(b) In reporting to the institution the grades earned by the students in the Naval Science courses, the Department of Naval Science shall employ the same system of marking used by other academic departments.

(c) The Department of Naval Science shall maintain individual records of the progress made by all midshipmen and NROTC Contract students. For the purpose of uniformity in keeping of naval records and in calculating class standing, all marks will be translated from the marking system used by the institution to the Navy 0 to 4.0 scale. In making this translation the Navy mark of 2.5 shall be considered to be the equivalent to the pass-fail standard in the institution's marking system, and the institution's passing grades will be assigned values between 2.5 and 4.0 consistent with the relative values of such grades as defined in the institution's system of marks. Similarly, failing grades will be assigned Navy scale values less than 2.5 consistent with the extent to which the institution's marking system provides marks indicating the degree of failure.

(d) When any NROTC student is transferred from one NROTC unit to another, the Professor of Naval Science shall forward a copy of the student's individual record to the Professor of Naval Science of the institution to which the transfer is made. In computing class standing for NROTC units, the Navy marks as determined by the Professor of Naval Science at the institution where the courses were taken shall be used, rather than a retranslation of the transcript grades.

(e) A mark in Aptitude for the Service shall be assigned to each NROTC midshipman at the end of each term and at the end of each summer cruise or training period. These Aptitude for the Service marks should be kept as clearly as possible ratings of "officer-like qualities" and should not be made a means of further penalizing or rewarding performance in academic or Naval Science courses.

(f) At the end of each academic year, or at the end of each quarter or semester if the Professor of Naval Science so desires, the class standing of each NROTC midshipman shall be calculated. For the computation of class standing the mark in Aptitude for the Service given for the summer cruise or training period shall be given equal weight with the average mark in aptitude for the academic year. The class standing will be determined by a final multiple in which the average of Aptitude for the Service marks to date will be given a weight of one, the average of marks in Naval Science courses taken to date a weight of four, and the average of marks in academic courses other than Naval Science, taken to date, but while enrolled in the NROTC program, a weight of four.

$$S = A + 4N + 4G$$

where

S is the number used in determining class standing;
A is the average of Aptitude for Service marks to date;
N is the average per credit hour of Naval Science course marks to date, and
G is the average per credit hour, to date, of academic course marks other than Naval Science while enrolled in the NROTC program.

(g) For the purpose of preparing the graduation reports required in § 711.314 (b), the G average will be computed on the basis of courses taken while enrolled in the NROTC program, the N average on the basis of all Naval Science course marks, and the A average on the basis of all Aptitude for the Service marks available.

§ 711.510 *Status-of-training reports.* The Professor of Naval Science, as Head of the Department of Naval Science, shall furnish the President and other administrative officials of the institution with such reports of the Department and the students enrolled therein as may be required by the rules of the institution or as may be specifically requested.

§ 711.511 *Athletics.* NROTC members may participate in college athletics under the same terms and conditions that govern the participation of other students at the institution concerned.

§ 711.512 *Absence from instruction.* Absence of students from training or instruction in the Department of Naval Science shall be subject to the same rules which apply to absences from other academic classes at the institution concerned. An NROTC student who is absent for authorized reasons from any part of the practical or theoretical instruction shall be required, according to the practice obtaining at each institution, to make up the omitted training before being granted credits toward graduation.

§ 711.513 *Military organization.* (a) The NROTC unit, assuming normal strength of approximately 300, will be organized in general as follows:

One battalion containing three companies.
Each company containing three platoons.
Each platoon containing three or four squads.
Each squad containing 8–10 men.

(b) NROTC student officers will be organized in general as follows:

Battalion staff:
Commander—Midshipman lieutenant commander.
Executive officer—Midshipman lieutenant.
Operations officer—Midshipman lieutenant (junior grade).
Communications officer—Midshipman ensign.
Supply officer—Midshipman ensign.
Chief Petty Officer—Midshipman chief petty officer.
Color guard:
National color bearer—Midshipman chief petty officer.
Battalion color bearer—Midshipman chief petty officer.
Color escort—Midshipman petty officer, first class.
Color escort—Midshipman petty officer, first class.
Drum and bugle corps or band:
Commander—Midshipman lieutenant (junior grade).
Executive officer—Midshipman ensign.
Chief petty officer—Midshipman chief petty officer.
Mustering petty officer—Midshipman mustering petty officer.
Company staff (three companies):
Commander—Midshipman lieutenant.
Executive officer—Midshipman lieutenant (junior grade).
Chief petty officer—Midshipman chief petty officer.
Platoon organization:
Commander—Midshipman ensign.
Mustering petty officer—Midshipman mustering petty officer.
Guide—Midshipman petty officer, first class.
Squad leader (each squad)—Midshipman petty officer, second class.

(c) At each institution where ROTC units of the Army or Air Force are established, the professor of Naval Science is authorized to appoint the NROTC student commander to the rank corresponding to that of the Army or Air Force ROTC student commander, where such procedure is considered appropriate.

MARINE CORPS

§ 711.601 *Enrollment in Marine Corps Naval Science courses*—(a) *Qualifications for enrollment.* A Regular or Contract student in good standing may be enrolled in the Marine Corps Naval Science courses on a voluntary basis, provided his enrollment therein is recommended by the Marine Corps Officer instructor and approved by the Professor of Naval Science.

(b) *Method of enrollment.* Students who desire to enroll in the Marine Corps Naval Science courses and to be considered candidates for a commission in the Marine Corps or Marine Corps Reserve will be given the opportunity to submit a written application to the Professor of Naval Science, via the Marine Corps Officer Instructor after the completion of 2 years in the NROTC program. If the application is approved, the student will undergo instruction in Marine Corps Naval Science courses during the last part of the junior year and throughout the senior year. The Professor of Naval Science shall forward one copy of the application with endorsements to the Bureau of Naval Personnel and one copy to Headquarters Marine Corps. Professors of Naval Science shall inform each student who enrolls in the Marine Corps Naval Science courses that he is a

candidate for a commission in the Marine Corps or the Marine Corps Reserve.

(c) *Status of candidates.* Candidates for Marine Corps commissions will retain their status as NROTC Midshipmen and will wear the uniform and insignia specified for all NROTC members. Unless otherwise directed, they will be administered in the same manner as all other students.

(d) *Quota.* Sixteen and two-thirds percent of the graduates of NROTC may be commissioned in the Marine Corps or the Marine Corps Reserve on a voluntary basis. Professors of Naval Science are authorized to enroll in Marine Corps Naval Science courses up to 16⅔ percent of the potential number of graduates of any class. In the event the number of applicants from a class exceeds 16⅔ percent of the potential graduates of that class, the Professor of Naval Science shall notify the Bureau of Naval Personnel. Permission will be given by the Bureau to individual units to enroll in Marine Corps Naval Science courses more than 16⅔ percent of the potential graduates of a given class, provided the total number of Marine Corps candidates in that class from the entire program does not exceed 16⅔ percent.

§ 711.602 *Training*—(a) *Marine Corps Naval Science courses.* Candidates for Marine Corps commissions are required to complete successfully a total of 4 years of Naval Science courses prior to graduation. During the last part of the junior year and the entire senior year in college they will undergo instruction in the Marine Corps courses in lieu of the Naval courses.

(b) *Laboratory periods.* Except for the laboratory periods devoted to battalion drills, or occasions deemed by the Professor of Naval Science to be of interest to all students of the unit, the students pursuing the Marine Corps courses will be given separate instruction peculiar to the Marine Corps during the weekly drill periods.

(c) *Summer camp*—(1) *Regular students.* In lieu of attending the third practice cruise, between the junior and senior years, with the Navy, Regular students who are candidates for Marine Corps commissions will undergo a period of training at a Marine Corps station. Unless otherwise directed by the Commandant of the Marine Corps, the summer training for Regular students will be at the Marine Corps Schools, Quantico, Va., of 8 weeks' duration, and will commence in June of each year.

(2) *Contract students.* Contract students who are candidates for Marine Corps commissions will undergo, between the junior and senior years, a period of summer training. Unless otherwise directed by the Commandant of the Marine Corps, this summer training period at the Marine Corps Schools, Quantico, Va., will be of 3 weeks' duration.

(d) *Administrative procedure for summer training.* (1) Marine Corps candidates are entitled to the same pay, quarters, subsistence, and transportation authorized for all other members of the program.

(2) The pay, traveling expenses, cost of subsistence and all other expenses of midshipmen and Contract students while in training at a Marine Corps station, and while traveling to and from such duty, is chargeable to the Officer Candidate Training appropriation for the Navy.

(3) *Medical treatment.* (i) Both midshipmen and Contract students, upon reporting for active duty, will receive a physical examination of sufficient extent for the Medical Examiners to determine that the individual is physically qualified to perform the duties assigned. To insure that their medical records are complete it will be necessary to make the following certification upon page H–8 in the Health Record of each individual:

Examined and found physically qualified for active training duty. Following defects noted _____.
Signed _____

(ii) Just prior to completion of active training, a medical examination as necessary will be conducted, to determine whether their health has been adversely effected by such duty, and the below certification will be made following the one set forth above:

Examined and found physically qualified for release from active training duty. Following defect noted _____.
Signed _____

(iii) If the certification set forth above cannot be made, due to the physical condition of the examinee, Headquarters, U. S. Marine Corps will be immediately notified, and a full written report of the examinee's physical condition will be forwarded to the Chief, Bureau of Medicine and Surgery, via Headquarters, U. S. Marine Corps.

(iv) Midshipmen and Contract students who have not been inoculated during the current year will receive all immunization required for men on active duty for training.

(v) Regular students will receive all medical care commensurate with their status as midshipmen in the Naval Reserve.

(vi) Contract students will receive medical care only for disease or injury contracted in line of duty while on training duty. No dental or surgical treatment other than that of an emergency nature will be performed.

(4) *Discipline.* (i) Midshipmen are subject to all laws and regulations of the U. S. Naval Service.

(ii) Contract students, although not strictly members of the U. S. Naval Service, are expected, while on training duty, to abide by all laws and regulations of the Naval Service and of the Commanding General of the Marine Corps Station.

(iii) Breaches of discipline warranting disciplinary action will be reported to Headquarters, U. S. Marine Corps with full details, for decision as to discipline.

(5) *Clothing and equipment.* (i) The following articles of individual clothing will be issued by the Marine Corps for the duration of the summer training. Upon completion of summer training all articles of individual clothing listed below will be reclaimed, with the exception of shoes and socks:

One bag, canvas, clothing.
Two belts, web, trousers, w/o buckle.
Three buckle, metal, trouser, belt.
One cap, utility.
Two coats, utility.
Three shirts, cotton, khaki.
One shoes, field, pair.
Six socks, woolen, cushion sole, O. D., pair.
Three trousers, service, khaki, pair.
Two trousers, utility, pair.

(ii) The following articles of individual equipment will be issued by the Marine Corps for use while on training duty:

One bayonet, M1.
One blanket, wool, green, USMC.
One scabbard, bayonet, M1.
One rifle, caliber .30, M1.
One belt, cartridge, caliber .30, M1923.
One helmet, steel, M1.
One liner, helmet, M1, new type.
One canteen, stainless steel, M1910.
One cover, canteen, dismounted, M1910.
One cup, canteen, stainless steel.
One packet, first aid.
One pouch, first aid.
One can, meat, stainless steel.
One fork, haversack.
One knife, haversack.
One spoon, haversack.
One jacket, field, M1943.
One leggins, canvas, green, pair.
One poncho, camouflaged.
One haversack, MCP, M1941.
One knapsack, MCP, M1941.
One suspenders, belt, MCP, M1941, pair.
One pillowcase.
Two sheets, bed.
One cover, mattress, cotton.

(iii) Desirable articles of clothing, including, but not limited to the following, will be obtained by both Regular and Contract students prior to the summer training period and brought to the Marine Corps Training station:

One belt.
One cap, garrison, khaki.
Three trousers, khaki, pair.
Eight handkerchiefs.
Four socks, black, pair.
One shoes, black, pair.
Three shirts, khaki.
One tie, black.
Six undershirts, white.
Six underdrawers, white.
One raincoat-overcoat.
One toilet articles, set.
Four towels, bath.
One padlock.
One suitcase.
Appropriate uniform devices.

(iv) The Commandant of the Marine Corps is authorized to change the above clothing and equipment allowances as the conditions of summer training warrant.

(6) *Reports; aptitude.* (i) A mark in "Aptitude for the Service" will be assigned each midshipman and Contract student at the end of the summer training period. This mark will become a part of the permanent record of the student and will be used by the Professor of Naval Science in determining the final standing upon the completion of the 4 years of NROTC training. The mark will take into account the factors listed in § 711.507.

(ii) Aptitude cards, after being completed, will be forwarded by the reporting officer at summer camp directly to the Professor of Naval Science of the midshipman or Contract student concerned. A copy of the aptitude card will

be forwarded to the Officer Performance Division, Headquarters, U. S. Marine Corps.

§ 711.603 *Appointment to commissioned rank in the Marine Corps*—(a) *Who may be commissioned.* (1) The Marine Corps may commission in the Regular Marine Corps qualified Regular NROTC graduates who make application for such appointment and are recommended by the Professor of Naval Science.

(2) The Marine Corps may commission in the U. S. Marine Corps Reserve qualified Contract NROTC graduates who make application for such appointment and are recommended by the Professor of Naval Science. Contract graduates who so desire may be commissioned in the Regular Marine Corps provided they are recommended by the Professor of Naval Science and provided vacancies exist for newly commissioned officers in the Regular Marine Corps at the time of graduation; otherwise, they may be commissioned in the Marine Corps Reserve.

(3) The Marine Corps may commission qualified Regular and Contract graduates in accordance with the policy outlined in subparagraphs (1) and (2) of this paragraph, respectively, who have not taken the Marine Corps courses provided such candidates are eligible for appointment in the U. S. Navy or U. S. Naval Reserve and are within the assigned quota of 16⅔ percent.

(4) Whenever the number of applications for appointment to commissioned rank in the Regular Marine Corps received from NROTC students exceeds the number of vacancies existing for newly commissioned officers from that source, at that time, preference will be given to applicants who have completed successfully the Marine Corps Naval Science courses, including summer training at a Marine Corps station.

(5) No graduate shall be commissioned in the Marine Corps or the Marine Corps Reserve except at his own request.

(b) *General requirements*—(1) *Age.* Be more than 20 and not more than 25 years of age on 1 July of the calendar year in which appointed.

(2) *Physical qualifications.* (§ 711.306 (e).) All candidates must be physically qualified for appointment to commissioned rank in the U. S. Marine Corps or the Marine Corps Reserve, as appropriate, in accordance with the physical standards set forth in the Manual of the Medical Department, U. S. Navy.

(3) *Agreement for service.* Regular and Contract students are required to sign the same contract for service as required for candidates for commission in the U. S. Navy or the Naval Reserve.

(4) Completion of required Naval Science courses and receipt of a baccalaureate degree.

(c) *Commissioning procedure* — (1) *Application.* Candidates for commissions in the Marine Corps or the Marine Corps Reserve will make application for such commission to the Commandant of the Marine Corps via the Professor of Naval Science. No candidate will be commissioned unless he is recommended by the Professor of Naval Science and is qualified in all other respects. Application forms for commission will be furnished by Headquarters Marine Corps. The following documents are required as enclosures to all applications for commission:

(i) Birth certificate under seal of office of issue, except in those cases where such certificate is on file at the Bureau of Naval Personnel or Headquarters Marine Corps.

(ii) Report on Medical Examination (Standard Form 88), in duplicate.

(iii) Recent passport size photographs, including front and profile view.

(iv) Transcript of college credits.

Applications for commissions must be submitted in time to reach Headquarters Marine Corps at least 90 days but not more than 120 days prior to graduation.

(2) *Medical examination.* The medical examination will be conducted in accordance with § 711.306 (e).

§ 711.604 *Clothing*—(a) *Issuance of Navy clothing.* Marine Corps candidates for commission will be issued articles of clothing normally issued to all other NROTC students for duty at the NROTC Unit.

(b) *Issuance of Marine Corps clothing.* Prior to graduation and acceptance of appointments in the Marine Corps or Marine Corps Reserve, Marine Corps candidates will be issued gratuitously, from stock, the below listed items of uniform, as appropriate to the season when commissioned, regardless of any uniform gratuity received:

One cap, garrison, summer.
One jacket, service khaki.
One ornament, collar, bronze, pair.
One ornament, collar, bronze, left.
Two neckties, service.
Two shirts, cotton, khaki.
One shoes, MC last, low quarter, pair.
Two socks, woolen, lightweight, dark brown, pair.
Two trousers, service, khaki, or
One cap, garrison, winter.
One jacket, service, wool, green.
One ornaments, collar, bronze, pair.
One ornament, collar, bronze, left.
Two scarfs, field cotton, khaki, washable.
Two shirts, cotton, khaki.
One shoes, MC last, low quarter, pair.
Two socks, woolen, lightweight, dark brown, pair.
One trousers, service, wool, green, pair.

PAY AND ALLOWANCES

§ 711.701 *Retainer pay*—(a) *Rate of pay.* (1) Each Regular NROTC student will receive retainer pay at the rate of $600 per year, except while on active duty, for a maximum of four academic years while under instruction and during authorized leave periods. The academic year for pay purposes includes the entire time ordinarily from September to September when the student is passing through the various college grades, freshman, sophomore, junior, and senior.

(2) Students entering the program with advanced standing in Naval Science, who will complete their Naval Science courses prior to completion of their other academic work, and who will be in a regular status for 4 years or less, may continue to receive the benefits and compensation of the program, provided they attend such Naval Science periods as the Professor of Naval Science may direct, plus all Naval Science drills, during the period in which they are not attending Naval Science classes. Otherwise they will be placed in a leave status.

(3) Students who are absent due to illness or injury may be paid retainer pay covering such absence not to exceed 30 days during each continuous period of hospitalization. Payment of retainer pay will be resumed upon their return and resumption of studies. In certain cases, as specified in § 711.311 and 711.506 (e), it may become necessary to allow a student one or more additional semesters to enable him to qualify for a first baccalaureate degree. However, as specified by law, the maximum period for the payment of such retainer pay and the educational benefits specified in § 711.707, is four years.

(4) Students with former naval or military service are not entitled to longevity increases in either retainer pay or their pay as midshipmen while on active duty on cruises.

(b) *Pay record*—(1) *Custody.* Except as hereinafter prescribed, the retainer Navy Pay Record (S. and A. Form 500) of a Naval Reserve Officers Training Corps Regular student will be in the custody of and maintained by the Navy Accounts Disbursing Officer or District Disbursing Officer of the Naval District in which the student is attending college.

(2) *Opening and closing.* A Navy pay record will be opened for each Regular student on the date of commencement of retainer pay as explained in subparagraph (3) of this paragraph. Retainer pay records will be regularly closed on June 30 and a new pay record opened as of July 1 of each year. Retainer pay records will also be opened and closed at the time specified in BuSandA Manual.

(3) *Commencement of retainer pay.* Entitlement to retainer pay shall commence on the effective date of appointment as Midshipman, USNR, or on the date the midshipman commences classes at the institution at which enrolled, whichever is later.

(4) *Termination of retainer pay.* Entitlement to retainer pay will terminate on the date indicated in the termination of appointment as midshipmen approved by the Secretary of the Navy.

(c) *Substantiating vouchers.*—(1) A properly executed Acceptance and Oath of Office (NavPers Form 339), certificate concerning disability and pension specified in Article H–7306, Bureau of Naval Personnel Manual, and a statement from the Professor of Naval Science indicating the date on which classes were commenced at the institution at which enrolled will be submitted as pay record vouchers to substantiate commencement of retainer pay as midshipman of the Naval Reserve.

(2) *Suspension of retainer pay.* Pending receipt of approved termination of appointment, a Student Disenrollment Report (NavPers Form 364) will be used as a basis for suspending retainer pay of a midshipman of the Naval Reserve who has been recommended for disenrollment for any reason. Upon receipt of termination of appointment approved by the Secretary of the Navy, retainer pay will be terminated as of

the date stated therein and a copy of the termination will be filed as a pay record voucher.

(d) *Procedure for payment.* Naval Reserve Officers Training Corps Regular students will be paid retainer pay to which entitled by check drawn as of the last day of each month. Checks will be forwarded to the Professor of Naval Science for delivery to the student.

§ 711.702 *Active duty pay*—(a) *Regular students*—(1) *Rate of pay.* Regular Naval Reserve Officers Training Corps students while on active duty are entitled to the same rate of pay as prescribed for midshipmen at the Naval Academy. Active duty pay will include the time required for travel from the NROTC unit to the port of embarkation, or to the summer training station, and return, when under orders for training duty. Additional pay for sea and foreign service duty is not authorized.

(2) *Pay record maintenance.* Navy Pay Records (S. and A. Form 500) will be maintained for Regular Naval Reserve Officers Training Corps students during the summer cruises or training period in accordance with existing instructions in S. and A. Manual.

(b) *Contract students*—(1) *Rate of pay; Contract students on contract cruise.* Naval Reserve Officers Training Corps Contract students who are members of the advanced course, senior division, i. e., juniors and seniors, or other persons authorized by the Secretary of the Navy, will be paid at the rate prescribed for enlisted members of pay grade E–1 (under 4 months' service) while embarked in a naval vessel for a practice cruise or during a summer training period. They are not entitled to additions to pay or allowances, including sea and foreign service duty pay, authorized for enlisted men of the Navy. The day of reporting and the day of detachment from the ship or station are both included in the period for which students are paid.

(2) *Rate of pay; Contract students on regular cruise.* Contract students ordered by the Chief of Naval Personnel to participate in one of the regular NROTC summer cruises under the provisions of § 711.508 (e) will be paid at the rate established for other Contract students as described in this section.

(3) *Opening and closing pay record.* Navy pay records will be opened by the disbursing officer of the cruise ship or shore station in accordance with existing instructions in the Bureau of Supplies and Accounts Manual.

(c) *Payments.* Payments will be made to Regular and Contract students on a summer cruise (or training period) as directed by the commanding officer of the cruise ship or station. On completion of the summer cruise, Naval Reserve Officers Training Corps Contract students will be paid in full to include date of detachment. Checks will be drawn for those students not present for final payment and such checks delivered to the Professor of Naval Science for further delivery to the students concerned.

§ 711.703 *Subsistence allowances; Contract students*—(a) *Commencement of entitlement.* While under instruction in the third and fourth year Naval Science courses as listed in the current Standard Curriculum for Naval Reserve Officers Training Corps (credit for the first and second years having been successfully established), Contract NROTC students are entitled to commutation of subsistence, except that commutation of subsistence will not be allowed for periods when subsistence in kind is furnished or when the student is paid a travel allowance in lieu of transportation and subsistence. Commutation of subsistence will be paid from and including the date a student begins his final 2 years of Naval Reserve Officers Training Corps training or portion thereof, if the student is reenrolled or enrolled after completing more than two academic years of college work, commencing on the first day of the academic term. Commutation of subsistence will not be allowed for any period in excess of two academic years plus one intervening summer vacation.

(b) *Continuation of entitlement.* In addition to the specific requirements for entitlement to payments on account of commutation of subsistence as listed in other paragraphs of this section, the following special provisions involving eligibility for such payments shall also apply:

(1) *Students concurrently receiving educational benefits under Servicemen's Readjustment Act of 1944.* The eligibility of Contract students to receive commutation of subsistence will not be affected by their receiving, concurrently, educational benefits under the Servicemen's Readjustment Act of 1944.

(2) *Students concurrently enlisted in reserve units.* A Contract student who is also a member of an Organized or Volunteer Reserve Unit, is entitled to receive payments on account of subsistence and transportation as an NROTC student concurrently with pay provided for drills performed by a reservist while in an inactive duty status. He may not receive subsistence as a Contract student concurrently with the active or training duty pay of a reservist.

(3) *Status upon completion of Naval Science requirements.* Contract students who, prior to completing the requirements for their college degree, complete all Naval Science requirements may, at their own request, be placed in a leave of absence status, without pay, or may continue to draw commutation of subsistence. In the latter case they must attend Naval Science drills and shall be given more advanced drill assignments in order to avoid repetition of the prescribed drill curriculum. No student will be eligible, under any conditions, to receive commutation of subsistence for a total period in excess of that authorized by paragraph (a) of this section.

(c) *Termination of entitlement*—(1) *Students exempted from cruise.*—In the case of students exempted by the Bureau of Naval Personnel from taking the cruise during the summer immediately following completion of the third year, no payments shall be made during the interval between the date of completion of the third year's scholastic work and the date of commencement of the fourth year's work.

(2) *Students not exempted from cruise.* In the case of students not exempted by the Bureau of Naval Personnel who fail to take the cruise during the summer immediately following completion of the third year, no payments shall be made after the date of completion of the third year's academic work. Payment may be resumed at the beginning of the next academic year if, on recommendation by the Professor of Naval Science, the Bureau of Naval Personnel accepts a delayed request to defer the cruise until the end of the senior year.

(3) *Absence due to illness.* Students who are absent due to illness or injury may be paid commutation covering such absence for a period not to exceed 30 days during each continuous period of hospitalization. Payment for such absence will not be made until the student's return and resumption of instruction.

(4) *Other absence.* In the case of students who are absent from instruction in Naval Science for causes other than set forth in subparagraph (3) of this paragraph, payment of commutation will be made for seven days commencing with and including the first day of absence, after which no commutation will be paid. If such absence is caused by separation from college, payment of commutation will cease from the first day of absence.

(5) *Disenrolled students.* When a student is disenrolled from the Naval Reserve Officers Training Corps for any reason, payment of commutation will cease as of the date of disenrollment.

(d) *Commutation of subsistence certificates*—(1) *Normal submission.* Commutation of Subsistence Certificates (NavPers Form 384) will be prepared and certified by the Professor of Naval Science on the last day of each month of the academic year and forwarded in quintuplicate to the Navy Accounts Disbursing Officer or District Disbursing Officer of the Naval District in which the college or university is located. For the last month of the academic year, certificates will be prepared to cover the period actually in attendance and under the supervision of the Professor of Naval Science concerned.

(2) *Submission for students on cruise.* For students taking the cruise, certificates shall be prepared in skeletonized form (including the names of the students and the date of commencement of entitlement to subsistence allowance) for the signature of the Commander Midshipmen Cruise Detachment by each Professor of Naval Science concerned and forwarded to the Commander Midshipmen Cruise Detachment. The Commander Midshipmen Cruise Detachment will delete the names of those midshipmen (if any) who do not embark on the cruise, make necessary entries to terminate entitlement to subsistence allowance, enter the total amount to be paid on each NavPers 384, submit the form to the Navy Accounts Disbursing Officer or District Disbursing Office (as designated by the cognizant Professor of Naval Science) of the Naval District in which the college or university is located as soon as possible after embarkation on the cruise. The Disbursing Officer mak-

ing payment of the subsistence allowance will furnish such payment information as may be required by the cognizant Professor of Naval Science.

The student will be entitled to commutation of subsistence to include the day of embarkation, if he embarks after breakfast, and for the day of disembarkation, if he disembarks before breakfast, provided that the student is NOT in a travel status on such days. The time spent in a travel status should not be included in the commutation certificates. No further payments of commutation will then be made until the students have entered on the fourth year of their Naval Reserve Officers Training course when certificates will be prepared to cover the portion of the summer vacation subsequent to the cruise, or at the election of the Professor of Naval Science concerned, that portion of the vacation period may be included in the certicate for the first month of the new academic year.

(e) *Payment of commutation of subsistence.* Payment of commutation of subsistence will be made by the Navy Accounts Disbursing Officer or the District Disbursing Officer of the Naval District in which the college or university is located. Checks will be made payable to the order of the individual students and forwarded to the Professors of Naval Science for delivery. Payment will be reported on Subsistence Roll (NavPers Form 384). The first subsistence roll will be supported by Contract for Contract Student (NavPers Form 918) and each subsistence roll submitted thereafter will bear reference to the roll with which the contracts were filed.

§ 711.704 *Subsistence in kind.* All members of the NROTC shall be furnished subsistence in kind while embarked in a naval vessel for a practice cruise or while undergoing summer training ashore.

§ 711.705 *National Service Life Insurance.* (a) Members of the NROTC are not eligible for National Service Life Insurance (nor for membership in the Navy Mutual Aid Association) by virtue of being enrolled in the NROTC, nor is such eligibility established by summer cruises since such cruises are considered active duty for training purposes.

(b) Nothing in this section shall be construed as affecting the eligibility for National Service Life Insurance of NROTC students who, as former members of the Armed Forces, are eligible for such insurance.

§ 711.706 *Travel allowances.* The travel of NROTC Regular and Contract students will be governed by the provisions of the Career Compensation Act of 1949 (Public Law 351). Naval Travel Instructions will be revised to conform with that act. When this revision is completed detailed instructions will be promulgated. Travel performed prior to the issuing of the revised instructions will be governed by currently effective instructions.

§ 711.707 *Educational expenses*—(a) *Expenses payable by the Government.* The Secretary of the Navy is authorized by law to provide, by contract or otherwise, for the payment of tuition, required fees, books, and laboratory expenses of Regular NROTC students for a maximum period of 4 academic years while under instruction at the NROTC institution or during summer training periods. Equipment paid for by the Government will include such items as drawing instruments and slide rules when required by the college for a course taken by the student. The manner of contracting will be the subject of a detailed directive from the Chief of Naval Personnel.

(b) *Expenses payable by the student.* Expendable supplies such as pencils, pens, and paper will not be provided by the Government. Similarly, refundable fees such as breakage or required deposits for use of apparatus shall be payable by the student. Payment of delinquent fees assessed by the institution for failure to comply with institutional requirements will not be paid by the Government but shall be payable by the student. Payment for board, lodging, and other living expenses, including travel, is made by the student, unless otherwise contracted.

UNIFORMS AND INSIGNIA

§ 711.801 *Authorized uniforms.* The uniform regulations for NROTC students are contained in U. S. Navy Uniform Regulations, 1947. For ready reference, the Designation to Uniform Table is listed below.

Uniform	Coat	Trousers	Belt	Cap cover	Shirt	Necktie	Shoes	Socks	Gloves [1]	Ribbons
Service dress:										
Blue, A	Blue	Blue	Black [2]	Blue	White	Black	Black	Black	Gray	Yes.
Blue, B	do	do	do [2]	White	do	do	do	do	do	Do.
Blue, D	do	do	do [2]	Blue	do [3]	Black bow	do	do	do	Do.
Blue, E	do	do	do [2]	White	do [3]	do	do	do	do	Do.
Khaki	Khaki [4]	Khaki	Khaki [5]	Khaki	Khaki	Black	do	do		Do.
Working:										
Blue, A [6]		Blue	Black	Blue	Blue	do	do	do	Gray	
Blue, B [6]		do	do	White	do	do	do	do	do	
White, A	White jumper	White working		do		Black neckerchief	do	do		
White, B	do	do		White hat		do	do	do		
Dungaree [7]		Dungaree	Black	do	Chambray		do	do		
Khaki		Khaki cotton	Khaki	Khaki	Khaki	Black	do	do		
Jersey [8]										
Raincoat, blue [8]										
Raincap cover, black [8]										

[1] If prescribed.
[2] Suspenders may be worn.
[3] Conventional shirt with turn-down collar.
[4] The coat may be removed indoors. It may be omitted when authorized by the senior officer present.
[5] Suspenders may be worn. When the coat is omitted, a belt shall be worn.
[6] Leggings may be prescribed.
[7] Optional for wear when the nature of their work will unduly stain their normal uniforms; may be prescribed by the commanding officer.
[8] May be worn when weather conditions warrant and may be prescribed by competent authority.

§ 711.802 *Issue of uniforms.* (a) An outfit of essential uniforms will be furnished to each NROTC midshipman upon his enrollment. The initial uniform will be issued to new enrollees on a gratuitous basis as follows:

Article	*Quantity*
Belts:	
Black	1
Khaki	1
Cap, combination with insignia	1
Cap covers:	
Blue	1
Khaki, cotton	1
Khaki, worsted	1
Rain, black	1
White	2
Coat, blue, with insignia	1
Coat, khaki, worsted, with gilt buttons	1
Corps device or rank device, metal pin-on (sets)	2
Gloves, gray (pair)	1
Hat, white, midshipman type	3
Jersey, blue	1
Jumpers, white, midshipman type	4
Leggings (pair)	1
Neckerchief	1
Necktie, black:	
Four-in-hand	1
Bow	1
Raincoat, blue, with liner	1
Shirts:	
Blue chambray	2
Blue flannel	1
Khaki	3
Trousers:	
Blue (pair)	1
Dungaree (pair)	2
Khaki, cotton (pair)	1
Khaki, worsted (pair)	1
White (midshipman style) (pair)	4

(b) White jumpers (midshipman style) and white trousers (midshipman style) come in sizes 0 to 5 and 0 to 6, respectively. Equivalent chest and waist sizes are as below:

Jumpers	Size	0	1	2	3	4	5
	Chest	46	44	42	40	38	36

Trousers	Size	0	1	2	3	4	5	6
	Waist	42	40	38	36	34	32	30

The above guides are used in outfitting midshipmen at the U. S. Naval Academy, and have proved entirely satisfactory.

(c) Leggings, white gloves, and black four-in-hand ties may be replaced as

they become unfit for use because of wear.

(d) The above clothing list shall not be construed as prohibiting students from obtaining additional articles of regulation clothing at their own expense.

(e) NROTC members will furnish at their own expense necessary socks, white shirts, leather belts, shoes, and underwear as these items are normal items of civilian wear.

(f) NROTC students are accorded the privileges of the Naval Uniform Shop, Twenty-ninth Street and Third Avenue, Brooklyn, N. Y., on a prepaid basis to supply themselves with items of equipment and uniforms when necessary. Such orders will bear the approval of the Professor of Naval Science.

(g) Professors of Naval Science of NROTC units located in the First, Third, Fourth, Fifth, and Sixth Naval Districts shall requisition all items of clothing from the Naval Clothing Depot, Brooklyn, N. Y. All other Professors of Naval Science shall make similar requisitions from the Supply-Officer-in-Command, Naval Supply Depot, Great Lakes, Ill. Excess clothing shall be returned to the same activities.

§ 711.803 *Alterations to NROTC uniforms.* In the fitting of uniforms for NROTC students, certain minor alterations such as adjustments in sleeve lengths, trouser lengths, or waist size may be necessary. Such alterations are to be charged to Expenditure Account No. 72420 under the Officer Candidate Training appropriations for the current fiscal year. Funds for this purpose are included in the fund allotment granted the Commandants of the Naval Districts under the budget program "Academic Instruction."

§ 711.804 *Wearing the uniform.* The uniform will be worn on such occasions as prescribed by the Professor of Naval Science or the Senior Officer present. Normally, this will be at drills, ceremonies, and on cruises.

§ 711.805 *Replacement of uniform clothing.* Each NROTC student is expected to replace, at his own expense, Navy-issued uniform clothing items that are lost, mutilated, or destroyed through his own misconduct or carelessness.

§ 711.806 *Purchases from Clothing and small stores.* The sale of clothing and small stores to NROTC students is authorized under the provisions of Paragraph 42306-5 of the Bureau of Supplies and Accounts Manual. Where clothing and small stores are in the vicinity of NROTC schools, purchases should be made in person whenever possible. Money orders for clothing and small stores may be sent to the nearest Naval activity having a retail issuing unit for clothing and small stores. Purchase of shoes by mail is not considered practicable due to frequent misfits.

§ 711.807 *Purchases from armed services exchanges.* (a) Members of the NROTC on active duty for training purposes for periods in excess of seventy-two hours are entitled to all exchange privileges.

(b) Members of the U. S. Naval Reserve not in an active duty, drill, or training status shall be entitled to purchase necessary articles of uniform clothing, accoutrements and equipment, in such quantities as would be required immediately when called to active duty.

§ 711.808 *Return of uniforms.* While all uniform outfits normally shall be considered to be gratuitous, midshipmen shall be informed at the time of issue that if they are disenrolled during the first year of their training they will be required to return their uniform outfits to the Professor of Naval Science, who is authorized to retain such recovered property for further issue as appropriate. No account need be made of such property.

FACILITIES, SUPPLIES, AND EQUIPMENT

§ 711.901 *Facilities.* The proper and efficient operation of an NROTC unit of standard size (250–300 men) requires certain physical spaces and facilities which can be summarized as follows:

Classrooms (5), three of which have a normal capacity of 35 students; one of which has a normal capacity of 50 students; one of which, with a capacity of 35 students, contains a minimum floor area of 1,000 square feet for use as a navigation workroom.

Offices (8), seven of which contain a minimum floor area of 200 square feet each; one of which contains a minimum floor area of 300 square feet.

Clothing and text book storage and issue space: One room having a minimum floor area of 1,000 square feet, and possessing two entrances.

Armory: A heavy reinforced floor area of approximately 4,000 square feet, on which will be placed heavy ordnance equipment, permanent installations. This area should have at least a 20-foot ceiling clearance, and flooring capable of carrying a load of 1,000 pounds per square foot.

Auditorium of adequate size for assembly of the entire unit, available for use at various times. Usage of this auditorium will be determined in advance in keeping with the standard procedure in effect at the institution.

Drill field: Any readily accessible, level, grass-covered, unobstructed area, with a minimum size of 8,000 square yards.

Swimming pool, available for Naval student personnel. NROTC institutions are expected to provide the facilities specified or comparable and adequate substitutes in the same manner that facilities are provided for other academic departments.

Secretary: The institution also normally provides a full-time civilian secretary to assist the Professor of Naval Science in connection with his duties as head of a major academic department.

§ 711.902 *Protection of Naval property*—(a) *Custodian.* The Professor of Naval Science will be the custodian of all Naval property. Issuance of and accounting for this property will be in accordance with standard Navy practice.

(b) *Care and safekeeping of equipment.* The Professor of Naval Science is responsible for the care and safekeeping of all equipment which has been issued to him and for seeing that proper precautions are taken to prevent the equipment from being improperly used and from falling into the hands of irresponsible persons.

(c) *Responsibility of the institution.* The institution is expected to take the same precautions and to provide the same safeguards for the protection of Naval property as it does for the protection of its own property. The Professor of Naval Science will report to the proper authorities of the institution, in writing, any facts, circumstances, or conditions which he believes to be prejudicial to the proper protection of Naval property against loss through fire, flood, theft, tornado, or other similar causes. In the event that proper attention is not paid to such communication, report will be made to the Bureau of Naval Personnel via the Commandant.

(d) *Report of inspector on protective measures.* Inspectors visiting NROTC units will include within the purview of their inspections the precautions taken by institutions, their servants and employees, to protect Government property from loss, destruction, or damage by fire, flood, theft, tornado, or other similar causes. In each such inspection, the inspector will submit a report to the Bureau of Naval Personnel via the Commandant stating whether or not every reasonable precaution is being observed. If an unfavorable report is submitted, the defects will be stated in detail and a copy will be furnished to the head of the institution concerned. Access to all previous reports on Government property protection will be given the surveying officers.

(e) *Fire insurance.* An institution is not required to carry fire insurance.

§ 711.903 *Allowance list.* A standard allowance list has been established for NROTC units.

§ 711.904 *Allotments.* (a) The Bureau of Naval Personnel is assigned cognizance of the preparation of estimates and administration of funds that maintain the NROTC Program. Allotments are made to the District Commandant for the operation of units within the district. The Commandant requisitions services, equipment, material, and supplies required by the unit and not supplied by the institution or by the Bureau without charge to the Commandant's NROTC allotment. Charges are made by the Commandant against the allotted funds.

(b) Estimates of annual allotments needed by each unit are to be submitted by each Commandant as called for by the Bureau of Naval Personnel. The official accounting and financial reports to the Bureau of Naval Personnel in connection with allotments are the responsibility of the District Commandant.

§ 711.905 *Procurement of materials, supplies, and equipment.* Items which are deemed necessary for the successful functioning of the NROTC unit and which are beyond those which the institution should furnish in accordance with the provisions of § 711.901, can be procured in one of the following methods: Through the Navy Department, without

charge to the District Commandant's NROTC allotment; through the Commandant and chargeable to his NROTC allotment; and through the Commandant and chargeable to his allotment to the District Communication Officer, under the heading "Miscellaneous Expenses, Navy".

(a) *Navy Department procurement.* (Without charge to the Commandant's NROTC allotment.)

(1) Items of a technical nature with a limited use are generally supplied by one of the Bureaus at no charge against the allotment granted the District Commandant for the unit. Such items are obtained by letter request to the cognizant Bureau via the Commandant and the Chief of Naval Personnel. In addition to the items listed in Art. 23028 Bureau of Supplies and Accounts Manual, the following items may be procured by letter request:

Publications.
Manuals.
Catalogues.
Training courses for rates.
Special types of equipment.

(2) Naval Science books, supplies, equipment, and all other miscellaneous items necessary for the conduct of the NROTC will be furnished by the Government. Such of the items mentioned above furnished to NROTC students at the expense of the Government, will upon graduation, withdrawal, or disenrollment of students from the unit, be reclaimed at the earliest possible date by the Professor of Naval Science. Students will not be furnished consumable supplies, such as paper and pencils, by the Government.

(3) Books paid for by the Government, other than those used in Naval Science courses, may become the property of the NROTC student if they are needed by him and are not needed for further use in the unit.

(4) Cruise equipment: Seabags will be maintained and stored at NROTC schools. Replenishment will be requisitioned from the Supply activity normally rendering supply support for other general stores material. Mattress covers and blankets will be loaned from Naval Reserve (Inactive) stocks to NROTC cruises and will be supplied at ports of embarkation and will be turned in at ports of debarkation. The Supply Officer of the station at the port of debarkation will request disposition instructions from the Bureau of Supplies and Accounts.

(5) Cruise laundry: The cost of cleaning and laundering of midshipman uniforms and clothing is paid by the Navy. The Commanding Officer of the cruise ship may submit a requisition to the Bureau of Naval Personnel for approval covering such items supplied by the ship's laundry as soap, starch, etc. The cost will be charged against the Bureau appropriation maintaining the NROTC.

(b) *District procurement.* (Chargeable to the Commandant's NROTC allotment.)

(1) *Annual requirements.* For recurring items of expense, such as office supplies or equipment, garage rental, and other services and supply, the Professor of Naval Science should estimate his requirements for each new fiscal year and request the Commandant by letter that requisitions be written to cover the procurement of such items. The letter of request should give an accurate and detailed description of the goods or services required, estimated prices, names of bidders and a recommendation as to a supplier if one is considered particularly advantageous. Such requests should reach the Commandant by May 1.

(i) The requisition after approval by the Bureau of Naval Personnel will be forwarded by the Bureau of Supplies and Accounts to the proper purchasing activity.

(ii) When a contract has been made, the Professor of Naval Science is authorized to order delivery (DCO Form 140) on the contract as he deems desirable or necessary within such limitations as may be prescribed by the Commandant.

(iii) Invoices for such items will be certified by the Prefessor of Naval Science as to receipt, and sent to the designated Disbursing Officer for payment. No stub requisition is necessary, nor is a letter of transmittal.

(2) *Office supplies.* Office supplies are to be obtained by issue from regular standard stock.

(3) *Special purchases.* The Commandant will arrange for the Professor of Naval Science to make so-called businessmen's purchases. The mechanism for such purchases is a so-called "annual-purchase requisition." The Commandant will indicate by what method and by whom such purchases can be made. The limiting amount both for total and individual purchases will be established annually by the Chief of Naval Personnel.

(4) *Nonrecurring items.* Requests for supplies or services not covered by annual requisition will be submitted to the Commandant in such manner as he may prescribe. Instructions governing the method of requesting such items will be furnished by the District Director of Training.

(c) *District procurement (chargeable to other than NROTC allotment.* Communications services will be arranged for with the District Communication Officer as a charge against the appropriation "Miscellaneous Expenses, Navy."

(d) *PNS procurement (not chargeable to Naval Allotments); Printing.* Requests for printing should be made to the institution. Paper and envelopes will be supplied by the Commandant.

NROTC FORMS AND REPORTS

§ 711.1001 *Form of application for establishment of an NROTC unit.*

(Date)

To: BUREAU OF NAVAL PERSONNEL,
Washington 25, D. C.

Subject: Application for Establishment of a Unit of the Naval Reserve Officers Training Corps.

1. By direction of the governing authorities of ---, application is hereby submitted for the establishment of a unit of the Naval Reserve Officers Training Corps at this institution.

2. Should this application be accepted by the Navy Department, this institution hereby agrees to the establishment and maintenance of a four-year course of Naval training for its physically fit male students under a Department of Naval Science, staffed wth Naval Personnel. This course, equal in standing with major courses in other departments, will comprise instruction in Naval Science carrying the same weight toward a degree as the same number of hours in any other subject in the university's curriculum. Students who successfully meet the course requirements outlined in the Regulations for the Administration and Training of the Naval Reserve Officers Training Corps, including approximately twenty-four (24) semester or equivalent quarter-hours of Naval Science, will be considered for the appropriate degree.

3. The institution will provide space for classrooms, offices, equipment, and drill for a normal size unit of 300 in accordance with the following minimum requirements:

Classrooms (5), three of which have a normal capacity of 35 students; one of which has a normal capacity of 50 students; one of which with a capacity of 35 students, contains a minimum floor area of 1,000 square feet for use as a navigation workroom.

Offices (8), seven of which contain a minimum floor area of two hundred square feet each; one of which contains a minimum floor area of three hundred square feet.

Clothing and text book storage and issue space, one room having a minimum floor area of one thousand square feet, and possessing two entrances.

Armory, heavily reinforced floor area of approximately four thousand square feet, on which will be placed heavy ordnance equipment, permanent installations. This area should have at least a twenty foot ceiling clearance, and flooring capable of carrying a load of one thousand, pounds per square foot.

Auditorium, of adequate size for assembly of entire unit, available for use at various times. Usage to be determined in advance in keeping with standard procedure in effect at the institution.

Drill field, any readily accessible, level, grass-covered, unobstructed area, with a minimum of eight thousand square yards.

Swimming pool, available for Naval student personnel.

4. It is understood that for normal operation an annual initial enrollment in the Naval Science course of 80 physically fit students of the freshman class, citizens of the United States, over 17 years of age, is required to maintain a Naval Reserve Officers Training Corps Unit.

5. This institution also agrees to promote and further the objects for which the Naval Reserve Officers Training Corps is established and to conform to the regulations of the Navy Department relating to the operation of the unit and to the care, use, safekeeping and accounting for such government property as may be issued for use by the unit.

(President)

(Name of institution)

§ 711.1002 *Forms and reports.* The forms and reports listed in this section, in many cases peculiar to an officer-candidate training program, are required in the administration of the NROTC, and will be in addition to the reports normally required of the commanding officers of all naval stations.

(a) *Enrollment of regular students.*

(1) (NavPers 916) Forwarding Endorsement, 1 copy.

(2) Record Sheet (ETS Form), 1 copy.

(3) (NavPers 912) Application for NROTC and NACP, 2 copies.

(4) (NavPers 917) Contract for NROTC, 2 copies.
(5) Birth Certificate.
(6) (NavPers 915) Evidence of Citizenship, if necessary, 1 copy.
(7) (NavPers 965) Evidence of Discharge, if necessary, 1 copy.
(8) (NavPers 919) Reference Questionnaire, 3 copies.
(9) (NavPers 958) Interviewers Appraisal Sheet, 2 copies.
(10) (NavPers 923) High School Record, 1 copy.
(11) College Transcript, if applicable, 1 copy.
(12) (Standard Form 88) Report of Medical Examination, 2 copies.
(13) (Standard Form 89) Report of Medical History, 1 copy. (Attach to the original of Standard Form 88.)
(14) (NavPers 680) Fingerprint Record, 1 copy.
(15) Loyalty Certificate.
The above forms will be executed at the Offices of Naval Officer Procurement and submitted to the Bureau of Naval Personnel in accordance with current instructions.
(16) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record): These forms, in duplicate, will be opened by the Office of Naval Officer Procurement for each civilian applicant found physically qualified. The original copies will be forwarded to the appropriate Professor of Naval Science, and the duplicate copies will be forwarded directly to the Bureau of Medicine and Surgery for each applicant selected for appointment. In the case of enlisted candidates, the separation acivity will forward the man's complete Health Record to the Bureau of Naval Personnel (Attention Pers–3637). The Bureau will forward the required records to the Bureau of Medicine and Surgery and forward the remainder of the Health Record to the appropriate Professor of Naval Science.
(17) (NavPers 901) Acceptance and Oath of Office.
(18) (NavPers 1213) Deferment Agreement.

(b) *Enrollment of contract students.*

(1) (NavPers 912) Application for NROTC and NACP, 2 copies.
(2) (NavPers 916) Forwarding endorsement, 1 copy.
(3) (NavPers 918) Contract, NROTC, 2 copies.
(4) (NavPers 915) Evidence of Citizenship, if necessary, 1 copy.
(5) (NavPers 965) Evidence of Discharge, if necessary, 1 copy.
(6) (NavPers 919) Reference Questionnaire, 3 copies.
(7) (NavPers 958) Interviewers appraisal sheet, 2 copies.
(8) (Standard Form 89) Report of Medical History, 1 copy. (Attached to the original of Standard Form 88.)
(9) (NavPers 680) Fingerprint Record, 1 copy.
(10) (Standard Form 88) Report of Medical Examination, 3 copies, triplicate copy to be retained in files of the NROTC unit. To be summitted in duplicate after the initial medical examination to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.
(11) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record): These forms, in duplicate, will be opened for each student enrolled in the NROTC. The original copies will be retained in the health record by the Professor of Naval Science and the duplicates will be forwarded directly to the Bureau of Medicine and Surgery.
(12) Birth Certificate.
(13) College Transcript, if applicable, 1 Copy.
(14) (NavPers 1213) Deferment Agreement.
(15) Loyalty Certificate.

(c) *Disenrollment.*

(1) (NavPers 368) Naval Training Course Certificates: Issued by the Professor of Naval Science to Naval Science students who have completed successfully courses in Naval Science, to NROTC students leaving units under honorable conditions before graduation, or to graduates ineligible for commissioning.
(2) (NavPers 364) Disenrollment Report: Submitted in duplicate to the Bureau of Naval Personnel by the Professor of Naval Science for every NROTC student who is disenrolled or recommended for disenrollment.
(3) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record): These forms shall be forwarded to the District Medical Officer of the cognizant Naval District, who will close out the H–2 by reason of disenrollment, stating the authority and that the student was not present for examination, prior to transmission to the Bureau of Medicine and Surgery.

(d) *Commissioning.*

(1) Recommendation for Commission: A report in letter form, submitted to the Bureau of Naval Personnel 90 days prior to graduation, recommending for commissions NROTC students who are about to graduate. (§ 711.312.)
(2) Application by Contract student for active duty and Commission in the regular Navy or Marine Corps. (§§ 711.212, 711.213.)
(3) (NavPers 2100) Duty Recommendation: Submitted to the Bureau of Naval Personnel 90 days prior to commissioning.
(4) (NavPers 305) Officer Qualification Record Jacket: The jacket shall contain a copy of the Officer Qualification Questionnaire and the Original of the Training School Report. Officers ordered to active duty will take their Qualification Record Jacket to their next duty station. The jacket of each Naval Reserve officer going to inactive duty shall be forwarded to the Commandant of the Naval District in which he resides. The jacket of each Marine Corps Reserve officer going on inactive duty shall be forwarded to the Commandant of the Marine Corps.
(5) (NavPers 318) Training School Report: One duplicate copy to be submitted as soon as possible after commissioning to the Chief of Naval Personnel (Pers–313) or to the Commandant of the Marine Corps, as appropriate.
(6) (NavPers 309) Officer Qualification Questionnaire: Original to be submitted as soon as possible after commissioning to the Chief of Naval Personnel (Pers–313), or to the Commandant of the Marine Corps, as appropriate.
(7) (NavPers 16722–16726) Officer Classification Battery: Submitted to the Chief of Naval Personnel (Pers–313) in accordance with current instructions.
(8) Application for Commission in Marine Corps or Marine Corps Reserve: To be submitted in letter form with the endorsement of the Professor of Naval Science, 90 days prior to commissioning, to the Commandant of the Marine Corps, Washington, D. C. Submitted in connection with report specified in following paragraph. (§§ 711.313, 711.603.)
(9) Application for Commission in a Staff Corps or SDO, USNR. (§ 711.313.)
(10) (NavPers 330 (USN) or NavPers 962 (USNR)) Acceptance and Oath of Office (USN and USNR): To be submitted in accordance with the distribution indicated on the forms except that in the case of each officer commissioned in the USNR, the executed copy of this form marked: "This copy shall be retained by the office administering oath and acceptance of office" shall be forwarded to the Commandant of the Naval District in which he resides.
(11) (NAVMC 763PD) Acceptance and Oath of Office; (USMC): To be submitted to the Commandant of the Marine Corps.
(12) (NAVMC 764PD) Acceptance and Oath of Office; (USMCR): To be submitted to the Commandant of the Marine Corps.
(13) (Standard Form 88) Report of Medical Examination: Submitted, in duplicate, 90 days prior to commissioning to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel.
(14) (NavMed H–2 and H–4) Health Record (Physical Examination and Dental Record): For each student to be commissioned in the Regular Navy or Marine Corps, the old NavMed H–2 and NavMed H–4 shall be forwarded to his new duty station, with a statement to the effect that no medical officer is attached to the NROTC unit, and requesting that the old NavMed H–2 and H–4 be closed out, and that a new NavMed H–2 and H–4 be opened in duplicate, the duplicates to be forwarded to the Bureau of Medicine and Surgery with the old forms. For each student to be commissioned in the Naval Reserve or Marine Corps Reserve, the old NavMed H–2 and H–4 shall be forwarded to the Commandant of the Naval District or the Director of the Marine Corps Reserve District, in which the officer resides, with a statement that the old NavMed H–2 and H–4 be closed out, and that a new NavMed H–2 and H–4 be opened in duplicate, the duplicates to be forwarded to the Bureau of Medicine and Surgery with the old forms.
(15) (NavPers 391) Class Standing of NROTC Graduates Commissioned: Submitted, in duplicate, to the Bureau of Naval Personnel as soon as practicable after commissioning, in accordance with current directives. (§ 711.314.)

(e) *Periodic.*

(1) (NavPers 384) Subsistence Roll, monthly. (§ 711.703.)
(2) (NavPers 384a) Subsistence Roll, memorandum copy.
(3) (NavPers 1931) Monthly Change of Status Report: Submitted monthly to the Bureau of Naval Personnel in accordance with current directives.
(4) (NavPers 381) Annual Return of Books: Submitted to the Bureau of Naval Personnel on 30 June of each year. (§ 711.908.)
(5) (Standard Form 88) Report of Medical Examination: Submitted, in duplicate, after the annual medical examination of each NROTC student to the Chief of the Bureau of Medicine and Surgery via the Chief of Naval Personnel. (§ 711.306.)
(6) (NavPers 1918) NROTC IBM Information Register: Submitted annually to the Bureau of Naval Personnel (Pers–424) in accordance with current directives.
(7) Plant Property Inventory: Submitted every 2 years. (Sec. 908.)
(8) University Catalogue or Announcements of Individual Colleges: Submit 3 copies to the Chief of Naval Personnel (NROTC Section) when published.
(9) (NavOrd 1744B) General Ammunition Report: Submitted annually, as of 30 June, to the Chief of the Bureau of Ordnance.
(10) (Small Arms-Sheet 1) Report of Small-Arms Practice: Submitted annually, as of 30 June, to the Chief of Naval Operations.
(11) (NavPers 353) Roster of Officers: One copy submitted monthly to the Bureau of Naval Personnel (Pers–4244), indicating in column 10 thereof, the Naval Science courses which each officer is currently teaching.

(f) *Miscellaneous.*

(1) Transcript of Academic Record. (§ 711.312.)
(2) Report of Commission Withheld. (§ 711.312.)
(3) Approval of Transfer between NROTC Units. (§ 711.308.)

(4) Application for Extension of Time to Complete Academic Requirements. (§ 711.311.)

(5) Report of Substitution of College Course for NROTC Court. (§ 711.503.)

(6) Individual Student Record Forms. (§ 711.509.)

(7) Application for Enrollment in Marine Corps Naval Science Courses. (§ 711.601.)

(8) Aptitude Marks. (§§ 711.507, 711.508, 711.602.)

(9) Notice of Allotment for National Service Life Insurance. (§ 711.705.)

(10) (BuSandA Form 510) Commanding Officer's Pay Record Order. (§ 711.702.)

(11) (BuSandA Form 1071) Mileage Voucher. (§ 711.706.)

(12) Clothing Requisitions. (§ 711.802.)

(13) Report on NROTC Students Placed (or Removed from) a Leave Status. (§ 711.311.)

(14) (NavPers 2485) Enlisted Instructor Data Card.

Dated: August 13, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9979; Filed, Aug. 21, 1951; 8:48 a. m.]

PART 714—OFFICER PERSONNEL

Part 714 is added to read as follows:

§ 714.1 *Regulations governing termination of commissions of women officers.* (a) Section 209 of the Army-Navy Nurses Act of 1947 (approved April 16, 1947, c. 38, 61 Stat. 50, Title 34 FCA sec. 43i) authorizes the Secretary of the Navy, under the circumstances and in accordance with the regulations prescribed by the President, to terminate the commission of any officer commissioned in the Nurse Corps established by Title II of the Army-Navy Nurses Act of 1947.

(b) Section 214 of the Women's Armed Services Integration Act of 1948 (approved June 12, 1948, c. 449, 62 Stat. 370, Title 34 FCA sec. 105i (a)) authorizes the Secretary of the Navy, under the circumstances and in accordance with regulations prescribed by the President, to terminate the commission or warrant of any woman officer in the Regular Navy or Marine Corps.

(c) Executive Order No. 10240 of April 27, 1951 (F. R. Doc. 51-5062, filed April 27, 1951, 4:27 p. m.), sets forth regulations prescribed by the President, by virtue of the authority vested in him by the Army-Navy Nurses Act of 1947 and the Women's Armed Services Integration Act of 1948, and as Commander in Chief of the Armed Forces of the United States. Those regulations provide, in pertinent part, as follows:

* * * the commission or warrant of any woman serving in the Regular Navy or the Regular Marine Corps * * * under either of the above-mentioned acts may be terminated, regardless of rank, grade or length of service, by or at the direction of * * * the Secretary of the Navy * * * (1) under the same circumstances, procedures, and conditions and for the same reasons under which a male member of the same Armed Force and of the same grade, rating or rank, and length of service may be totally separated from the service by administrative action, whether by termination of commission, termination of appointment, revocation of commission, discharge, or otherwise, or (2) whenever it is established under appropriate regulations of the Secretary of the department concerned that the woman (a) is the parent, by birth or adoption, of a child under such minimum age as the Secretary concerned shall determine, (b) has personal custody of a child under such minimum age, (c) is the step-parent of a child under such minimum age and the child is within the household of the woman for a period of more than thirty days a year, (d) is pregnant, or (e) has, while serving under such commission, warrant, or enlistment, given birth to a living child; and such woman may be totally separated from the service by administrative action by termination of commission, termination of appointment, revocation of commission, discharge, or otherwise.

(d) Pursuant to the foregoing statutes and to the foregoing Executive order, the following regulations are hereby prescribed to govern termination of commissions or warrants of women commissioned officers or warrant officers in the naval service of the United States, and to provide for the establishment of factual conditions warranting such action:

(1) The commission of any woman serving in the Regular Navy or the Regular Marine Corps, and the commission of any woman of the Naval Reserve or Marine Corps Reserve on active duty, shall be terminated under the same circumstances, procedures, and conditions and for the same reasons provided by Navy Department General Order No. 16 for the revocation of the commission of a male officer of the same grade, rank, and length of service.

(2) The commission or warrant of any woman serving in the Regular Navy or the Regular Marine Corps may be terminated under the same circumstances, procedures, and conditions and for the same reasons under which a male commissioned officer or a male warrant officer of the same grade, rank, and length of service might be totally separated from the naval service by administrative action, whether by termination of appointment, revocation of commission, discharge, or otherwise.

(3) (i) The commission or warrant of any woman serving in the Regular Navy or the Regular Marine Corps, and the commission or warrant of any woman of the Naval Reserve or Marine Corps Reserve on active duty, shall be terminated by the Secretary of the Navy whenever it is reported to the Secretary that the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, or any one or more responsible officers to whom either or both has or have delegated the power, has determined that such woman:

(*a*) Is the parent, by birth or adoption, of a child under the age of 18 years; or,

(*b*) Has personal custody of a child under the age of 18 years; or,

(c) Is the step-parent of a child under the age of 18 years who is within the household of the woman for a period of more than thirty days a year; or,

(*d*) Is pregnant; or,

(*e*) Has, while serving under her current appointment to warrant or commissioned grade in the naval service, given birth to a living child.

(ii) Determinations under subdivision (i) of this subparagraph may be based upon:

(*a*) Any oral or written statement of the woman officer under consideration for termination of warrant or commission, indicating the existence of any one or more of the conditions set forth; or,

(*b*) Any oral or written statement of an apparently credible person indicating the belief of such person as to the existence of conditions (*a*), (*b*), (c), or (*e*), of subdivision (i) of this subparagraph, based upon personal observation by such person; inspection of public, church, or private records; or general repute in the family of the woman concerned or in any community or neighborhood; or,

(c) Any oral or written statement by a person representing himself to be a medical practitioner to the effect that he is of the opinion that the woman officer concerned is pregnant; or,

(*d*) Any other statement, report, communication, or information reasonably indicating the existence of any one or more of the conditions set forth.

(iii) A woman officer under consideration for termination of commission or warrant under this subparagraph, who has not, by her own oral or written statement, indicated acquiescence in the asserted existence of any one or more of the conditions set forth in subdivision (i) (*a*) through (*e*) of this subparagraph, shall be advised in writing of such condition or conditions which have been asserted to exist as to her. Such officer may then, within five (5) days of delivery to her of such advice, forward to the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, a written denial by her of the existence of such condition or conditions, together with citation of any available evidence tending to corroborate such denial. Where there is forwarded such a denial of an assertion of pregnancy, the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, shall direct medical examination of the woman officer concerned by a Naval medical officer or at a Naval medical activity. Failure on the part of a woman officer, within the time specified in this section, to forward a written denial of the existence of any of the conditions warranting termination of commission or warrant hereunder, or failure or refusal, on the part of any woman officer as to whom medical examination has been directed hereunder, to appear for or to submit herself to such medical examination or any portion thereof, which may be requested by any examiner, shall be considered conclusive as to the existence of the condition or conditions asserted.

(4) Women officers whose commissions or warrants are terminated pursuant to the regulations in this part shall be awarded certificates of discharge of such type and character as may be warranted in view of the record of service and the circumstances surrounding the termination in each individual case.

(5) As used in this section the words, "officer" and "officers," include warrant, chief warrant, commissioned warrant, and commissioned officers; the phrase "thirty days a year" refers to thirty consecutive days during any period of

twelve consecutive months; and the term "medical practitioner" includes, but is not limited to, a physician, surgeon, medical consultant, gynecologist, obstetrician, psychiatrist, resident physician, resident surgeon, or intern, in Governmental service or employ, in private practice or employ, or in retirement.

(6) The regulations in this part shall be effective immediately upon signature hereof, and termination of any commission or warrant hereunder may be effected at any time thereafter, regardless of whether the occurrence or existence of any condition or conditions warranting such termination shall have preceded or followed the effective time hereof.

(Sec. 209, 61 Stat. 50, sec. 214, 62 Stat. 370; 34 U. S. C. Sup. 431, 1051. E. O. 10240, Apr. 27, 1951, 16 F. R. 3689)

Dated: August 9, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9977; Filed, Aug. 21, 1951; 8:47 a. m.]

PART 716—DEATH GRATUITY

MISCELLANEOUS AMENDMENTS

1. Section 716.1 is amended to read as follows:

§ 716.1 *General provisions.* The act of June 4, 1920, as amended (41 Stat. 824 as amended, 34 U. S. C. 934) and the act of August 27, 1940 (54 Stat. 864; 34 U. S. C. 855c–1) and the act of March 17, 1941 (55 Stat. 43 as amended; 34 U. S. C. 855c–2) provide for the payment to the widow, child, or dependent relative of a deceased officer, nurse, or enlisted man, who died of wounds or disease not the result of his or her own misconduct, of an amount equal to six months' pay at the date of his or her death, on date death is determined to have occurred under the Missing Persons Act (56 Stat. 143; 50 U. S. C., App., 1001–1008).

Public Law 108, 81st Congress, amends the Naval Aviation Personnel Act of 1940, as amended (U. S. C., title 34, sec. 855c–1) to extend entitlement to the six months' death gratuity to members of the reserve components of the armed forces, if called or ordered by the Federal Government to perform active naval or military service or to perform active duty for training or inactive-duty training for any period of time, who suffer death in the line of duty from injury while so employed. The provisions of this act are effective from August 14, 1945.

2. Section 716.2 is amended to read as follows:

§ 716.2 *Delegations.* The Director of the Personal Affairs Division of the Bureau of Naval Personnel certifies to the Bureau of Supplies and Accounts the person entitled under the act to receive such gratuity. The Head of the Personnel Affairs Branch, Personnel Department, Marine Corps, certifies to the Quartermaster General of the Marine Corps, Disbursing Branch, the person entitled to receive such gratuity.

(Sec. 1, 41 Stat. 824, as amended; 34 U. S. C. 943. Interpret or apply sec. 4, 54 Stat. 864, as amended, sec. 1, 55 Stat. 43, as amended; 34 U. S. C. 855c–1, 855c–2)

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9978; Filed, Aug. 21, 1951; 8:47 a. m.]

PART 722—NAVAL RETIRING REVIEW BOARD

MISCELLANEOUS AMENDMENTS

1. Section 722.2 (b) is amended to read as follows:

§ 722.2 *The Board.* * * *

(b) *Recorder (counsel for the Board).* (1) The Secretary of the Navy shall designate the recorder for the Board.

(2) The duties of the recorder will be to:

(i) Obtain and make available for the purposes of the Board all available records relating to the applicant.

(ii) Examine and prepare for each member of the Board a summary of the applicant's military and medical records; the findings and decision of the retiring board under review as well as the administrative action taken thereon; and such other records and material as are available.

(iii) Bring to the attention of the Board the contentions submitted in behalf of the applicant and the evidence in support thereof.

(iv) Examine and cross-examine the applicant and all witnesses appearing before the Board.

(v) Bring to the attention of the Board the applicable legal principles involved with pertinent precedents.

(vi) Establish and maintain a docket of all cases.

(vii) Perform all the functions of a recorder, as outlined by Naval Supplement, to Manual for Courts Martial, pertaining to retiring boards.

(viii) Perform all such administrative duties as may be required in connection with the proceeding of the Board, or as may be prescribed by the president of the Board.

(3) The recorder will be the custodian of all Board records and he shall be responsible for safeguarding same.

(4) The recorder shall take an oath to keep a true record of the proceedings of the case then before the Board and about to be reviewed.

2. Section 722.3 (f) is amended to read as follows:

§ 722.3 *Procedure.* * * *

(f) *Hearing.* (1) The applicant may present his case:

(i) By written application for a review, in which event the review will be based solely on all the available records relating to the applicant.

(ii) By such written evidence and affidavits as the applicant may wish to file.

(iii) By presenting evidence before the Board, either in person or by counsel. The testimony of witnesses may be presented either in person, by affidavits, and/or depositions.

(2) Insofar as practicable, the hearings of the Board will be conducted in accordance with the pertinent instructions contained in Naval Supplement, to Manual for Courts Martial, except that:

(i) No right of challenge will be accorded.

(ii) Physical examination of the applicant is not mandatory; but, if it appears to the Board's satisfaction to be essential, the Board will not make a preliminary report.

(iii) The Board will not make a preliminary report.

(iv) The medical members will not be subject to examination.

(v) The medical members will not submit a report.

(Sec. 302, 58 Stat. 287, as amended; 38 U. S. C. 693i)

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51-9975; Filed, Aug. 21, 1951; 8:47 a. m.]

Subchapter E—Claims

PART 750—NAVY GENERAL CLAIMS

MISCELLANEOUS AMENDMENTS

1. Section 750.2 is amended to read as follows:

§ 750.2 *Statutory authority.* Pursuant to, and subject to the limitations of, Part 2 of the Federal Tort Claims Act, Title IV of the Legislative Reorganization Act of 1946, approved August 2, 1946 (60 Stat. 843), repealed, revised, codified and re-enacted as a part of Title 28, United States Code, by Public Law 773, 80th Congress, approved June 25, 1948 (62 Stat. 982; 28 U. S. C. 2671–2680), as amended by the act of April 25, 1949 (Pub. Law 55, 81st Congress), the Secretary of the Navy, or his designee for the purpose, acting on behalf of the United States, is authorized to consider, ascertain, adjust, determine, and settle any claim for money damages of $1,000 or less against the United States, accruing on or after January 1, 1945, for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant, in accordance with the law of the place where the act or omission occurred.

2. Section 750.7 is amended to read as follows:

§ 750.7 *Statute of limitations.* Every claim against the United States for $1,000 or less, to be cognizable under the provisions governing administrative settlement of federal tort claims under Title 28, United States Code, and §§ 750.1–750.7, must be presented in

writing to the Navy within two years after the claim accrued or within one year after April 25, 1949, whichever is later, or be forever barred.

3. Section 750.8 is amended to read as follows:

§ 750.8 *Statutory authority for action.* (a) Pursuant to, and subject to the limitations of, Part 3 of the Federal Tort Claims Act, Title IV of the Legislative Reorganization Act of 1946, approved August 2, 1946 (60 Stat. 843; 28 U. S. C. 931–934), as amended by the act of August 1, 1947 (Pub. Law 324, 80th Cong.; 61 Stat. 722), repealed, revised, codified and re-enacted as a part of Title 28, United States Code, by Public Law 773, 80th Congress, approved June 25, 1948 (62 Stat. 928, 933, 937, 971, 973, 983; 28 U. S. C. 1254, 1255, 1346, 1402, 2402, 2411, 2412, 2674), as amended by the act of April 25, 1949 (Pub. Law 55, 81st Cong.), the United States district court for the district where the plaintiff resides or wherein the act or omission complained of occurred; including the District Court for the Territory of Alaska, the United States District Court for the District of the Canal Zone and the District Court of the Virgin Islands, sitting without a jury, has exclusive jurisdiction of civil actions on claims against the United States, for money damages, accruing on or after January 1, 1945, for injury or loss of property, or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Government while acting within the scope of his office or employment, under circumstances where the United States, if a private person, would be liable to the claimant for such damage, loss, injury, or death in accordance with the law of the place where the act or omission occurred.

(b) The jurisdiction conferred as set forth in paragraph (a) of this section includes jurisdiction of any set-off, counterclaim, or other claim or demand whatever on the part of the United States against any plaintiff commencing an action under Title 28, United States Code, section 1346 (b).

4. Section 750.15 is amended to read as follows:

§ 750.15 *Statute of limitations.* An action against the United States pursuant to Title 28, United States Code, section 1346 (b), must be begun within two years after the claim accrued or within one year after April 25, 1949, whichever is later, or be forever barred. If a claim not exceeding $1,000 has been presented in writing to the Navy within that period of time, suit thereon shall not be barred until the expiration of a period of six months after either the date of withdrawal of such claim from the Navy or the date of mailing notice by the Navy of final disposition of the claim.

5. Section 750.19 is amended to read as follows:

§ 750.19 *Scope of the act of December 28, 1945.* (a) Subject to the exceptions set forth in paragraph (b) of this section, claims not in excess of $1,000, arising on or after May 27, 1941, for damage to or loss or destruction of real or personal property or for reasonable medical, hospital, and burial expenses actually incurred on account of personal injury or death, caused by military personnel or civilian employees of the Navy while acting within the scope of their employment, or otherwise incident to noncombat activities of the Navy, including claims for damages to or loss or destruction, by criminal acts, of registered or insured mail while in the possession of the military authorities, claims for damage to or loss or destruction of personal property bailed to the Government and claims for damage to real property incident to the use and occupancy thereof, whether under a lease, express or implied, or otherwise, are payable by the Secretary of the Navy or his designees under the act of December 28, 1945, as amended, and §§ 750.17–750.27.

(b) The provisions of the act of December 28, 1945, and §§ 750.17–750.27 do not apply to:

(1) Any claim for damage, loss, destruction, injury, or death which was proximately caused, in whole or in part, by any negligence or wrongful act on the part of the claimant, his agent, or his employee.

(2) Any claim for damage, loss, destruction, injury, or death resulting from action by the enemy, or resulting directly or indirectly from any act by armed forces engaged in combat.

(3) Any claim for damages on account of personal injury or death, other than for reasonable medical, hospital, and burial expenses actually incurred as a result thereof.

(4) Any claim for reimbursement for medical or hospital services furnished at the expense of the United States or, in the case of burial, for such portion of the expense thereof as may be otherwise paid by the United States.

(5) Any claim for personal injury or death of military personnel or civilian employees of the Navy if such injury or death occurs incident to their service.

(6) Any claim of military personnel or civilian employees of the Navy for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, which claim is cognizable under the act of May 29, 1945 (59 Stat. 225; 31 U. S. C. 222c), as made applicable to the Navy by section 2 of the act of December 28, 1945 (sec. 2, 59 Stat. 662; 31 U. S. C. 222e), and the Navy Personnel Claims Regulations promulgated thereunder (Part 751 of this chapter).

(7) Any claim arising on or after January 1, 1945, the cause of which has been determined to be the negligent or wrongful act or omission of an employee of the Government (as defined in § 750.1 (a)) while acting within the scope of his office or employment, and which is in all other respects within the cognizance of the provisions governing administrative settlement of Federal tort claims under Title 28, United States Code, and §§ 750.1–750.7.

(8) Any claim arising in a foreign country or possession thereof which is cognizable under the provisions of the act of January 2, 1942, (55 Stat. 880; 31 U. S. C. 224d), as amended by the act of April 22, 1943, (57 Stat. 66; 31 U. S. C. 224d), and regulations issued pursuant thereto.

(9) Any claim cognizable under the act of July 3, 1944 (58 Stat. 726; 46 U. S. C. 797), or the act of December 5, 1945, (59 Stat. 596; 34 U. S. C. 600a) relating to admiralty claims or claims for damages caused by naval vessels.

(10) Any claim for damage to or loss or destruction of property founded in contract, express or implied, with the exception of claims arising from the bailment of personal property to the Government and from the use and occupancy of real property as set forth in §§ 750.23 and 750.24.

(11) Any claim for the rent of real or personal property.

(12) Any claim involving the infringement of patents.

6. Section 750.26 is amended to read as follows:

§ 750.26 *Claims arising in foreign countries.* (a) There are no geographical limitations upon the scope of application of the act of December 28, 1945, and § 750.17–750.27. The Foreign Claims Act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended by the act of April 22, 1943 (57 Stat. 66; 31 U. S. C. 224d), and regulations issued pursuant thereto, however, have preemptive application to claims for damage to or loss or destruction of real personal property, and for personal injury or death, caused by military forces or individual members thereof, whether military personnel or civilian employees, or otherwise incident to noncombat activities of such forces, in a foreign country, to public property located therein, or to the privately owned property or to the persons or inhabitants of such country. Any claim which arises in a foreign country, therefore, and which is within the scope of the Foreign Claims Act, as amended, is precluded from consideration under the act of December 28, 1945, and §§ 750.17–750.27. Any claim which arises in a foreign country and is for any reason not cognizable under the Federal Claims Act and the regulations issued thereunder, however, may be considered and paid under the act of December 28, 1945, and §§ 750.17–750.27 provided it is in all respects within the scope thereof.

(b) In addition to the exceptions set forth in § 750.19 (b), the provisions of the act of December 28, 1945, and §§ 750.17–750.27 do not apply to any claim arising in a foreign country, of an inhabitant of a foreign country who is a national of a country at war with the United States or of any ally of such an enemy country, unless it be determined that the claimant is friendly to the United States. It is provided, however, that the approval, without such a determination of claims of prisoners of war and of interned enemy aliens, arising in a foreign country other than that of which they are nationals, for damage to or loss or destruction of personal property in the custody of the Government, otherwise payable under § 750.23 with respect to bailed personal property, shall not be hereby precluded.

(c) Claims arising in foreign countries may in proper cases, be cognizable under the act of July 11, 1919 (41 Stat. 132; 34 U. S. C. 600), and §§ 750.28 and 750.29. They are expressly excluded, however, from consideration under the provisions governing the administrative settlement of Federal tort claims under Title 28, United States Code, and from the application of the civil action provisions of Title 28, United States Code, section 1346 (b), and Subpart A of this part.

7. Section 750.32 is amended to read as follows:

§ 750.32 *The submission of a claim.* (a) A claim shall be submitted by presenting in triplicate a written statement setting forth the amount of the claim and, as far as possible, the detailed facts and circumstances surrounding the incident from which the claim arose. The Claim for Damage or Injury, Standard Form No. 95, shall be used whenever practicable. The claim and all other papers requiring signature by the claimant shall be signed by the claimant personally or by his duly authorized agent. The signature of the claimant or his agent shall be identical throughout. When more claims than one arise from a single incident, each such claim shall be filed separately and individually.

(b) The claim shall be submitted by the claimant to the commanding officer of the naval activity involved, if known; otherwise, it shall be submitted to the commanding officer of any naval activity, preferably the one within which or nearest to which the incident occurred, or to the Judge Advocate General of the Navy, Washington 25, D. C.

8. Section 750.36 is amended to read as follows:

§ 750.36 *Investigation; responsibility for.* (a) Immediate responsibility for the investigation of an incident in accordance with the regulations in this part lies with the commanding officer of the local naval activity which is most directly concerned, normally the commanding officer of the personnel involved or of the activity in which the incident occurred. Where two or more activities are involved, the senior of the commanding officers concerned shall decide which of them shall have immediate responsibility for the investigation.

(b) When an accident or incident occurs at a place where the naval service does not have an installation or a unit conveniently located for conducting an investigation, the commanding officer having immediate responsibility for making such investigation may request assistance from the commanding officer of any other organization of the National Military Establishment. Such assistance may take the form of a complete investigation of the accident or incident, or it may cover only part of the investigation. Likewise, in the event that under similar circumstances the commanding officer of any other organization of the National Military Establishment requests such assistance from the Commanding officer of any naval installation or unit, the latter will comply with the request. If a complete investigation is requested, the report will be made in accordance with the regulations of the requested service. These investigations will normally be conducted without reimbursement for per diem, mileage or other expenses incurred by the investigating installation or unit.

(c) The driver of any Government motor vehicle involved in an accident of any sort shall be responsible for making an immediate report on the Operator's Report of Motor Vehicle Accident, Standard Form No. 91. This driver's report shall be made even though the driver of the other vehicle or any other person involved states that no claim will be filed, or even though the only vehicles involved are Government-owned. An accident shall be reported by the driver regardless of who was injured or what property was damaged, or to what extent, or where the accident occurred, or who was responsible. The driver's report shall be referred to the investigating officer, who shall be responsible for examining it for completeness and accuracy, and who shall file it for future reference or for attachment to any subsequent investigative report of the accident.

9. Section 750.41 is amended to read as follows:

§ 750.41 *Action by the District Legal Officer.* (a) The District Legal Officer, or such other legal officer as may receive the investigative report in lieu of the District Legal Officer, may, in his discretion, call upon the investigating officer for such additional investigation and information as may be considered necessary. Where the investigating officer and the cognizant local activity do not have access to a law library for the purpose of including in the report citations to and quotations from pertinent statutory and case law, and for the purpose of formulating a substantiated memorandum opinion as to the existence and extent of legal liability, the District Legal Officer or other corresponding legal officer shall supply the necessary information concerning the law of the place where the incident occurred and an opinion concerning the application of that law to the facts of the case at hand.

(b) The District Legal Officer or other corresponding legal officer shall endorse the investigative report with his recommendations as to whether any claim or claims should be paid, and in what amount, stating the legal basis for his recommendations. He shall keep one copy of the investigative report for his files and shall forward the original of the report, together with all related papers and all three copies of any claims filed, to the Judge Advocate General of the Navy. In the case of investigative reports upon incidents occurring at activities not within the jurisdiction of a naval district, he shall forward the report to the activity next higher in the official chain of command of the originating activity for forwarding to the Judge Advocate General of the Navy.

10. Section 750.42 is amended to read as follows:

§ 750.42 *Approval of claims.* (a) Claims cognizable under the regulations in this part shall be approved or disapproved, in whole or in part, as follows:

(1) Claims cognizable under the provisions governing administrative settlement of federal tort claims under Title 28, United States Code, and §§ 750.1–750.7 shall be approved or disapproved by the Judge Advocate General, the Assistant Judge Advocate General, the Director of the Applied Law Division of the Office of the Judge Advocate General, the Legal Officer, U. S. Naval Base, Newport, Rhode Island, or the Legal Officer U. S. Naval Submarine Base, New London, Connecticut, all of whom have been designated to administer those provisions of law for the Navy.

(2) Claims cognizable under the act of December 28, 1945, and §§ 750.17–750.27 shall be approved or disapproved by the Secretary of the Navy, or, subject to appeal to the Secretary of the Navy, by the Judge Advocate General, the Assistant Judge Advocate General, the Director of the Applied Law Division of the Office of the Judge Advocate General, the Legal Officer, U. S. Naval Base, Newport, Rhode Island, or the Legal Officer, U. S. Naval Submarine Base, New London, Connecticut, all of whom have been designated for that purpose.

(3) Claims cognizable under the act of July 11, 1919, as amended, and §§ 750.28–750.29 shall be approved or disapproved by the Secretary of the Navy.

(b) Subject to the provisions of Title 28, United States Code, section 1346 (b), and §§ 750.8–750.16 respecting civil action against the United States, any award or determination of the Secretary of the Navy or his designees, under the provisions governing administrative settlement of federal tort claims under Title 28, United States Code, is final and conclusive upon all officers of the Government, except when procured by means of fraud, notwithstanding any other provision of law to the contrary. Any settlement made by the Secretary of the Navy under the authority of the act of December 28, 1945, and §§ 750.17–750.27, or, subject to the provisions of § 750.43 with regard to appeal to the Secretary of the Navy, by his designees for the purpose, is final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

11. Section 750.45 is amended to read as follows:

§ 750.45 *Payment of claims.* Claims approved by the Secretary of the Navy, the Judge Advocate General, the Assistant Judge Advocate General, or the Director of the Applied Law Division of the Office of the Judge Advocate General as provided in § 750.42 shall be forwarded to the U. S. Navy Regional Accounts Office, Washington 25, D. C., for payment from appropriations designated for that purpose.

(62 Stat. 982; 28 U. S. C. 2671–2680) [SecNav ltr 49–714, Navy Dept. Bulletin, Oct. 15, 1949]

Dated: August 8, 1951.

DAN A. KIMBALL,
Secretary of the Navy.

[F. R. Doc. 51–9976; Filed, Aug. 21, 1951; 8:47 a. m.]

Chapter XVII—Federal Civil Defense Administration

PART 1704—FINANCIAL ASSISTANCE FROM RECONSTRUCTION FINANCE CORPORATION FOR CIVIL DEFENSE PURPOSES

The following regulations, Part 1704, Financial Assistance from Reconstruction Finance Corporation for civil defense purposes, are hereby issued.

Sec.
1704.1 Purpose.
1704.2 Types of projects considered necessary for civil defense.
1704.3 Application.
1704.4 Recommendations and approvals required.
1704.5 Procedure.

AUTHORITY: §§ 1704.1 to 1704.5 issued under sec. 401, Pub. Law 920, 81st Cong.

§ 1704.1 *Purpose.* The purpose of the regulations in this part is to prescribe the conditions under which the Administrator will certify projects to the RFC for financial assistance under section 409 of the act, and to prescribe the procedure for applying to the Administrator for such certification.

§ 1704.2 *Types of projects considered necessary for civil defense.* (a) The following types of projects are considered necessary for civil defense:

(1) Procurement and distribution of materials and equipment for civil defense purposes.

(2) Procurement, construction, lease or renovation of public shelters and other public protective facilities for persons.

(3) Procurement, construction, lease or renovation of public shelters or other public protective facilities for property, such as public records, vital statistics, communications and utilities.

(4) Procurement, construction, lease or renovation of facilities to be used for civil defense purposes, including communications centers, command and control centers, warning systems, standby utilities, warehouses and similar items.

(5) Construction of buildings and other structures which, when constructed, will incorporate shelters or other civil defense features, providing that such shelters or civil defense features bear a reasonable relationship to the entire building or structure.

(6) Procurement of real property necessary to any of the projects listed in subparagraph (2), (3), (4), or (5) of this paragraph.

(7) Renovation or enlargement of existing buildings or other structures to incorporate shelters or other civil defense features.

(8) Such other projects as the Administrator may designate.

§ 1704.3 *Application.* Application shall be made on RFC Form No. 1021.[1]

§ 1704.4 *Recommendations and approvals required.* Each application must be duly authorized by the applicant and recommended (a) by the local civil defense director as conforming to and being a part of local civil defense plans, and (b) by the responsible State civil defense authority as conforming to and being a part of the State civil defense plans. Where the application is made by a State, a recommendation under paragraph (a) of this section is not required.

§ 1704.5 *Procedure.* (a) After the application has been recommended as required under § 1704.4, two signed copies of the application should be submitted to the Reconstruction Finance Corporation, Washington 25, D. C., and two signed copies to the appropriate Regional Office of the FCDA.

(1) It should be noted particularly that the application requires evidence that the financing requested is not otherwise available on reasonable terms.

(2) Each signed copy of the application should contain a complete description of the project or projects to be financed, including:

(i) Specifications of materials or commodities to be purchased, or,

(ii) Blueprints or working drawings and specifications of any facilities to be constructed, leased or renovated, all to be duly certified by the applicant. Cost estimates must be submitted and, in the case of dual purpose projects, must be broken down to show the portion directly applicable to civil defense purposes.

(b) The Administrator will consider each application to determine if the project is necessary under the national civil defense program. If he finds that the project is necessary, he will so certify to the RFC. RFC will give notice of final disposition of the application to the applicant and also to the Administrator, and the latter will advise the responsible State civil defense authority and the appropriate Regional Office of the FCDA.

(c) For projects contemplated under § 1704.2 (a) (8) the applicant may submit by way of informal inquiry, a general description of the project without the details called for in this section. If it appears to the Administrator that the project may be eligible, he will advise the applicant and the latter will then submit for final determination an application giving the details called for in this section.

This regulation shall be effective on August 22, 1951.

MILLARD CALDWELL,
Administrator,
Federal Civil Defense Administration.

[F. R. Doc. 51–10033; Filed, Aug. 21, 1951; 8:54 a. m.]

[1] Copies of this form may be obtained from the Reconstruction Finance Corporation, Washington 25, D. C., and from the Regional Offices of the Reconstruction Finance Corporation.

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter II—Economic Stabilization Agency

[General Salary Order 1]

GSO 1—EXTENSION OF TME LIMITATION WITH REGARD TO COST-OF-LIVING INCREASES UNDER SECTION 8 OF GENERAL SALARY STABILIZATION REGULATION 1.

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended (Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 8 (16 F. R. 4356), as amended (16 F. R. 5956), this General Salary Order No. 1 is hereby issued.

STATEMENT OF CONSIDERATIONS

Section 10 of General Salary Stabilization Regulation 1 provides that increases based on cost-of-living provisions in salary plans shall not be effective subsequent to July 31, 1951.

The Salary Stabilization Board is at present examining the general policies now in effect for the stabilization of salaries and other compensation of the executive, administrative, professional and outside sales employees under its jurisdiction. In the meantime, permission to grant cost-of-living increases and to pay cost-of-living increases which have been granted under section 10 of General Salary Stabilization Regulation 1 will be continued beyond the termination date of July 31, 1951, set forth in paragraph (e) of section 10 of General Salary Stabilization Regulation 1.

The authority to grant cost-of-living increases and to pay cost-of-living increases granted under salary plans pursuant to section 10 of General Salary Stabilization Regulation 1 is extended without limitation in time, subject to the provisions of section 13 of General Salary Stabilization Regulation 1.

(Sec. 704, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong.; Executive Order 10161, September 9, 1950, 15 F. R. 6105)

Dated: August 3, 1951.

By order of the Salary Stabilization Board.

RAYMOND B. ALLEN,
Chairman.

[F. R. Doc. 51–10085; Filed, Aug. 20, 1951; 11:52 a. m.]

[General Salary Stabilization Regulation 2]

GSSR 2—PROFIT-SHARING AND OTHER BONUSES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended (Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 8 (16 F. R. 5356), as amended (16 F. R. 5956), this General Salary Stabilization Regulation 2 is hereby issued.

STATEMENT OF CONSIDERATIONS

This General Salary Stabilization Regulation 2 is issued by the Salary Stabilization Board in discharge of its responsibilities under the provisions of the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 8, as amended.

The payment of compensation in the form of profit-sharing and other bonuses, on a discretionary basis or on the basis of written plans or authorization contained in certificates of incorporation or corporate by-laws or pursu-

ant to individual contracts, is a widespread business practice especially applicable to the compensation of executive, administrative, and professional employees within the jurisdiction of the Salary Stabilization Board. Bonuses of this nature are considered a valuable incentive to greater efforts on the part of such employees, and thus an aid to production. Because of such bonuses, it has been common for employers to pay to such employees, and for such employees to accept, fixed salaries substantially less in amount than such employers would otherwise have been willing to pay and such employees willing to accept. The methods by which bonuses paid to wage earners are computed, awarded or paid usually differ essentially from the method of computing, awarding or paying bonuses to the executive, administrative and professional group to such an extent that it is not practicable for the Salary Stabilization Board to follow in their entirety the policies established by the Wage Stabilization Board in General Wage Regulation No. 14.

This regulation relates to companies which in the past have paid bonuses. The Salary Stabilization Board recognizes that this regulation does not provide for new bonus plans and may not make adequate provision for companies in depressed industries, or for expanding companies. Bonus plans for such companies may subsequently be made the subject of subsidiary policy upon the basis, among other things, of applications for approval of such plans.

In the formulation of this regulation due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act, as amended; there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Scope of this regulation.
2. Base period bonus fund and base bonus year.
3. Bonuses pursuant to a contract or established plan under which both computation and allocation are predetermined.
4. Bonuses pursuant to an established plan under which allocation is of a discretionary nature.
5. Discretionary bonuses.
6. Increases or decreases in bonus fund.
7. Inequities created by payment of bonuses.
8. Time of payment.
9. Application of Section 8 of General Salary Stabilization Regulation 1.
10. Records to be kept and reports to be filed by employers.
11. Application to other laws.
12. Applicability of General Wage Regulation No. 14.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended, Pub. Law 96, 82d Cong.; Executive Order 10161, September 9, 1950, 15 F. R. 6105.

SECTION 1. *Scope of this regulation.* This regulation applies to profit-sharing and other bonuses of the nature paid to executive, administrative and professional employees and outside salesmen under the jurisdiction of the Salary Stabilization Board, and to payments generally known as "bonuses" as distinguished from payments generally known as "commissions." The regulation applies to all such bonuses, whether payable in cash or securities or other property and whether all or a part of such bonus is set aside, in a trust or otherwise, for the present or future benefit of the employees. The regulation also applies to Christmas, year-end vacation and like bonuses.

The regulation does not apply to production and similar wage earner bonuses or to salesmen's commissions. Specifically, but without limiting the foregoing, the regulation does not apply to bonuses:

(a) Which are directly related to hours worked, or to units produced or sold, or which are otherwise normally considered part of a wage or salary earner's ordinary compensation, or

(b) Which have been customarily computed and paid more frequently than every three months.

The word "employees," as used in this regulation, applies only to employees subject to the jurisdiction of the Salary Stabilization Board. Any employees not subject to the jurisdiction of the Salary Stabilization Board shall be excluded from any group or unit to which bonuses are paid in accordance with this regulation.

SEC. 2. *Base period bonus fund and base bonus year.* As used in this regulation,

(a) The words "base period bonus fund" shall mean either

(i) The total of all bonuses paid in, or payable with respect to, the calendar year 1950, or

(ii) One-third of the total of all bonuses paid in, or payable with respect to, three years selected by the employer out of the five calendar years from 1946 to 1950, both inclusive.

The selection as between these alternatives may be made by the employer, but once made shall be used for all purposes of this regulation.

(b) The words "base bonus year" shall mean the calendar year 1950 or, if the employer selects a three-year period pursuant to section 2 (a) (ii), shall mean any one of such three calendar years.

SEC. 3. *Bonuses pursuant to a contract or established plan under which both computation and allocation are predetermined.* (a) For the purpose of this regulation, the words "a contractual bonus" shall mean a bonus payable pursuant to a certificate of incorporation, by-law or similar corporate document or to a contract, memorandum or other written instrument in effect on January 25, 1951, which provides a definite method or formula for both the computation and the allocation of the bonus and which confers upon an employee or employees a right to receive the bonus determined in accordance with such method or formula.

(b) A contractual bonus may be paid in accordance with the terms of the written instrument pursuant to which it is payable, but no increase in such a bonus may be paid to any employee as the result of a change, subsequent to January 25, 1951, in the method or formula for the computation or distribution of the bonus.

SEC. 4. *Bonuses paid pursuant to an established plan under which allocation is of a discretionary nature.* An employer having an established written plan in effect on January 25, 1951, with a definite method or formula for the computation of a bonus fund, but under which the allocation and amount of individual bonuses to be paid are discretionary, may treat as the bonus fund an amount not in excess of the base period bonus fund or the amount produced by the application of the method or formula for the computation of the bonus fund, whichever is the less, subject to the provisions of section 6: *Provided, however,* That

(a) No increase in the bonus fund may be made as the result of a change, subsequent to January 25, 1951, in the method or formula for computation of the bonus fund;

(b) No employee shall be paid a bonus in an amount in excess of the highest single bonus paid or payable to any employee in or with respect to the base bonus year; and

(c) The allocation of bonuses shall conform to the historical or usual practices of the employer in effect on January 25, 1951, and if, in accordance with such practices, bonuses were allocated to employees in one or more groups or units, no employee in any such group or unit shall be paid a bonus in an amount in excess of the highest single bonus paid or payable to any employee within such group or unit in or with respect to the base bonus year.

SEC. 5. *Discretionary bonuses.* Bonuses other than those provided for in sections 3 and 4 of this regulation may be paid subject to the following conditions:

(a) An employer may pay to an employee a bonus not in excess of the highest bonus paid or payable to such employee in or with respect to the calendar year 1950.

(b) In lieu of paying bonuses under the provisions of section 5 (a), the employer, subject to the provisions of section 6, may at his election treat as a bonus fund distributable in his discretion among such of his employees as he may select an amount not in excess of the base period bonus fund: *Provided, however,* That

(i) No employee shall be paid in an amount in excess of the highest single bonus paid or payable to any employee in or with respect to the base bonus year,

(ii) That the allocation of bonuses shall conform to the historical or usual practices of the employer in effect on January 25, 1951, and that if, in accordance with such practices, bonuses were allocated to employees in one or more groups or units, no employee in any such group or unit shall be paid a bonus in an amount in excess of the highest single bonus paid or payable to any em-

ployee within such group or unit in or with respect to the base bonus year.

SEC. 6. *Increases or decreases in bonus fund.* (a) The words "bonus group" shall mean a group or unit of employees subject to the jurisdiction of the Salary Stabilization Board to or among whom the employer distributed bonuses as an historical or usual practice in effect on January 25, 1951.

(b) If the aggregate number of employees in a bonus group shall have increased through hiring, promotions, or transfers, the bonus fund authorized by sections 4 and 5 of this regulation may be increased by an amount equal to:

(i) The average bonus paid or payable to the employees in the bonus group in or with respect to the base bonus period.

(ii) Multiplied by the net increase in employees in the bonus group;

Provided, however, That the average bonus paid to the employees in the bonus group shall not exceed the average bonus paid or payable to the employees in or with respect to the bonus group in the base bonus year.

(c) If the aggregate number of employees in a bonus group shall have decreased for any reason, the bonus fund authorized by sections 4 and 5 of this regulation shall be decreased by an amount equal to:

(i) The average bonus paid or payable to the employees in the bonus group in or with respect to the base bonus period.

(ii) Multiplied by the net decrease in employees in the bonus group.

(d) The purpose of this section is to authorize the payment of aggregate bonuses notwithstanding fluctuations in annual employment. This section shall be used only for that purpose and shall not be applied so as to cause disparities in bonus allocations inconsistent with the historical or usual practices of the employer.

SEC. 7. *Inequities created by payment of bonuses.* Any inequities created by the payment or allocation of a bonus under this regulation shall not constitute a basis for adjustment in salaries or other compensation.

SEC. 8. *Time of payment.* No bonus shall be paid in any calendar year prior to the time when such bonuses were customarily paid during the base bonus year. Bonuses which were payable in installments during the base bonus year shall not be accelerated in time of payment.

SEC. 9. *Application of section 8 of General Salary Stabilization Regulation 1.* (a) Bonuses payable in accordance with the terms of this regulation shall not be considered "regularly paid bonuses" for the purpose of inclusion in salary levels within the meaning of section 8 (b) (3) of General Salary Stabilization Regulation 1.

(b) To the extent that permissible increases based upon salaries and compensation (other than bonuses) authorized by section 8 of General Salary Stabilization Regulation 1 have not been exhausted, such increases may be added to the bonus fund authorized by this regulation and paid by way of bonuses.

(c) Any increase in bonuses made prior to January 25, 1951, or authorized by this regulation (other than an increase provided for in paragraph (b) of this section 9) need not be taken into account in determining increases in salary or other compensation permitted under section 8 of General Salary Stabilization Regulation 1.

SEC. 10. *Records to be kept and reports to be filed by employers.* (a) Employers shall keep records sufficient to establish compliance with this regulation. Such records shall be maintained for three years following each calendar year in which bonus payments are made, for the purpose of such inspection or the preparation of such reports (in addition to the reports required by paragraph (b) of this section) as the Office of Salary Stabilization may hereafter authorize or require.

(b) In the event that a bonus fund is increased pursuant to section 6 of this regulation, a report setting forth the pertinent facts, including the amount and the basis of the increase, shall be filed with the Office of Salary Stabilization within thirty days after payment or allocation from the bonus fund has been made.

SEC. 11. *Application to other laws.* Nothing in this regulation shall affect any determination as to the validity or propriety or effect of any payment made under this regulation for the purpose of any other law or regulation of the United States, or of any state, territory, possession or subdivision thereof.

SEC. 12. *Applicability of General Wage Regulation No. 14.* The Salary Stabilization Board has heretofore temporarily authorized the payment of bonuses under General Wage Regulation No. 14 (16 F. R. 7509) in respect of employees subject to its jurisdiction. Such authority is hereby terminated without prejudice to the validity of any action heretofore taken pursuant to such authority: *provided, however,* That in no event shall bonuses paid in any calendar year exceed in amount the bonuses authorized by this regulation.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Salary Stabilization Board on August 17, 1951.

R. B. ALLEN,
Chairman.

[F. R. Doc. 51-10086; Filed, Aug. 20, 1951; 11:52 a. m.]

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 4, Amdt. 2]

CPR 4—ANTHRACITE DELIVERED FROM MINE OR PREPARATION PLANT

REPORTING OF SERVICES AND POCKET CHARGES

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 4 is hereby issued.

STATEMENT OF CONSIDERATIONS

Charges made by the producer of anthracite coal for special services and pocket charges may, under section 8 of Ceiling Price Regulation 4 be added to the applicable ceiling price of the coal so serviced. No reporting or filing of these services or the charges made therefor has been required by the regulation.

Many of these services—such as calcium chloride treatment, oil treatment, specially prepared sizes, split cars (containing more than one size), partitions, box-car loading, truck loading from pockets at the mines, bags and bagging, and the making of local or retail deliveries from the mine or adjunct preparation plant—have been rendered for some time and many new services which are performed have basic similarities. In order to effectuate the purposes of the Defense Production Act of 1950, it is deemed necessary that the Office of Price Stabilization receive sufficient information so as to ascertain that the charges made for the services being rendered are proper under the provisions of the regulation.

Many services are seasonal and some services were not performed during the base period. The information required by this amendment will allow the Office of Price Stabilization to formulate a fair and equitable amendment under which proposed charges for new services could be processed.

In order to obtain this information, it is necessary that the producers of anthracite and briquets rendering services as described, or making pocket charges, report the type of services rendered, the method of performing these services, and the prices charged therefor.

This amendment is not intended to modify in any way the provisions of Ceiling Price Regulation 4 as amended.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and is necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

Ceiling Price Regulation 4 is further amended as follows:

1. Section 8, *"Special services"*, is amended as follows:

"After the words 'Section 8, *Special services*' and before the words 'there may be added', there is inserted the following: '(a)'".

2. Section 8 is further amended by the addition of the following:

(b) Every producer subject to Ceiling Price Regulation 4, as amended, or Supplementary Regulation 1 thereto, who has added or does add to the applicable ceiling prices for anthracite or briquets a charge for any special service or pocket charge, pursuant to paragraph (a) of this section, shall file, on or before September 15, 1951, the following information by letter addressed to the Office of Price Stabilization, Solid Fuels Branch, Washington 25, D. C.: (1) Name and address of the producer reporting; (2) name, number or other designation of

the mine or mines, plant or plants, or other facility or facilities at which the special services or pocket charges are made; (3) a full description of the special service or pocket charge made and the equipment, material, or facilities used; and (4) the charges made for such special service or pocket charge."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This amendment shall become effective August 25, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10096; Filed, Aug. 20, 1951; 4:00 p. m.]

[Ceiling Price Regulation 34, Amdt. 1]

CPR 34—SERVICES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Amendment 1 to Ceiling Price Regulation 34 clarifies and amplifies that ceiling price regulation. Sections 12 (d), 13 (a), 13 (b), 13 (c), 18, 18 (b) (1) and 18 (g) [new] have been the subject of miscellaneous clarifying amendments. Section 5 (a) (2) is amended to provide that an offer in writing to supply a service in the base period may be evidenced by a written invoice made prior to the base period but after December 31, 1949. An addition to section 20 (a) has been made prescribing the information required, by way of a form or otherwise, from a supplier who may seek a general adjustment of his ceiling price. Section 20 (b) is implemented by the introduction of a new adjustment paragraph (c), which permits a purchaser of non-retail services who agrees to absorb the increased price charged to him by his sellers, who are threatening to discontinue the supplying of those services and who are too numerous to make practicable any recourse to an adjustment of that price by a buyer-seller agreement under paragraph (b), to make an application to the Director of Price Stabilization to pay his sellers as much as but no more than the price he would be required to pay other supplying sources for such services.

Section 26 is amended, so that the provisions of Ceiling Price Regulation 34 are made applicable to the territories and possessions as of the effective date of this amendment. The territories and possessions were excluded from that regulation, as issued, because the supplementary regulations to be issued under such Ceiling Price Regulation 34 were to be tailored to conditions existing in the economy of the continental United States and, therefore, not necessarily suitable to the needs of the territories and possessions. It has now been determined that there will be two series of supplementary regulations issued under such Ceiling Price Regulation 34, one applicable to the continental United States, and the other to the territories and possessions. The latter will be labeled "Territorial Supplementary Regulations". The filing date in section 18 for the listed territories and possessions will, of course, be computed only from the effective date of this amendment.

The technical nature and routine character of the provisions of this amendment made it unnecessary to consult formally with industry representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Ceiling Price Regulation 34 is amended in the following respects:

1. Subparagraph (2) of paragraph (a) of section 5 is amended by adding after the first sentence thereof the following: "Such an offer in writing must be one made in the base period or be evidenced by an invoice made prior thereto but after December 31, 1949."

2. The second sentence of paragraph (d) of section 12 is amended by striking "class" and inserting in the place thereof "category", and as amended to read as follows: "However, if you followed the practice of maintaining individually negotiated prices, the ceiling price to a new purchaser is the arithmetic average of your base period ceiling prices to purchasers of the same category for the same service."

3. Paragraph (a) of section 13 is amended by striking therefrom "May 16, 1951" and inserting in the place thereof "January 25, 1951".

4. Paragraph (b) of section 13 is amended to read as follows:

(b) *Moving.* If you sell services at retail and move the business out of your trading area after January 25, 1951, you must apply to OPS for establishment of your ceiling prices under section 7 of this regulation. If you move the business in the same trading area you must keep the same ceiling prices.

5. A new paragraph (c) is added to section 13 to read as follows:

(c) *Chains.* If you operate one or more selling units and you open a new unit after January 25, 1951, you must apply to OPS for establishment of your ceiling prices for that unit under section 7 of this regulation, except that if you close a selling unit and open another one in the same trading area, your ceiling prices for the new unit shall be the same as those of the unit you closed.

6. The title of section 18 is amended by striking the period after "posting" in line 2 and inserting in the place thereof a semicolon followed by "reports", and as amended to read as follows:

SEC. 18. *Records; filings of statements; posting; reports.*

7. Subparagraph (1) of paragraph (f) of section 18 is amended by striking the phrase "at retail" in line 3, and as amended to read as follows:

(f) *Posting.* (1) OPS may require you to post your ceiling prices for any service which you sell whenever it is deemed necessary to the effective enforcement of this regulation.

8. A new paragraph (g) is added to section 18 to read as follows:

(g) *Reports.* The Director of Price Stabilization may from time to time require reports and information subject to the approval of the Bureau of the Budget under the Federal Reports Act of 1942. Such reports must be filed with the Office of Price Stabilization, Washington 25, D. C., or with the appropriate OPS district office if you are instructed to do so, at such time, in such form and in accordance with such instructions as shall be required or approved.

9. Paragraph (a) of section 20 is amended by adding at the end thereof the following:

You may apply to the Director of Price Stabilization, Washington 25, D. C., for an adjustment under this paragraph pursuant to the form listed below which is applicable to the services you supply:

(i) If you are a seller of automotive, farm implement, appliance or other repair services priced by a customers' hourly rate, you must complete and file, in duplicate, with the Director, OPS Public Form No. 42.

(ii) If you are a seller of any services other than those provided for in subdivision (i) above, you must complete and file, in duplicate, with the Director, OPS Public Form No. 43 and such other data as may be required thereby.

(iii) Should OPS Public Forms Nos. 42 or 43 be considered by OPS to be inappropriate for a particular applicant, OPS may require, as a condition for applying for an adjustment hereunder, that the applicant furnish to the Director the information OPS may prescribe.

10. A new paragraph (c) is added to section 20 to read as follows:

(c) *Application by purchaser who buys services from numerous sellers.* If a purchaser buys non-retail services from sellers who are too numerous to make recourse to paragraph (b) of this section practicable and who are threatening to discontinue supplying him with such services, the purchaser may, if he agrees to absorb the price increase above the ceiling, apply to the Director of Price Stabilization, Washington 25, D. C., for permission to pay to his sellers for the supplying of such services as much as but no more than he would be required to pay other suppliers therefor. Such letter should show the nature and extent of the sellers' cost increases, and, where practicable the names and addresses of the

sellers and the ceiling prices of each. A price increase under this paragraph may not becomes effective until the applicant is advised in writing of OPS approval, which will be given only where it is clear that there is no practicable recourse to paragraph (b) of this section, and where granting such approval will not be inconsistent with the purposes of the Defense Production Act of 1950, as amended.

11. Section 26 is amended to read as follows:

SEC. 26. *Applicability.* This regulation applies to services supplied in the 48 States of the United States, the District of Columbia, and Alaska, Guam, Hawaii, Puerto Rico, Samoa and the Virgin Islands.

Effective date. This Amendment 1 to Ceiling Price Regulation 34 is effective August 25, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10097; Filed, Aug. 20, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 51]

GCPR, SR 51—ADJUSTABLE PRICING FOR SALES OF CERTAIN CANNED AND FROZEN BERRIES, FRUITS AND VEGETABLES, THEIR JUICES, AND CANNED SOUPS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 51 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

Production of seasonal packs of canned and frozen fruits, berries and vegetables, the juices thereof, and canned soups is now at its peak. It is necessary for processors of these products to move their production into normal channels of distribution in order to relieve shortages of warehouse space of individual processors and to receive payment for their current production to finance production of later packs. Issuance or amendment of tailored regulations covering all of these products has been delayed by various causes and, accordingly, it is necessary to authorize a pricing method which will permit prompt shipment and payment with respect to these seasonal products pending either the inclusion of these products in existing tailored regulations or the issuance of further tailored regulations for these seasonal products. Specific action fixing ceiling prices by tailored regulation will be taken under the Defense Production Act, as amended, as soon as possible. When a particular product is covered by a specific regulation, the temporary authority given by this supplementary regulation is automatically revoked for that product.

The temporary pricing method authorized by this supplementary regulation permits the processor to sell at a price agreed upon between him and his buyers. However, the processor must agree with his buyer that the final sales price will be either the contract price or the subsequent ceiling price for the item, whichever is lower. Also, the seller must agree to refund to his buyer the difference between the two prices, if the subsequent ceiling price is lower than the contract price, and if payment has been made.

In the judgment of the Director of Price Stabilization the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended. So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950, as amended, to prices prevailing during the periods named in section 402 of the act, and to relevant factors of general applicability.

This regulation is issued to meet an emergency problem. Prior to the issuance of this regulation, the Director consulted with representatives of the industry and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. Coverage of this supplementary regulation.
2. Adjustable pricing.
3. Automatic revocation.
4. Effective date.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Coverage of this supplementary regulation.* This supplementary regulation applies to all sales by processors of all canned fruits, berries, vegetables, the juices thereof, and canned soups, and of frozen fruits, berries, vegetables and the juices thereof, which are not specifically covered by Ceiling Price Regulations 22, 42, 55 or 56, or by any other ceiling price regulation hereafter issued.

SEC. 2. *Adjustable pricing.* A processor of the canned fruits, berries, vegetables, and juices thereof, canned soups, or of frozen fruits, berries, or vegetables, or the juices thereof, which are described in Section 1 of this supplementary regulation may offer to sell, or sell and deliver, and may receive payment for sales and deliveries of the described processed fruits, berries, juices, vegetables and canned soups at a contract price (agreed upon in writing between the processor and his buyer): *Provided,* That the seller and buyer shall agree in writing that the final price for any sale or delivery of an item under this supplementary regulation shall be either the contract price or the ceiling price first effective for the item under any applicable ceiling price regulation now in effect or hereafter issued, fixing ceiling prices for the 1951 pack of that item, whichever price is the lower: *And provided further,* That the seller shall agree in writing with the buyer to refund promptly to the buyer the difference between the contract price for the item and any lower ceiling price for the item for which payment has been received by the seller.

SEC. 3. *Automatic revocation.* This regulation shall be automatically revoked with respect to a particular product described in section 1 of this supplementary regulation on the issuance date of a specific regulation or amendment of a ceiling price regulation to cover the particular product.

SEC. 4. *Effective date.* This supplementary regulation shall become effective on August 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10131; Filed, Aug. 20, 1951; 5:15 p. m.]

[General Overriding Regulation 2, Amdt. 3]

GOR 2—SALES TO THE UNITED STATES, ITS AGENTS AND SUPPLIERS

STAMPED ENVELOPES AND PAPER

Pursuant to the Defense Production Act of 1950, as amended. Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to General Overriding Regulation 2 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from price control sales of stamped envelopes and the paper from which such envelopes are produced. These stamped envelopes were exempted from price control by OPA under the provisions of Supplementary Order 45, effective December 12, 1944 for substantially the same reasons proposed in this action.

Stamped envelopes sold to the United States Government are manufactured by one supplier who is prohibited from selling to others. From the moment of their manufacture until shipment to the Post Office Department these envelopes are in the custody of the United States Government Agent located at the supplier's plant. The paper itself, bearing the Government's watermark, is manufactured and shipped under Government supervision and has no other end use.

The primary value of the envelope to the user lies in the stamp that has been impressed upon it. Under the existing law these envelopes are sold by the Government at their approximate cost plus the value of the postage stamp.

These envelopes are currently being purchased under a four-year contract which became effective January 1, 1949. This contract provides that if an increase of twenty percent or more occurs

in the production costs of the envelope manufacturer or his suppliers of paper, the envelope manufacturer may apply to the Postmaster General for an adjustment of the contract price to the extent necessary to return to him the same percent of net profit permitted in the original contract. The finding of such cost increase is subject to verification by the Federal Trade Commission or other Government agency designated by the Postmaster General. A similar provision is made for a reduction in the price of envelopes if the costs of the envelope manufacturer or his paper suppliers decrease. A provision in the contract between the envelope manufacturer and his suppliers of paper permits an upward or downward revision of the prices of paper based on the findings of the Federal Trade Commission or other designated agency of the Government.

The manufacturer of stamped envelopes is currently frozen at a price level existing in October 1948 when the bid for the current contract was submitted. Manufacturers of plain envelopes not sold to the Government are now frozen at prices in effect during the period December 19, 1950–January 25, 1951.

As previously mentioned, every increase or reduction in the price of stamped envelopes is predicated upon an exhaustive study of the cost of the two paper suppliers and the envelope manufacturer by the Federal Trade Commission or other Government Agency. Since the upward or downward movement of the price of stamped envelopes is directly related by contract to the cost of the production of the special paper involved, it is proper also to exempt the sale of this paper to the envelope manufacturer. There is no threat of inflationary increases in the price of stamped envelopes since the cost increases are closely scrutinized and relief is available only after production costs have risen by at least 20 percent.

AMENDATORY PROVISIONS

1. The title of this regulation "Sales to the United States" is changed to "Sales to the United States, its Agents and Suppliers".

2. Section 4 of General Overriding Regulation 2 entitled "Definitions" is hereby renumbered section 0.

3. A new section 4 is added reading as follows:

SEC. 4. *Sales of stamped envelopes and paper.* No price regulation shall apply to the sale of stamped envelopes to or by the United States Post Office Department or the paper manufactured for use in such envelopes.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 3 shall become effective on August 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51–10098; Filed, Aug. 20, 1951; 4:00 p. m.]

[General Overriding Regulation 6, Amdt. 4]

GOR 6—EXEMPTIONS RELATING TO SPECIFIED NONPROFIT ORGANIZATIONS

SALES BY THE SALVATION ARMY TO ITS OFFICERS, SALVATIONISTS AND EMPLOYEES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order 2 (16 F. R. 738), this Amendment 4 to General Overriding Regulation 6 is issued.

STATEMENT OF CONSIDERATIONS

This amendment to General Overriding Regulation 6 adds certain merchandise sales to those exempted by the regulation from any price regulations issued by the Office of Price Stabilization. The sales here exempted are sales by The Salvation Army of articles of personal use to the organization's officers, Salvationists and employees.

As was pointed out in the Statement of Considerations accompanying Amendment 2 to General Overriding Regulation 6 which exempted sales of used and waste goods sold by the organization, The Salvation Army is a religious and charitable nonprofit organization. The articles covered by the present amendment are sold by The Salvation Army only to persons associated with the organization for the personal use of those individuals, and are principally articles of uniform and apparel and insignia peculiar to that organization. None of the articles is sold by The Salvation Army to the general public. The excess of proceeds of sale over cost furthers the purposes of the organization by contributing to the maintenance of retired Salvation Army officers or to the training of prospective officers.

Generally, the considerations stated in support of General Overriding Regulation 6 are likewise applicable to the sales here referred to. In the judgment of the Director of Price Stabilization the exemption provided for by this amendment will not impair the carrying out of the requirements of the Defense Production Act of 1950, as amended, and it is accordingly not necessary for ceilings to be applied to these sales.

To the extent practicable under the circumstances, the Director has consulted with persons involved prior to the issuance of this amendment and has given consideration to their recommendations.

AMENDATORY PROVISION

General Overriding Regulation 6 is amended as follows:

1. By adding the following new paragraph to section 4:

No price regulation issued by the Office of Price Stabilization applies to sales by The Salvation Army of articles of personal use to Salvation Army officers, Salvationists and employees.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

Effective date. This amendment to General Overriding Regulation 6 shall become effective August 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51–10094; Filed, Aug. 20, 1951; 12:32 p. m.]

[General Overriding Regulation 9, Amdt. 5]

GOR 9—EXEMPTIONS OF CERTAIN INDUSTRIAL MATERIALS AND MANUFACTURED GOODS

SALES OF "ANTIQUE AUTOMOBILES"

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes automobiles more than twenty-five years old from price control. Such automobiles are usually sold as "antiques", and many of them apparently have a value far in excess of the oldest models listed in the Automobile Guide Books, the price of which previously determined the ceiling price of such cars. Such cars are bought by very few people, and they are not commodities that enter into the cost of living, the cost of the Defense effort, or general industrial costs. Their value depends on considerations quite apart from those involved in price stabilization. Any ceiling price restriction imposed on these commodities involves an administrative burden out of proportion to their effect on the economic stability of the Nation.

In view of the nature of this supplementary regulation, the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of the industry.

AMENDATORY PROVISIONS

General Overriding Regulation 9 is amended in the following respect:

1. Section 2 (a) (19) is added to read as follows:

(19) *Sales of antique automobiles.* "Antique automobile" means any passenger automobile which is more than twenty-five years old.

(Sec. 704, 64 Stat. 816, as amended: 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51–10095; Filed, Aug. 20, 1951; 12:32 p. m.]

[General Overriding Regulation 9, Amdt. 6]

GOR 9—Exemptions of Certain Industrial Materials and Manufactured Goods

SALES OF SHIPS FOR MILITARY USE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 6 to General Overriding Regulation 9 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds military ships to the list of commodities freed from Price Control restriction by General Overriding Regulation 9. Ships were inadvertently omitted from the list of military commodities which were freed from price control restriction when Amendment 1 to GOR 9 was issued. The considerations for freeing the commodities listed in Amendment 1 to GOR 9 from price control are also operative with respect to military ships.

In view of the nature of this supplementary regulation, the Director of Price Stabilization has not found it necessary or practicable to consult formally with representatives of the industry.

AMENDATORY PROVISIONS

1. Section 2 (a) (5) (i) is amended to read as follows:

(i) Aircraft, armored trains, electronic and communication devices, ground handling equipment for aircraft, instruments, radar, range finders, sonar, military tactical trucks and trailers, tanks, self-propelled artillery, cargo tractors, amphibious cargo tractors, armored infantry carriers and ships.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10099; Filed, Aug. 20, 1951; 4:00 p. m.]

[Ceiling Price Regulation 22, Correction to Amdt. 1 to Supplementary Regulation 8]

CPR 22—Manufacturers General Ceiling Price Regulation

SR 8—METHOD FOR DETERMINING CEILING PRICES FOR CERTAIN RUBBER PRODUCTS

Due to a clerical error in Amendment 1 to Supplementary Regulation 8 to Ceiling Price Regulation 22, the table in section 4 under the sub-head "Hard Rubber" is incorrect in two respects, namely, the factor base period set forth as to the commodity "Smoking pipe bits", and the description of the commodity numbered 9 in that table. Accordingly, the tabulation sub-headed "Hard Rubber" of section 4, as amended by Amendment 1 to Supplementary Regulation 8 of Ceiling Price Regulation 22, is corrected to read as follows:

HARD RUBBER

Kind of rubber product	Factor base period	Factor	Original base period
1. Ground rods	Jan. 1, 1950–Mar. 31, 1950	1.2574	Jan. 1, 1950–Mar. 31, 1950.
2. Sheets	do	1.3563	Do.
3. Ground tubes	do	1.4114	Do.
4. Pipe	do	1.1981	Do.
5. Fittings	do	1.0999	Do.
6. Smoking pipe bits	July 1, 1949–Sept. 30, 1949	1.2469	July 1, 1949–Sept. 30, 1949.
7. Storage battery containers, automotive	Jan. 1, 1950–Mar. 31, 1950	1.160	Jan. 1, 1950–Mar. 31, 1950.
8. Storage battery cover parts, automotive	do	1.2025	Do.
9. Composition storage battery containers	July 1, 1949–Sept. 30, 1949	1.2750	July 1, 1949–Sept. 30, 1949.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10142; Filed, Aug. 21, 1951; 11:19 a. m.]

[Ceiling Price Regulation 22, Amdt. 23]

CPR 22—Manufacturers' General Ceiling Price Regulation

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 23 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes the following commodities from Ceiling Price Regulation 22 coverage by adding them to Appendix A of that regulation: sodium silicofluoride; sulphur; butadiene derived from non-petroleum sources; carbon black of channel, furnace and thermal types; and wood tar products, pyroligneous acid, acetic acid, acetate of lime and methyl alcohol when derived from hardwood distillation. The effect of their removal from Ceiling Price Regulation 22 is to place them under the coverage of the General Ceiling Price Regulation.

Most sodium silicofluoride is derived as a by-product in the acidulation of phosphate rock. Price declines in the past five years have made fewer producers interested in recovery processes to obtain sodium silicofluoride. This product has, however, gained in importance since Korea largely because of the successful promotion of water fluoridation programs for municipalities and public authorities supplying drinking water. Water fluoridation is intended to help arrest decay in children's teeth and is approved and encouraged by the United States Public Health Service and recommended by the American Dental Association. A rapidly increasing number of local public authorities are formulating plans, in cooperation with their local dental societies, to effect this program. It is apparent from present estimates that this new development in the demand for the product will require a large increase in production.

During the pre-Korean base periods used in Ceiling Price Regulation 22, sodium silicofluoride was selling at the lowest price that commodity has experienced in recent years. By the time prices were frozen by the General Ceiling Price Regulation, however, prices of sodium silicofluoride had recovered substantially. Because of the abnormally low pre-Korean prices, substantial rollbacks would have resulted from the application of Ceiling Price Regulation 22. These rollbacks would not only have jeopardized plans for putting additional facilities into production, but might also have effected a reduction in the output of existing producers. Accordingly, it has been determined to remove this commodity from Ceiling Price Regulation 22, and avoid a possible impediment to production by retaining ceiling prices under the General Ceiling Price Regulation, pending a study by the Office of Price Stabilization to determine what further price action, if any, is necessary.

Sulphur mined in its natural form by the Frasch method is now excluded from Ceiling Price Regulation 22 as a nonmetallic mineral exempt from Ceiling Price Regulation 22 by paragraph (v) of Appendix A. Some sulphur, however, is now being obtained from sour natural and refinery gases through chemical processes. Since this sulphur is not deemed a non-metallic mineral derived from its natural state solely by physical or mechanical processes, it is not exempt from Ceiling Price Regulation 22 by virtue of paragraph (v) of Appendix A. It is, however, desirable that all sulphur be subject to the same price regulation regardless of the method of production. Sulphur from any source is, therefore, placed under the General Ceiling Price Regulation, the regulation now governing the ceiling price of the major production of sulphur.

Butadiene derived from petroleum sources is subject to Ceiling Price Regulation 17, whereas butadiene derived from sources other than petroleum, such as alcohol, would be subject to Ceiling Price Regulation 22. As in the case of sulphur, it is desirable that all butadiene be subject to the same or similar pricing patterns. Ceiling Price Regulation 17, controlling butadiene from petroleum sources is a freeze type regulation similar to the General Ceiling Price Regulation. The placing of butadiene from non-petroleum sources under the General Ceiling Price Regulation, therefore, puts the non-petroleum commodity in a position paralleling that of the petroleum commodity.

Butadiene derived from petroleum sources, when sold for use in making

synthetic rubber, is exempt under section 2 of Ceiling Price Regulation 17 from all Office of Price Stabilization regulations. Accordingly, an amendment to General Overriding Regulation 3 is being issued simultaneously with this amendment, excluding from all Office of Price Stabilization regulations butadiene derived from non-petroleum sources, when sold for use in making synthetic rubber.

The bulk of the raw materials used in the carbon black industry is obtained under long term gas contracts and it has been found difficult to determine with any degree of accuracy a real measure of the change in the costs of these raw materials since the pre-Korean period. Application of section 18, as amended, of Ceiling Price Regulation 22, to carbon black of the channel, furnace and thermal types might lead to highly unrealistic results and abnormal price increases. Some important producers have indicated that they do not desire to put these increases into effect. In view of the foregoing, and the apparent adequacy of the ceiling prices under the General Ceiling Price Regulation, it has been determined to leave carbon black prices under the general freeze regulation rather than to place them under Ceiling Price Regulation 22.

By exempting pyroligneous acid, acetic acid, acetate of lime, methyl alcohol and tar products from Ceiling Price Regulation 22, the co-products of the hardwood distillation industry will be subject to the General Ceiling Price Regulation and will be thus priced in the same manner as charcoal, the major product of that industry.

AMENDATORY PROVISIONS

Paragraph (i) of Appendix A of Ceiling Price Regulation 22 is amended by adding the following new subparagraphs 29, 30, 31, 32 and 33 to read as follows:

(29) Sodium silicofluoride.
(30) Sulphur.
(31) Butadiene derived from non-petroleum sources.
(32) Carbon black of channel, furnace and thermal types.
(33) The following commodities when derived from hardwood distillation: pyroligneous acid, acetic acid, acetate of lime, methyl alcohol and wood tar products.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 25, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10141; Filed, Aug. 21, 1951; 11:19 a. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 2, Rev. 1]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 2, REV. 1—MACHINE TOOLS

Pursuant to the Defense Production Act of 1950, as amended, (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Revised Supplementary Regulation 2 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This revised supplementary regulation permits manufacturers to increase by 12 percent their base period prices for machine tools, machine tool attachments and certain machine tool parts, determined under Ceiling Price Regulation 30. Also, this revised supplementary regulation permits manufacturers to reflect increases in their labor and materials costs between the end of their base period and September 10, 1951 in determining their labor and materials costs adjustment under Ceiling Price Regulation 30. The time within which reports must be filed by manufacturers of machine tools, machine tool attachments and certain machine tool parts on Public Form 8 is extended to October 15, 1951. Those who already have filed these forms may redetermine their ceiling prices.

This revised supplementary regulation retains its original provisions, which permit machine tool manufacturers to increase their ceiling prices, determined under Ceiling Price Regulation 30, to reflect increased costs due to increased use of overtime and shift premium hours and increased subcontracting since the end of the manufacturer's base period. However, the manufacturer is now required to make refunds to compensate for overestimates of increased subcontracting costs within four months, rather than within sixty days, after he has had twelve months experience. This change is made to permit additional time for calculation. Also, the manufacturer is now permitted to calculate his increased costs, due to increased subcontracting, on the basis of his actual experience. If he does so, no refund is required.

On July 9, 1951, the Director of Defense Mobilization issued a directive requiring action on the part of several agencies of the Government in furtherance of the program for the expansion of production in the machine tool industry. This directive is described at greater length in the Statement of Considerations for the issuance of General Overriding Regulation 15.

As its part in the program for expanding the production of machine tools the Office of Price Stabilization was required to modify price controls on new machine tools to give manufacturers "the stimulus to expand their production for essential needs". Pursuant to the directive of the Director of the Office of Defense Mobilization, the Director of Price Stabilization issued General Overriding Regulation 15 on July 16, 1951. This revised supplementary regulation is a further action pursuant to this directive from the Office of Defense Mobilization.

In view of these considerations, this revised supplementary regulation permits manufacturers of machine tools, machine tool attachments and certain machine tool parts to determine their ceiling prices by increasing their base period prices, determined under Ceiling Price Regulation 30, by 12 percent, and then adding to the result, their labor and materials cost adjustments, determined under Ceiling Price Regulation 30. In order to further insure adequate ceiling prices for machine tools this revised supplementary regulation also permits manufacturers of machine tools, machine tool attachments and certain machine tool parts to reflect in their labor and materials cost adjustments increases in their costs between the end of their base period and September 10, 1951.

In the preparation of this revised supplementary regulation conferences were held with the Machine Tool Industry Advisory Committee of the Office of Price Stabilization. The recommendations of that Committee are embodied in this revised supplementary regulation.

REGULATORY PROVISIONS

Sec.
1. What this revised supplementary regulation does.
2. Sellers and sales covered by this revised supplementary regulation.
3. Ceiling prices.
4. Modification of labor cost adjustment for increased overtime hours.
5. Modification of labor cost adjustment for increased shift premium hours.
6. Addition for increase in subcontracting.
7. Redetermination of ceiling prices to reflect increased overtime and shift premium hours, and increased subcontracting.
8. Reports.
9. Applicability of provisions of CPR 30.
10. Definitions.

AUTHORITY: Sections 1 to 10 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.

SECTION 1. *What this revised supplementary regulation does.* (a) This revised supplementary regulation permits you to increase by 12 percent your base period prices for machine tools, machine tool attachments and certain machine tool parts, determined under CPR 30. It also permits you to reflect in your labor and materials cost adjustments for machine tools, machine tool attachments, and certain machine tool parts, determined under CPR 30, increases in your labor and materials costs to September 10, 1951. This revised supplementary regulation also permits you to reflect in your ceiling prices for machine tools, machine tool attachments and certain machine tool parts increases in your costs due to increased overtime or shift premium hours or increased subcontracting since the end of your base period. Increased costs for overtime and shift premiums are reflected in your ceiling prices by modifying the method of determining your labor cost adjustment set forth in CPR 30. Increased costs due to subcontracting are added to your ceiling prices determined under this revised supplementary regulation.

(b) This section is intended only as a general description to aid in understanding this revised supplementary regulation; the following sections are controlling.

SEC. 2. *Sellers and sales covered by this supplementary regulation.* This

revised supplementary regulation covers you if you are a manufacturer located in the United States, its territories or possessions, or the District of Columbia. It applies to any sale of any new and unused machine tool or machine tool attachment, as to which you are the manufacturer, except sales at retail. The terms "machine tool" and "machine tool attachment" are defined in section 10 (*Definitions*). It also applies to the sale of any machine tool part by the manufacturer of the machine tool of which it is a part where (1) the machine tool part is produced by the manufacturer of the complete machine tool of which it is a part, or (2) the machine tool part as produced by a subcontractor who produces the machine tool part in accordance with the specifications of the manufacturer of the complete machine tool. An explanation of the term "machine tool part" is found in section 10 (*Definitions*).

SEC. 3. *Ceiling prices.* You shall determine your ceiling price as follows:

(a) Determine your base period price to your largest buying class of purchaser in accordance with the applicable provisions of CPR 30.

(b) Multiply the price determined under paragraph (a) of this section by 112 percent.

(c) Determine your labor cost adjustment under the applicable provisions of CPR 30, except that you shall recompute your base period payroll on the basis of your wage rates in effect on March 15, 1951, or any date between March 15 and September 10, 1951, and add thereto any increase between the end of your base period and March 15, 1951, or any date between March 15 and September 10, 1951, in the cost to you of insurance plans, pension contributions for current work, paid vacations and similar "fringe benefits", and required payments under the Federal Insurance Contributions Act, the Federal Unemployment Tax Act and any state or local unemployment or compensation law.

(d) Determine your materials cost adjustment under the applicable provisions of CPR 30, except that you shall use the dollar and cents amount of the change in net cost to you of each material between the end of your base period and December 31, 1950, or any date between December 31, 1950 and September 10, 1951.

(e) Add the amounts found under paragraphs (b), (c) and (d) of this section. The result is your ceiling price to your largest buying class of purchaser.

(f) Determine your ceiling price to your other classes of purchasers in accordance with section 3 (c) of CPR 30.

SEC. 4. *Modification of labor cost adjustment for increased overtime hours.* This section permits you to reflect increased overtime hours in your ceiling prices by modifying the provisions of CPR 30 dealing with the calculation of your labor cost adjustment (sections 12 and 13 of CPR 30). You may do this either on the basis of the percentage increase in your total labor costs due to increased overtime hours (this method is set forth in paragraph (a) of this section) or on the basis of the percentage increase in your labor costs, due to increased overtime hours for each classification of labor (this method is set forth in paragraph (b) of this section).

(a) *Percentage increase of total labor costs.* If you figure your adjustment for increased overtime hours on this basis, you shall do the following:

(1) Select any four consecutive payroll periods after the end of your base period which end not later than the date when you file the report required by section 46 of CPR 30.

(2) Determine the total amount you paid for overtime premium for the payroll periods you selected under subparagraph (1) of this paragraph.

(3) Divide the amount determined under subparagraph (2) of this paragraph by the dollar amount of your total payroll, less payment for overtime premium, for the payroll periods you selected under subparagraph (1) of this paragraph.

(4) On the basis of your current wage payments, e. g., hourly rates, piecework or any other system of wage payments used by you (exclusive of overtime premium), determine the dollar amount of your total payroll for the last payroll period ended not later than the end of your base period.

(5) Multiply the amount determined under subparagraph (4) of this paragraph by the percentage determined under subparagraph (3) of this paragraph.

(6) Add the amount determined under subparagraph (5) of this paragraph to your recomputed payroll in determining your labor cost adjustment under section 3 (c) of this revised supplementary regulation.

(7) Where you are calculating your labor cost adjustment upon the basis of a unit of your business under section 13 of CPR 30, make the same calculations as those required by subparagraphs (1) through (6) of this paragraph for the unit of your business for which you are calculating your labor cost adjustment under section 13 of CPR 30.

(b) *Percentage increase for each classification of labor.* If you figure your adjustment for increased overtime for each classification of labor separately, you shall do the following:

(1) Make the calculations required by paragraph (a) (1) through (5) of this section for each classification of labor.

(2) Total the amounts determined under subparagraph (1) of this paragraph for each classification of labor.

(3) Make the calculations required by paragraph (a) (6) of this section.

SEC. 5. *Modification of labor cost adjustment for increased shift premium hours.* You shall modify your labor cost adjustment for increased shift premium hours in the same manner as that set forth in section 4 of this revised supplementary regulation for modifying your labor cost adjustment for increased overtime hours, except that you shall use shift premium hours and shift premium instead of overtime hours and overtime premium. If you have different shift premiums, depending upon the particular shift in which an employee works, you may determine your adjustment separately for each shift for which you have a different shift premium in effect. Also, if your accounting records permit you to do so, you may compute your overtime and shift premium adjustments together, instead of individually.

SEC. 6. *Addition for increase in subcontracting.* If, during your base period, you produced or processed an item and you are now subcontracting the production or processing of that item, you may add to your ceiling price determined under section 3 of this revised supplementary regulation an amount equal to your increase in cost resulting from this change in your operations. (As used in this section, the word "item" means any complete machine tool or machine tool attachment, any part, subassembly or component of a machine tool or machine tool attachment, or any material used in the manufacture of a machine tool or machine tool attachment). You must calculate the addition to your ceiling price due to increased subcontracting in one of three ways, depending upon the manner in which you wish to charge the purchaser for your increased cost due to subcontracting. Paragraph (a) of this section applies to those cases where you charge the purchaser for your increased costs due to increased subcontracting for a particular machine tool, machine tool attachment or machine tool part; paragraph (b) of this section applies where you charge the purchaser a lump sum for your increased costs due to increased subcontracting for all machine tools, machine tool attachments or machine tool parts he purchases pursuant to a contract with you; and paragraphs (c) or (d) of this section applies where you wish to allocate your increased costs due to increased subcontracting over your entire sales of machine tools, machine tool attachments and machine tool parts or over a portion of your entire sales. Your increased costs due to increased subcontracting shall be figured by using your current contract prices for subcontracting and those costs, if any, due to increased subcontracting (determined on a current basis) caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervising employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant. Where you include the cost of the tools and patterns in your computation of your increased cost due to subcontracting, the cost of these tools or patterns must be allocated over the entire production in which they will be used. Once you have allocated the entire cost of tools or patterns you may not include the cost of such tools or patterns in computing your increased costs, due to increased contracting, for any subsequent contracts in which such tools or patterns are used.

(a) *Individual machine tool, machine tool attachment or machine tool part.* In order to determine your addition for increased subcontracting on an individual machine tool, machine tool attach-

ment or machine tool part basis, you do the following:

(1) Determine your current cost (not in excess of the applicable ceiling price as certified, in writing, by the subcontractor) of all subcontracted work entering into the production of the machine tool, machine tool attachment or machine tool part, which you performed in your own plant during the base period.

(2) Determine those costs, if any, due to increased subcontracting since the end of your base period (determined on a current basis) which enter into the production of the machine tool, machine tool attachment or machine tool part and are caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervisory employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant.

(3) Total the amounts determined under subparagraph (1) and (2) of this paragraph.

(4) Subtract from the amount determined under subparagraph (3) of this paragraph your current cost (estimated, if necessary) of performing this subcontracted work in your own plant. The result is the amount which you may add to your ceiling price of the machine tool, machine tool attachment or machine tool part.

(b) *Entire contract.* In order to determine your addition for increased subcontracting for all machine tools, machine tool attachments or machine tool parts sold by you pursuant to a single contract, you do the following:

(1) Determine your current cost (not in excess of the applicable ceiling price as certified, in writing, by the subcontractor) of all subcontracted work, entering into the production of machine tools, machine tool attachments or machine tool parts pursuant to the contract, which you performed in your own plant during your base period.

(2) Determine those costs, if any, due to increased subcontracting since the end of your base period (determined on a current basis) which enter into the production of machine tools, machine tool attachments or machine tool parts pursuant to the contract and are caused by the furnishing of tools or patterns to the subcontractor, the use of your employees in the subcontractor's plant, the use of engineering and supervisory employees in your own plant on subcontracted work, and transportation expenses to and from the subcontractor's plant.

(3) Total the amounts determined under subparagraphs (1) and (2) of this paragraph.

(4) Subtract from the amount determined under subparagraph (3) of this paragraph your current cost (estimated, if necessary) of performing this subcontracted work in your own plant. The result is the amount which you may add to your ceiling price for the entire contract.

(c) *Allocation of increased subcontracting costs over your entire production, or a portion of your production on an estimated basis.* Where you wish to allocate your increased costs due to increased subcontracting over your entire production, or a portion of your production, on an estimated basis, you must allocate the amount of such increased costs over the unit of your production, for which you have made the calculation, in such manner that you make the same percentage increase for each commodity which you produce in that unit of your production. You shall determine this percentage increase for increased costs due to increased subcontracting, on an estimated basis as follows:

(1) Estimate for your current fiscal year, the total amount of your increase in costs, due to increased subcontracting, for the unit of your production for which you are making the calculation. You shall estimate this amount by making the calculation required by paragraph (b) of this section, except that you shall make these calculations for the unit of your production over which you wish to allocate these increased costs and you shall make this estimate for your current fiscal year.

(2) Estimate for your current fiscal year, the total sales price of all machine tools, machine tool attachments and machine tool parts which you delivered or will deliver, during your current fiscal year, in the unit of your production for which you are making the calculation. The total sales price that you must use for the purpose of this subparagraph must be the total of the ceiling prices, established by this revised supplementary regulation without reference to the increases permitted by this section for the machine tools, machine tool attachments and machine tool parts.

(3) Divide the amount determined under subparagraph (1) of this paragraph by the amount determined under subparagraph (2) of this paragraph. The result is the percentage by which you may increase your ceiling price, established by this revised supplementary regulation, without reference to the increases permitted by this section, to reflect increased costs due to increased subcontracting.

(4) You may use the percentage determined under subparagraph (3) of this paragraph for those deliveries which you make during your fiscal quarter immediately following the date when you calculated this percentage. At the end of this fiscal quarter, you shall recalculate your percentage increase to reflect increased costs due to increased subcontracting. You shall make this recalculation for the same fiscal year, for which you made your original calculation. Also, you shall make this recalculation in the manner set forth in subparagraphs (1) through (3) of this paragraph except that you shall reflect in this recalculation your actual experience during your past fiscal quarter and any changes which have occurred in your projected operations for the succeeding nine months period. The resulting percentage increase may only be used for your fiscal quarter immediately succeeding the date of your recalculation.

(5) You shall recalculate your percentage increase for increased costs due to increased subcontracting at the end of each succeeding fiscal quarter in your fiscal year in which you made your original estimate in the manner set forth in subparagraph (4) of this paragraph. Again, the percentage increase which you calculate may be used only for the succeeding three months' period.

(6) When the fiscal year in which you made your original estimate has elapsed, you shall determine the actual total dollar amount of your increased costs due to increased subcontracting (for the unit of your production for which you have made the calculation) during this fiscal year. If the total dollar amount by which you have increased (to reflect increased costs due to increased subcontracting) the total sales prices of all deliveries which you made, during the period from the date of your original estimate to the close of your fiscal year in which you made the estimate, exceeds by more than five percent the actual dollar amount of your increased costs, which is due to increased subcontracting and is allocable to those deliveries, you must refund the entire excess to your customers. You must make this refund within four months after this fiscal year has elapsed.

(7) You shall determine the refund required by subparagraph (6) of this paragraph as follows: First, for the fiscal year in question, divide the actual total dollar amount of your increased costs due to increased subcontracting, for the unit of your production for which you have made the calculation, by the total dollar amount of your deliveries for this unit of your production. Then, subtract this percentage from the percentage by which you have increased the sales price (to reflect increased costs due to increased subcontracting) for each delivery which you made during the period from the date of your original estimate to the close of your fiscal year in which you made the estimate. You then determine the amount of the refund by applying the resultant percentage to the price (excluding the addition made for increased costs due to increased subcontracting) at which you delivered the machine tool, machine tool attachment or machine tool part during such period.

(8) If, during such period, the amount which you have added for increased costs, due to increased subcontracting, exceeds the actual amount of such increased costs for that period by 5 percent or less, you need not make a refund to your customer. However, you must decrease the amount of your estimate of increased costs, due to increased subcontracting, for your next fiscal year, to reflect the amount of such excess. Also, you must subtract the amount of such excess from your actual increased costs, due to increased subcontracting, for your next fiscal year, for the purpose of determining the refund, if any, which you must make to your customers.

(9) After the fiscal year in which you made your original estimate of increased costs, due to increased subcontracting, you shall determine your addition for such increased costs for your ensuing fiscal year in the manner set forth in subparagraphs (1) through (5) of this paragraph. Also, at the end of this fiscal

year, you must determine the refund, if any, which you must make to your customers in the manner set forth in subparagraphs (6) through (8) of this paragraph.

(d) *Allocation of increased subcontracting costs over your entire production, or a portion of your production, on the basis of experience.* Where you wish to allocate your increased costs due to increased subcontracting over your entire production, or a portion of your production, on the basis of your past experience, you must allocate the amount of such increased costs over the unit of your production, for which you make the calculation, in such manner that you make the same percentage increase for each commodity which you produce in that unit of your production. You shall determine this percentage increase for increased costs due to increased subcontracting, on the basis of your past experience as follows:

(1) Determine for your last fiscal year, or your last fiscal half-year, the total amount of your increase in costs due to increased subcontracting, for the unit of your production for which you are making the calculations. You shall determine this amount by making the calculation required by paragraph (b) of this section, except that you shall make these calculations for the unit of your production over which you wish to allocate these increased costs and you shall make this determination for your last fiscal year, or your last fiscal half-year.

(2) Determine for your last fiscal year, or your last fiscal half-year, the total sales price of all machine tools, machine tool attachments and machine tool parts, which you delivered during your last fiscal year, or your last fiscal half-year, in the unit of your production for which you are making the calculation, without reference to the increases in ceiling prices permitted by this section.

(3) Divide the amount determined under subparagraph (1) of this paragraph by the amount determined under subparagraph (2) of this paragraph. The result is the percentage by which you may increase your ceiling price, established by this revised supplementary regulation, without reference to the increases permitted by this section, to reflect increased costs due to increased subcontracting.

(4) If you calculated the percentage, determined under subparagraph (3) of this paragraph, for a fiscal year, you may use this percentage only for deliveries in your fiscal year which includes the date upon which you made the calculation. If you calculated the percentage determined under subparagraph (3) of this paragraph for a fiscal half-year, you may use this percentage only for deliveries in your fiscal half-year which includes the date upon which you made the calculation. At the close of this fiscal year or half-year, as the case may be, you must recalculate your percentage increase to reflect increased costs due to increased subcontracting in the manner set forth in this paragraph, if you wish to continue to reflect such increased costs in your ceiling prices.

SEC. 7. *Redetermination of ceiling prices to reflect increased overtime and shift premium hours and increased subcontracting*—(a) *Increased overtime and shift premium hours.* You shall redetermine, for each fiscal quarter, the modification of your labor cost adjustment to reflect increased overtime and shift premium hours. You shall make this redetermination in the manner set forth in section 4 of this revised supplementary regulation, except that you shall use in your calculations any four consecutive payroll periods in your fiscal quarter immediately preceding the date when you are required to make this redetermination.

(b) *Addition for increase in subcontracting.* Where you are determining your increased costs due to increased subcontracting separately for each machine tool, machine tool attachment or machine tool part, or where you are determining such increased costs for each subcontract, you must redetermine such increased costs separately for each machine tool, machine tool attachment or machine tool part or each contract, as the case may be. Where you are allocating such increased costs over your entire production or a portion of your production, you must redetermine your addition for such increased costs in the manner set forth in section 5 (c) of this revised supplementary regulation.

(c) *Prohibition against redetermination of ceiling prices.* Except as required by paragraphs (a) and (b) of this section, you may not redetermine your ceiling prices to reflect increased costs due to increased subcontracting or increased overtime and shift premium hours.

SEC. 8. *Reports.* You must file the reports required by section 44 of CPR 30 on or before October 15, 1951, instead of on or before August 13, 1951. In the event that you have already filed your reports under section 44 of CPR 30, you may redetermine your ceiling prices under the provisions of this revised supplementary regulation. In case of such a redetermination, you must file an amended Public Form 8 by October 15, 1951. You shall not reflect in your original or amended Public Form 8 increases in your ceiling prices due to increased overtime or shift premiums or increased subcontracting. The "base period price" reported in Item 8 (d) of Public Form 8 shall be the adjusted base period price as provided in section 3 (b) of this revised supplementary regulation. Your ceiling prices for commodities covered by this revised supplementary regulation are established by the General Ceiling Price Regulation until October 15, 1951, or such earlier date between the effective date of this revised supplementary regulation and October 15, 1951, as you may select.

SEC. 9. *Applicability of provisions of CPR 30.* Except to the extent expressly modified or supplemented by this revised supplementary regulation, all provisions of CPR 30 shall be applicable to any manufacturer subject to CPR 30 who is permitted to use this revised supplementary regulation. Thus, by way of illustration, reports on Public Form 8 must be filed in accordance with sections 44 and 46 of CPR 30; the 15-day waiting period prescribed by those sections in cases where a ceiling price higher than that under the General Ceiling Price Regulation is reported, must be observed; and the limitations upon the use of sections 17 and 20 of CPR 30 must be complied with.

SEC. 10. *Definitions*—(a) *CPR 30.* This term means Ceiling Price Regulation 30 issued by the Director of Price Stabilization on May 4, 1951.

(b) *Machine tool.* This term means any power driven machine used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure.

(c) *Machine tool atiachment.* This term means any accessory equipment furnished with a machine tool, or separately for use on a machine tool. This term does not include engines, motors, drives, oil pumps, cutting tools or similar items.

(d) *Machine tool part.* This term means any part, subassembly or component of a machine tool which is in such form that it can be used only as a machine tool part, bu does not include engines, motors, drives, oil pumps, cutting tools or similar items.

All definitions used in CPR 30 which are pertinent to this revised supplementary regulation are incorporated in this revised supplementary regulation by this reference.

Effective date. This revised supplementary regulation shall become effective August 27, 1951.

NOTE: The reporting requirements of this revised supplementary regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10144; Filed, Aug. 21, 1951; 11:20 a. m.]

[Ceiling Price Regulation 67]

CPR 67—RESELLERS' CEILING PRICES FOR MACHINERY AND RELATED MANUFACTURED GOODS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 67 is hereby issued.

STATEMENT OF CONSIDERATIONS

On April 25, 1951, Ceiling Price Regulation 22 (Manufacturers' General Ceiling Price Regulation) was issued. On May 4, 1951, Ceiling Price Regulation 30 (Machinery and Related Manufactured Goods) was issued. These regulations will result in both upward and downward adjustments of the ceiling prices established by the General Ceiling Price Regulation for sales to resellers of the commodities covered by those regulations. This change in the prices paid

by resellers necessitates a method for the automatic adjustment of the ceiling prices of resellers to reflect those changes in the cost of the commodities which they sell.

At this time only commodities covered by Ceiling Price Regulation 30 are subject to this regulation. However, from time to time other industrial or semi-industrial commodities may be added to the coverage of this regulation.

In accordance with long established industry practice, this regulation requires that where there is a manufacturer's published list price for a commodity, the reseller must determine his ceiling price by the use of the manufacturer's published list price. The reseller does this by deducting the discounts, if any, or by adding the percentage markups, which he applied to the manfacturer's published price during the last pre-Korean calendar quarter, April 1 through June 24, 1950. Where there is no manufacturer's published list price, or the reseller did not determine his ceiling prices during the last pre-Korean calendar quarter by using the manufacturer's published list price, the reseller determines his ceiling price by applying the percentage markups, which he last used during this calendar quarter, to his current legal cost. Where the reseller cannot determine his ceiling prices by the use of either of the methods just set forth, he is required to apply to the Office of Price Stabilization for a ceiling price.

Ceiling Price Regulations 22 and 30 are in the nature of a readjustment of manufacturers' prices as frozen by the General Ceiling Price Regulation. This regulation accomplishes the same objectives, with respect to resellers, by restoring normal price relationships between resellers and manufacturers, between resellers at different distributive levels, between resellers at the same distributive level and between the commodities sold by a particular reseller. These objectives are realized by permitting the reseller to use the same percentage markups over his cost of the commodities he sells as he used in the pre-Korean period. This method of establishing the ceiling prices of resellers is consistent with the Defense Production Act Amendments of 1951.

Section 402 (k) of the Defense Production Act Amendments of 1951 provides for the use of May 24 to June 24, 1950 margins on costs. For ease of administration and for convenience to the reseller this period has been extended to April 1 through June 24, 1950.

The nature of the industries covered by this regulation and ease of administration are further reasons for the employment of the type of price control used in this regulation. The resellers subject to this regulation sell a large number of commodities. Many of these resellers, in addition to selling complete items, sell a vast number of parts and accessories. In some of these industries the parts and accessories sold by a particular reseller are as many as 300,000. Accordingly, pricing by any other method than the use of manufacturer's list prices or the application of percentage markups to current cost would be, at the least, time consuming, and in some cases would be impossible, for all practical purposes. Further, effective enforcement of resellers' ceiling prices can be accomplished only if ceiling prices can be verified with facility and exactitude. In the industries covered by this regulation this objective can be most nearly reached by determining resellers' ceiling prices by the use of manufacturers' published list prices and traditional percentage markups on current cost.

The wide coverage of this regulation made it impossible to consult in detail with representatives of all the industries affected. However, in the preparation of this regulation conferences were held with industry advisory committees which are representative of farm equipment retailers, and retail and wholesale sellers of automotive parts. In substance, this regulation embodies the recommendations of these committees.

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable to buyers and sellers alike and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Sellers and sales covered by this regulation.
3. Commodities with a manufacturer's published list price.
4. Commodities not priced by the use of the manufacturer's published list price.
5. Commodities that cannot be priced under sections 3 or 4 of this regulation.
6. Taxes.
7. Terms and conditions of sale.
8. Transfers of business or stock in trade.
9. Petitions for amendment.
10. Supplementary regulations.
11. Records.
12. Invoices.
13. Evasion.
14. Prohibitions.
15. Charges lower than ceiling prices.
16. Violation.
17. Definitions.

AUTHORITY: Sections 1 to 17 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101, 2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* (a) This regulation establishes resellers' ceiling prices for those commodities which are listed in Appendix A of this regulation. Where you customarily determined your selling prices on the basis of the manufacturer's published list price, you determine your ceiling price by deducting from the manufacturer's published list price the discount, if any, you last had in effect to a purchaser of the same class during the period April 1 through June 24, 1950, or by adding to the manufacturer's published list price the percentage markup you last had in effect to a purchaser of the same class during the same period. In all other cases, you apply the percentage markup you last realized during the period April 1 through June 24, 1950, to your cost of the commodity. Of course, the cost you use must not exceed the ceiling price for sale of the commodity to you. If you cannot determine your ceiling price by either of these methods, you must apply to the Office of Price Stabilization for a ceiling price.

(b) This section is intended only as a general description to aid you in understanding this regulation; the following sections are controlling.

SEC. 2. *Sellers and sales covered by this regulation.* This regulation covers you if you are a reseller located in the United States, its territories or possessions, or the District of Columbia. It applies to any sale of any new and unused commodity listed in Appendix A as to which you are a reseller. An explanation of what is meant by "reseller" is found in section 17 (*Definitions*). The General Ceiling Price Regulation, Supplementary Regulation 29 to the General Ceiling Price Regulation and Ceiling Price Regulation 9 are superseded by this regulation, as to sales covered by this regulation. However, this regulation will not apply to sales for which ceiling prices are subsequently established by any other numbered regulation of the Office of Price Stabilization.

SEC. 3. *Commodities with a manufacturer's published list price*—(a) *Applicability.* This section is applicable only to commodities that meet all of the following conditions:

(1) The manufacturer must have issued a published list price for the commodity.

(2) You must be able to show from your written records that during the period April 1 through June 24, 1950 you determined your selling prices for that commodity, or a commodity of the same type, by selling it at the manufacturer's published list price, by deducting discounts or other allowances from the manufacturer's published list price, or by adding a percentage markup to the manufacturer's published list price. Of course, this section is also applicable to you if you added to the prices, determined in the manner just set forth, charges for credit, transportation costs, demonstration and training, service and handling, or telephone, telegraph, express, parcel post or air freight.

(3) The manufacturer's published list price for the commodity must not exceed the list price determined under the provisions of the applicable OPS regulation. If the manufacturer notifies you, in writing, that his published list price for a commodity or a group of commodities does not exceed that determined under the provisions of the applicable OPS regulation, and you have no reason to doubt the validity of this statement, you may rely on this notification. A statement that "the prices in this list do not exceed those determined under the applicable OPS regulation" will be acceptable.

(b) *Ceiling price.* Your ceiling price for a commodity covered by this section shall be determined as follows: If your written records show that during the period April 1 through June 24, 1950, you sold the same commodity, or a commodity of the same type, to a purchaser of the same class, at the manufacturer's published list price, your ceiling price for

the sale of that commodity, or a commodity of the same type, to a purchaser of the same class, is the manufacturer's published list price. If your written records show that during the period April 1 through June 24, 1950, you sold the same commodity, or a commodity of the same type, at a price determined by deducting discounts or other allowances from the manufacturer's published list price, you determine your ceiling price for the same commodity, or a commodity of the same type, by deducting from the manufacturer's published price all discounts, allowances and any other deduction from the manufacturer's published list price which you last realized (as shown by your written records), during the period April 1 through June 24, 1950 for the sale of the commodity, or a commodity of the same type, to a purchaser of the same class. If, during the period April 1 through June 24, 1950, you sold the commodity, or a commodity of the same type, at a price determined by applying a percentage markup to the manufacturer's published list price, you determine your ceiling price by applying to the manufacturer's published list price the same percentage markup which you last realized (as shown by your written records) during the period April 1 through June 24, 1950, for the sale of the commodity, or a commodity of the same type, to a purchaser of the same class. An explanation of the terms "purchaser of the same class" and "commodity of the same type" is contained in section 17 (*Definitions*). Section 7 (*Terms and conditions of sale*) explains the manner in which additions, if any, may be made to those prices for credit charges, transportation costs, demonstration and training, service and handling charges, and telephone, telegraph, express, parcel post or air freight charges.

SEC. 4. *Commodities not priced by the use of the manufacturer's published list price.* This section is applicable to commodities for which the manufacturer has not issued a published list price which he has determined under the applicable OPS regulation. Also, if, during the period April 1 through June 24, 1950, the manufacturer had a published list price for the commodity you are pricing, or a commodity of the same type, and you did not determine your selling prices for these commodities by using the manufacturer's published list price, you dedetermine your ceiling prices for these commodities under this section and not under section 3 of this regulation. You determine your ceiling price for a commodity covered by this section by multiplying your cost of the commodity, determined under paragraph (a) of this section, by your percentage markup determined under paragraph (b) and (c) of this section. You use paragraph (b) to determine your percentage markup, when, during the period April 1 through June 24, 1950, you determined your selling price for the commodity you are pricing (or a commodity of the same type) by applying a percentage markup to your delivered cost. An explanation of the terms "net invoice cost" and "delivered cost" is contained in section 17 (*Definitions*). You may use this section only if you have written records of your sales and purchases of the commodity you are pricing, or a commodity of the same type, during the period April 1 through June 24, 1950.

(a) *Cost of the commodity.* The cost of the commodity that you must use in determining your ceiling price shall be your net invoice cost or your delivered cost (depending upon whether during the period April 1 through June 24, 1950 you applied your percentage markup to net invoice cost or delivered cost) not in excess of the applicable ceiling price. For the purposes of this section, if you receive a written statement from your supplier that the price charged you does not exceed the applicable ceiling price, and you have no reason to doubt the validity of this statement, the price certified by your supplier, shall be deemed not to be in excess of the ceiling price. A statement that "prices in this invoice do not exceed OPS ceiling prices" will be acceptable.

(b) *Percentage markup over net invoice cost.* If, during the period April 1 through June 24, 1950, you determined your selling price for the commodity (or commodity of the same type) by applying a percentage markup to net invoice cost, you shall use the first of the following, which is available from your written records with respect to the commodity you are pricing:

(1) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the same commodity to a purchaser of the same class.

(2) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the most comparable commodity of the same type to a purchaser of the same class.

(3) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the same commodity to a purchaser of a different class, adjusted to reflect the differential between the two classes of purchasers which you last had in effect during the period April 1 through June 24, 1950, or if none, then the differential last in effect before April 1, 1950. If you are selling to an entirely new class of purchaser, you must determine your ceiling price under section 5 of this regulation for that class of purchaser.

(4) The percentage markup over net invoice cost that you last realized during the period April 1 through June 24, 1950, on a sale of the most comparable commodity of the same type to a purchaser of a different class, adjusted to reflect the differential between the two classes of purchasers which you last had in effect during the period April 1 through June 24, 1950, or if none, then the differential last in effect before April 1, 1950. If you are selling to an entirely new class of purchaser you must determine your ceiling price under section 5 of this regulation for that class of purchaser.

(c) *Percentage markup over delivered cost.* If, during the period April 1 through June 24, 1950, you determined your selling price for the commodity (or a commodity of the same type) by applying a percentage markup to delivered cost, you shall determine your ceiling price by applying a percentage markup to delivered cost. In such case, you shall determine your ceiling price in accordance with the provisions of paragraph (b) of this section, except that you shall substitute the phrase "delivered cost" for the phrase "net invoice cost", wherever the phrase "net invoice cost" appears in paragraph (b) of this section.

SEC. 5. *Commodities that cannot be priced under sections 3 or 4 of this regulation.* The ceiling price for the sale of a commodity for which you cannot determine your ceiling price under sections 3 or 4 of this regulation, because you do not have written records of your sales or purchases during the period April 1 through June 24, 1950, because you were not in business during that period, or for any other reason, shall be a price in line with ceiling prices otherwise established by this regulation, that is specifically authorized in writing by the Director of Price Stabilization. Where you cannot determine your ceiling price under sections 3 or 4 of this regulation, you must file a report, by registered mail with the Office of Price Stabilization before you sell, offer to sell, or deliver the commodity. If you are seeking approval of a ceiling price for sales at retail, you file this report with the nearest District Office of the Office of Price Stabilization. If you are seeking approval of a ceiling price for sales at wholesale, you file the report with the Office of Price Stabilization, Washington 25, D. C. This report shall state the following:

(a) A description of the commodity (or commodities) for which you seek a ceiling price. This description shall include the manufacturer's name, type of commodity, model and serial number, if any, and any other specifications commonly shown in price sheets for similar commodities. The enclosure of the manufacturer's price sheets will satisfy this requirement.

(b) Your net invoice and delivered cost of the commodity (or commodities).

(c) The manufacturer's list price, if any, for the commodity (or commodities).

(d) Your proposed ceiling price or prices and the classes of purchasers to which these ceiling prices are to apply.

(e) A statement of the basis on which your proposed ceiling price or prices were determined.

(f) An explanation of the reasons why you can not determine the ceiling price for the commodity (or commodities) under section 3 or 4 of this regulation.

After receipt of this report, the Office of Price Stabilization may approve the proposed ceiling price, disapprove the

proposed ceiling price, establish a different ceiling price by order, or request further information. If, thirty days after receipt of the required report by the Office of Price Stabilization, none of the actions just listed has been taken, you may sell at your proposed ceiling price until such time as the Office of Price Stabilization shall notify you that this price has been disapproved.

The ceiling price established in the manner just set forth shall be applicable to all subsequent sales and deliveries. However, if the Office of Price Stabilization determines that this price is not in line with ceiling prices established by this regulation, it may disapprove that price at any time. This disapproval will not be retroactive as to any deliveries made before the date of such disapproval.

SEC. 6. *Taxes.* If the tax or tax increase is imposed on a commodity and the tax law does not forbid you to pass the tax on to your customers, you may add the tax or tax increase to your ceiling price, if you separately state it. However, if the tax was in effect during the period April 1 through June 24, 1950, and you did not charge your customers for the tax during that period, you may not do so now.

SEC. 7. *Terms and conditions of sale.* You may add to your ceiling prices only those charges or costs listed in this section. These charges or costs may be added only if you are able to show from your written records that during the period April 1 through June 24, 1950, you charged the same class of purchaser extra for the particular charge or cost which you wish to add, and you separately state on your invoice each particular charge or cost listed in this section which you add.

(a) *Credit charges.* You must figure charges for credit by using the same rates that you last used during the period April 1 through June 24, 1950 for extension of credit involving the same amount and term.

(b) *Transportation costs.* You may not require any purchaser to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity than you last required a purchaser of the same class to pay, during the period April 1 through June 24, 1950, on deliveries or supplies of the same or similar types of commodities.

(c) *Demonstration and training.* You must figure charges for demonstration and training of operators by using the same rates that you last used during the period April 1 through June 24, 1950.

(d) *Service and handling charges.* You must figure charges for service and handling by using the same rates that you last used during the period April 1 through June 24, 1950.

(e) *Telephone, telegraph, express, parcel post or freight charges.* You may add to your ceiling price your actual cost for any long distance telephone calls, telegrams, or express, parcel post or air freight charges, where you incur such expenses, at the request of the purchaser, in order to expedite a particular order.

SEC. 8. *Transfers of business or stock in trade.* If the business, assets or stock in trade are sold or otherwise transferred after the issue date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferree shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 9. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with provisions of Price Procedural Regulation No. 1.

SEC. 10. *Supplementary regulations.* The Director of Price Stabilization may issue supplementary regulations modifying or implementing this regulation as he deems appropriate.

SEC. 11. *Records*—(a) *Sales and purchases.* You must prepare and preserve for a period of two years after the effective date of this regulation records of sales and purchases of the kind you have customarily kept.

(b) *Prices charged.* You must prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter, the prices at which you delivered, sold or offered, in writing, to sell each commodity during the period April 1 through June 24, 1950.

SEC. 12. *Invoices.* You must furnish every purchaser to whom you make a sale, in excess of $25.00, of commodities covered by this regulation, an invoice showing:

(a) Your name and address.

(b) The date of sale.

(c) An identification of each commodity sold, including its brand or trade name.

(d) The quantity of each commodity sold.

(e) The selling price of each commodity sold.

SEC. 13. *Evasion*—(a) *In general.* The price limitations set forth in this regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, lease of, or relating to, a commodity covered by this regulation, alone or in conjunction with any other commodity or service, by way of commission, service, transportation or any other charge, or discount, premium, or other privilege, or by tie-in agreement or other trade understanding, or otherwise.

(b) *Specific practices.* The following are some of the specific practices prohibited by paragraph (a) of this section and are itemized here only to obviate the necessity of interpretative inquiries which experience indicates are likely to be raised under the general evasion provision:

(1) Paying, or requiring the payment of, a purchase commission, if the sum of the commission and the purchase price exceeds the ceiling price.

(2) Entering into a joint venture with any other person subject to this regulation for cross-selling, cross-purchasing or cross-servicing.

(3) Requiring a purchaser to buy any commodity or service as the condition of the sale of a commodity covered by this regulation.

(4) Reducing the period of any guaranty or warranty of performance in effect during the period April 1 through June 24, 1950.

(5) Eliminating or reducing any delivery, maintenance, repair, replacement, or installation service in effect during the period April 1 through June 24, 1950.

(6) Granting less than a reasonable allowance for commodities received in trade.

(7) Eliminating or reducing rental or trade-in credits or purchases.

SEC. 14. *Prohibitions.* On and after the effective date of this regulation, regardless of any contract or other obligation:

(a) No person shall sell or deliver, offer to sell or deliver, or negotiate the sale or delivery of a commodity at a price higher than the ceiling price established by this regulation.

(b) No person, in the course of trade or business, shall buy or receive any commodity at a price higher than the ceiling price established by this regulation.

(c) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited by paragraphs (a) or (b) of this section.

SEC. 15. *Charges lower than ceiling prices.* Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 16. *Violation*—(a) *Civil and criminal action.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Defense Production Act of 1950, as amended.

(b) *Record-keeping and filing violations.* If any person subject to this regulation fails to keep the records or file the reports required by this regulation, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing ceiling prices for the commodities such person sells. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not established in accordance with the provisions of this regulation, including deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obliga-

tion to comply with the requirements of this regulation or of the various penalties for failure to do so.

SEC. 17. *Definitions.*—(a) *Automotive parts.* This term means all engine parts, body parts, chassis parts, motors, electric equipment and wheels, and all other component parts and subassemblies, of automobiles, trucks, busses, trailers, semi-trailers, and motorcycles (except rebuilt bodies of trucks, busses, trailers or semi-trailers) and all accessories and optional, extra and special equipment designed for use on, or with, such motor vehicles, and unfinished parts and components thereof, when in such form as to permit their use only as automotive parts, but does not mean any service or maintenance accessories, such as antifreeze, body polish, tools, etc., or tires, tubes, sheet or other non-processed glass.

(b) *Class of purchaser or purchaser of the same class.* Class of purchaser is determined in the first instance by reference to your own practice of setting different prices for sales to different purchasers or groups of purchasers or for sales under different conditions of sale. The practice may (but need not) be based on the characteristics or distributive level of the buyer (for instance, manufacturer, wholesaler, individual retail store, retail chain, mail order house, government agency, public institution). It may (but need not) be based on the location of the purchaser, the quantity purchased by him or whether the buyer purchased for cash or on credit. If you have followed the practice of giving an individual customer a price differing from that charged others, that customer is a separate class of purchaser. If in your industry a practice prevails of charging different prices for sales to groups of buyers based on their characteristics or distributive level, any such group to whom you did not make sales during the period April 1 through June 24, 1950, and for whom you did not have a customary differential in effect during or before this period, is a separate class of purchaser as to you.

(c) *Commodity.* This term includes any item, object, material, article, product or supply.

(d) *Commodity of the same type.* This term refers to a commodity which is one of a group of closely related commodities which are normally classed together in your industry for pricing purposes. A commodity of the same type may differ in such respects as model, size, or brand or trade name. However, any commodity which you sell under your own brand or trade name is a separate type of commodity.

(e) *Delivered.* A commodity shall be deemed to have been delivered if it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(f) *Delivered cost.* This term means the net invoice cost of the commodity to you, plus any separately stated charges for in-bound transportation costs for the commodity which are paid by you. If, during the period April 1 through June 24, 1950, you had in effect a method for averaging transportation costs, you shall continue to use that method of averaging transportation costs.

(g) *Director of Price Stabilization.* This term also applies to any official (including officials of Regional or District Offices) to whom the Director of Price Stabilization, by order, delegates a function, power or authority referred to in this regulation.

(h) *Farm equipment.* This term means any mechanical equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, and also the categories of non-mechancial equipment, attachments and parts included in the partial list of farm equipment mentioned below. The term "farm equipment" does not include automobiles, trucks, general purpose tools, hardware items, hand tools, prefabricated farm buildings, grain bins, building materials, electrical equipment (except electrically motivated farm equipment and fence controllers), lawn mowers, sprays or other chemicals, commercial processing machinery, livestock, seeds, feeds or any other agricultural products. A partial list of "farm equipment" follows: farm tractors; garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows, rollers, pulverizers, and stalk cutters; cultivators and weeders; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hay loaders, stackers, balers, etc.); manure loaders; dairy farm equipment (milking machines, farm milk coolers (except mechanically refrigerated), farm cream separators, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee keepers' equipment; agricultural spraying equipment; weed burners for farm use; barn and barnyard equipment; mechanical hog feeders; ironed singletrees, doubletrees and neck yokes; electrical fence controllers; farm water pumps and water systems; irrigation systems and equipment for farm use; windmills; windmill generating sets; portable farm grain elevators; wood slat corn cribbing woven with wire; silos; wood-sawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay pressers, peanut pickers, potato sorters and graders, syrup evaporators, etc.); farm wagons; and attachments and parts for all the foregoing.

(i) *Manufacturer.* This term means any one of the following:

(1) Any person engaged in one or more operations in the fabrication, processing or assembling of the commodity being priced, including subcontractors.

(2) Any person who sells a commodity which has been produced on his account, from materials or parts owned by him.

(3) Any person who sells a commodity under his own brand or trade name, where he produces the same, or a similar commodity in his own plant, or where the commodity which he sells under his own brand or trade name is a replacement part for a commodity which he produces in his own plant.

(j) *Net invoice cost.* This term refers to your invoice cost, less any discount or allowance you took or could have taken. It does not include separately stated charges, such as freight, taxes, etc.

(k) *OPS.* OPS means the Office of Price Stabilization.

(l) *Person.* This term includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States, or any other government, or their political subdivisions or agencies.

(m) *Records.* This term means books, or accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

(n) *Reseller.* This term means a seller who is not a manufacturer of the commodity being sold.

(o) *Sale at retail.* Sale at retail means any sale to an ultimate user, other than a commercial, industrial, governmental or institutional user.

(p) *Sale at wholesale.* Sale at wholesale means any sale to a reseller, or to a commercial, industrial, governmental or institutional user.

(q) *Sell.* This term includes sell, supply (with respect to either commodities or services), dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The term "buy" and "purchase" shall be construed accordingly.

(r) *You.* "You" means the person subject to this regulation. "Your" and "yours" shall be construed accordingly.

Effective date. The effective date of this regulation is August 27, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

APPENDIX A—COMMODITIES COVERED BY THIS REGULATION

The commodities covered by this regulation are listed below:

Abrasive products, including coated, bonded, natural stone and artificial abrasives.
Air-conditioning equipment, condensing units of 25 tons capacity and over.
Aircraft.
Aircraft parts (all parts, subassemblies and unfinished parts and components of aircraft which are in such form as to permit their use only as aircraft parts, except tires and tubes.)
Anchors, marine, earth and rock.
Antennas, radio and television, except built-in antennas included within the cases of domestic radio or television receivers.
Anvils, except jewelers' anvils.
Arresters, lightning, including lightning rods.
Asphalt mixing plants and attendant plants.
Attachments and accessories for machinery and machine tools, including the following illustrative list:
  Adapters.
  Arbors.
  Blocks, machine tool.

- Brakes, spindle.
- Centers, bench.
- Centers, lathe.
- Chucks, all types.
- Clamps.
- Collets.
- Die heads.
- Die sets.
- Dogs, work driving.
- Edges, straight.
- Electric etchers and de-magnetizers.
- Feeding devices.
- Glass, level.
- Grinders.
- Ground steel stock for punches, dies, jigs, fixtures, etc.
- Guides, adjustable.
- Heads.
- Holders, tool and work.
- Mandrels, all types.
- Plates, all types.
- Posts, tool.
- Saw accessories (sets, swages, guides, clamps, bracing tools).
- Sockets.
- Stops, machine.
- Templates.
- Torque wrenches.
- Wheels, buffing and polishing.

Augers, earth.
Automotive parts (see definition in section 17).
Automotive testing and maintenance equipment, mechanical and electrical.
Automotive trucks (including fire trucks), motorcycles, busses and house and truck trailers.
Batteries, storage.
Battery chargers.
Bearings, antifriction (ball, roller, needle, etc.).
Bearings and bushings, ferrous and nonferrous.
Belting, leather and textile.
Bimetallic thermal strips, fabricated.
Blocks and tackle.
Boilers, power, industrial and marine, 100 p. s. i. and higher working pressure.
Broom-making machinery.
Brushes, industrial, power-driven.
Brush-making machinery.
Bushings, porcelain, glass and steatite, for electrical uses.
Cable, insulated, electrical.
Cable accessories, electrical.
Can-making machinery and equipment.
Capacitors, electrical.
Carbon graphite and metal graphite for electrical uses.
Carriers, lumber, steel, etc., specifically designed for industrial or commercial use.
Cars, freight, including all types of flanged wheel mining and industrial cars.
Cars, passenger, for surface, subway or elevated lines.
Casters.
Cement-making machinery.
Ceramics machinery.
Chain, power transmission, including chain fittings and assemblies.
Chemical processing machinery.
Circuit breakers, electrical.
Clamps of the C and bar type, except those used for medical or dental purposes.
Clevises.
Clockwork systems, industrial, used in connection with mechanical instruments.
Coal preparation equipment.
Coke oven doors and jambs.
Compressors, except those used with condensing units under 25 horsepower or 25 tons.
Concrete products machinery and equipment.
Condensers, synchronous, electrical.
Conduit fittings.
Conduit.
Control equipment, electrical, industrial.
Convertors, synchronous, electrical.
Conveyors and conveying systems, industrial.
Core drilling and core making machinery.
Cotton-ginning machinery.
Cranes, crawler, overhead bridge, locomotive, revolving, truck and others.
Cutting tools, including the following illustrative list:
- Augers, machine.
- Bits, machine.
- Blades, hacksaw—all types.
- Blades, power-driven saw.
- Blades, machine, shear, etc.
- Broaches.
- Chasers.
- Chisels, machine.
- Counterbores.
- Countersinks, machine.
- Cutters.
- Dies, cutting and threading.
- Dressers, abrasive wheel.
- Drills.
- Extractors.
- Files, rasps and burrs.
- Form tools.
- Hobs.
- Knives, machine.
- Knurling tools.
- Punches, machine.
- Reamers.
- Rules, creasing, cutting and perforating.
- Scraper blades, machine.
- Taps.
- Tips: tool, tungsten, carbide, stellite, etc.

Cylinders, power, hydraulic, pneumatic and hydropneumatic.
Derricks.
Diamond tools: core bits, dies .002" and larger, dressing tools, shaped tools, wheels, etc.
Dies, jigs, and fixtures
Die-casting machinery.
Distribution boards, electrical.
Dollies, industrial.
Dozers, angle, bull and push.
Dredging machinery.
Dry-cleaning and clothes-pressing machinery, except domestic.
Ducts for electrical uses, except those manufactured from asbestos, cement, ceramic materials or clay.
Dust-collecting equipment, industrial, portable and stationary, including industrial vacuum cleaners.
Economizers, steam, industrial and marine.
Electrodes.
Electroplating and hot-dip metal coating equipment, including preparatory and finishing equipment used in connection with metal coating processes.
Electro-therapeutic apparatus and supplies.
Electronic devices, equipment and parts (other than radio and television receivers).
Elevators, passenger and freight.
Engines, diesel and oil.
Engines, gas.
Engines, gasoline and kerosene, except toy, and portable, outboard motors.
Engines, steam, except toy.
Engine-generator sets.
Escalators (moving inclined stairways for raising or lowering passengers).
Excavating and earth-moving machinery, including power shovels, ditchers, draglines and power scrapers.
Fabricated structural steel shapes, plates and bars.
Fans and blowers, industrial, excluding unit heaters or unit ventilators, hand blowers, and desk, pedestal, portable, ceiling and wall-bracket type fans, but including warm air furnace fans, attic ventilating fans, pressure fans and blowers and built-in fans.
Farm equipment (see definition in section 17).
Feed-water heaters, industrial and marine.
Floor surfacing and floor maintenance machinery, industrial.
Food and beverage machinery, including baking, bottling, brewing, canning, confectionery, grain milling, meat packing, edible oil, sugar and dairy machinery and equipment.
Foundry machinery, including ladles not over 40-ton capacity.
Furnaces and ovens, industrial and laboratory, except space heating, warm air furnaces, stoves, blast furnaces, open hearth furnaces, Bessemer converters, soaking pits and coke ovens.
Fuses for the protection of electrical equipment.
Galvanometer and pyrometer movements.
Gas burners designed for use with products covered by this regulation.
Gaskets and packings, except those made in whole or in part or rubber.
Gauges, specifically designed for industrial or commercial use.
Gears, pinions, sprockets and speed reducers, including gear motor, motorized speed reducers and variable speed and other machine drives.
Generators, electrical.
Generators, gas.
Generator sets, diesel-electric, gas engine, electric and motor or engine driven.
Glass-making machinery.
Governors, engine.
Glass products, industrial scientific and technical which are listed below:

Electrical glassware:
- Bulbs, glass portion (incandescent, fluorescent, indicator, auto lamp, radio, television, X-ray, radar and power tube).
- Bushings.
- Capacitors.
- Coil forms.
- Flares (glass base portion for lighting, radio, indicator, auto lamp, television, X-ray, radar and power tube).
- Fuse plugs.
- Insulators.
- Resistor tubes.
- Tubing (electrical, fluorescent).

Industrial glassware:
- Cylinders.
- Flat gauge glasses.
- Glass bulbs.
- Gauge cup and oil cup glasses.
- Meter and relay covers.
- Miscellaneous industrial glassware which is to be further fabricated by others or which is to be incorporated as a component part of an industrial product.

Laboratory and pharmaceutical glassware:
- Apparatus ware.
- Chemical ware.
- Instrument tubing.
- Laboratory apparatus tubing.
- Vials and ampules.

Optical glass:
- Rough glass blanks for optical, opthalmic and scientific use.

Signal glassware:
- Airplane running lights.
- Battery jars.
- Explosion resisting globes.
- Fresnels.
- Front glasses.
- Lenses.
- Obstruction lights.
- Optical ware (color and light filters).
- Roundels.

Ground steel stock for punches, dies, jigs, fixtures, etc.
Gyroscopes.
Hat-making and repairing machinery.
Heat exchanger equipment (when designed for use with products covered by this regulation).
Heaters, sand, stone, or bitumen.
Heating, melting, burning and thawing equipment, portable, for industrial and transportation purposes, except mechanics' fire pots and blow torches.
Heating units and devices, electrical, industrial.
Hoists.
Hose and tubing, metal, flexible.
Hydraulic machinery.

Instruments, electrically or mechanically operated for measuring, testing, indicating or recording electrical quantities.
Instruments, mechanical, for indicating, measuring, recording and testing, including aircraft, laboratory, marine, precision and scientific mechanical instruments, but excluding tire gauges, carpenters' tools, clinical, dental, household, optical and surgical instruments, low pressure heating controls (such as thermostatic traps, blast traps and strainers), water level controls (all types), air temperature and humidity controls (all types), coin-operated devices and household refrigeration controls.
Insulators, porcelain, glass and steatite, for electrical uses.
Inter-communicating systems, electronic.
Jacks and jack screws.
Kilns (except brick), coolers and dryers, specifically designed for industrial or commercial use.
Laundry machinery, except domestic.
Leather-working machinery.
Lighting equipment, electrical, for airway, commercial, flood-lighting, industrial, marine, seadrome, and street and highway uses.
Lighting fixtures, not portable.
Line material, transmission or trolley.
Loading and unloading equipment, specifically designed for industrial or commercial use.
Lock and dam machinery, which is designed exclusively for the control of water flow in locks, dams and structures when such locks, dams, and structures are designed for flood control, irrigation, power generation or transportation purposes.
Locomotives and tenders, including mining and industrial.
Logging and lumbering machinery and equipment.
Lubricating systems and devices, industrial, stationary.
Machinery, industrial, not listed elsewhere in this Appendix. The term "industrial machinery" means any machinery or equipment not specifically excluded from the coverage of this regulation, which is used in the extraction, production or processing of commodities.
Machine tools (power driven machines used for shaping metal by cutting, abrading, straightening, forcing, forging or forming under pressure).
Machine tool attachments (any accessory equipment furnished with a machine tool, or separately for use on a machine tool).
Machines, tools, devices and appliances designed specifically for the installation, operation, maintenance and protection of tracks, yards, signals, rolling stock and motive power of surface, subway or elevated rail lines.
Magnetos.
Magnets, lifting, industrial.
Marine equipment listed below:
- Anchors.
- Boat hooks without handles.
- Buoys, pontoons and rafts, metallic.
- Capstans.
- Chocks.
- Cleats.
- Controls, bulkhead and throttle.
- Deck and manhole plates, machined.
- Fog horns and whistles, manually operated.
- Gooseneck and boom bands.
- Hatch covers, metal.
- Lights, oil.
- Marlin spikes and belaying pins, metal.
- Mooring and riding bitts.
- Port lights.
- Pumps, marine, manually operated.
- Reels, hawser, manually operated.
- Rope guides and leaders.
- Rowlocks.
- Shackles.
- Snaps.
- Sockets.
- Steering apparatus, manually operated.
- Ventilators.

Metals and alloys, special, electrical (except steel with less than 6% alloy content, in any fabricated form) used for electrical, magnetic or glass-sealing purposes, including special contact alloys and special coated iron wire.
Mining and quarrying machinery, including mine cars and trucks.
Molds and patterns.
Motion picture equipment, 35 millimeter, including sound equipment and parts for recording, reproducing and projecting, for studio, theatre, commercial or industrial use.
Motors, electrical.
Neon indicator attachments.
Numbering and marking machines for use on metal, except office machines.
Oil burners, industrial and marine, burning No. 5 oil or heavier, except horizontal, rotary and gun type burners.
Oil mill machinery and equipment.
Oil-well and oil-field machinery and equipment.
Optical processing machinery.
Ore-crushing and concentrating machinery.
Ovens, industrial and laboratory, except coke ovens.
Packaging, wrapping, filing and labeling machinery.
Paint-making and ink-making machinery.
Panelboards, electrical.
Parts and subassemblies of any commodity listed in this Appendix where the part or subassembly is in such form that it can be used only in a commodity listed in this Appendix, except mechanical rubber goods.
Petroleum refining machinery.
Pharmaceutical machinery.
Pile drivers.
Pipe wrapping and coating machinery.
Pistons and piston rings.
Plants, stationary, for railroad use in handling cinders, fuel, sand or water.
Plastics fabricating and molding machinery.
Pole-line hardware and line construction specialties.
Power transmission equipment, industrial, including belt-tighteners, blocks and bearing housings, brackets, clutches, collars, couplings, hangers, motor bases, pillow blocks, pulleys, sheaves, shifters, universal joints and variable speed and other machine drives.
Presses, specifically designed for industrial or commercial use.
Printing machinery and equipment.
Public address apparatus.
Pulp, paper and paper products machinery.
Pulverized fuel burners.
Pumps, power operated, with or without power.
Pumps, hand-operated except store fixtures.
Railroad car and locomotive parts, and specialities for elevated, subway or surface lines, including:
- Axles.
- Bearings, truck side.
- Boilers, fireboxes, front ends and cabs, fittings, fixtures, devices, or appliances mounted thereon.
- Brakes and brake gears.
- Coupler devices or attachments.
- Devices and appliances mounted on locomotives for treatment, distribution or control of water, fuel, steam, sand or electricity.
- Doors and fixtures.
- Draft gears, buffers, and attachments.
- Driving, foundation, or running gear.
- Grain control apparatus.
- Journal boxes, assembled.
- Heating, lighting, ventilation, and air-conditioning equipment.
- Lubricating devices.
- Miscellaneous fittings, fixtures, specialties, devices or appliances designed specifically for use on railroad cars or locomotives, except artillery or other exclusively military or naval equipment.
- Safety appliances and warning devices.
- Sides, roofs, ends, running boards, and brake steps.
- Spring rigging, snubbers and shock absorbers.
- Tires, steel
- Trucks, complete.
- Underframes.
- Wheels, iron and steel.

Rectifiers, power, industrial.
Refrigeration equipment, condensing units of 25 horsepower and over.
Regulators, feeder voltage.
Regulators and dampers, power operated, except those designed for domestic heating systems.
Replacement units and assemblies for mechanical refrigerators having a refrigerated volume of 16 cubic feet or less, when sold by the manufacturer.
Reproduction machinery, architectural and engineering, such as blueprinting, black and white printing, and brown printing machinery.
Road and airport building and maintenance machinery, including graders, pavers, rollers, sprayers, mechanical road cleaning equipment, etc.
Rock-crushers and plants.
Rod, wire and tube-working machinery and equipment.
Rolling mill machinery and auxiliary equipment.
Rope fittings, manila and wire.
Rubber and allied products machinery.
Rubber tire and tube machinery and equipment, including the recapping and retreading molds and necessary parts (full circle and sectional molds, matrices, etc.), tire buffers and spot vulcanizers for tubes.
Saws, specifically designed for industrial or commercial use.
Scaffolds and towers.
Scales, weighing, industrial and laboratory, except coin operated, counter, household, office and store types.
Searchlights.
Separators, steam, industrial and marine.
Sewing machines, industrial.
Sharpening and filing equipment.
Ships (any ship or boat powered by an inboard engine, and barges and cargo carrying barges, whether powered or not).
Shoe manufacturing and repairing machinery.
Signal equipment, railroad, including highway crossing signals.
Signalling apparatus.
Siren blowers.
Skid platforms and pallets, all metal.
Snow plows.
Soot blowers and tube cleaners, power operated, industrial and marine.
Sound recording and reproducing equipment and parts, including portable recorders and recording and transcription turntables, except home or office recording or reproducing equipment.
Spraying devices, industrial, power-operated, for the application of any material.
Spreaders for construction and road-building use.
Spring winding and forming machinery.
Sprockets, power transmission.
Stackers, industrial.
Steam cleaning and degreasing equipment and parts, washing and cleaning equipment, except commercial and domestic dish and utensil washing and cleaning equipment.
Steam specialties.
Stokers, industrial and marine, with a capacity of 1200 pounds per hour or more.
Stone working machinery.
Sub-stations, unit (power distribution).
Superheaters, industrial and marine.
Surveying instruments, such as alidades, levels and transits.
Switchboxes.
Switches, electrical, knife and enclosed.
Switchgear and switchgear accessories.

Tanks and vessels, pressure, made of metal 10 B. W. G. and heavier, regardless of capacity, or of a capacity in excess of 192 gallons, regardless of gauge, except field erected storage tanks or cylinders which are designed primarily for the transportation of liquids or gases under pressure and which are not designed to be permanently attached to the vehicle transporting such tanks.
Tanks and vessels, non-pressure, made of metal heavier than 10 B. W. G., regardless of capacity, or of a capacity in excess of 585 gallons, regardless of gauge, except all obround tanks; field erected tanks or vessels; products commonly known as plumbing fixtures, such as flush tanks and laundry trays; products commonly known as pans and cans, such as pails and buckets; non-returnable shipping retainers; refuse receptacles, drip and waste receivers; and septic tanks.
Telegraph apparatus.
Telephone apparatus, including sound and powered telephone and non-electronic intercommunicating equipment.
Testing sets for electronic equipment.
Textile machinery, including equipment and accessories designed exclusively for use with such machinery.
Tobacco working machinery.
Tools, manually operated, for the cutting, forming and punching of metals.
Tools, pipe and tube, manually operated, including beading, belling, banding, cleaning, cutting, expanding, and flaring and wrenches for operating.
Tools, power-driven, portable or non-portable.
Track work, fabricated (including but not limited to frogs, switches and cross-overs).
Tractors.
Trailers.
Transformers, including specialty transformers.
Trucks, industrial, hand.
Trucks, power-operated, lift, platform and straddle.
Turbine generator sets.
Turbines and governors, gas, hydraulic and steam.
Turnbuckles.
Vises, all types, vise mounts, stands and supports.
Water conditioning and purifying equipment, industrial.
Water power equipment.
Welding apparatus and supplies, electrical, including electrodes.
Welding and cutting apparatus and supplies, gas, including generators, welding rods and welding wire.
Well-drilling equipment.
Wheels.
Winches and windlasses, manually or power operated.
Wire accessories, electrical.
Wire, insulated, electrical.
Wire machinery.
Wiring devices, electrical.
Woodworking machinery.
X-ray and electro-therapeutic apparatus and supplies.

[F. R. Doc. 51-10143; Filed, Aug. 21, 1951; 11:20 a. m.]

[General Overriding Regulation 3, Amdt. 2]

GOR 3—Exemption of Certain Rubber, Chemical and Drug Commodity Transactions

ADDITIONAL EXEMPTIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to General Overriding Regulation 3 (16 F. R. 3216) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment exempts from price control all butadiene derived from non-petroleum sources which is sold for use in the manufacture of synthetic rubber. Butadiene from petroleum sources, sold for use in making synthetic rubber, has previously been exempt from price control by Ceiling Price Regulation 17, in order to facilitate transfers of this commodity and stimulate its production and to meet intensified demands attendant upon the defense program.

The effect of this amendment exempting non-petroleum butadiene from price control is to render all butadiene sold for use in synthetic rubber manufacture, regardless of its source, free of Office of Price Stabilization regulations. Butadiene from non-petroleum sources, when sold for other purposes, is subject to the General Ceiling Price Regulation.

AMENDATORY PROVISIONS

General Overriding Regulation 3, as amended, is further amended by adding paragraph (d) to section 2 to read as follows:

(d) Butadiene derived from non-petroleum sources when sold for use in the manufacture of synthetic rubber.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 25, 1951.

Michael V. DiSalle,
Director of Price Stabilization.

August 21, 1951.

[F. R. Doc. 51-10140; Filed, Aug. 21, 1951; 11:19 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-32 as Amended August 20, 1951]

M-32—Chemicals

LIMITATION FOR DO RATED ORDERS

This amended NPA Order M-32, as last amended July 17, 1951, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order as amended there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-32, as amended, by changing in Schedule A the limitation for acceptance of rated orders and the lead time for carbon tetrachloride, and by adding six items to Schedule A. As so amended, NPA Order M-32 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Chemicals to which this order applies.
4. Required shipment dates.
5. Rejection of rated orders.
6. Limitation for acceptance of rated orders.
7. NPA assistance in placing rated orders.
8. Applications for adjustment or exception.
9. Communications.
10. Records.
11. Audit and inspection.
12. Reports.
13. Violations.

Authority: Sections 1 to 13 issued under sec. 704, 64 Stat. 816 as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Supp. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *What this order does.* This order applies particularly to producers and distributors of each chemical listed in Schedule A appearing at the end of this order and provides rules for placing, accepting, and scheduling rated orders for such chemical. Its purpose is to provide equitable distribution of rated orders among all producers and distributors thereof, in order to make possible maximum production and to reduce to a minimum disruption of normal distribution. It supplements NPA Reg. 2 but only those provisions of Reg. 2 which are inconsistent with this order are superseded and all other provisions of Reg. 2 continue to apply to the chemical industry.

Sec. 2. *Definitions.* As used in this order:

(a) "Persor" means any individual, corporation, partnership, association, or any other organized group of persons, and includes agencies of the United States or any other government.

(b) "Producer" means any person engaged in the business of producing for sale any chemical listed in Schedule A.

(c) "Distributor" means any person who buys and receives from a producer any chemical listed in Schedule A and who resells or holds for resale such chemical.

(d) "Schedule A" means the list of chemicals marked "Schedule A" appearing at the end of this order.

(e) "NPA" means National Production Authority.

Sec. 3. *Chemicals to which this order applies.* This order applies only to the chemicals listed in Schedule A, as amended from time to time. It is the intention of NPA that if and when the need arises, additional chemicals will be added to Schedule A.

Sec. 4. *Required shipment dates.* A rated order for any chemical listed in Schedule A must specify shipment on a particular date or dates or during a particular month, which in no case may be earlier than required by the person placing the order. The producer of such chemical must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable, considering the need for maximum production. The distributor must schedule the order for shipment within the requested month as close to the requested shipment date as is practicable.

SEC. 5. *Rejection of rated orders.* Unless otherwise specifically directed by NPA, no producer or distributor need accept a rated order for any chemical listed in Schedule A which is received by him less than the number of days (lead time), if any, set forth in Schedule A opposite the name of such chemical, prior to the first day of the month in which shipment is requested. Rated orders for any such chemical as to which no such period of time is specified in Schedule A are not subject to the provisions of this section.

SEC. 6. *Limitation for acceptance of rated orders.* Unless otherwise specifically directed by NPA, no producer or distributor shall be required to accept rated orders for shipment of any chemical listed in Schedule A in any one month in excess of the percentage specified in Schedule A.

SEC. 7. *NPA assistance in placing rated orders.* Any person who is unable to place a rated order for any chemical listed in Schedule A due to the limitation imposed by section 6 of this order should apply to NPA, Ref: Order M–32, specifying the producers or distributors who refused to accept the order. NPA will arrange to assist him in locating sources of supply.

SEC. 8. *Applications for adjustment or exception.* Any person affected by any provision of this order may file with NPA a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment which claim that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each such request shall be in writing and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 9. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref: M–32.

SEC. 10. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 11. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 12. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 13. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on August 20, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE A

Name of chemical	Limitation for acceptance of rated order		Number of days (lead time) if any	
	By producers	By distributors	For producers	For distributors
Ethyl ether of cellulose (known as "ethyl cellulose").	40 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
DDT (Dichlorodiphenyl-trichloroethane)	20 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
Barium carbonate	20 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Melamine and melamine-containing compounds.	None	None	15	None
Anthraquinone vat dyes of the following types: Brown G—CI 1152. Brown R—CI 1151. Khaki 2G—Pr 122. Olive Green B—Pr 293. Olive GGL. Olive R—CI 1150. Olive T. Yellow GC—Pr 9. Orange RRT—CI 1098.	30 percent by weight of the producer's scheduled production for the month of shipment of each of the specified types.	None	None	None
Carbon tetrachloride	30 percent by weight of the producer's scheduled production for the month of shipment.	None	20	20
Methylene chloride	None	None	15	20
Perchlor-ethylene	None	None	15	20
Dichloro-difluoromethane (known as "Freon-12").	None	None	15	None
Trichloro-monofluoromethane (known as "Freon-11").	None	None	15	None
Monochloro-difluoromethane (known as "Freon-22").	None	None	15	None
Chrome yellow	30 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Chrome orange	30 percent by weight of the producer's scheduled production for the month of shipment.	None	None	None
Phenol formaldehyde resin: (a) Without filler	45 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
(b) With filler	35 percent by weight of the producer's scheduled production for the month of shipment.	None	15	None
Phthalic anhydride	35 percent by weight of that portion of the producer's scheduled production for the month of shipment not reserved for his captive use.	None	15	None
Aniline	None	None	15	None
Styrene	None	None	15	None
Phenol	None	None	15	None
Paratertiary butyl phenol	None	None	15	None
Chlorobenzene	None	None	15	None

[F. R. Doc. 51–10107; Filed, Aug. 20, 1951; 4:50 p. m.]

[NPA Order M-4A as Amended August 20, 1951]

M-4A—CONSTRUCTION

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order as amended, consultation with industry representatives was found to be impracticable due to the necessity for immediate action.

Sec.

1. What this order does.
2. Revocation of NPA Order M-4.
3. Definitions.
4. Commencing or continuing construction of buildings, structures, or projects listed in Table I.
5. Commencing or continuing construction of buildings, structures, or projects not listed in Table I.
6. How to obtain an authorized construction schedule and related allotments.
7. Use of copper and aluminum in construction.
8. Applications for adjustment or exception.
9. Exemptions.
10. Prohibited deliveries.
11. Scope of this order.
12. Communications.
13. Records and reports.
14. Violations.

Table I—Recreational, Entertainment, and Amusement Construction.

Table II—Agencies to Which Communications Should Be Directed.

AUTHORITY: Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* (a) This order supersedes NPA Order M-4 (Construction); and, in its place, it provides new rules for limiting building construction and for limiting the use of certain building materials, in order to further the purposes of conserving critical materials and services required for the defense program. To accomplish these purposes, this order:

(1) Prohibits the commencement or continuing of construction of all types of buildings, structures, or projects which require the use of more than certain specified quantities of controlled materials, unless the prime contractor receives either an authorized construction schedule and related allotment under CMP Regulation No. 6, or is permitted to self-authorize his orders for the materials which he will use for the construction.

(2) Prohibits the use in construction of copper or aluminum for certain specified purposes.

(b) This order makes provision for the granting of adjustments or exceptions in cases of unreasonable hardship, or where required in the interest of the national defense or in the public interest.

SEC. 2. *Revocation of NPA Order M-4.* NPA Order M-4 as amended July 1, 1951, has been revoked. That revocation does not affect any liabilities for violation of NPA Order M-4, as amended from time to time, or for violation of any adjustments, exceptions, directions, directives, or other actions of the National Production Authority under it.

SEC. 3. *Definitions.* As used in this order:

(a) *"Person"* means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) *"Construction"* means the erection of any building, structure, or project, or addition or extension thereto, or alteration thereof, through the incorporation-in-place on the site of materials which are to be an integral and permanent part of the building, structure, or project, but it does not include maintenance and repair.

(c) *"Commence construction"* means to incorporate into a building, structure, or project, a substantial quantity of materials which are to be an integral and permanent part of such building, structure, or project (for example, the pouring or placing of footings or other foundations). Fabrication, production, or processing of prefabricated buildings, building materials, building equipment, or personal property to be installed does not constitute commencement of construction.

(d) *"Allotment"* has the meaning as given in section 2 (p) of CMP Regulation No. 6.

(e) *"Authorized construction schedule"* has the meaning as given in section 2 (g) of CMP Regulation No. 6.

(f) *"Controlled material"* means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(g) *"Steel," "copper,"* and *"aluminum"* means steel, copper, and aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(h) *"Multiunit residential structure"* has the meaning as given in section 2 (c) of Direction 1 of CMP Regulation No. 6.

SEC. 4. *Commencing or continuing construction of buildings, structures, or projects listed in Table I.* (a) No person shall commence construction of any building, structure, or project of a type specified in Table I of this order if completion of such building, structure, or project will require the use of more than 2 tons of carbon steel, or 200 pounds of copper, or any quantity of aluminum, alloy steel, or stainless steel. An adjustment or exception to permit the commencement of such construction may be granted under section 8 of this order.

(b) After September 30, 1951, a person shall not continue construction that has been commenced of a building, structure, or project of a type listed in Table I of this order without receiving an adjustment or exception under section 8 of this order, unless his total requirements of each kind of controlled material for completion of such construction, including material for Class A products, do not exceed the following: Carbon steel, 2 tons; copper, 200 pounds; aluminum, alloy steel, stainless steel, none.

(c) Construction by, or for the account of, the Department of Defense or the Atomic Energy Commission is exempt from the provisions of this section.

SEC. 5. *Commencing or continuing construction of buildings, structures, or projects not listed in Table I.*—(a) *Commencing construction.* (1) Prior to October 1, 1951, a person shall not commence construction of a multiunit residential structure if his total requirements of each kind of controlled material for completion of such construction, including material for Class A products, exceed the following: Carbon steel, 25 tons; copper, 2,000 pounds; alloy steel, stainless steel, and aluminum, none. A person who desires, prior to October 1, 1951, to commence construction of a multiunit residential structure requiring more than the amounts of controlled materials specified in this paragraph may request authorization to do so by submitting an application on Form CMP-4C to the Housing and Home Finance Agency, Washington 25, D. C.

(2) Prior to October 1, 1951, a person shall not commence construction of a building, structure, or project, other than a multiunit residential structure or one of a type listed on Table I of this order, unless his total requirements for delivery of each kind of controlled material after September 30, 1951, for completion of such construction, including material for Class A products, do not exceed the amounts specified in Schedule I of Direction 1 to CMP Regulation No. 6 for the appropriate type of construction. However, if a person has received an authorized construction schedule and related allotment prior to October 1, 1951, he may commence construction before that date in accordance with such authorized construction schedule.

(3) After September 30, 1951, no person shall commence construction of any building, structure, or project until he has received an authorized construction schedule and related allotment, unless his total requirements for delivery of each kind of controlled material after September 30, 1951, for completion of such construction do not exceed the amounts specified in Schedule I of Direction 1 to CMP Regulation No. 6 for the appropriate type of construction.

(b) *Continuing construction.* (1) Prior to October 1, 1951, a person shall not continue construction which has been commenced of a multiunit residential structure if his total requirements of each kind of controlled material for completion of such construction, including material for Class A products, exceed the following: Carbon steel, 25 tons; copper, 2,000 pounds; alloy steel, stainless steel, aluminum, none. A person who desires, prior to October 1, 1951, to continue construction which has been commenced of a multiunit residential structure requiring more than the amounts of controlled materials specified in this paragraph may request authorization to do so by submitting an application on Form CMP-4C to the Housing and Home Finance Agency, Washington 25, D. C. After September 30, 1951, a person shall not continue construction that has been commenced of a multiunit residential structure without receiving authoriza-

tion pursuant to an application submitted on Form CMP–4C to the appropriate field office of the Housing and Home Finance Agency (as indicated on the instruction sheet to that form).

(2) A person shall not continue construction that has been commenced of any building, structure, or project, other than one of a type listed in Table I of this order or a multiunit residential structure, without submitting an application on Form CMP–4C, if his total requirements for delivery after September 30, 1951, of each kind of controlled material for completion of such construction, including material for Class A products, exceed the amounts specified in Schedule I of Direction 1 to CMP Regulation No. 6, for the appropriate type of construction indicated therein.

SEC. 6. *How to obtain an authorized construction schedule and related allotment.* The method of acquiring an authorized construction schedule and related allotment is set forth in CMP Regulation No. 6, which provides for submitting an application on Form CMP–4C. The instruction sheet to Form CMP–4C indicates where the application shall be filed, depending upon the type of construction involved. Further, provision is made in Direction 1 to CMP Regulation No. 6 for self-authorization by a prime contractor of his orders for certain specified quantities of controlled materials.

SEC. 7. *Use of copper and aluminum in construction.* No person shall use in or in connection with the construction of any building, structure, or project, any copper or aluminum controlled material (as defined in CMP Regulation No. 1) for decorative or ornamental purposes or use any aluminum (other than Class B products) for any purpose other than industrial construction, or use any copper controlled material to be fabricated, adapted, or fitted on the site of the construction for any of the following purposes:

Cement flooring and composition flooring (except that [crude arsenical] copper precipitate may be used for flooring in hospital operating and anesthesia rooms, for places where explosives are handled or stored, and for places where explosive vapors may be present).
Cornices.
Downspouts and accessories thereto.
Facias.
Gutters and accessories thereto.
I. P. S. waste nipples.
Leaders and accessories thereto.
Linoleum stripping.
Marquees.
Metal siding.
Moldings for joining cabinet sinks.
Pipe, iron pipe sizes, and fittings (except for industrial process piping and chemical and gas equipment; solder nipples, solder bushing, and ferrules; and special hospital plumbing fixtures), including unions and union fittings (except seats, and except for other parts of unions and union fittings (1) where and to the extent that the physical and chemical properties of the liquid or gas passing through the union or union fittings make the use of any other material dangerous or impractical, or (2) where the valve is of a type designed for use in an air-conditioning or refrigeration "system," or (3) where use of copper and tubing and/or brass pipe is permitted).
Roofing.
Store fronts.
Supply pipes, iron pipe sizes.
Terrazzo strips.
Tube, tubing, and fittings for piping systems in construction (except for type K for underground water service connections; types B, L, and M for domestic hot and cold water supply pipes, tank to oil burner hook-ups, interconnecting lines carrying primary or secondary refrigerant between compression equipment and cooling coils, and oxygen lines; types B, K, L, and M for industrial process, food, chemical and gas equipment piping; and seamless tube carrying the actuating medium for air temperature control apparatus).

SEC. 8. *Applications for adjustment or exception.* (a) Any person affected by any provision of section 4 or 7 of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that the enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program.

(b) To apply for an adjustment or exception from section 4 of this order, both Form NPAF–24A and Form CMP–4C shall be filed. The forms shall be filed with the National Production Authority, Washington 25, D. C., except in the following instances:

(1) An application for an adjustment or exception to permit the commencement or continuance of construction of a building, structure, or project of the type specified in Table I of this order, which is required as part of an integrated hospital program of the Veterans' Administration, shall be filed with the Veterans' Administration, Washington 25, D. C.

(2) An application for an adjustment or exception to permit the commencement or continuance of construction of a building, structure, or project of the type specified in Table I of this order, which is required as part of an integrated hospital program of the Federal Security Agency, shall be filed with the Federal Security Agency, Washington 25, D. C.

(3) An application for an adjustment or exception to permit the commencement or continuance of construction of a gymnasium which is to be part of a school plant, and is to be used primarily for instructional purposes in physical education and training, shall be filed with the Federal Security Agency, Washington 25, D. C. (The Federal Security Agency shall not authorize the commencement or continuance of construction of such a school gymnasium if it provides for spectator seating).

(c) In determining whether an adjustment or exception should be granted under paragraph (b) of this section, the agency processing the application will consider whether the applicant has properly contained in his inventory, as provided for in CMP Regulation No. 2, controlled materials in a quantity sufficient to complete the proposed building, structure, or project.

(d) Each request for an adjustment or exception from the provisions of section 7 of this order shall be made by filing Form NPAF–24A with the National Production Authority, Washington 25, D. C. Ref: M–4A. However, when any such request relates to a category of construction with respect to which NPA has delegated authority to another Government agency, it shall be addressed to such Government agency, Washington 25, D. C., Ref: M–4A.

SEC. 9. *Exemptions.* The following construction is exempt from the provisions of sections 5 and 6 of this order:

(a) Construction of electric power generating projects, which is subject to NPA Order M–50.

(b) Construction of facilities for the production, processing, refining, and distribution of petroleum and gas, which is subject to NPA Order M–46B.

(c) Operating construction in connection with communications facilities, which is subject to NPA Order M–77.

SEC. 10. *Prohibited deliveries.* No person shall accept an order for, or sell, deliver, or cause to be delivered, any material, equipment, or supplies which he knows, or has reason to believe, will be used in violation of the provisions of this order.

SEC. 11. *Scope of this order.* This order shall apply to construction in the 48 States, the District of Columbia, and in the territories and insular possessions of the United States.

SEC. 12. *Communications.* All communications concerning this order shall be addressed to the particluar agency designated in Table II of this order as being responsible for the particular category of construction involved (Ref: NPA Order M–4A).

SEC. 13. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that that provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority, or other governmental agency administering this order, as shall be required, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 14. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of receiving further deliveries of products or materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

Note: All record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on August 20, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

TABLE I—RECREATIONAL, ENTERTAINMENT, AND AMUSEMENT CONSTRUCTION

All buildings, structures, or projects to be used for, or in connection with, any recreational, amusement, or entertainment purpose, whether public or private, including, but not limited to:

Amphitheater.
Amusement arcade.
Amusement device built into place on the site, such as a roller coaster, merry-go-round, or similar device or kind. This shall not include demountable or portable equipment.
Amusement park.
Arena.
Assembly hall used primarily for recreation or amusement.
Athletic field house.
Band stand.
Bars and buildings or structures where the predominant business carried out therein or in connection therewith shall be the sale for consumption on the premises of alcoholic liquors.
Baseball park.
Bathhouse.
Billiard or pool parlor.
Bleachers and similar seating arrangements when they are built in place as a permanent part of the buildng, structure, or project.
Boardwalk used primarily for recreation or amusement.
Boat or canoe club.
Bowling alley establishment.
Cabana.
Camp (except for public or social welfare).
Carnival.
Club building except for social welfare purposes.
Country club.
Dance hall.
Dance studio.
Dude ranch used primarily for recreation or amusement.
Exposition or exhibition building or structure for recreational, amusement, or entertainment displays or purposes.
Flood lighting (including piers, poles, towers, framework, or foundation with fixed equipment) in connection with any recreational, amusement, or entertainment purpose.
Gambling establishment.
Golf course.
Golf club.
Golf driving range.
Grandstand.
Gymnasium.
Lodge hall.
Music shell.
Night club.
Pier used primarily for recreation or amusement.
Race track, any kind.
Riding academy.
Rodeo.
Shooting gallery.
Skating rink.
Ski lodge.
Slot-machine establishment.
Stadium.
Swimming pool.
Theater, any kind (including drive-in theater).
Yacht basin or marine railway primarily for the use of pleasure craft.

TABLE II—AGENCIES TO WHICH COMMUNICATIONS SHOULD BE DIRECTED

Category of construction	Agency	Address where communications shall be filed
All school and library construction; all hospital and health facility construction other than the Veterans' Administration and military hospitals; all other health and sanitation programs (but not water-supply and sewer-construction programs), except such types of construction on federally owned property under the control of the Atomic Energy Commission and such types of construction on military reservations; college housing.	Federal Security Agency..	Schools and libraries: Office of Education, Federal Security Agency, Washington 25, D. C. Ref: NPA Order M-4A. Hospitals and health projects: Public Health Service, Federal Security Agency, Washington 25, D. C. Ref: NPA Order M-4A.
The hospital program of the Veterans' Administration.	Veterans' Administration.	Assistant Administrator for Construction, Supply and Real Estate, Veterans' Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Housing construction, alteration, and repair, except: housing and community facilities on federally owned property under the control of the Atomic Energy Commission; housing on military reservations; military housing under Public Law 211, 81st Congress; college housing; and farmstead construction.	Housing and Home Finance Agency.	Public housing: Public Housing Administration Field Offices. Ref: NPA Order M-4A. Private housing: Federal Housing Administration Field Offices. Ref: NPA Order M-4A.
Facilities for departmental programs of the Department of the Interior.	Department of the Interior.	Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production, preparation, and processing of solid fuels.	Department of the Interior.	Defense Solid Fuels Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production and processing of metals and minerals (except solid fuels, oil, and gas).	Department of the Interior.	Defense Minerals Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production and processing of fishery products.	Department of the Interior.	Defense Fisheries Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the generation, transmission, and distribution of electric power.	See NPA Order M-50....	Defense Electric Power Administration, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for the production, processing, refining, and distribution of petroleum and gas, and facilities for the production, processing, and distribution of the products listed in Appendix A of NPA Delegation 9 (but not filling stations).	See NPA Order M-46B...	Petroleum Administration for Defense, Department of the Interior, Washington 25, D. C. Ref: NPA Order M-4A.
Bureau of Public Roads programs for highway construction and maintenance of all rural and urban highways, streets, highway equipment repair shops, bridges, tunnels, toll-road facilities, and appurtenant installations, regardless of financing.	Department of Commerce.	Bureau of Public Roads, District Engineer, Field Offices (through State Highway Department). Ref: NPA Order M-4A.
Air navigation facilities; civil airports.....	Department of Commerce.	Civil Aeronautics Administration, Attention: W-30, Washington 25, D. C. Ref: NPA Order M-4A.
Shipyards.....	Department of Commerce.	Maritime Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Facilities for domestic transportation, storage, and port facilities.	Defense Transport Administration.	Defense Transport Administration, Washington 25, D. C. Ref: NPA Order M-4A.
Construction by, or for the account of, the Department of Defense and all military honsing under Public Law 211, 81st Congress; Navy construction; Army construction; Air Force construction, including but not limited to projects of an industrial nature financed by the Air Force; military command construction.	Department of Defense....	Local representative of the military department concerned. Ref: NPA Order M-4A. (Do not file Form CMP-4C unless it is requested.)
All construction by, or for the account of, the Atomic Energy Commission; industrial construction sponsored by the Atomic Energy Commission.	Atomic Energy Commission.	Appropriate operations office of the Atomic Energy Commission. Ref: NPA Order M-4A. (Do not file Form CMP-4C unless it is requested.)
All construction by, or for the account of, the National Advisory Committee for Aeronautics.	National Advisory Committee for Aeronautics.	National Advisory Committee for Aeronautics. Washington 25, D. C. Ref: NPA Order M-4A.
Federal buildings and facilities except as otherwise designated in this table.	General Services Administration.	Controlled Materials Division, General Services Administration, Room G-125, GSA Building, 18th and F Streets, NW., Washington 25, D. C. Ref: NPA Order M-4A.
Farm construction, including farmstead construction; food production and processing facilities, and wholesale food distribution facilities within the limits of the memorandum of agreement between the Administrator of the Production and Marketing Administration and the Administrator of the National Production Authority (16 F. R. 3410), as from time to time amended or supplemented.	Department of Agriculture.	State offices, Production & Marketing Admin., Department of Agriculture. Ref: NPA Order M-4A.
Operation construction in connection with communications facilities.	National Production Authority. See NPA Order M-77.	Communications Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.
Industrial construction not listed above.....	National Production Authority.	Industrial Expansion Division, NPA, Washington 25, D. C. Ref: NPA Order M-4A.

TABLE II—AGENCIES TO WHICH COMMUNICATIONS SHOULD BE DIRECTED—Continued

Category of construction	Agency	Address where communications shall be filed
Facilities for ground and surface water supplies: transmission, pumping, treatment, storage, and distribution, for domestic and industrial use; facilities for domestic and industrial liquid, water, sewage collection, transmission, pumping, treatment, and disposal.	National Production Authority.	Water Resources Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.
All other construction not specifically listed above (including all categories of construction in Table I except as provided in section 8 of this order).	National Production Authority.	Construction Controls Division, National Production Authority, Washington 25, D. C. Ref: NPA Order M-4A.

[F. R. Doc. 51-10106; Filed, Aug. 20, 1951; 4:50 p. m.]

[NPA Order M-64, as Amended August 20, 1951]

M-64—USED RAILS, USED AXLES, AND USED CAST-IRON CAR WHEELS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. In the issuance of this order as amended, however, consultation with industry representatives was rendered impracticable due to the necessity for immediate action.

NPA Order M-64, dated May 28, 1951, is hereby amended by making appropriate changes in certain sections of the order so that used cast-iron car wheels are made subject to its provisions.

Sec.

1. What this order does.
2. Definitions.
3. Directives.
4. Written authorization required.
5. Exceptions to authorization requirement.
6. Applications for adjustment or exception.
7. Communications.
8. Records.
9. Audit and inspection.
10. Reports.
11. Violations.

AUTHORITY: Sections 1 to 11 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to conserve used rails, used axles, and used cast-iron car wheels and to provide for their distribution and use so as best to serve the interest of the national defense program and of defense-supporting activities by promoting the distribution of unserviceable axles to bar mills and forging plants, the distribution of unserviceable rails to re-rolling mills and to foundries, and the distribution of scrap cast-iron car wheels for use in producing new cast-iron car wheels. It prohibits, subject to certain exceptions, deliveries of used rails, used axles, and used cast-iron car wheels except by authorizations to be issued from time to time by the National Production Authority (hereinafter called "NPA").

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Rail" means the steel-rolling-mill shape known as "tee rail," and includes high tee or flange rail from streetcar tracks.

(c) "Used rail" means rail (weighing not less than 20 pounds or more than 160 pounds per yard in length, weight determination based on standard rail descriptions) which has been released from track by the laying of new replacement rail or used rail, or by withdrawal of the track as a transportation facility.

(d) "Axle" means the steel-rolling-mill shape or forging-billet shape known as solid steel car or locomotive axle.

(e) "Used axle" means any axle which has been released from railroad passenger car, locomotive, or freight car equipment.

(f) "Used cast-iron car wheel" means any wheel which has been released from railroad freight car equipment.

SEC. 3. *Directives.* NPA may, from time to time, issue specific directives concerning used rails, used axles, or used cast-iron car wheels and, unless otherwise provided therein, such directives will prevail over the provisions of this order.

SEC. 4. *Written authorization required.* (a) After May 31, 1951, no person shall deliver or accept delivery of used rails or used axles, including, but not limited to, any used rails or used axles generated as a result of an abandonment or dismantling, in any quantity exceeding 10 tons of each item in any one month, except in accordance with the terms of a written authorization issued by NPA.

(b) After September 1, 1951, no person shall deliver or accept delivery of used cast-iron car wheels, including, but not limited to, any used cast-iron car wheels generated as a result of an abandonment or dismantling, in any quantity exceeding 10 tons in any one month, except in accordance with the terms of a written authorization issued by NPA.

(c) An application for a written authorization must be filed with NPA by letter or telegram by the owner of the materials. The application shall state the quantity of used rails, used axles, or used cast-iron car wheels involved; the grade; contemplated party or parties to the transaction or transactions; and the location of the material.

(d) NPA may, from time to time, allocate used rails, used axles, or used cast-iron car wheels, and specifically direct the manner and quantities in which deliveries to particular persons or classes of persons or for particular uses or classes of uses shall be made or withheld.

SEC. 5. *Exceptions to authorization requirement.* (a) The provisions of section 4 of this order shall not apply to the delivery of:

(1) Used rails by a common carrier for use in industrial sidings or for use in its own tracks.

(2) Used axles by a common carrier for use in repairing its own rolling stock.

(3) Any grades of used rails or used axles to a person for use in his own tracks or in his own rolling stock.

(4) Used axles or used cast-iron car wheels of serviceable grade, and used rails of relayer grade, for use in repairing or re-equipping rolling stock or for laying tracks.

(5) Used cast-iron car wheels to a producer of new cast-iron car wheels for use in the production of new cast-iron car wheels.

(b) In any case where a delivery of used rails, used axles, or used cast-iron car wheels (except delivery of used rails of relayer grade or used axles or used cast-iron car wheels of serviceable grade by a parent to a subsidiary railroad corporation, or by a lessor railroad to a lessee railroad) is to be made under the provisions of this section, the person making such delivery shall first obtain from the person to whom delivery is to be made a certificate signed as provided in section 8 of NPA Reg. 2. This certificate shall be in substantially the following form and shall be filed with each purchase order placed with the person selling or delivering such material.

To_____ supplier:

The undersigned certifies, subject to statutory penalties, that the (used rails) (used axles) (used cast-iron car wheels) classified in the accompanying order are for use by the undersigned, and that the use thereof by the undersigned will be in compliance with NPA Order M-64.

SEC. 6. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the

relief sought, and shall state the justification therefor.

SEC. 7. *Communications.* All communications concerning this order shall be addressed to National Production Authority, Washington 25, D. C., Ref.: M–64.

SEC. 8. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or who may maintain such microfilm or other photographic records in the regular and usual course of business.

SEC. 9. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

SEC. 10. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C., 139–139F).

SEC. 11. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This order, as amended, shall take effect on August 20, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10108; Filed, Aug. 20, 1951; 4:51 p. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

DISABILITIES

1. In Part 6, § 6.122 is amended to read as follows:

§ 6.122 *Disabilities deemed to be total and permanent.* Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden shall be deemed to be total and permanent disability under United States Government life insurance, and monthly installments of insurance for any of the specifically enumerated causes of total and permanent disability shall accrue from the date of such total and permanent disability, and any premiums paid after the date of such total and permanent disability shall be refunded without interest. Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper, because of organic changes in the organs involved. The fact that one is able to speak only by use of an artificial appliance should be disregarded. To meet this condition for statutory permanent and total disability it is necessary that there be a complete inability to form words through use of any of the human organs as distinguished from forming words only by the use of a mechanical device. (The provisions of this section shall not be applicable to contracts of United States Government life insurance originally issued on and subsequent to December 15, 1936.)

(Sec. 7, 50 Stat. 661; 38 U. S. C. 512c)

2. A new § 6.165 is added as follows:

§ 6.165 *Disabilities deemed to be total.* Without prejudice to any other cause of disability, the loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden shall be deemed to be total disability for United States Government life insurance authorized by section 311 of the World War Veterans Act, 1924, as amended July 3, 1930, and monthly income payments for any of these specifically enumerated causes of total disability may be paid from the first day of the fifth consecutive month of such continuous total disability. Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper. The fact that one is able to speak only by use of an artificial appliance should be disregarded. To meet this condition for statutory total disability, it is necessary that there be a complete inability to form words through use of any of the human organs as distinguished from forming words only by the use of a mechanical device. However, such anatomical and functional loss shall not be deemed to be a total disability under a total disability provision originally issued on and subsequent to December 15, 1936.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426,707. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

3. In Part 8, § 8.42 (a) is amended to read as follows:

§ 8.42 *Discontinuance of premium waiver.* (a) The Administrator may require proof of continuance of total disability at any time he may deem same necessary. In the event it is found that an insured is no longer totally disabled, the waiver of premiums shall cease as of the date of such finding, and the insurance may be continued by payment of premiums, the due date of the first premium payable being the next regular monthly due date of the premium under the policy. The insurance shall not lapse prior to the date of expiration of the grace period allowed for the payment of such premium or prior to the expiration of 31 days after date of notice to the insured of the termination of the premium waiver, whichever is the later date. Such notice shall be sent by registered mail, return receipt requested, and sufficient notice will be deemed to have been given when such letter has been placed in the mails by the Veterans' Administration: *Provided,* That the Administrator may grant an additional period of not more than 31 days for payment of the premium in any case in which it is shown that the failure to make payment within 31 days after notice as defined in this paragraph was due to circumstances beyond the insured's control; but the premiums in any such case must be paid during the lifetime of the insured. The failure of the insured to furnish a correct current address at which mail will reach him promptly shall not be grounds for a further extension of time for payment of premiums under this section.

* * * * *

4. Section 8.43 is amended to read as follows:

§ 8.43 *Total disability.* (a) Total disability as referred to in this section is any impairment of mind or body which continuously renders it impossible for the insured to follow any substantially gainful occupation.

(b) Without prejudice to any other cause of disability, the permanent loss of the use of both feet, of both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the total loss of hearing of both ears, or the organic loss of speech shall be deemed total disability for insurance purposes under the Insurance Act of 1946 (Public Law 589, 79th Congress). Organic loss of speech will mean the loss of the ability to express oneself, both by voice and whisper. The fact that one is able to speak only by use of an artificial appliance shall be disregarded. To meet this condition for statutory total disability, it is necessary that there be a complete inability to form words through use of any of the human organs as distinguished from forming words only by the use of a mechanical devise.

(Sec. 608, 54 Stat. 1012, as amended; 38 U. S. C. 808. Interpret or apply sec. 602, 54 Stat. 1009, as amended; 38 U. S. C. 802)

This regulation effective August 22, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-9927; Filed, Aug. 20, 1951; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 743]

ALASKA

TRANSFERRING CERTAIN LAND RESERVED BY EXECUTIVE ORDER NO. 8305 OF DECEMBER 19, 1939, FOR THE USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES TO THE DEPARTMENT OF AGRICULTURE FOR USE FOR BUILDING PURPOSES

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, 36 Stat. 847 (43 U. S. C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tract of public land, reserved for the use of the War Department for military purposes by Executive Order No. 8305 of December 19, 1939, is hereby transferred to the Department of Agriculture, for the use of the Soil Conservation Service for building purposes:

All that portion of Government lot 2, sec. 5, T. 1 S., R. 1 W., Fairbanks Meridian, Alaska, described as follows:

Beginning at the southeast corner of said Government lot 2; thence west along the southerly line of said lot 2, 530 feet, more or less, to the southerly line of College Road; thence northeasterly along the southerly line of said College Road 610 feet, more or less, to the east line of said Government lot 2; thence South along the east line of said Government lot 2, 310 feet, more or less, to the point of beginning, containing 1.90 acres, more or less.

The said Executive Order No. 8305 of December 19, 1939, is amended accordingly.

R. D. SEARLES,
Secretary of the Interior.

AUGUST 16, 1951.

[F. R. Doc. 51-9968; Filed, Aug. 21, 1951; 8:45 a. m.]

[Public Land Order 744]

IDAHO

REVOKING EXECUTIVE ORDER NO. 5482 OF NOVEMBER 14, 1930

By virtue of the authority vested in the President by the act of June 25, 1910, 36 Stat. 847 (43 U. S. C. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 5482 of November 14, 1930, withdrawing the following-described land in Idaho pending legislation is hereby revoked:

BOISE MERIDIAN

T. 1 N., R. 23 E.,
Sec. 2, NW¼NW¼;
Sec. 3, NW¼NE¼, NW¼SW¼, SE¼SW¼, and SE¼;
Sec. 9, NE¼NW¼;
Sec. 10, W½NE¼ and NW¼.
T. 2 N., R. 23 E.,
Sec. 26, S½SW¼, W½SE¼, and SE¼SE¼;
Sec. 35, NE¼, E½NW¼, N½SW¼, SW¼SW¼, NE¼SE¼, and S½SE¼.

The areas described, including both public and non-public lands, aggregate 1280 acres.

The land is primarily grazing in character.

No applications for these lands may be allowed under the homestead, small-tract, or desert-land laws, or any other non-mineral public-land laws unless the land in question has already been classified as valuable or suitable for such types of application or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m., on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Land and Survey Office, Boise, Idaho.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 16, 1951.

[F. R. Doc. 51-9969; Filed, Aug. 21, 1951; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

EXTENSION OF TEMPORARY ALLOCATION OF FREQUENCIES

In the matter of a petition filed with the Commission by the Seismograph Service Corporation of Tulsa, Oklahoma, requesting extension of temporary allocation of frequencies to the radiolocation service in the band 1750–1800 kc.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August 1951;

The Commission having under consideration Footnote (2) to § 2.104 (a) of its rules which, subject to certain conditions, temporarily allocates the band 1750–1800 kc. until not later than August 17, 1951, to a radiolocation service for

the location of petroleum deposits in the Gulf of Mexico, and having under consideration a petition filed by the Seismograph Service Corporation requesting an extension of this temporary allocation for an additional period after August 17, 1951, on the general grounds that such extension is needed pending a decision in the proceedings in the Commission's general radiolocation hearing in Docket 9233 and on the further grounds that the petitioner has filed applications for renewal of its existing Class 2 Experimental licenses authorizing the use of this band for certain radiolocation purposes; and

It appearing, that on June 4 and 5, 1951, the Commission heard testimony and received evidence in the proceedings of Docket 9233, and, pending final determination in the matter of Docket 9233, a further extension of the temporary allocation would permit continuation of the current radiolocation operations in the band 1750–1800 kc.; and

It further appearing, that the Commission has heretofore found that establishment on a temporary basis of a radiolocation system as described above would be in the public interest and a further temporary extension as herein ordered would continue to be in the public interest; and

It further appearing, that on February 21, 1951, the Commission adopted the Disaster Services Rules (Part 20, effective March 21, 1951), making frequencies in the band 1750–1800 kc. available to stations in that service on a non-exclusive basis and that such service should be free from harmful interference such as might be caused by the operation of a radiolocation service in this band; and

It further appearing, that the legal authority for a temporary extension of the existing temporary allocation of the band 1750–1800 kc. is vested in the Commission under sections 4 (i), and 303 (a), (b), (c), (d), (f), (g), (h), and (r) of the Communications Act of 1934, as amended; Article 7 of the Cairo (1938) General Radio Regulations, and Article 3 of the Atlantic City (1947) Radio Regulations;

It is ordered, That the petition of the Seismograph Service Corporation is granted to the extent that the temporary allocation is extended in accordance with the terms hereinafter set forth.

It is further ordered, That footnote (2) to § 2.104 (a) of the Commission's rules governing frequency allocations and other matters is amended to read as follows:

[2] On the condition that harmful interference shall not be caused to the Disaster Communications Service in this band, this band is temporarily allocated to the radiolocation service until not later than February 17, 1952, subject to possible temporary continuance beyond that time for such additional period or periods as the Commission may find necessary: *Provided, however*, That this temporary allocation, or any temporary continuation thereof, shall be subject to the use-in-derogation provisions of Article 7 of the Cairo General Radio regulations and Chapter III of the Atlantic City Radio regulations: *And provided further*, That this temporary allocation, or any temporary continuation thereof, shall automatically terminate, without the necessity of any further action by the Commission, not later than the date on which that part of the Table of Frequency Allocations of the Inter-American Radio Agreement (Washington, 1949) covering the band 1750–1800 kc. becomes effective, or the date on which that part of the Atlantic City Table of Frequency Allocations covering all of the bands below 27,500 kc. becomes effective (as provided by Article 47 of the Atlantic City Radio regulations), whichever date is earlier: *And provided still further*, That this temporary allocation, or any temporary continuation thereof, shall be subject to earlier cancellation or modification by the Commission, without the necessity of a hearing, if during any period when such allocation is in effect the Commission shall, in the course of any action by the United States Government directed toward bringing into force any part of the Inter-American Radio Agreement (Washington, 1949) or toward making effective all or any portion of that part of the Atlantic City Table of Frequency Allocations covering the bands below 27,500 kc. or in the course of proceedings undertaken by the Commission to determine whether a radiolocation service should be provided on a permanent basis, reach conclusions which, in the opinion of the Commission, require such cancellation or modification. This temporary allocation, or any temporary continuation thereof, is strictly limited to a radiolocation service for the location of petroleum deposits in the Gulf of Mexico. Stations in this service shall be located within 150 miles of the shoreline of the Gulf of Mexico.

It is further ordered, That this order, and the amendment of Part 2 of the rules herein ordered, shall be effective August 17, 1951.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: August 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10027; Filed, Aug. 21, 1951; 8:53 a. m.]

[Docket No. 9990]

PART 9—AERONAUTICAL SERVICES

CERTAIN FREQUENCIES FOR USE BY AIRCRAFT AND AIRDROME CONTROL STATIONS

In the matter of amendment of §§ 9.312 (h), 9.321 (b), and 9.411 (a) of Part 9, the Commission's rules and regulations governing aeronautical services in order to provide certain frequencies within the band 118.1–126.7 Mc for use by aircraft and airdrome control stations.

At the session of the Federal Communications Commission held in its offices in Washington, D. C., on the 15th day of August 1951;

The Commission having under consideration the above captioned matter which proposed to amend Part 9, the Commission's rules and regulations governing aeronautical services, in order to make available additional frequencies for assignment to airdrome control stations and to aircraft for air traffic control operations; and

It appearing, that in accordance with the requirements of the Administrative Procedure Act, a notice of proposed rule making was duly published in the FEDERAL REGISTER on June 12, 1951, which notice proposed the above amendment to the Commission's rules; and

It further appearing, that the period in which interested persons were afforded an opportunity to submit comments having expired, all comments were considered, and no objections to the proposal were received; and

It further appearing, that the public interest, convenience and necessity will be served by this amendment, the authority for which is contained in sections 4 (i), 303 (b), (c), (d), and (r) of the Communications Act of 1934, as amended;

It is ordered, That effective October 1, 1951, Part 9, the Commission's rules and regulations governing aeronautical services, is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: August 16, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

1. Amend § 9.312 (h) to read as follows:

(h)

118.1 A	119.9	123.7	125.5
118.3	120.1	123.9	125.7
118.5	120.3 B	124.1	125.9
118.7	120.5	124.3	126.1 E
118.9	120.7	124.5	126.3 E
119.1	120.9	124.7	126.5
119.3	121.1	124.9	126.7 F
119.5	121.3 C	125.1	
119.7	121.7 D	125.3	

These frequencies are available for air traffic control operations

A Primarily for international operations,

B Primarily for communications with Air Route Traffic Control Centers.

C For communication with low activity airdrome control stations.

D Available on a secondary basis to its primary use as an airport utility frequency.

E Available on a non-interference basis to government use of 126.18 Mc.

F For communication with Interstate Airway Communication Stations.

2. Delete footnote 3A on § 9.312 (h) and footnote 4 on § 9.321 (b).

3. Amend § 9.411 (a) to read as follows:

(a)[5]

118.1 A	119.7	121.3 C	124.9
118.3	119.9	121.7 D	125.1
118.5	120.1	123.7	125.3
118.7	120.3 B	123.9	125.5
118.9	120.5	124.1	125.7
119.1	120.7	124.3	125.9
119.3	120.9	124.5	126.1 E
119.5	121.1	124.7	126.3 E

A Primarily for international operations.

B Primarily for assignment to Air Route Traffic Control Centers.

C For assignment to low activity airdrome control stations only.

D Available on a secondary basis to its primary use as an airport utility frequency.

E Available on a non-interference basis to government use of 126.18 Mc.

[F. R. Doc. 51-10028; Filed, Aug. 21, 1951; 8:53 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 119]

APPLICATIONS FOR EXTENSION OF TEMPORARY STAY SUBMITTED BY EXCHANGE VISITORS

NOTICE OF PROPOSED RULE MAKING

AUGUST 10, 1951.

Pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003), notice is hereby given of the proposed issuance by the Commissioner of Immigration and Naturalization, with the approval of the Attorney General, of the following amendment of the rule relating to extension of temporary stay of exchange visitors. In accordance with subsection (b) of the said section 4, interested persons may submit to the Commissioner of Immigration and Naturalization, Room 1063, Temporary Federal Office Building X, Nineteenth and East Capitol Streets NE., Washington 25, D. C., written data, views and arguments relative to these proposed rules. Such representations may not be presented orally in any manner. All relevant material received within 20 days following the day of publication of this notice will be considered.

Paragraph (d) of § 119.8, *Exchange visitors; special provisions,* Chapter I, Title 8 of the Code of Federal Regulations, is amended to read as follows:

(d) Any application for extension of stay shall be supported by satisfactory written evidence from the alien's approved sponsor or employer, showing the time and terms of the continuation of the status under which the alien was admitted.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37, 54 Stat. 675; 8 U. S. C. 102, 222, 458)

ARGYLE R. MACKEY,
Commissioner,
Immigration and Naturalization.

Approved: August 15, 1951.

J. HOWARD MCGRATH,
Attorney General.

[F. R. Doc. 51-9993; Filed, Aug. 21, 1951; 8:52 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 522]

EMPLOYMENT OF LEARNERS IN THE HOSIERY INDUSTRY

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the Administrator has heretofore issued regulations (§§ 522.40 through 522.51) providing for the employment of learners in the hosiery industry at wages lower than the minimum wage applicable under section 6 of the act.

Such regulations have been reexamined in the light of recent changes in wage levels and administrative experience in the operation of the regulations. All relevant information available indicates that it is necessary to revise the hosiery industry learner regulations so as to eliminate certain learner occupations, shorten the learning period in others, and adjust upward certain of the prescribed subminimum wage rates.

Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001), that under the authority provided in section 14 of the Fair Labor Standards Act of 1938, as amended (Section 14, 52 Stat. 1068; 29 U. S. C. 214), the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to revise §§ 522.40 through 522.51 as hereinafter set forth. Prior to adoption of the revised regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 30 days from publication of this notice in the FEDERAL REGISTER.

Sec.

522.40 Issue of special learner certificates in the hosiery industry.
522.41 Number and proportion of learners.
522.42 Learner occupations.
522.43 Learning period in Class I Occupations.
522.44 Learning period in Class II Occupations.
522.45 Class I learner rates.
522.46 Class II learner rates.
522.47 Piece rate payment to all learners.
522.48 Duration of certificates.
522.49 Provisions of learner certificates.
522.50 Cancellation of special learner certificates.
522.51 Definition of the hosiery industry.

AUTHORITY: §§ 522.40 to 522.51 issued under section 14, 52 Stat. 1068; 29 U. S. C. 214.

§ 522.40 *Issue of special learner certificates in the hosiery industry.* (a) When necessary in order to prevent the curtailment of opportunities for employment, special certificates authorizing the employment of learners in the occupations and subject to the terms herein set forth shall be issued to any plant in the hosiery industry making application therefor on forms furnished by the Wage and Hour Division, providing that:

(1) Experienced workers in the occupations named herein are not available for such employment (except as provided in § 522.49), and that

(2) The issuance of a special certificate will not create unfair competitive labor cost advantage or impair or depress working standards established for experienced workers for work of a like or comparable character in the industry.

(b) Such application forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight-time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners.

§ 522.41 *Number and proportion of learners.* (a) Except as otherwise provided in this section, no learners' certificate shall authorize the employment of learners in excess of five percent of the total number of factory workers (not including office and sales personnel) employed in the plant: *Provided, however,* That employment of as many as five learners may be authorized in any certificate.

(b) Special certificates may also be issued for a number of learners in excess of that provided in paragraph (a) of this section, for new mills and expanding mills. A new mill is one which is newly established and being operated for the first time, or which has not been operated more than eight months, and in which a substantial number of workers must be trained for operations on products of the mill. Expanding mills are those in which expansion occurs through the installation of additional mechanical equipment or the utilization of mechanical equipment in that mill which has been idle for at least one year and which expansion will result in the need for additional learners in numbers in excess of five percent or five learners.

§ 522.42 *Learner occupations.* (a) A learner may be employed in any one of the following Class I occupations at not less than the applicable hourly rate provided in § 522.45:

CLASS I OPERATIONS

Seamless Branch

Knitting, except transfer top.
Seaming.
Folding, except women's nylon and rayon stockings.
Examining and Inspecting.
Topping.
Boarding.
Folding, women's nylon and rayon stockings.
Welting.
Mending.
Pairing, except women's nylon stockings.

Full Fashioned Branch

Boarding.
Examining and Inspecting.
Folding.
Knitting, single-unit (such as Wildman) or short-section (such as Reiner) full fashioned knitting machines of less than 18 sections.[1]

(b) A learner may be employed in any one of the following Class II occupations

[1] For purposes of §§ 522.40–522.51, this occupation is defined as including only those work processes directly related to the operation and maintenance of the described knitting machines and any auxiliary tasks incidental to the operation of such machines to the extent that such auxiliary operations are a normal part of the experienced knitter's task.

at not less than the applicable hourly rate provided for such occupations in § 522.46:

CLASS II OCCUPATIONS

Seamless Branch

Knitting, transfer top only.
Looping.
Pairing, women's nylon stockings only.

Full Fashioned Branch

Knitting, multiple-section full fashioned knitting machines of not less than 18 sections.[1]
Looping.
Seaming.
Hand mending.[2]
Pairing.

§ 522.43 *Learning period in Class I occupations.* (a) A person who has had no previous hosiery industry experience in any one of the Class I occupations may be employed as a learner for not to exceed 480 hours in the following Class I occupations:

Seamless Branch

Topping.
Boarding.
Folding, women's nylon and rayon stockings.
Welting.
Mending.
Pairing, except women's nylon stockings.

Full-Fashioned Branch

Folding.
Knitting, single-unit (such as Wildman) or short-section (such as Reiner) full-fashioned knitting machines of less than 18 sections.

(b) A person who has had no previous hosiery industry experience in any one of the Class I occupations may be employed as a learner for not to exceed 240 hours in the following Class I occupations:

Seamless Branch

Knitting, except transfer top.
Seaming.
Examining and Inspecting.
Folding, except women's nylon and rayon stockings.

Full-Fashioned Branch

Boarding.
Examining and inspecting.

(c) A person who has had partial training in the hosiery industry in any one Class I occupation for less than the number of hours authorized in paragraphs (a) or (b) of this section may be employed as a learner in the same Class I occupation until that employee has completed the number of hours authorized for that occupation.

(d) A worker previously employed in one of the Class I occupations may be transferred to another Class I occupation and employed in such occupation as a learner for not to exceed the number of hours authorized for that occupation except that:

(1) A worker may not be transferred from the occupation of pairing to the occupations of folding or inspecting.

(2) A worker may not be transferred from the seamless branch of the hosiery industry to the full-fashioned, or the full-fashioned branch to the seamless and employed as a learner if the person is employed in the same occupation as that in which he or she has been previously employed.

(3) A worker may not be employed as a learner in more than two Class I occupations.

(e) A worker in any of the Class II occupations named above may be transferred to and employed as a learner for not to exceed the authorized learning Period in any one of the Class I occupations, except that a worker may not be transferred from the occupation of pairing to the occupations of folding or inspecting, nor may a worker be transferred to the same type of work in a Class I occupation for which training has already been received in a Class II occupation.

§ 522.44 *Learning period in Class II occupations.* (a) A person who has had no previous experience in the hosiery industry in any one of the Class I or Class II occupations may be employed as a learner for not to exceed 960 hours in any one of the Class II occupations.

(b) A person who has had partial training in the hosiery industry in any one Class II occupation for less than 960 hours may be employed as a learner in the same Class II occupation until that employee has completed a total of 960 hours in that occupation.

(c) A person who has completed the learning period of 960 hours in any one of the Class II occupations may be employed as a learner in another Class II occupation for not to exceed 480 hours except that:

(1) A worker in the seamless branch may not be transferred to the full-fashioned branch or a worker in the full-fashioned branch may not be transferred to the seamless branch and employed as a learner in the same occupation in the other branch as that in which he or she has been previously employed, and

(2) A worker may not be employed as a learner in more than two Class II occupations.

(d) A worker in a Class I occupation who has not been employed as a learner in more than two Class I occupations may be transferred to and employed as a learner for not to exceed 480 hours in any one of the Class II occupations, with the exception of full-fashioned knitting on multiple-section machines of not less than 18 sections for which provision is made in paragraph (e) of this section, and with the further exception that a folder or an inspector who is transferred to pairing (Class II may not be employed at the learner rate for more than a total of 960 hours.

(e) A worker in any Class I or Class II occupation may be employed as a learner on full-fashioned knitting on multiple section machines of not less than 18 sections for a total of not to exceed 960 hours, which total hours shall include all past employment, if any, in full-fashioned knitting.

§ 522.45 *Class I learner rates.* Learners employed in Class I occupations shall be paid not less than 63 cents an hour in the seamless branch, and not less than 65 cents an hour in the full-fashioned branch of the industry.

§ 522.46 *Class II learner rates*—(a) *Piece rate basis.* Learners employed on a piece-rate basis in Class II occupations in the seamless branch of the hosiery industry shall be paid not less than 63 cents an hour for the first 480 hours, and not less than 68 cents an hour for the second 480 hours; and in the full-fashioned branch, not less than 65 cents an hour for the first 480 hours, and not less than 70 cents an hour for the second 480 hours.

(b) *Basis other than piece rate.* Learners employed on other than a piece-rate basis in Class II occupations in the seamless branch of the hosiery industry shall be paid not less than 63 cents an hour for the first 480 hours, and 69 cents an hour for the second 480 hours; and in the full-fashioned branch, not less than 65 cents an hour for the first 480 hours, and not less than 71 cents for the second 480 hours.

(c) *Retraining*—(1) *Piece rate basis.* A worker employed on a piece-rate basis, who is being transferred and employed as a learner in accordance with § 522.44 (c) or (d) (retraining), shall be paid not less than 64 cents an hour in the seamless branch of the hosiery industry and not less than 68 cents an hour in the full-fashioned branch.

(2) *Basis other than piece rate.* A worker employed on other than a piece-rate basis, who is being transferred and employed as a learner in accordance with § 522.44 (c) or (d) (retaining), shall be paid not less than 69 cents an hour in the seamless branch of the hosiery industry and not less than 71 cents an hour in the full-fashioned branch.

§ 522.47 *Piece rate payment to all learners.* If experienced operators are paid on a piece work rate, learners shall be paid at least the same piece work rate as that paid workers already employed on similar work in the establishment and learners shall receive their full piece work earnings whenever these exceed the subminimum hourly wage established in the certificate.

§ 522.48 *Duration of certificates.* Special learner certificates authorizing the employment of learners not in excess of five percent of total factory employees or certificates authorizing not more than five learners shall be valid for a period of not longer than one year unless sooner revoked because an adequate supply of experienced workers are available or for other cause. Special certificates authorizing the employment of learners in excess of five percent shall

[1] For purposes of §§ 522.40–522.51, this occupation is defined as including only those work processes directly related to the operation and maintenance of the described knitting machines and any auxiliary tasks incidental to the operation of such machines to the extent that such auxiliary operations are a normal part of the experienced knitter's task.

[2] For purposes of §§ 522.40–522.51, this occupation is defined as the process of hand-mending hosiery, either in the greige or finished condition, excluding snagging or scratching if performed as a full time and continuous process, and excluding the operation of various types of mending machines, such as Vitos, Vanitas, Stelos or Marvel, except where the operation of such machines is indicidental to the hand-mending operation and the use of such machinery is an adjunct to the hand-mending process.

be valid for a period not exceeding eight months unless sooner revoked in accordance with § 522.50 for cause.

§ 522.49 *Provisions of learner certificates.* All special certificates shall include, among other matters, the learner occupations, length of learning period, and rates set forth in this part; the definition of a learner; the requirement that the employer shall exercise due diligence to secure experienced workers before employing inexperienced workers at learner rates in their stead, except in the instance of retraining experienced workers already employed in the mill, when the necessity of employing experienced workers in lieu of learners shall not apply; the requirement that the certificate shall be posted continuously during its validity in a conspicuous place in the plant where the learners are to be employed; and a prohibition against the violation of any of the terms and conditions set forth in the certificate.

§ 522.50 *Cancellation of special learner certificates.* (a) Any special certificate may be canceled if it is found that it is not necessary to prevent a curtailment of opportunities for employment: *Provided, however,* That when experienced workers become available after a certificate has been issued, the certificate may be canceled insofar as future employment is concerned, or may be allowed to continue in effect, upon condition that the employer does not hire additional learners under it until experienced workers are not again available. In the absence of fraud or misrepresentation learners already hired under a special certificate may be retained under the terms of the certificate if the learning period extends beyond the date on which the certificate has been canceled.

(b) Any special certificate shall be canceled as of the date of issue if it is found that the certificate has been obtained by fraud or misrepresentation. When a certificate has been obtained by fraud or misrepresentation the employer shall be liable to the employee for wages established by the act as if no certificate had been issued.

(c) Any special certificate may be canceled as of the first date of violation if it is found that any of its terms have been violated, and the employer shall be liable to those employed under such certificate, from the date of violation, for wages established by the act.

(d) Except in cases of willfulness or those in which the public interest requires otherwise, before any special certificate for the employment of learners in the hosiery industry is canceled, facts or conduct which may warrant such action shall be called to the attention of the employer in writing and he shall be accorded an opportunity to demonstrate or achieve compliance with the regulations contained in this part.

§ 522.51 *Definition of the hosiery industry.* For purposes of § 522.40–522.51, the "hosiery industry" is defined as follows: The manufacture or processing of hosiery including, among other processes, the knitting, dyeing, clocking, and all phases of finishing hosiery, but not including the manufacture or processing of yarn or thread.

Signed at Washington, D. C., this 16th day of August 1951.

F. GRANVILLE GRIMES, Jr.,
Acting Administrator.

[F. R. Doc. 51-9973; Filed, Aug. 21, 1951; 8:46 a. m.]

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR Part 155]

SEAFOOD INSPECTION

NOTICE OF PROPOSAL TO ISSUE REGULATIONS COVERING THE INSPECTION OF FRESH AND FROZEN SHRIMP

Pursuant to the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act (49 Stat. 871; 21 U. S. C. 372a), the Federal Security Administrator has heretofore issued regulations (21 CFR Part 155 and 1950 Supp.) governing the inspection of canned shrimp. The Administrator has determined that it has become necessary to expand the sea-food inspection service to cover frozen and iced shrimp products. Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001) that the Federal Security Administrator proposes to revise Part 155 by adding §§ 155.16 through 155.29, inclusive, as hereinafter set forth. Prior to final adoption of the proposed regulations, consideration will be given to any data or views pertaining thereto which are submitted in writing to the Hearing Clerk, Federal Security Agency, Room 5440, Federal Security Building, Fourth Street and Independence Avenue SW., Washington, D. C., within 30 days from the date of publication of this order in the FEDERAL REGISTER.

INSPECTION OF FRESH AND FROZEN SHRIMP

Sec.

155.16 Application for inspection service.
155.17 Granting or refusing inspection service; cancellation of application.
155.18 Inspection periods.
155.19 Assignment of inspectors.
155.20 Uninspected shrimp excluded from inspected establishments.
155.21 General requirements for plant and equipment
155.22 General operating conditions.
155.23 Code marking.
155.24 Freezing, icing, and refrigeration.
155.25 Examination after processing.
155.26 Labeling.
155.27 Certificates of inspection; warehousing and export permits.
155.28 Inspection fees.
155.29 Suspension, withdrawal, and termination of inspection service.

§ 155.16 *Application for inspection service.* (a) Applications for inspection service on the processing of fresh and frozen shrimp under the provisions of section 702A of the Federal Food, Drug, and Cosmetic Act shall be on forms supplied by the Food and Drug Administration. The processing of shrimp comprises all the operations, including labeling and storage, necessary to prepare for the market shrimp in any of the following forms: Raw headless (which may or may not be deveined), iced or frozen; cooked peeled, iced or frozen; completely peeled and deveined, which may or may not be battered and breaded before freezing, or partially peeled deveined shrimp battered and breaded and then frozen. No application for an inspection period filed with the Food and Drug Administration after May 1, preceding such period in any year, shall be considered unless the applicant shows substantial cause for failure to file such application on or before May 1 of such year. A separate application shall be made for each inspection period in each establishment in which the service is applied for. Each application for an inspection period shall be accompanied by an advance deposit of $525.00 as prescribed by § 155.28 (b). Such deposit shall be paid in the manner prescribed by § 155.28 (e).

(b) An application by two or more packers for inspection service in one establishment to be jointly or severally operated by them shall be accompanied by an agreement signed by such packers binding each to be jointly and severally liable for the payment of all fees and deposits required for such establishment by § 155.28.

(c) For the purpose of §§ 155.16 to 155.29 an establishment is defined as a factory where shrimp may be completely processed in any of the forms described in paragraph (a) of this section.

§ 155.17 *Granting or refusing inspection service; cancellation of application.* (a) The Federal Security Administrator may grant the inspection service applied for when he determines that the establishment covered by such application complies with the requirements of § 155.21.

(b) The Administrator may refuse to grant the inspection service at any establishment for cause. In case of refusal he shall notify the applicant of the reason therefor and shall return to such applicant the payment which accompanied the application, less any expenses incurred by the Food and Drug Administration for preliminary inspection of the establishment or for other purposes incident to such application.

(c) The applicant, by giving written notice to the Administrator, may withdraw his application for inspection service before July 1 preceding the inspection period covered by the application. In case of such withdrawal, the Administrator shall return to such applicant the payment that accompanied the application, less any salary and other expense incurred by the Administration incident to such application.

§ 155.18 *Inspection periods.* (a) Each inspection period shall be for not more than 1 year, and shall begin on July 1 of each year. Upon request of the packer, and with the approval of the Administration, such service during any inspection period may be transferred from one establishment to another to be operated by the same packer. In case of such transfer the packer shall furnish all necessary transportation of inspectors.

(b) For the first year that inspection service is offered on all forms of shrimp processing, the date of the beginning of

the inspection period shall be regarded as the date specified for the beginning of the service in the application therefor, or such other date as may be specified by the Administration; but if the Administrator is not prepared to begin the service on the specified date, the date of the beginning of such period shall be regarded as the date on which the service is begun.

(c) Inspection service shall be continuous throughout the inspection period.

(d) The inspection service will not permit processing of shrimp from waters closed by State conservation laws.

§ 155.19 *Assignment of inspectors.* (a) An initial asignment of at least one inspector shall be made to each establishment in which inspection service under §§ 155.16 to 155.29 is granted. Thereafter the Administration shall adjust the number of inspectors assigned to each establishment to the number required for continuous and efficient inspection.

(b) Any inspector of the Administration shall have free access at all times to all parts of the establishment and to all fishing and freight boats and other conveyances catching shrimp for, or transporting shrimp to, such establishment.

§ 155.20 *Uninspected shrimp excluded from inspected establishments.* (a) No establishment to which inspection service has been granted shall at any time thereafter process shrimp which has not been so inspected; but this paragraph shall not apply to an establishment after termination of inspection service therein as authorized by § 155.29.

(b) All shrimp and other ingredients entering into the finished products shall be subject to inspection when delivered to the establishment or at any time thereafter. Certificates of inspection shall be issued on all shrimp handled and processed in accordance with these regulations.

§ 155.21 *General requirements for plant and equipment.* (a) All exterior openings of the establishment shall be adequately screened, and roofs and exterior walls shall be tight. When necessary, fly traps or other approved insect-control devices shall be installed.

(b) Except for raw headless shrimp, which may or may not be deveined, picking and packing rooms shall be separate, and fixtures and equipment thereof shall be so constructed and arranged as to permit thorough cleaning. Such rooms shall be adequately lighted and ventilated, and the floors thereof shall be tight and arranged for thorough cleaning and proper drainage. Open drains from picking room shall not enter packing room. If picking and packing rooms are in separate buildings, such buildings shall not be more than 100 yards apart unless adequate provisions are made to enable efficient inspection.

(c) All surfaces of tanks, belts, tables, flumes, utensils, and other equipment with which either picked or unpicked shrimp come in contact after delivery to the establishment shall be of metal other than lead, or of other nonporous and easily cleanable materials. Metal seams shall be smoothly soldered.

(d) Adequate supplies of steam, nontoxic detergents, sanitizing agents, and clean, unpolluted running water shall be provided for washing, cleaning, and otherwise maintaining the establishment in a sanitary condition.

(e) Adequate toilet facilities of sanitary type shall be provided. Full compliance must be met with the requirements of State laws, city ordinances, or both.

(f) An adequate number of sanitary wash basins, with liquid or powdered soap, shall be provided in both the picking and packing rooms. Paper towels shall be provided in the packing room. Provision shall be made for sanitizing the hands of employees by the use of agents approved by the Administration.

(g) Signs requiring employees handling shrimp to wash and sanitize their hands after each absence from post of duty shall be conspicuously posted in the picking and packing rooms and elsewhere about the establishment as conditions require.

(h) One or more suitable washing devices and one or more suitable inspection belts shall be installed for the washing and subsequent inspection of the shrimp before processing.

(i) Suitable containers, flumes, chutes, or conveyors shall be provided for removal of offal from picking room.

(j) Picking or heading tables shall be equipped with flumes supplied with clean, unpolluted water or with mechanical conveyors for removing the picked or headed shrimp.

(k) Equipment shall be provided for code-marking immediate containers and the master cartons used in the packaging of the shrimp.

(l) Each freezing and cold-storage compartment shall be fitted with at least the following equipment:

(1) An automatic control for regulating temperatures.

(2) An indicating thermometer so installed as to indicate accurately the temperature within the freezing or storage compartment.

(3) A recording thermometer shall be installed on each freezing and/or storage compartment in such a manner as to record accurately the temperature within the compartment at all times. The case which houses the charts and recording mechanism shall be provided with an approved lock, all keys to which shall be in the sole custody of the inspector.

(m) Provision shall be made for water-glazing where such glazing is necessary to maintain the quality of the frozen shrimp. Glazing shall be done with clean, unpolluted water.

(n) Provision shall be made for the immediate icing or cold storage of all packaged shrimp which is destined for sale as unfrozen shrimp.

(o) Suitable space and facilities shall be provided for the inspector to prepare records and examine samples and for the safekeeping of records and equipment.

§ 155.22 *General operating conditions.* (a) The decks and holds of boats catching shrimp for, or transporting shrimp to, an inspected establishment, and the bodies of other conveyances so transporting shrimp shall be kept in a sanitary condition. The shrimp shall be refrigerated immediately after they are caught, and shall be kept adequately refrigerated until delivery to the establishment.

(b) Inspected establishments, freight boats, and other conveyances serving such establishments shall accept only fresh, clean, sound shrimp.

(c) After delivery of each load of shrimp to the establishment, decks and holds of each boat and the body of each other conveyance or container making such delivery shall be washed down with clean, unpolluted water, and all debris shall be cleaned therefrom before such boat or other conveyance or container leaves the establishment premises.

(d) Before picking, heading, or deveining, the shrimp shall be adequately washed with clean, unpolluted water and then passed over the inspection belt and culled to remove all shrimp that are filthy, decomposed, putrid, or otherwise unfit for food, and all extraneous material.

(e) Offal from picking tables shall not be piled on the floor, but shall be placed in suitable containers for frequent removal, or shall be removed by flumes, conveyors, or chutes.

(f) Shrimp shall be picked into flumes which immediately remove the picked meats from the picking tables; except that shrimp may be picked into seamless containers of not more than 3 pints capacity if the picked meats are not held in such containers for more than 20 minutes before being flumed or conveyed from the picking tables. For the purpose of this paragraph, the term "picked" shall include the operation whereby a portion of the shell is removed, leaving the tail in place, and the back of the shrimp is sliced open to remove the alimentary canal or vein.

(g) If shrimp are picked into containers, such containers shall be cleaned and sanitized as often as may be necessary to maintain them in a sanitary condition, but in no case less frequently than every 2 hours. Whenever pickers are absent from post of duty, containers shall be cleaned and sanitized before picking is resumed.

(h) Picked shrimp being transported from one building to another before enclosure in the can or other immediate container shall be properly covered and protected against contamination.

(i) From the time of delivery to the establishment up to the time of final processing, shrimp shall be handled expeditiously and under such conditions as to prevent contamination or spoilage. Shrimp shall be precooled immediately after the final cleaning operation to a temperature not exceeding 40° F. if it is not packaged immediately, or to a temperature not exceeding 50° F. if it is packaged immediately. If such shrimp are to be frozen they shall be placed in the freezing compartment within 1 hour of final preparation.

(j) The packer shall immediately destroy for food purposes all shrimp in his possession condemned by the inspector as filthy, decomposed, putrid, or otherwise unfit for food. Shrimp condemned on boat or unloading platform

shall not be taken into the ice box or picking room.

(k) Raw materials other than shrimp which enter into the finished product shall not be used if condemned by the inspector as unfit for food. Such condemned raw materials shall be segregated from usable materials and held for disposal as directed by the inspector, or they may be destroyed forthwith by the packer if he so desires.

(l) All portions of the establishment shall be adequately lighted to enable the inspector to perform his duties properly.

(m) All floors and other parts of the establishment, including unloading platforms, and all fixtures, equipment, and utensils shall be cleaned as often as may be necessary to maintain them in sanitary condition.

(n) The packer shall require all employees handling shrimp to wash and sanitize their hands after each absence from post of duty.

(o) The packer shall require all employees to observe proper habits of cleanliness, and shall not knowingly employ in or about the establishment any person afflicted with infectious or contagious disease, or with any open sore on the hands or face.

(p) Offal, debris, or refuse from any source whatever shall not be allowed to accumulate in or about the establishment.

(q) If batter is employed it shall be used within 1 hour after it is prepared. The temperature of the batter shall not exceed 50° F.

(r) Containers for mixing or holding batter shall be adequately cleaned and sanitized before they are used for a new batch of batter.

(s) Equipment for applying batter shall be adequately cleaned and sanitized at least once an hour while in operation.

§ 155.23 *Code marking.* (a) Permanently legible code marks shall be placed on all immediate containers at the time of packaging. Such marks shall show:

(1) The date of packing.

(2) The establishment where packed.

(3) The size of the shrimp, where the label bears a size designation and the shrimp are not in containers through which they are clearly visible.

Corresponding code marks also shall be placed on the master cartons containing individual packages of shrimp.

(b) Keys to all code marks shall be given to the inspector.

(c) Each lot shall be stored separately, pending final inspection. For the purposes of the regulations in this part, all immediate containers bearing the same code mark shall be regarded as comprising a lot.

§ 155.24. *Freezing, icing, and refrigeration.* (a) The method of freezing is not specified by these regulations. Whatever method is used must be such as will produce a hard-frozen product in a sufficiently short time to prevent decomposition. Bulk packages containing 5 pounds or more of shrimp per package should be hard-frozen within 24 hours; smaller packages should be hard-frozen within 12 hours. After freezing, the shrimp shall be stored in such manner that its temperature does not exceed 0° F. and shall be handled in such manner as will maintain the hard-frozen condition.

(b) The storage temperatures for shrimp which are not frozen are as follows:

(1) Cooked and peeled shrimp shall be stored at a room temperature not exceeding 35° F.

(2) Raw headless shrimp shall be stored at a room temperature not exceeding 35° F. or at a room temperature not exceeding 45° F., provided it is well iced.

(c) The inspector shall identify each record on the thermometer chart with the code mark of the lot to which such record relates and the date of such record. The Administration shall keep such charts for at least 5 years, and upon request shall make them available to the packer.

(d) The packer shall keep for at least 1 year all shipping records covering shipments from each lot, and upon request shall furnish such records to any inspector of the Administration.

§ 155.25 *Examination after processing.* (a) Adequate samples shall be drawn by the inspector from each lot of processed shrimp and shall be examined to determine whether or not such processed shrimp conforms to all requirements of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder.

(b) The packer shall destroy for food purposes, under the immediate supervision of the inspector, all processed shrimp condemned by the inspector as not complying with § 155.24 (a) or (b), as the case may be, or as filthy, decomposed, putrid, or otherwise unfit for food.

§ 155.26 *Labeling.* (a) Labels on shrimp packed and certified under §§ 155.16 to 155.29, inclusive, may bear a distinctive mark attesting to such packing and certification. Depending upon the type of processing, such marks, if used, shall read as follows:

(1) *Frozen shrimp.* "Packing and freezing supervised by U. S. Food and Drug Administration. Perishable product—Not warranted against mishandling after freezing."

(2) *Fresh, iced, or refrigerated shrimp.* "Packing supervised by U. S. Food and Drug Administration. Perishable product—Not warranted against mishandling after packing."

Such marks, if used, shall be plainly and conspicuously displayed in type of uniform size and style on a strongly contrasting uniform background, and shall appear on the principal panel or panels of the label so as to be easily observable in connection with the name of the article. Labels on inspected shrimp shall bear the statement "Perishable—Keep frozen" or "Perishable—Keep refrigerated," whichever is applicable for the product. The marks referred to in paragraph (a) (1) and (2) of this section shall not be used on the master cartons unless such marks will be defaced by the opening of the carton.

(b) Two proofs, or one proof and one photostat thereof, or eight specimens of all labeling intended for use on inspected shrimp or on or within the cases therefor, shall be submitted to the Administration for approval. If proofs or photostat and proof are submitted, eight specimens of the labeling shall be sent to the Administration after printing. The Administration is hereby authorized to approve labeling for use on or with shrimp inspected under §§ 155.16 to 155.29, inclusive. Approval shall be subject to the condition that such labeling shall be so used as to comply with the provisions of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder. The Administration is also hereby authorized to revoke any such approval for cause. The Administration shall not approve labeling for shrimp intended for export under the provisions of § 155.27 (e).

(c) No commercial brand or brand name appearing on labeling approved as authorized under paragraph (b) of this section and bearing any of the marks described in paragraph (a) of this section, and no labeling simulating any such approved labeling, shall be used after such approval on shrimp other than that which has been handled, prepared, packed, and stored in compliance with all provisions of §§ 155.16 to 155.29; but this section shall not apply to any packer's labeling after termination of inspection as authorized by § 155.29, or to any distributor's labeling after 3 months' written notice by the owner thereof to the Administration that the use of such labeling on inspected shrimp has been discontinued and will not be resumed.

(d) Shrimp labeling authorized by or approved under paragraph (a) or (b) of this section shall be used only as authorized by §§ 155.16 to 155.29. Unauthorized use of such labeling renders the user liable to the penalties prescribed by the Federal Food, Drug, and Cosmetic Act, as amended.

§ 155.27 *Certificates of inspection; warehousing and export permits.* (a) After finding that the shrimp comprising any parcel: Has been handled, prepared, and packed in compliance with all provisions of §§ 155.16 to 155.29, inclusive; bears labeling approved as authorized under § 155.26; and complies with all the provisions of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder—the inspector shall issue a certificate showing that such shrimp so complies. The certificate shall specify the code marks to which it applies, the quantity of the parcel so marked, the place where such parcel is stored, the size of the shrimp where there is a label declaration of size, the size and kind of containers, the type of pack, the commercial brand name on the labels, destination of the lot, and the condition of the shrimp if it is broken. Such certificate shall become void: If such labeling is removed, altered, obliterated, or replaced (but such shrimp may be relabeled under the supervision of an inspector and recertified if the inspector finds that, after being relabeled, it complies with the requirements laid down by this paragraph for the issuance of a

certificate); or if mishandling, improper storage, or other circumstances so change the product that it no longer complies with the requirements for the issuance of a certificate.

(b) Unless covered by certificate, shrimp shall be moved from an inspected establishment only for storage authorized under paragraph (c) of this section, or export authorized under paragraph (e) of this section, or for destruction as provided by § 155.25 (b).

(c) Applications to move uncertified shrimp from storage in a warehouse or cold storage elsewhere than in the establishment where such shrimp was packed shall give the name and location of the warehouse, freezer or cold storage in which such shrimp is to be stored. The application shall be accompanied by an agreement signed by the operator of such warehouse, freezer or cold storage that inspectors shall have free access at all times to all shrimp so stored, and that conditions which will preserve the identity of each parcel of such shrimp shall be continuously maintained pending issuance of a certificate thereon or removal as authorized by paragraph (d) of this section. If such application is approved and it appears to the inspector that the shrimp comprising any parcel has been packed in compliance with §§ 155.16 to 155.29, inclusive; is not slack-filled; and conforms, except for the absence of labeling, to all requirements of the Federal Food, Drug, and Cosmetic Act, amendments thereto, and regulations thereunder, the inspector shall issue to the applicant, on his request, a warehousing permit covering such shrimp. Such permit shall specify the code marks to which it applies, the quantity of the parcel so marked, the places from and to which such parcel is to be moved, the size of the shrimp, the size and kind of containers, the type of pack and the condition of the shrimp, if it is broken. When any provision of the agreement is violated, the Administration may revoke any permit issued pursuant to such agreement, and may also revoke its approval of the application for warehousing or cold storage which accompanied such agreement.

(d) Unless covered by certificate, shrimp stored under the authority of paragraph (c) of this section shall be moved from the warehouse or cold storage where stored only for restorage under such authority, or for return upon written permission of the inspector to the establishment where packed, or for export authorized under paragraph (e) of this section, or for destruction as provided by § 155.25 (b).

(e) Section 801 (d) of the Federal Food, Drug, and Cosmetic Act provides that a food intended for export shall not be deemed to be adulterated or misbranded under the act if it accords to the specifications of the foreign purchaser; is not in conflict with the laws of the country to which it is intended for export and is labeled on the outside of the shipping package to show that it is intended for export. An application to export shrimp under the provisions of section 801 (d) of the act shall be accompanied by the original or a verified copy of the specifications of the foreign purchaser; if so required by the Administration, evidence showing that such shrimp is not in conflict with the laws of the country to which it is intended for export; and, if shipment of labeled shrimp is specified or directed, eight specimens of the labeling therefor. If shrimp prepared or packed according to such specifications is not in conflict with the laws of such country, the Administration shall direct the inspector to issue to the applicant an export permit covering such shrimp comprising any parcel ordered by such specifications, when the inspector finds that such shrimp was packed in compliance with the requirements of §§ 155.16 to 155.29 regarding sanitary conditions and processing; is not filthy, decomposed, putrid, or otherwise unfit for food; accords to such specifications; and is labeled on the outside of the shipping package to show that it is intended for export. Such permit shall specify the code marks to which it applies and the quantity of the parcel so marked, and shall show that such shrimp was packed under sanitary conditions, is wholesome, and accords to the specifications. The applicant shall furnish to the inspector documentary evidence showing the exportation of all such shrimp. Shrimp intended for export under this section shall not be stored in any warehouse or cold storage in the United States elsewhere than in the establishment where such shrimp was prepared or packed, except on written permission of the inspector or of the chief of the Food and Drug Administration district within whose territory such warehouse or cold storage is located.

§ 155.28 *Inspection fees.* (a) Except as otherwise provided by the regulations in this part, the fee prescribed for inspection service shall be 25 cents per 100 pounds of whole shrimp or 35 cents per 100 pounds of frozen or fresh raw headless shrimp received by the plant. Advance deposits of not less than $500.00 shall be made whenever necessary to prevent arrears in the payment of fees, unless the Administration on an estimate of output authorizes payment in other amounts. Any excess advance deposits so made for the fiscal year shall be returned to the packer by the Administration after the completion of the fiscal year.

(b) (1) In addition to the fee prescribed by paragraph (a) of this section, an initial deposit of $525.00 shall accompany each application for inspection; thereafter, 11 monthly deposits of $525.00 each shall be made on or before the first day of each month beginning June 1 and continuing through April 1: *Provided,* That a packer who is concurrently receiving inspection service under the regulations for the inspection of canned shrimp or canned oysters or both shall not pay any additional advance deposits under this paragraph. The Commissioner of Food and Drugs may require the full amount of advance deposits prescribed by this paragraph to accompany the application of an applicant who has defaulted in payment of any advance deposit due for any prior packing season.

(2) Whenever it is determined, without hearing, by the Commissioner of Food and Drugs that an establishment having the inspection service has been damaged by wind, fire, flood, or other calamity to such extent that packing operations cannot be resumed before the end of the fiscal year then current, no advance monthly deposits falling due after such calamity will be required from the operator of such establishment for that fiscal year; but whenever it is determined, without hearing, by the Commissioner of Food and Drugs that an establishment having the inspection service has been so damaged by any such calamity that packing operations must be suspended temporarily and can be resumed before the end of the fiscal year then current, payment of the advance monthly deposits falling due after such calamity and before the month of resumption of operations shall be postponed until operations are resumed and thereupon shall be paid in equal monthly installments during the period between the time of resumption of operations and June 1 of the fiscal year then current: *Provided,* That in the event of a determination described in this subparagraph the total deposits made by the operator involved shall be charged with the cost of the service made available for the establishment, without regard to the method provided hereinafter for computing charges against deposits, and the balance of the total deposits remaining after such charges shall be returned by the Administration to the operator of the establishment after the completion of the fiscal year.

(3) Advance deposits made under this paragraph shall be charged with the cost of the inspection service that has not been provided for by fees under paragraph (a) of this section. The deposits by each packer shall be so charged in the same ratio to the total deposits made under this paragraph and under § 155.12 (b) for the inspection of canned shrimp and under § 155.42 (b) for the inspection of canned oysters and under this paragraph for the inspection of fresh and frozen shrimp, as the number of months of inspection service (including the number of months, if any, for inspecting canned shrimp or canned oysters or fresh and frozen shrimp or any combination of these inspection services) rendered in such packer's establishment bears to the total number of months of inspection service for shrimp and oysters rendered in all establishments. The balance remaining after such charges have been made shall be returned by the Administration to the packers after the completion of the fiscal year. When inspection service is withdrawn from an establishment as authorized by § 155.29 (a), the Administration shall not return to the packer any of the advance deposits made for such establishments; such deposits shall be charged with the cost of the service made available for the establishment, without regard to the method as prescribed in this paragraph, and the balance that would have accrued to such packer shall remain to the credit of the Food and Drug Administration in the

special account "Salaries and Expenses, Certification and Inspection Services."

(c) A separate fee shall be paid to cover all expenses, incurred in accordance with the regulations of the United States Government, for salary, travel, subsistence, and other purposes incident to inspection for the purpose of issuing a certificate of warehousing or export permit on shrimp stored or held at any place other than an establishment to which a seafood inspector is then assigned.

(d) When the establishment and the warehouse or cold storage of an establishment are located at different points of such distance apart that transportation between them is required for the inspector to perform his duties in the establishment, the packer shall furnish such transportation or shall pay an extra fee to cover all expenses therefor.

(e) All payments required by the regulations in this part shall be by bank draft or certified check, collectible at par, drawn to the order of the Treasurer, United States, and payable at Washington, D. C. All such drafts and checks, except for the payment required by § 155.16, shall be delivered to the inspector and promptly scheduled to the Food and Drug Administration, Federal Security Agency, Washington, D. C., whereupon after making appropriate records thereof they will be endorsed and transmitted to the Chief Disbursing Officer, Division of Disbursement, Treasury Department, for deposit to the special account "Certification and Inspection Services, Food and Drug Administration."

(f) Refunds to the packers making advance deposits will be by check drawn on the Treasury of the United States pursuant to refund vouchers duly certified and approved by the designated administrative officers.

§ 155.29 *Suspension, withdrawal, and termination of inspection service.* (a) The Administration may suspend and the Administrator may withdraw inspection service in any establishment—

(1) Upon failure of the packer to comply with any provision of §§ 155.16 to 155.29, inclusive, or

(2) Upon the dissemination by the packer or any person in privity with him of any representation which is false or misleading in any particular regarding the application to any seafood of the inspection service provided by the regulations in this part.

(b) When inspection service is suspended in an establishment, as authorized by paragraph (a) of this section, the Administration shall not lengthen the inspection period in such establishment to compensate for any of the time of suspension.

(c) After inspection service for a fiscal year is closed in an establishment, but before the resumption of packing therein during the next fiscal year, the packer may terminate inspection service under the regulations in this part by giving written notice of such termination to the Food and Drug Administration.

Dated: August 16, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-9991; Filed, Aug. 21, 1951; 8:52 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14), are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Academy Sportswear Co., Inc., 630 Washington Street, Boston, Mass., effective 8-13-51 to 8-12-52; for normal labor turnover, 10 percent of the productive factory workers or five learners, whichever is greater. This certificate does not authorize the employment of learners at subminimum wage rates in the production of skirts (skirts, jackets and slacks).

Blue Bell, Inc., Nappanee, Ind., effective 8-9-51 to 2-8-52; 40 learners may be employed for expansion purposes (men's and boys' denim dungarees).

Blue Bell, Inc., North Webster, Ind., effective 8-9-51 to 2-8-52; 40 learners may be employed for expansion purposes (men's and boys' denim dungarees).

Buttnick Manufacturing Co., 204 First Avenue South, Seattle, Wash., effective 8-13-51 to 8-12-52; 10 percent of the productive factory workers or 10 learners whichever is greater (sportswear and other odd outerwear).

Citadel Shirts, Williamston Shirt Co., Columbia, S. C., effective 8-9-51 to 8-8-52; for normal labor turnover, 10 percent of the productive factory workers (dress shirts, sports shirts).

The Cleveland Overall Co., 1768 East Twenty-fifth Street, Cleveland, Ohio, effective 8-13-51 to 8-12-52; 10 percent of the productive factory workers for normal labor turnover (men's cotton work garments).

Four's Co., Inc., Blairsville, Pa., effective 8-7-51 to 8-6-52; 10 learners (children's dresses).

Hollywood Maxwell Co., 2035 Western Avenue, Topeka, Kans., effective 8-26-51 to 2-25-52; an additional 65 learners may be employed for expansion purposes only (brassieres).

Kennebec Manufacturing Co., Inc., South Gardiner, Maine, effective 8-10-51 to 8-9-52; for normal labor turnover, 10 percent of the productive factory workers of 10 learners, whichever is greater (outer garments of woven and knitted fabrics).

New Castle Manufacturing Co., Inc., New Castle, Va., effective 8-10-51 to 2-9-52; an additional five learners may be employed for expansion purposes only (women's pajamas and nightgowns).

Patterson Manufacturing Co., 428 North Main Street, Miami, Okla., effective 8-14-51 to 2-13-52; an additional 45 learners may be employed for expansion purposes only (pants, overalls, coveralls and work shirts).

Charles L. Rousseau, N. B., McGaughy and F. G. Thomas, copartners, East Main Street, Tupelo, Miss., effective 8-10-51 to 2-9-52; 50 learners may be employed for expansion purposes (dungarees).

Russell Street Manufacturing Co., Russell Street, Saugerties, N. Y., effective 8-10-51 to 8-9-52; for normal labor turnover, five learners (dresses).

Variety Sportswear Co., 125 Broadway, Long Branch, N. J., effective 8-14-51 to 8-13-52; for normal labor turnover, 10 percent of the productive factory workers or five learners, whichever is greater (ladies' dresses and sportswear).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Hoburt Hosiery Corporation, Denton, N. C., effective 8-8-51 to 8-7-52; five learners.

Infants Socks, Inc., Eufaula, Ala., effective 8-21-51 to 8-20-52; 5 percent of the total number of productive factory workers.

Winchester Hosiery Corp., Braddock and Amherst Streets, Winchester, Va., effective 8-8-51 to 8-7-52; five learners.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Jomac Products, Inc., Warsaw, Ind., effective 8-18-51 to 8-17-52; 10 learners.

Jomac Products, Inc., Warsaw, Ind., effective 8-18-51 to 2-17-52; five learners for expansion purposes (supplemental certificate).

Livermore Falls Glove Co., Livermore, Maine, effective 8-22-51 to 8-21-52; 10 learners.

Richmond Glove Corp., 601 North D Street, Richmond, Ind., effective 8-18-51 to 8-17-52; 10 learners.

Frank Russell Glove Co., 203 Park Avenue, Berlin, Wis., effective 8-10-51 to 8-9-52; five learners.

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to

522.93, as amended January 25, 1950; 15 F. R. 398).

Northern Ohio Telephone Co., Pemberville, Ohio, effective 8–17–51 to 8–16–52.

Northern Ohio Telephone Co., Plymouth, Ohio, effective 8–17–51 to 8–16–52.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

Apco Manufacturing Co., St. Elmo, Ill., effective 8–7–51 to 2–6–52; 40 learners for expansion purposes only (expansion certification).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

American Pearl Button Co., Inc., 604 East Seventh Street, Washington, Iowa, effective 8–8–51 to 2–7–52; six learners; finished button sorters, blank cutters; 480 hours each; 60 cents per hour for first 320 hours and 65 cents per hour for remaining 160 hours (pearl buttons).

Canvas Products Corp., Fond du Lac, Wis., effective 8–12–51 to 2–11–52; 10 percent of the total number of productive factory workers or 10 learners, whichever is greater; sewing machine operators, 240 hours at 60 cents per hour (awnings, canvas goods).

Hart Schaffner & Marx, 165 North Joliet Street, Joliet, Ill., effective 8–13–51 to 1–8–52; 15 additional learners for expansion purposes in the manufacture of men's clothing only; sewing machine operators, handsewers; 480 hours each; 60 cents per hour for first 240 hours and 65 cents per hour for remaining 240 hours (men's and women's outer clothing).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Carmo Shoe Manufacturing Co., Union, Mo., effective 8–10–51 to 8–9–52; 10 percent of the total number of productive factory workers.

Owensville Shoe Manufacturing Corp., Owensville, Mo., effective 8–10–51 to 8–9–52; 10 percent of the total number of productive factory workers.

Washington Shoe Manufacturing Corp., Washington, Mo., effective 8–10–51 to 8–9–52; 10 percent of the productive factory workers.

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Handwork Textiles, Inc., Aibonito, P. R., effective 8–1–51 to 1–31–52; 75 learners; machine stitching; 240 hours at 30 cents per hour and 240 hours at 38 cents per hour (gloves).

A. C. T. Hankies, Inc., Santurce, Puerto Rico, effective 8–2–51 to 12–14–51; 36 learners; machine embroidering; 240 hours at 22½ cents per hour (laces).

M'Lady, Inc., Hato Rey, P. R., effective 8–8–51 to 2–7–52; 24 learners; filing, sanding and polishing; 320 hours at 35 cents per hour (costume jewelry).

Puerto Rico Hosiery Mills, Inc., Arecibo, P. R., effective 8–6–51 to 2–5–52; 38 learners; knitters, 320 hours at 25 cents per hour; loopers, 320 hours at 30 cents per hour; seamers, 320 hours at 35 cents per hour; toppers, 160 hours at 25 cents per hour; menders, 160 hours, at 30 cents per hour and 160 hours at 35 cents per hour; Examiners, 80 hours at 25 cents per hour, 80 hours at 30 cents per hour and 80 hours at 35 cents per hour (full-fashioned hosiery).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 14th day of August 1951.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 51–9974; Filed, Aug. 21, 1951; 8:46 a. m.]

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 13]

REQUEST TO PARTICIPATE IN THE VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the Voluntary Agreement, as revised, entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Director of the Office of Defense Mobilization, and was transmitted to the companies listed below.

The Voluntary Agreement, also set forth below, has been approved by the Director of the Office of Defense Mobilization and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

You are requested to participate in the Voluntary Agreement, as revised, entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951, a copy of which is enclosed.

In my opinion, your participation will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 (c) of the Defense Production Act of 1950 (Pub. Law 774—81st Cong.).

I approve the Voluntary Agreement, as revised, and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon advising me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, as provided in section 708 (b) of the Defense Production Act of 1950, will be given only upon such acceptance, provided that your acts relative to such participation are within the scope of this Voluntary Agreement, as revised.

Your cooperation in this matter will be appreciated.

Sincerely yours,

Charles E. Wilson.[1]

LIST OF COMPANIES ACCEPTING REQUESTS TO PARTICIPATE

The Texas Co., 135 East Forty-Second Street, New York, N. Y.

Standard-Vacuum Oil Co., 26 Broadway, New York, N. Y.

Gulf Oil Corp., Gulf Building, Pittsburgh 30, Pa.

Creole Petroleum Corp., 350 Fifth Avenue, New York 1, N. Y.

Caltex Oil Products Co., 551 Fifth Avenue, New York, N. Y.

The Atlantic Refining Co., 260 South Broad Street, Philadelphia 1, Pa.

Venezuelan Petroleum Co., 630 Fifth Avenue, New York 20, N. Y.

Standard Oil Co. (N. J.), 30 Rockefeller Plaza, New York 20, N. Y.

Tide Water Associated Oil Co., 79 New Montgomery Street, San Francisco 20, Calif.

Arabian American Oil Co., 505 Park Avenue, New York 22, N. Y.

Socony-Vacuum Oil Co., Inc., 26 Broadway, New York 4, N. Y.

Standard Oil Co. of California, Standard Oil Building, San Francisco 20, Calif.

The Superior Oil Co., Edison Building, Los Angeles, Calif.

American Independent Oil Co., One Eleven Sutter, San Francisco 4, Calif.

Union Oil Co. of California, Union Oil Building, Los Angeles 17, Calif.

Sinclair Oil Corp., 630 Fifth Avenue, New York, N. Y.

Conorada Petroleum Corp., 630 Fifth Avenue, New York 20, N. Y.

Pacific Western Oil Corp., 417 South Hill Street, Los Angeles, Calif.

Barber Oil Corp., 30 Rockefeller Plaza, New York 20, N. Y.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator,
Defense Production Administration.

VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

JUNE 25, 1951.

1. *Need for an Agreement.* Current worldwide supply and demand for petroleum products are most delicately balanced. There is only a negligible amount of world refining capacity not presently in operation. All operating refineries are running at approximately their normal maximum capacity. Transportation facilities, particularly essential tanker tonnage, are strained to the utmost. Loss of any substantial current source of world petroleum supply can seriously jeopardize the interests of the free nations of the world.

The defense and security programs of the United States, and others of the United Nations, have accelerated essential demands for oil. Stocks of petroleum at various key

[1] The letter from the President, dated Apr. 27, 1951, to the Director of the Office of Defense Mobilization, conferred upon the Director of the Office of Defense Mobilization the powers delegated to the Defense Production Administrator by E. O. 10200 of Jan. 3, 1951, 16 F. R. 61, relating to voluntary agreements and programs under Sec. 708 of the Defense Production Act of 1950, Pub. Law 774, 81st Cong., during the incumbency of the Acting Defense Production Administrator. On July 23, 1951, these powers were assumed by the present Administrator of the Defense Production Administration.

points throughout the world must be maintained at satisfactory working levels. Any substantial diminution in world petroleum supplies will directly and adversely affect the interests of the United States, including the successful continuation of its mobilization program. Accordingly, the United States must be prepared to meet and handle immediately the problems inherent in any substantial loss of world petroleum supplies.

It should be emphasized that petroleum supply is a world-wide matter and that shortages in one location necessarily involve adjustments in remotely distant areas. This normal inter-reliance is sharply pointed up in times of emergency.

It is believed that a committee composed of the American oil companies engaged in foreign petroleum operations can aid materially in meeting such problems by considering and making recommendations for action to be taken which will either compensate for or alleviate shortages arising from any such loss.

2. *What this Agreement does.* This is a Voluntary Agreement under Section 708 of the Defense Production Act of 1950 (64 Stat. 798). This Agreement authorizes the formation of a committee and subcommittees to consider and make recommendations designed to prevent, eliminate or alleviate shortages of petroleum supplies in friendly foreign nations which threaten to affect or which do affect adversely the defense mobilization interests or programs of the United States. It establishes procedures under which persons engaged in foreign petroleum operations and participating in this Agreement can take cooperative action among themselves or with appropriate designated agencies, committees or other persons to accomplish the objective of this Agreement.

3. *Definitions.* As used in this Agreement:

(a) "Administrator" means the Secretary of the Interior and Petroleum Administrator for Defense or the Deputy Petroleum Administrator for Defense.

(b) "Committee" means the Foreign Petroleum Supply Committee and the Executive Committee thereof created pursuant to section 4 of this Agreement.

(c) "Subcommittee" means any Subcommittee created pursuant to section 4 of this Agreement.

(d) "Director" means that Assistant Deputy Administrator of the Petroleum Administration for Defense In Charge of Foreign Operations.

(e) "Foreign country or area" means any country or area outside the continental United States.

(f) "Person" means any individual, partnership, association, business trust, corporation or organized group of individuals, whether domestic or foreign and whether incorporated or not, engaged in foreign petroleum operations.

(g) "Petroleum" means crude petroleum, petroleum products of all kinds, and blending agents used in the manufacture of petroleum products, except those which the Administrator may exclude from the operation of this Agreement.

(h) "Foreign Petroleum Operations" means the production, refining, transportation, storage, supply or distribution of petroleum in any foreign country or area, the export of petroleum from or the import of petroleum into any foreign country or area by any person directly as principal or indirectly by agent, affiliate or otherwise.

(i) "Plan of Action" means the recommendation of the Committee to the Administrator pertaining to the solution of such problem or problems as the Director has requested the Committee to consider.

(j) "Schedule" means that document issued by the Administrator which sets forth the detailed operating procedures or actions to be taken to implement an approved Plan of Action.

4. *Formation of Committees.* (a) A "Foreign Petroleum Supply Committee" shall be appointed by the Administrator to investigate problems and make recommendations thereon to assist the Administrator to accomplish the objectives of this Agreement. The Committee members shall be those American petroleum companies engaged in foreign petroleum operations which are participants in this Agreement. Each member shall have one representative sitting on the Committee and an alternate to sit in his absence or disability. Each representative of each member of the Committee shall be a senior official of the participating company he represents.

(b) The Administrator may appoint from the Committee membership an Executive Committee which shall perform all duties and functions of the Committee when the latter is not in session, and may, from time to time, alter the membership thereof. Individuals appointed to serve on the Executive Committee shall be chosen by the Administrator from among those individuals who are representatives or alternates of the members of the Committee.

(c) The Administrator may appoint Subcommittees from the members of the Committee to assist the Committee in performing its duties and functions, and may, from time to time, alter the membership thereof. Representatives on Subcommittees need not be the same individuals representing members on the Committee.

(d) The Administrator shall designate, from the representatives of members and their alternates, the individuals who are to serve as Chairmen of the Foreign Petroleum Supply Committee, the Executive Committee thereof and any Subcommittee appointed pursuant to this Agreement.

5. *Meetings.* (a) Meetings of the Committee shall be held upon the call of the Administrator or director. Meetings of Subcommittees shall be held at such times as the Administrator shall designate in the written notices of appointment of such Subcommittees or upon the call of the Director or of the Chairmen of such Subcommittees.

(b) The agenda for meetings of the Committee and any Subcommittee shall be initiated and formulated in advance of the meeting by the Administrator or the Director. Matters may be added to such agenda by the Chairmen of such Committees.

(c) The Committee and the Subcommittees shall maintain such staff and appoint such persons as may be requisite to discharge the duties and functions conferred upon them pursuant to this Agreement. Operating expenses of the Committee and Subcommittees shall be met from a fund to which voluntary contributions may be made by persons participating in this Agreement and such funds may be solicited by the Committee.

(d) Each Committee and Subcommittee meeting shall be open to any member of the Committee or any Subcommittee, to representatives of any Government agency, and to any individual designated by the Director. Full and complete minutes of all meetings of such Committees shall be kept and copies thereof shall be sent to the Administrator.

6. *Operation under this voluntary Agreement.* (a) The Director shall submit to the Committee in writing a request to prepare one or more plans of action to meet problems arising under this Agreement.

(b) The Committee shall prepare and submit in writing to the Administrator recommended plans of action for the solution of the problems presented to the Committee under 6 (a).

(c) Each plan of action shall describe the manner in which the Committee recommends that the problem or problems submitted to it be solved, including a statement of such facts as the companies who will participate thereunder, the geographic area or areas affected, the nature of the action to be taken and such other material facts as may be necessary for consideration of the plan for approval under section 708 of the Defense Production Act of 1950.

(d) If the plan of action is approved by the Administrator, he will submit it to the appropriate Government agencies in accordance with section 708 of the Defense Production Act of 1950.

(e) Prior to the issuance of an appropriate approval in respect of the plan of action under section 708 of the Defense Production Act of 1950, the Committee may prepare proposed schedules implementing the plan of action and submit such schedules to the Administrator for his consideration. Upon approval of the plan of action under Section 708 of the Defense Production Act of 1950 and approval and issuance of the schedules by the Administrator, action may be taken pursuant to such schedules.

7. *Other Committee functions.* Upon written request of the Director, the Committee shall:

(a) Make surveys and investigations of and obtain, analyze, and keep current pertinent information and data with respect to foreign petroleum operations.

(b) Estimate the petroleum requirements (product by product) of each foreign country or area to be supplied and the supplies available therefor, and prepare and submit recommended plans of action and supply schedules to the Administrator for each such foreign country or area.

(c) Make recommendations to the Director with respect to stocks of petroleum to be maintained in friendly foreign nations, with primary consideration for the maintenance of adequate stocks of petroleum for military use.

(d) Make such other investigations, surveys and recommendations requested by the Director.

8. *Effectuation of schedules.* (a) All schedules authorized to be prepared and submitted pursuant to this Agreement in implementation of a plan of action which has been approved as provided in section 6 hereof shall, after such modification or revision of the Administrator shall determine to be necessary, be issued by the Administrator and no such schedules shall become effective until so issued. Upon issuance of any such schedule, copies thereof shall be forwarded to the Committee and the appropriate Subcommittees and to all participants named therein and all participants who may be affected by such schedule shall carry it into effect according to its terms, conditions and intent. The Administrator may reject any schedule prepared and submitted to him and may, at any time, if in his judgment such action is necessary, terminate and cancel, in whole or in part, any schedule which he has issued.

(b) Any participant affected by any schedule issued in accordance with the foregoing subparagraph, who considers that compliance therewith will work an exceptional and unreasonable hardship upon him, may request the Administrator to review such schedule. Such request shall be in writing and shall set forth the pertinent facts and the reasons why he considers himself entitled to relief, and the Administrator shall act promptly upon such request and render a decision thereon within a period of fifteen (15) days.

9. *Emergency action.* In cases of need for alterations in any schedule referred to in section 8 of this Agreement which arise subsequent to the issuance thereof, the Administrator, if he deems such action necessary, may make specific changes in or modifications of any such Schedule. Such changes or modifications shall be in writing and copies thereof shall be forwarded to the Committee, any appropriate Subcommittee and to all participants affected thereby.

10. *Coordination and cooperation.* In carrying out the provisions of this Agreement, the Committee, the Subcommittees,

and all participants shall endeavor to coordinate their activities with, and shall cooperate with such agencies, committees and other persons as may be designated in writing by the Director.

11. *Collection of information.* In carrying out its duties and functions, the Committee and each Subcommittee may direct such inquiries to and request and obtain information from persons engaged in foreign petroleum operations as may be necessary or appropriate.

12. *Committee representation.* Any individual appointed to represent a member on the Committee or any Subcommittee, either as representative or alternate, shall, prior to acting thereon, advise the Administrator in writing either by letter or telegram of his acceptance of such appointment. Such written acceptance shall be directed to the Administrator in the following form and shall obligate the individual as stated:

DEAR SIR: I hereby agree to become a representative of [here insert name of company], a particpant in the "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations" and accept appointment as such representative on [here state name of Committee or Subcommittee] created pursuant to said Agreement.

I hereby agree to use my best efforts to discharge the duties and functions incident to such representation adequately and expeditiously and in accordance with my individual experience and judgment.

Sincerely,

[Signature]

13. *Procedure for and effect of becoming a participant.* (a) After approval of this Agreement by the appropriate Government official as provided in section 708 of the Defense Production Act of 1950 and after requests for participation in it have been approved by the Attorney General and have been made of persons engaged in foreign petroleum operations by such Government official, such persons may become participants in this Agreement by advising such Government official in writing of acceptance of such request. Such requests will be effective for the purpose of granting certain immunity from the antitrust laws and the Federal Trade Commission Act as provided in section 708 (b) of the Defense Production Act of 1950 only with respect to such persons as notify such Government official in writing that they will comply with such request and only with respect to such acts by such persons as are within the scope of this Agreement.

(b) This Agreement shall not be construed as directing or requiring any participant to take any action, to carry into effect any schedule, which would conflict with any applicable laws or regulations of any foreign country or area or with any obligation of such participant which existed on the date the Director submitted to the Committee any request which results in the issuance of such schedule.

14. *Effective date and duration.* This Agreement shall become effective upon the date of its final approval by the Director of the Office of Defense Mobilization. It shall cease to be effective at the termination of Title VII of the Defense Production Act of 1950 unless the time limitation now specified in section 716 (a) of said act is extended or otherwise changed by legislative action in a form which permits continuation of this Agreement. However, the Agreement may be terminated at any time as may be determined by the Administrator upon notice by letter, telegram, or publication in the FEDERAL REGISTER.

15. *Withdrawal from Agreement.* Any participant may withdraw from this Agreement subject to the fulfillment of obligations incurred under this Agreement prior to the date such withdrawal becomes effective by giving not less than 30 days' written notice to the Administrator.

[F. R. Doc. 51-10048; Filed, Aug. 17, 1951; 5:03 p. m.]

[D. P. A. Request No. 13A]

REQUEST TO PARTICIPATE IN PLAN OF ACTION NO. 1 UNDER VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in a plan of action, entitled "Plan of Action No. 1 under Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated July 26, 1951, was approved by the Attorney General after consultations with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission, and the Administrator of the Defense Production Administration, and was transmitted to the companies listed below.

Plan of Action No. 1, also set forth below, has been approved by the Administrator of the Defense Production Administration and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

You are requested to participate in a plan of action, entitled "Plan of Action No. 1 under Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated July 26, 1951, a copy of which is enclosed. This Plan was prepared in accordance with the Voluntary Agreement which Mr. Wilson has approved, entitled "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations," dated June 25, 1951.

In my opinion, your participation will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect thereto between his representatives, representatives of the Chairman of the Federal Trade Commission, and my representatives, pursuant to section 708 of the Defense Production Act of 1950, as amended.

I approve the Plan of Action No. 1, dated July 26, 1951, and find it to be in the public interest as contributing to the national defense. You will become a participant therein upon advising me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act, as provided in the Defense Production Act of 1950, as amended, will be given only upon such acceptance, provided that your acts relative to such participation are within the scope of this Plan.

Your cooperation in this matter will be appreciated.

Sincerely,

MANLY FLEISCHMANN,
Administrator.

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Arabian American Oil Co., 505 Park Avenue, New York 22, N. Y.

Standard Oil Co. (New Jersey), 80 Rockefeller Plaza, New York, N. Y.

Creole Petroleum Corp., 350 Fifth Avenue, New York 1, N. Y.

Esso Export Corp., 15 West Fifty-first Street, New York 19, N. Y.

Gulf Oil Corp., Gulf Building, P. O. Box 1166, Pittsburgh, Pa.

Standard Oil Co. of Californa, 225 Bush Street, San Francisco, Calif.

The Texas Co., 135 East Forty-second Street, New York, N. Y.

Barber Oil Corp., 30 Rockefeller Plaza, New York, N. Y.

Erighton Terminal, Ltd., 30 Rockefeller Plaza, New York, N. Y.

Caltex International, Ltd., 551 Fifth Avenue, New York 17, N. Y.

Caltex Oil Products Co., 551 Fifth Avenue, New York 17, N. Y.

California Texas Corp., 551 Fifth Avenue, New York 17, N. Y.

Overseas Tankship Corp., 551 Fifth Avenue, New York 17, N. Y.

Caltex Oceanic, Ltd., 551 Fifth Avenue, New York 17, N. Y.

Socony-Vacuum Oil Co., Inc., 26 Broadway, New York, N. Y.

Tide Water Associated Oil Co., 79 New Montgomery Street, San Francisco, Calif.

Standard-Vacuum Oil Co., 26 Broadway, New York, N. Y.

The Atlantic Refining Co., 260 South Broad Street, Philadelphia 1, Pa.

Venezuelan Petroleum Co., 630 Fifth Avenue, New York 20, N. Y.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator,
Defense Production Administration.

PLAN OF ACTION NO. 1 UNDER VOLUNTARY AGREEMENT RELATING TO THE SUPPLY OF PETROLEUM TO FRIENDLY FOREIGN NATIONS

JULY 26, 1951.

This Plan of Action No. 1 is a Voluntary Agreement under section 708 of the Defense Production Act of 1950 (64 Stat. 798), as amended. It is submitted pursuant to section 6 of the "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations", dated June 25, 1951, and has been duly recommended to, and approved by, the Administrator under said Voluntary Agreement as provided in said section 6 thereof.

1. *Need for Plan of Action No. 1.* The defense and security programs of the United States and others of the United Nations have accelerated essential demands for petroleum. The almost complete shutdown, in April 1951, of the world's largest refinery located at Abadan, Iran, resulted in the loss of up to 7,000,000 barrels of petroleum products. More recently, the discontinuance of all movements of both crude oil and petroleum products from Iran has resulted in a loss to free world trade of approximately 460,000 barrels a day of refined products (the equivalent of approximately 510,000 barrels a day of crude oil) plus a loss of 150,000 barrels a day of crude oil of Iranian production. If this loss of petroleum from Iran should continue throughout the balance of the year 1951 it will amount to a petroleum loss, due to increasing demand, of more than 700,000 barrels a day. As a direct consequence, there is building up a serious shortage and maldistribution of petroleum supplies which is affecting adversely the interests of the United States, including the successful continuance of its mobilization program and the mobilization programs of friendly foreign nations.

2. *What this Plan does.* The purpose of Plan of Action No. 1 is to provide measures designed to offset the deficit of supplies of crude oil and refined products resulting from the interruption of Iranian petroleum operations. The Plan authorizes cooperative action in foreign petroleum operations by some or all of the participants herein, and by such other persons engaged in foreign petroleum operations as are designated

by the Administrator, in schedules issued hereunder, as follows:

(a) Increasing the rate of production of crude oil in fields located in Bahrein Island, Canada, Colombia, Egypt, Indonesia, Iraq, Qatar, Kuwait, New Guinea, Saudi Arabia or Venezuela by the Arabian American Oil Company, The Atlantic Refining Company, The Bahrein Petroleum Company, LTD., Caltex Pacific Petroleum Maatschappij, California Texas Oil Company, LTD., Creole Petroleum Corporation, Gulf Oil Corporation, Socony-Vacuum Oil Company, Standard Oil Company of California, Standard Oil Company (N. J.), Standard Vacuum Oil Company, The Texas Company, or Venezuelan Petroleum Company. The amounts of crude oil to be produced pursuant to Plan of Action No. 1 in the areas specified above by any one or more of the participants herein, acting either as principal or through a person named on a schedule to be issued hereunder, shall be set forth from time to time in schedules to be prepared, approved and issued pursuant to section 3 of this Plan.

(b) Increasing the manufacture of refined petroleum products at refineries located in Argentina, Australia, Bahrein Island, Belgium, British West Indies, Canada, Colombia, Cuba, Denmark, Egypt, France, Germany, Indonesia, Italy, Japan, Kuwait, the Netherlands, Norway, Netherlands West Indies, Peru, Saudi Arabia, Spain, Trieste Zone, Trinidad, the United Kingdom, Uruguay or Venezuela by Arabian American Oil Company, The Atlantic Refining Company, Barber Oil Corporation, The Bahrein Petroleum Company, Ltd., California Texas Corporation, Caltex Oil Products Company, Caltex Petroleum Maatschappij, Creole Petroleum Corporation, Gulf Oil Corporation, Socony-Vacuum Oil Company, Incorporated, Standard Oil Company (N. J.), Standard Vacuum Oil Company, The Texas Company or Venezuelan Petroleum Company. Increases in the manufacture of refined petroleum products at the refineries referred to above pursuant to Plan of Action No. 1 will be accomplished by any one or more of the following actions: increased crude through-put through facilities installed at such refineries, adjustments in the through-put quality specifications or yields of products manufactured at such refineries or conversion of equipment now installed at such refineries from the manufacture of any one particular petroleum product to the manufacture of another petroleum product, the processing of selected crudes or the exchange of components between various refineries. The specific details of the amounts of increased manufacture and particular operations pursuant to Plan of Action No. 1 in the areas specified above by any one or more of the participants herein, acting either as principal or through a person named on a schedule to be issued hereunder, shall be set forth from time to time in schedules to be prepared, approved and issued pursuant to section 3 of this Plan.

(c) Arrangements among the participants herein for the purchase, loan, sale or exchange for distribution in, to or from foreign countries or areas of available crude oil, petroleum products and blending agents by and among themselves and such other persons engaged in foreign petroleum operations as are designated by the Administrator, in schedules issued hereunder, to the end that there shall be a maximum distribution of the amounts of crude oil and refined products available to offset the loss of crude oil and refined products due to the interruption of Iranian petroleum operations. It will be an objective of these arrangements to distribute to the extent possible Persian Gulf-Middle East crude oil (a portion of which is presently being exported to the United States and Canada) and refined products to the areas most accessible thereto, taking account of available refining capacity, pipeline and tanker transportion. Supply deficits in other areas resulting from such redistribution will generally be made up from the sources of supply nearest at hand. The details of the specific purchases, loans, sales or exchanges authorized by and made pursuant to this subparagraph (c) shall be set forth in schedules to be prepared, approved and issued from time to time pursuant to the provisions of section 3 of this Plan.

(d) In order to assure the maximum transportation and distribution of the amounts of crude oil and refined products made available hereunder to the countries and areas specified in section 4 hereof, the participants herein may arrange between and among themselves and with such other persons engaged in foreign petroleum operations designated by the Administrator in schedules issued hereunder for the most efficient use, without regard to ownership, of terminal and storage facilities and tankers, pipeline capacities and other transportation facilities so as to minimize duplications, multiple loadings and discharging, split cargoes, cross-hauling and back-hauling, and idle time in port. The details of the arrangements authorized by and made pursuant to this subparagraph (d) shall be specified in schedules to be prepared, approved and issued from time to time pursuant to the provisions of section 3 of this Plan.

3. *Implementing schedules.* Plan of Action No. 1 will be implemented by schedules setting forth in detail the operating procedures or actions which are to be taken hereunder. Schedules prepared by a Subcommittee and recommended by the unanimous vote taken at a meeting thereof shall, after approval by the Committee, be forwarded directly to the Administrator. Upon approval of Plan of Action No. 1 as provided in section 708 of the Defense Production Act of 1950, as amended, and approval and issuance of the implementing schedules by the Administrator, action shall be taken by the participants herein (acting directly as principal or indirectly by agent, affiliate or otherwise) as provided in said schedules.

4. *Areas of operation.* The principal areas directly affected by the interruption of exports of crude oil and refined products from Iran include Great Britain, France, Germany, Scandinavia, Belgium, Netherlands, Luxemburg, Yugoslavia, Turkey, Greece, Italy, Switzerland, Spain, Portugal, Africa, Aden, India, Pakistan, Japan, Indonesia, Ceylon, Philippines, Formosa, Argentina, French Indo-China, Thailand, Burma, Malaya, Australia and New Zealand. To overcome shortages of the magnitude involved, it will be necessary to make numerous alterations and adjustments in foreign petroleum operations, with assistance to one area necessarily involving adjustments in other areas, including not only the directly affected areas specified above but also remotely distant areas including the Western Hemisphere.

5. *Companies participating in plan.* The companies which, it is contemplated, will participate in Plan of Action No. 1 are listed in Exhibit A attached hereto and made a part hereof. Additional companies may participate when so requested by the appropriate Government officials.

6. *Procedure for and effect of becoming a participant.* (a) After approval of this Agreement by the appropriate Government official as provided in section 708 of the Defense Production Act of 1950, as amended, and after requests for participation in it have been approved by the Attorney General and have been made of persons engaged in foreign petroleum operations by such Government official, such persons may become participants in this Agreement by advising such Government official in writing of acceptance of such requests. Such requests will be effective for the purpose of granting certain immunity from the Antitrust Laws and the Federal Trade Commission Act as provided in section 708 (b) of the Defense Production Act of 1950, as amended, only with respect to such persons as notify such Government official in writing that they will comply with such request and only with respect to such acts by such persons as are within the scope of this Agreement.

(b) This Agreement shall not be construed as directing or requiring any participant to take any action to carry into effect any schedule, which would conflict with any applicable law or regulation of any foreign country or area or with any obligation of such participant which existed on the date the Director submitted to the Committee any request which results in the issuance of such schedules.

7. *Incorporation by reference.* The provisions of the "Voluntary Agreement Relating to the Supply of Petroleum to Friendly Foreign Nations", dated June 25, 1951, including section 3 (Definitions) thereof, are incorporated in this Plan of Action No. 1 as if set forth fully herein.

8. *Effective date and duration.* This Agreement shall become effective upon the date of its aprpoval by the Defense Production Administrator or other proper Government official acting pursuant to the appropriate provisions of the Defense Production Act of 1950, as amended. It shall cease to be effective at the termination of Title VII of the Defense Production Act of 1950, as amended, unless the applicable time limitation now specified in said act is extended or otherwise changed by legislative action in a form which permits continuation of this Agreement. This Agreement may be terminated at any time as may be determined by the Administrator upon notice by letter, telegram, or publication in the FEDERAL REGISTER.

9. *Withdrawal from Agreement.* Any participant may withdraw from this Agreement subject to the fulfillment of obligations incurred under this Agreement prior to the date such withdrawal becomes effective by giving not less than thirty days' written notice to the Administrator.

EXHIBIT A

Arabian American Oil Co.
Standard Oil Co. (New Jersey).
Creole Petroleum Corp.
Esso Export Corp.
Gulf Oil Corp.
Standard Oil Co. of California.
The Texas Co.
Barber Oil Corp.
Brighton Terminal, Ltd.
Caltex International, Ltd.
Caltex Oil Products Co.
California Texas Corp.
Overseas Tankship Corp.
Caltex Oceanic, Ltd.
Socony-Vacuum Oil Co., Inc.
Tide Water Associated Oil Co.
Standard-Vacuum Oil Co.
The Atlantic Refining Co.
Venezuelan Petroleum Co.

[F. R. Doc. 51-10049; Filed, Aug. 17, 1951; 5:03 p. m.]

ADDITIONAL COMPANIES ACCEPTING REQUESTS TO PARTICIPATE IN THE VOLUNTARY PLAN TO CONTRIBUTE TANKER CAPACITY

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the following supplemental list of companies is herewith published which have accepted the request to participate in the Voluntary Plan, entitled "Voluntary Plan under Public Law 774, 81st Congress for the Contribution of Tanker Capacity for National Defense Requirements," dated January 18, 1951, which request, original list of companies ac-

cepting such request and the Voluntary Plan were published on March 1, 1951, at 16 F. R. 1964. Additional lists of companies accepting such requests were published on April 14, 1951, at 16 F. R. 3316, and on May 3, 1951, at 16 F. R. 3931.

J. M. Carras, Inc., 24 State Street, New York, N. Y.

Crown Central Petroleum Corp., American Building, Baltimore, Md.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Supp. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10050; Filed, Aug. 17, 1951; 5:04 p. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

AIR NAVIGATION SITE WITHDRAWAL NO. 1, ESTABLISHED

AUGUST 14, 1951.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; 49 U. S. C. 214), and pursuant to section 2.22 (2) of Delegation Order No. 427 of August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights, the tract of public land near Kaltag on the right bank of the Yukon River, Alaska, described below by metes and bounds, is hereby withdrawn from all forms of appropriation under the public land laws, and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of air-navigation facilities, the reservation to be known as Air Navigation Site Withdrawal No. 1, Alaska:

Beginning at a point on the right bank of the Yukon River in the Fourth Judicial Division, Territory of Alaska, whence U. S. C. and G. S. Monument "TAG" bears N. 9° 55'46" W., 21,281 feet, approximate latitude 64°19'37.09" N., longitude 158°43'13.19" W., thence

West, 350 feet; S. 8° 30' W., 2,000 feet; East 1,585 feet to a point on said river bank, Northerly 2,000 feet, approximately to the point of beginning, containing 45.89 acres, more or less. All bearings are true.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-9970; Filed, Aug. 21, 1951; 8:46 a. m.]

Bureau of Reclamation

PROJECT SUPPLY OFFICER, BOULDER CANYON PROJECT

REDELEGATION OF AUTHORITY WITH RESPECT TO CONTRACTS FOR SUPPLIES OR SERVICES

AUGUST 15, 1951.

SECTION 1. *Contracts.* Pursuant to the authority contained in section 50 of Departmental Order 2509 (14 F. R. 306), subject to applicable regulations and appropriations, the Project Supply Officer, Boulder Canyon Project, Boulder City, Nevada, may:

(a) Award and execute contracts for supplies or services where the amount does not exceed $50,000;

(b) Approve and execute change orders and extra work orders pursuant to contracts for supplies or services where the amount does not exceed $50,000;

(c) Approve and enter into modifications of contracts for supplies or services which are legally permissible, and terminate such contracts if such action is legally authorized, where the amount does not exceed $50,000.

WESLEY R. NELSON,
Acting Commissioner of Reclamation.

[F. R. Doc. 51-9971; Filed, Aug. 21, 1951; 8:46 a. m.]

[No. 8]

TUCUMCARI IRRIGATION PROJECT, NEW MEXICO

ANNOUNCEMENT OF ANNUAL WATER RENTAL CHARGES

JUNE 29, 1951.

1. I have determined that it is factually impossible, in view of the provision for construction of distribution works by the United States under the contract with the Arch Hurley Conservancy District dated December 27, 1938, to make water available for irrigation use during the season 1952 as contemplated in Article 8 of the contract.

2. *Water rental.* Pursuant to Article 10 of the contract of December 27, 1938, irrigation water will be furnished, when available, upon a rental basis during the irrigation season of 1952, where the progress of construction will permit, to the irrigable lands in the Arch Hurley Conservancy District described below:

Entire project irrigable area embracing all units from 1 through 7: Water to be furnished beginning about April 1, 1952.

Irrigable lands shall be as designated by the Secretary under date of March 17, 1950, and described in detail in Appendix No. 1, Tabulation of Irrigable Areas, dated October 8, 1947, for Units 1 through 5, and in revised Appendix No. 2, Tabulation of Irrigable Areas, dated December 5, 1949, for Units 6 and 7, including any subsequent corrections, amendments or modifications thereof. Any qualified water user wishing to ascertain the irrigability of any tract of land may do so by examining copies of these designations in the office of the Arch Hurley Conservancy District.

3. *Charges and terms of payment—*(a) *All units 1 through 7.* The minimum water rental charge for irrigable land within the boundaries of Units 1, 2, 3, 4, 5, 6, and 7, as above described, shall be $3.75 per irrigable acre, payment of which will entitle the water user to one acre-foot of water per irrigable acres. Additional water will be furnished during the irrigation season at the rate of $2.00 per acre-foot.

(b) All charges shall be payable by the District to the United States in advance of the delivery of water, minimum water rental charges payable for irrigable lands which do not apply for water shall be due on or before June 1, 1952.

4. Water will be delivered and measured by Government forces at the nearest measuring device to the individual farm.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or held under contract of purchase by persons duly qualified to receive water under the terms of the Reclamation Act of June 17, 1902 (32 Stat. 388), and acts of Congress supplementary thereto or amendatory thereof, and who have duly complied with the requirements of the contract of December 27, 1938, between the United States and the District, including:

(a) The execution and delivery of the recordable contract as provided for in Article 30 (b) of said contract;

(b) The execution and delivery of the valid recordable contract, in case of ownership of excess land, as provided for in Articles 30 (a) and 32 of said contracts.

6. Individual applications for water on forms approved by the United States and the payments required by this announcement will be received at the office of the Secretary of the Arch Hurley Conservancy District, Tucumcari, New Mexico. Requests by the District for water for such lands as are entitled to receive water and payments by the District to the United States will be received at the office of the Bureau of Reclamation, Tucumcari, New Mexico.

H. E. ROBBINS,
Regional Director.

[F. R. Doc. 51-9972; Filed, Aug. 21, 1951; 8:46 a. m.]

Petroleum Administration for Defense

NOTICE OF CERTIFICATION WITH RESPECT TO RESTRICTING USE OF NATURAL GAS IN MARYLAND

Take notice that the Public Service Commission of the State of Maryland has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to section 704 Defense Production Act of 1950, as amended, the restrictions imposed by section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the State of Maryland.

BRUCE K. BROWN,
Deputy Administrator, Petroleum Administration for Defense.

[F. R. Doc. 51-10139; Filed, Aug. 21, 1951; 11:06 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 399]

CRESCENDOE GLOVES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Crescendoe Gloves, Inc., Crescendoe Road, Johnstown, New York.

Brand names: "Crescendoe Gloves".

Articles: Women's gloves.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 14, 1951.

[F. R. Doc. 51-9808; Filed, Aug. 14, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 400]

RENOIR OF CALIFORNIA, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Renoir of California, Inc., 4577½ Hollywood Boulevard, Los Angeles 27, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's jewelry and belts, and men's jewelry manufactured by Renoir of California, Inc., 4577½ Hollywood Boulevard, Los Angeles 27, California, having the brand names(s) "Renoir of California, Inc.", shall be the proposed retail ceiling prices listed by Renoir of California, Inc., 4577½ Hollywood Boulevard, Los Angeles 27, California, in its application dated May 31, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Renoir of California, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9858; Filed, Aug. 15, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 401]

GORHAM CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Gorham Company, Providence 7, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the percentage of total sales which each article covered by this special order bears to the total sales of all articles covered by this special order which applicant had delivered during the report-

ing period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of sterling flatware, plated flatware, sterling hollow ware, plated hollow ware, and dresserware, manufactured by The Gorham Company, Providence 7, Rhode Island, having the brand name "Gorham" shall be the proposed retail ceiling prices listed by The Gorham Company in its application dated May 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 31, 1951). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The Gorham Company must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

> The retail ceiling prices for The Gorham Company sterling flatware, sterling hollow ware, plated hollow ware, plated flatware, and dresser ware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

> The retail ceiling prices in this Gorham Company price book have been approved by OPS under section 43, CPR 7.

The tags and stickers must be in the following form:

> The Gorham Company
> OPS—Sec. 43—CPR 7
> Price $--------

On and after November 14, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered by paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the percentage of total sales which each article covered by this special order bears to the total sales of all articles covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9859; Filed, Aug. 15, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 402]

MULTNOMAH TRUNK AND BAG CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPA.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply

to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Multnomah Trunk and Bag Co., 522 North Thompson Street, Portland 12, Oregon.

Brand names: "Globe Trotter", "Globe Trotter, Jr." and "Chief Multnomah", "Paul Bunyan", "Hollywood", "E–Z Pak".

Articles: Luggage, hand trunks, foot lockers, zipper envelopes and brief cases, brief bags, ring binders, file cases, zipper toilet kits, wardrobe trunks and box trunks.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail ceiling prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9360; Filed, Aug. 15, 1951; 4:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 403]

WESTINGHOUSE ELECTRIC CORP., TELEVISION-RADIO DIVISION

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westinghouse Electric Corporation, Television-Radio Division, 1354 Susquehanna Avenue, Sunbury, Pennsylvania, has applied to the Office of Price Stabilization for maximum retail prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of television and radio home receivers sold through wholesalers and retailers and having the brand name(s) "Westinghouse" shall be the proposed retail ceiling prices listed by Westinghouse Electric Corporation, Television-Radio Division, 1354 Susque-

hanna Avenue, Sunbury, Pennsylvania, hereinafter referred to as the "applicant" in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Westinghouse Electric Corporation, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a)(4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9861; Filed, Aug. 15, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 404]

HARDMAN, PECK & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with Section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hardman, Peck & Company, 33 West Fifty-seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other state requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of pianos and benches manufactured by Hardman, Peck & Company, 33 West 57th Street, New York 19, N. Y. having the brand name(s) "Hardman Pianos", "Harrington Pianos", "Minipianos", "Ministools", shall be the proposed retail ceiling prices listed by Hardman, Peck &

Company in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Hardman, Peck & Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9862; Filed, Aug. 15, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 405]

COFFEY-HOYT PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Coffey-Hoyt Products, Inc., 1136 West One-hundred-thirty-fifth Street, Gardena, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of plastic rain boots sold through wholesalers and retailers and having the brand name(s) "Drizzle Boots" shall be the proposed retail ceiling prices listed by Coffey-Hoyt Products, Inc., 1136 West One Hundred and Thirty-fifth Street, Gardena, California, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Coffey-Hoyt Products, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling

price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9863; Filed, Aug. 15, 1951; 4:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 406]

SURPRISE BRASSIERE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Surprise Brassiere Co., Inc., 102 Madison Avenue, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres manufactured by Surprise Brassiere Co., Inc. 102 Madison Avenue, New York 16, New York having the brand name(s) "'Surprise' Bra" shall be the proposed retail ceiling prices listed by Surprise Brassiere Co. Inc. in its application dated June 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Surprise Brassiere Co., Inc., must mark each article for which a ceiling price

has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9864; Filed, Aug. 15, 1951; 4:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 407]

LENTZ NOVELTY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lentz Novelty Company, 1629 North Sixty-first Street, Philadelphia 31, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of covered metal shoe racks, hatracks, and tieracks manufactured by Lentz Novelty Company, 1629 North Sixty-first Street, Philadelphia 31, Pennsylvania, having the brand name(s) "Back O'Door Racks" shall be the proposed retail ceiling prices listed by Lentz Novelty Company in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice or prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Lentz Novelty Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing require-

ments of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9865; Filed, Aug. 15, 1951; 4:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 408]

REGAL WARE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Regal Ware, Inc., Kewaskum, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sauce pots, pan sets, roasters, combination cookers, food blanchers, kettles, sauce pans, salad bowls, ovens, coffee makers, cookers, snack bowl sets, popcorn plates, poppers, fryers, colanders, canners, egg poachers, food presses sold through wholesalers and retailers and having the brand name(s) "Regal" shall be the proposed retail ceiling prices listed by Regal Ware, Inc., Kewaskum, Wisconsin, hereinafter referred to as the "applicant" in its application dated July 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Regal Ware, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers.)* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9866; Filed, Aug. 15, 1951; 4:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 409]

THE NATIONAL-ROSE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The National-Rose Company, 80–82 West Virginia Avenue, Memphis, Tennessee, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by The National-Rose Company, 80–82 West Virginia Avenue, Memphis, Tennessee, having the brand name(s) "Southern Belle Quiltest", "Serta Serta Foam", "Serta Perfect Sleeper Orthopedic", "Serta Restal Knight Deluxe", "Serta Serta-Rest", "Serta Sertaflex", "Serta Smoothrest Deluxe", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper Deluxe", "Serta Perfect Sleeper", "Southern Beauty", "Southern Texlite", "Southern Orthopedic", "Southern Cushion Flex", "Southern Maid" and "Southern Queen" shall be the proposed retail ceiling prices listed by The National-Rose Company in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation having the same selling price and terms of sale to the retailer, same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The National-Rose Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufac-

turer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9867; Filed, Aug. 15, 1951; 4:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 410]

A. WEIGELL & SON, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, A. Weigell & Son, Inc., 836 East Bay Street, Milwaukee 7, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by A. Weigell & Son, Inc., 836 East Bay Street, Milwaukee 7, Wisconsin, having the brand name(s) "Spring-Air", "Queen O'Sleep" shall be the proposed retail ceiling prices listed by A. Weigell & Son, Inc. in its application dated May 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, A. Weigell & Son, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this

notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1051.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9868; Filed, Aug. 15, 1951; 4:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 411]

RICHARD PAUL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Richard Paul, Inc., 832 North Walnut Street, Wilmington 8, Delaware, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's shoe-hi foot and toe coverings manufactured by Richard Paul, Inc., 832 North Walnut Street, Wilmington 8, Delaware, having the brand name(s) "Peds" shall be the proposed retail ceiling prices listed by Richard Paul, Inc., in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Richard Paul, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9869; Filed, Aug. 15, 1951; 4:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 413]

UNITED STATES SPRING BED CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for Retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: United States Spring Bed Co., 228 Birnie Avenue, Springfield 1, Mass.

Brand names: "Spring Air", "Spring Air Extra Firm", "Spring Air Hair Top", "Spring Air Back Supporter", and "Spring Air Extra Long".

Articles: mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9871; Filed, Aug. 15, 1951; 4:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 414]

VAN RAALTE CO., INC.

CEILING PRICES AT RETAIL

Statement of consideration. This is an order esablishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to Section 43 of CPR, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, N. Y.

Brand name: "Van Raalte".

Articles: Women's nylon hosiery, underwear, and gloves.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}
$--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment) mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9872; Filed, Aug. 15, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 415]

BERKSHIRE KNITTING MILLS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Berkshire Knitting Mills, Reading, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special

order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's full fashioned stockings sold through wholesalers and retailers and having the brand name(s) "Berkshire" and "As You Like It" shall be the proposed retail ceiling prices listed by Berkshire Knitting Mills, Reading, Pennsylvania hereinafter referred to as the "applicant" in its application dated May 18, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Berkshire Knitting Mills must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9873; Filed, Aug. 15, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 416]

APINLES DIAPER PANTIE CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each

article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Apinles Diaper Pantie Co., 844 West Adams Street, Chicago 7, Illinois.

Brand names: "Apinles".

Articles: diaper panties.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant.—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9874; Filed, Aug. 15, 1951; 4:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 417]

W. B. FOUNDATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: W. B. Foundations, Inc., 46 Warren Street, Newark 2, New Jersey.

Brand name: "Youthline".

Articles: women's corsettes, girdles, brassieres.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same nct cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the Applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below, to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order, and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports,* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9875; Filed, Aug. 15, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 418]

LOV-É BRASSIERE CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice to all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Lov-é Brassiere Company, 7494 Santa Monica Boulevard, Hollywood 46, California.

Brand name: "Lov-é".

Article: brassieres.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted itcms.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9876; Filed, Aug. 15, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 419]

THE DRYBAK CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Drybak Corporation, Binghamton, New York, has applied to the Office of Price Stabilization for maximum resale prices for certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and women's coats, jackets, pants, parka, vests, caps, shirts sold through wholesalers and retailers and having the brand name(s) "Drybak", "The Feather by Drybak", "Chinook by Drybak", "Woodfield by Drybak" shall be the proposed retail ceiling prices listed by The Drybak Corporation, Binghamton, New York, hereinafter referred to as the "applicant" in its application dated June 4, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, The Drybak Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale, to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9877; Filed, Aug. 15, 1951; 4:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 420]

FELDT MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Feldt Manufacturing Company, Temple, Texas, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of western shirts manufactured by Feldt Manufacturing Company, Temple, Texas, having the brand name(s) "Tem-Tex Western Shirts" shall be the proposed retail ceiling prices listed by Feldt Manufacturing Company in its application dated July 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Feldt Manufacturing Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9878; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 421]

LINCOLN METAL PRODUCTS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lincoln Metal Products Corporation, 136 Clifton Place, Brooklyn 5, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of step-on garbage cans, bread boxes, canister sets sold through wholesalers and retailers and having the brand name(s) "Beautyware" shall be the proposed retail ceiling prices listed by Lincoln Metal Products Corporation, 136 Clifton Place, Brooklyn 5, New York, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Lincoln Metal Products Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2

months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) a copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9879; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 422]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sealy Mattress Company, 2106-10 Penn Avenue, Pittsburgh 22, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Sealy Mattress Company, 2106-10 Penn Avenue, Pittsburgh 22, Pennsylvania, having the brand name(s) "Sealy Sleep Ensemble," "Sealy Firm-O-Rest," "Sealy Sunspun," "Sealy Sleep Form," "Sealy Supreme," "Sealy Luxel," "Sealy Rest," "Sealy Cotton Boll," Sealy Natural Rest," "Sealy Enchanted Night," "Sealy Good Homekeeper," "Sealy Dreamer," "Sealy Sleep Charm," "Sealy Tuxedo" and "Sealy Sealcrest" shall be the proposed retail ceiling prices listed by Sealy Mattress Company in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Sealy Mattress Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manu-

facturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc. Terms{net. percent EOM. etc.	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9880; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 423]

IRWIN-WILLERT CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Irwin-Willert Company, 817 Trendley Avenue, East St. Louis, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of moth crystals, nuggets, and dispensers sold through wholesalers and retailers and having the brand name(s) "Mothmaster" shall be the proposed retail ceiling prices listed by Irwin-Willert Co., 817 Trendley Avenue, East St. Louis, Illinois, hereinafter referred to as the "applicant" in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later that September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Irwin-Willert Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
_____	$_____

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9881; Filed, Aug. 15, 1951; 4:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 424]

LIBBEY GLASS, DIVISION OF OWENS-ILLINOIS GLASS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Libbey Glass, Division of Owens-Illinois Glass Company, P. O. Box 1035, Toledo, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of glass tableware sold through wholesalers and retailers and having the brand name(s) "Libbey" and "L" shall be the proposed retail ceiling prices listed by Libbey Glass, Division of Owens-Illinois Glass Company, P. O. Box 1035, Toledo 1, Ohio, hereinafter referred to as the "applicant" in its application dated May 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 27, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Libbey Glass, Division of Owens-Illinois Glass Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9882; Filed, Aug. 15, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 425]

BOYLE LEATHER GOODS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Boyle Leather Goods Co., Inc., 36 East Thirty-first Street, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of leather and heavy duck luggage, luggage covers, fitted and unfitted kits, book marks, bag tags, and brief cases sold through wholesalers and retailers and having the brand name(s) "Boyle" shall be the proposed retail ceiling prices listed by Boyle Leather Goods Co., Inc., 36 East Thirty-first Street, New York 16, New York, hereinafter referred to as the "applicant" in its application dated May 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Boyle Leather Goods Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9883; Filed, Aug. 15, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 426]

KORDITE CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kordite Corporation, Victor, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of clotheslines, brooms, clothespins, freezer bags and boxes sold through wholesalers and retailers and having the brand name(s) "Kordite" shall be the proposed retail ceiling prices listed by Kordite Corporation, Victor, New York, hereinafter referred to as the "applicant" in its application dated May 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Kordite Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price.

The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9884; Filed, Aug. 15, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 427]

ONEIDA LTD.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order Oneida Ltd., Oneida, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sterling and plated silver flatware and holloware sold through wholesalers and retailers and having the brand name(s) "Heirloom Sterling", "Community", "Tudor Plate", "1881 (R) Rogers (R)" "(O.) (C.) Oneida Community, Ltd." shall be the proposed retail ceiling prices listed by Oneida Ltd., Oneida, New York, hereinafter referred to as the "applicant" in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Oneida Ltd. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9885; Filed, Aug. 15, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 428]

PERSONAL PRODUCTS CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Personal Products Corporation, Milltown, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of toilet tissues, plastic cleaning mop handles and disposable pads sold through wholesalers and retailers and having the brand name(s) "Jonny Mop" and "Yes" shall be the proposed retail ceiling prices listed by Personal Products Corporation, Milltown, New Jersey, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated April 23, 1951, May 12, 1951, and July 10, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Personal Products Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment

to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9286; Filed, Aug. 15, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 429]

GOLDEN FLEECE TISSUE MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Golden Fleece Tissue Mills, Inc., 347 Fifth Avenue, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of handkerchief tissue sold through wholesalers and retailers and having the brand name(s) "Golden Fleece" shall be the proposed retail ceiling prices listed by Golden Fleece Tissue Mills, Inc., 347 Fifth Avenue, New York 16, New York, hereinafter referred to as the "applicant" in its application dated April 9, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated May 16, 1951 and June 14, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Golden Fleece Tissue Mills, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9887; Filed, Aug. 15, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 430]

MARIE-DESIGNER, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Marie-Designer, Inc., 8512 Sunset Boulevard, Hollywood 46, California (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of contour chairs sold at wholesale by Marie-Designer, Inc., 8512 Sunset Blvd., Hollywood 46, California, having the brand name(s) "Contour Chair Lounge" shall be the proposed retail ceiling prices listed by Marie-Designer, Inc., in its application dated June 20, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 15, 1951, Marie-Designer, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by

copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9888; Filed, Aug. 15, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 431]

KINDEL FURNITURE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Kindel Furniture Company, Grand Rapids 2, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of household furniture manufactured by Kindel Furniture Company, Grand Rapids 2, Michigan, having the brand name(s) "Kindel" shall be the proposed retail ceiling prices listed by Kindel Furniture Company in its application dated June 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Kindel Furniture Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On an after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2

months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9889; Filed, Aug. 15, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 432]

GOLD SEAL RUBBER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Gold Seal Rubber Company, 174 Lincoln Street, Boston, Massachusetts (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of children's rubber boots sold at wholesale by Gold Seal Rubber Company, 174 Lincoln Street, Boston, Massachusetts, having the brand name(s) "Hopalong Cassidy" shall be the proposed retail ceiling prices listed by Gold Seal Rubber Company in its application dated May 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 15, 1951, Gold Seal Rubber Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms {net. percent EOM., etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9890; Filed, Aug. 15, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 433]

THE CASHMERE CORP. OF AMERICA

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Cashmere Corporation of America, 2765 East Fifty-fifth Street, Cleveland 4, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's 100% cashmere sweaters manufactured by The Cashmere Corporation of America, 2765 East 55th Street, Cleveland 4, Ohio, having the brand name(s) "Hadley" shall be the proposed retail ceiling prices listed by The Cashmere Corporation of America in its application dated July 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The Cashmere Corporation of America must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9891; Filed, Aug. 15, 1951; 4:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 434]

HI-LO TV ANTENNA CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hi-Lo TV Antenna Corporation, 3540 North Ravenswood, Chicago 13, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for re-

tail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of TV antennas sold through wholesalers and retailers and having the brand name(s) "Hi-Lo" shall be the proposed retail ceiling prices listed by Hi-Lo TV Antenna Corporation, 3540 North Ravenswood, Chicago 13, Illinois, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Hi-Lo TV Antenna Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within sixteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9892; Filed, Aug. 15, 1951; 4:12 p. m.]

FEDERAL POWER COMMISSION

[Project No. 481]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF ORDER FURTHER AMENDING LICENSE

AUGUST 16, 1951.

Notice is hereby given, that on June 15, 1951, the Federal Power Commission issued its order entered June 12, 1951, further amending license (transmission line) in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9983; Filed, Aug. 21, 1951; 8:50 a. m.]

[Project No. 1934]

SOUTHERN CALIFORNIA EDISON CO.

NOTICE OF ORDER FURTHER AMENDING LICENSE

AUGUST 16, 1951.

Notice is hereby given that, on June 29, 1951, the Federal Power Commission issued its order entered June 26, 1951, further amending license (major) in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-9984; Filed, Aug. 21, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2665]

CONSOLIDATED NATURAL GAS CO. ET AL.

ORDER GRANTING AND PERMITTING TO BECOME EFFECTIVE JOINT APPLICATION-DECLARATION WITH RESPECT TO PROPOSED SALE AND ACQUISITION OF GAS STORAGE AND OTHER FACILITIES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 16th day of August A. D. 1951.

In the matter of Consolidated Natural Gas Company, Peoples Natural Gas Company, New York State Natural Gas Corporation; File No. 70-2665.

Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and its subsidiaries, The Peoples Natural Gas Company ("Peoples"), and New York State Natural Gas Corporation ("New York Natural") having filed a joint application-declaration pursuant to the provisions of sections 9 (a), 10, 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-43 and U-44 promulgated thereunder, with respect to the following proposed transaction:

Peoples proposes to sell to New York Natural certain oil and gas leases and other interests in land, together with gas wells, pipelines and other appurtenant facilities, located in an area called the "South Bend Storage Area" in Indiana and Armstrong Counties, Pennsylvania for a cash consideration estimated in the amount of $335,181, determined in accordance with the terms of a transfer agreement between Peoples and New York Natural. The South Bend Storage Area is located in the vicinity of the Oakford Storage Area now owned by New York Natural and will be operated in conjunction with such properties.

The application-declaration states that the transfer of the properties by Peoples to New York Natural is subject to the jurisdiction of the Public Utility Commission of Pennsylvania, which Commission by order dated July 16, 1951, issued its certificate of public convenience evidencing its approval thereof. The acquisition of such properties by New York Natural is also subject to the jurisdiction of the Federal Power Commission, which Commission, by order dated May 31, 1951, issued its certificate of public convenience and necessity authorizing, among other things, the proposed acquisition.

Said application-declaration having been filed on July 6, 1951, and the last amendment thereto having been filed on August 10, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration be granted and permitted to become effective;

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9981; Filed, Aug. 21, 1951; 8:49 a. m.]

[File Nos. 70-2681, 54-196, 59-97]

ALBERT R. JONES ET AL.

NOTICE OF FILING OF APPLICATION FOR APPROVAL OF THE ACQUISITION OF COMMON STOCK OF SOUTHWESTERN DEVELOPMENT CO. AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 16th day of August A. D. 1951.

In the matter of Albert R. Jones, et al. File No. 70-2681; The Mission Oil Company, Southwestern Development Company and subsidiaries; File No. 54-196, File No. 59-97.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Albert R. Jones, Laurence R. Jones, Virginia Jones Mullin, Mabel M. Jones, A. R. Jones Oil and Operating Company and The Lotus Oil Company ("Jones and Associates"), requesting approval of the acquisition of an aggregate of 67,259 shares of common stock of Southwestern Development Company ("Southwestern"), a registered holding company and a subsidiary of The Mission Oil Company ("Mission"), a registered holding company. The application designates sections 9 (a) (2) and 10 of the act as applicable to the proposed transaction.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions as therein proposed, which may be summarized as follows:

Mission, Southwestern and their subsidiary companies have filed a plan pursuant to section 11 (e) of the act which, among other things, provides for the distribution by Mission of its holdings of 47.28 percent of the common stock of Southwestern and the liquidation and dissolution of Mission, with respect to which plan public hearings have been held and are to be reconvened on August 22, 1951. Jones and Associates who, by reason of their ownership of in excess of 5 percent of the common stock of Mission are affiliates of Mission and its subsidiaries, will, under the terms of the plan, be entitled to receive their pro rata share of the common stock of Southwestern to be distributed by Mission.

It is requested that contemporaneous with the issuance of an order by this Commission approving the plan that an order be issued granting the application of Jones and Associates for approval of their acquisition of 67,259 shares of the common stock of Southwestern.

The application states that no fees, commissions or expenses are to be incurred or paid in connection with the proposed acquisition except the legal fees and expenses of counsel for applicant.

It appearing to the Commission that the application involves questions of law and fact closely related to, if not common with, those involved in the pending proceedings with respect to the plan of Mission and Southwestern filed pursuant to section 11 (e) of the act (File Nos. 54-196 and 59-97) and that said proceedings should be consolidated and heard together.

It is hereby ordered, That the proceeding with respect to the application be, and it hereby is consolidated with the pending proceedings concerning The Mission Oil Company, Southwestern Development Company and Subsidiaries, File Nos. 54-196 and 59-97, subject, however, to a reservation of jurisdiction to separate, either in whole or in part, for hearing or disposition any issues or questions which may arise in the proceedings, and to take such further action as may appear conducive to an orderly, prompt and economical disposition of the matters involved. Any person desiring to be heard with respect to this application should promptly notify the Secretary of the Commission as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That the Secretary of this Commission shall serve a copy of this notice and order by registered mail on applicants and upon all participants of record in the pending proceeding concerning The Mission Oil Company, Southwestern Development Company and subsidiaries, File Nos. 54-196 and 59-97; that notice of the action taken by this order shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission with respect to this notice and order be distributed to the press and mailed to the mailing list for releases is-

sued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-9980; Filed, Aug. 21, 1951; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

LOUIS SOBRINO GUARDIOLA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Louis Sobrino Guardiola, Brussels, Belgium; Claim No. 37318; property described in Vesting Order No. 675 (8 F. R. 5029, April 17, 1943) relating to United States Letters Patent No. 2,283,056.

Executed at Washington, D. C., on August 15, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10030; Filed, Aug. 21, 1951; 8:54 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26334]

LINSEED OIL FROM THE SOUTHWEST TO FLORIDA

APPLICATION FOR RELIEF

AUGUST 17, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3947.

Commodities involved: Linseed oil, carloads.

From: Points in Arkansas, Colorado, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

To: Stations in Florida.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3947, Supp. 29.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-9990; Filed, Aug. 21, 1951; 8:52 a. m.]

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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 CCC Cottonseed Bulletin 3]

PART 643—OILSEEDS

SUBPART—1951 COTTONSEED PRODUCTS PURCHASE PROGRAM

Sec.

643.575 General statement.
643.576 Administration.
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643.578 Purchases of cottonseed by crusher.
643.579 Purchase of cottonseed products by CCC.
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643.591 Benefits and nondiscrimination.
643.592 Assignment.
643.593 Provisional payments.
643.594 PMA commodity offices.

AUTHORITY: §§ 643.575 to 643.594 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply secs. 4, 5, 62 Stat. 1070, as amended, 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup., 714b, 714c, 7 U. S. C. Sup., 1447, 1421.

§ 643.575 *General statement.* As a part of the 1951 Cottonseed Price Support Program formulated by Commodity Credit Corporation (referred to in this subpart as CCC) and the Production and Marketing Administration (referred to in this subpart as PMA), CCC hereby offers to purchase certain cottonseed products produced by any crusher engaged in the crushing of cottonseed (referred to in this subpart as "crusher") on the terms and conditions stated in this subpart. The program will be carried out by PMA under the general supervision and direction of the President, CCC.

§ 643.576 *Administration.* Except as specifically provided otherwise, operations under this subpart will be administered by the PMA commodity offices listed in § 643.594. All contract documents on behalf of CCC will be executed by CCC contracting officers in the appropriate PMA commodity offices. Officials of the PMA commodity offices, PMA State offices, and PMA county offices, do not have authority to waive or modify any provisions of this subpart.

§ 643.577 *Availability* — (a) *Area.* This program will be available in all areas where cottonseed crushing mills are located.

(b) *Source.* (1) Purchases of cottonseed products, in accordance with the terms of this subpart, will be made by CCC from the crushers who notify the appropriate PMA commodity offices of acceptance of the offer contained in this subpart substantially in the following forms:

> The undersigned crusher hereby accepts CCC's offer to cottonseed crushers, 1951 CCC Cottonseed Bulletin No. 3, for the mills listed below. The crusher understands that by acceptance of this offer he becomes obligated to pay for all 1951 crop cottonseed purchased from participating ginners and eligible producers not less than $65.50 per ton for basis grade (100) cottonseed f. o. b. gin point, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than the basis grade (100). The following mills are covered by this acceptance: * * *

(2) If the crusher operates more than one cottonseed crushing mill, he may file one acceptance for those mills for which he desires to accept this offer and shall specify in the acceptance the names and locations of the mills covered by the acceptance; but each such mill shall be treated as a separate unit for the purpose of determining the rights and obligations of the crusher with respect to cottonseed purchased for processing at, and cottonseed products produced at, each such mill. CCC will acknowledge in writing the receipt of each acceptance.

(3) Upon approval by the President of CCC, the PMA commodity office may permit a crusher, upon his request, to tender and deliver products in a form not provided for in this subpart if such crusher operates a mill in which products can be produced only in such form.

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(c) *Time.* The acceptance provided for in paragraph (b) of this section must be forwarded by telegram or registered mail to the Director of the appropriate PMA commodity office as shown in § 643.594 on or before September 15, 1951 or such later date as may be approved by such Director. Only cottonseed purchased prior to July 1, 1952, or such later date as may be specified by CCC, is covered by this subpart. All cottonseed products tendered to CCC must be for delivery not later than September 15, 1952, or such later date as may be specified by CCC.

§ 643.578 *Purchases of cottonseed by crusher*—(a) *Cottonseed covered.* Only 1951 crop cottonseed purchased by the crusher from ginners participating in the 1951 cottonseed purchase program (1951 CCC Cottonseed Bulletin 2), or from producers eligible under such program is covered by this subpart. Except as may be otherwise provided by the President of CCC in accordance with paragraph (b) of this section the crusher must pay for all such cottonseed purchased under this subpart not less than $65.50 per ton basis grade (100), f. o. b. gin, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than the basis grade (100). Cottonseed which is "below grade" or "off quality" as defined in the rules of The National Cottonseed Products Association may be purchased at a price mutually agreeable to the crusher and the ginner or the producer selling the cottonseed. The names and addresses of participating ginners and beginning dates of their participation will be furnished to the crusher by the appropriate PMA commodity office. The crusher may obtain and rely upon information in writing as to additions to the list of participating ginners from either the county or State PMA office or from the PMA commodity office. If a participating ginner should become ineligible to deliver cottonseed, written notice to the crusher of such ineligibility will be given only by the appropriate PMA commodity office.

(b) *Purchases on official grades.* Unless otherwise approved by the President of CCC, all cottonseed which is purchased by the crusher under this subpart shall be graded in accordance with United States Official Standards for Grades of Cottonseed. Costs of sampling and chemical analysis of cottonseed shall be for the account of the crusher.

(c) *Weight.* Purchases of cottonseed under this announcement shall be based upon weights at the crusher's mill after deduction of the weight of all foreign material in excess of 1 percent.

§ 643.579 *Purchase of cottonseed products by CCC*—(a) *Option to tender products.* The crusher shall have an option to sell and CCC shall purchase if offered, for each ton of cottonseed purchased by the crusher under this subpart, the quantities of crude cottonseed oil, 41 percent protein cake or meal and linters specified below for the applicable area.

	Oil (pounds)	41 percent protein cake or meal (pounds)	Linters (pounds)
Southeastern	311	839	184
Valley area	322	875	179
Southwestern area	301	933	182
Arizona	308	853	199
California	339	822	195

If the crusher elects to sell any products to CCC, the quantities of oil, cake or meal and linters shall be tendered in the proportions specified above for the area in which the mill is located except as provided below. CCC may reject LCL shipments except for a clean-up car on the last delivery of each product, and on which the crusher protects the minimum freight rate. Upon prior approval from,

PMA commodity office, shipments may be made by truck. Any crusher who produces substantially less linters per ton than the applicable quantity specified above shall not be required to deliver in excess of his actual average outturn of linters per ton of cottonseed, as determined by the appropriate PMA commodity office.

Purchases of linters, oil and cake, or meal shall be in accordance with §§ 643.580 through 643.583 and applicable rules of the National Cottonseed Products Association in effect on the date of tender of such products except to the extent that such rules are inconsistent with this subpart and except as to periods specified in such rules for presentation of claims and the rules on arbitration. The crusher shall notify CCC through the appropriate PMA commodity office not later than the 10th day of December 1951, of the quantity of cottonseed purchased hereunder prior to December 1, 1951, and the respective quantities of products tendered to CCC, indicating delivery dates. With respect to cottonseed purchased on and after December 1, 1951, the crusher shall notify CCC not later than the 10th day of January 1952, and the 10th day of each succeeding month, of the quantity of cottonseed purchased under this subpart during the preceding month and the respective quantities of the products tendered to CCC, indicating delivery dates. CCC shall have no obligation to purchase any products which are not tendered within the applicable time specified in this paragraph. CCC shall confirm all tenders of products under this paragraph which comply with the provisions of this subpart. Each tender by the crusher and confirmation by CCC shall constitute separate contracts for the sale of such products in accordance with the terms of this subpart and the applicable rules of the National Cottonseed Products Association. CCC shall be obligated to purchase only the excess of the crusher's production of products milled from cottonseed purchased under this subpart, over the quantities of products required to make deliveries under commercial sales contracts whether or not such contracts were actually consummated by delivery.

(b) *Conditional tenders.* In order to supply local demand for cottonseed cake or meal, the crusher may condition any tender of cottonseed products under paragraph (a) of this section upon an immediate repurchase by the crusher from CCC of a specified quantity of cake or meal included in such tender, at the current market price of cake or meal as determined by the PMA commodity office to which the tender is made which shall not exceed any applicable ceiling price determined under Federal law. Such conditional tender shall be accepted or rejected by CCC within 24 hours after receipt of the tender in the PMA commodity office.

(c) *Brokerage.* The crusher may tender products to CCC through brokers, and any brokerage fee shall be for the account of the crusher.

(d) *Areas.* (1) The Southeastern area shall consist of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, and Alabama.

(2) The Valley area shall consist of the States of Arkansas, Illinois, Kentucky, Louisiana, Missouri, Mississippi, Tennessee, and Bowie county, Texas.

(3) The Southwestern area shall consist of the States of New Mexico, Oklahoma and Texas, except Bowie county.

§ 643.580 *Linter purchases.* (a) Prices f. o. b. carrier at shipping point.

(1) The price for mill run or second cut chemical linters, shall be 8 cents per pound gross weight basis 73 percent cellulose yield. Premiums and discounts of 0.11 cents per pound shall be made for each variation of one percent, fractions in proportion, of cellulose yield from 73 percent.

(2) The price for first-cut and mill run linters sold on U. S. Grade basis shall be as follows:

	Grade	Cents per pound gross weight
U. S. No. 1	High	14.8
	Middle	14.3
	Low	13.8
U. S. No. 2	High	13.3
	Middle	12.8
	Low	12.3
U. S. No. 3	High	11.8
	Middle	11.3
	Low	10.8
U. S. No. 4	High	10.3
	Middle	9.8
	Low	9.3
U. S. No. 5	High	8.8
	Middle	8.3
	Low	8.0
U. S. No. 6		7.8
U. S. No. 7		7.7

(3) The crusher must elect on or before the date of his first tender of products as to whether he will deliver all mill run linters on the basis of cellulose or U. S. Grade.

(4) A discount of $2.00 per bale shall be made by CCC for bales heavier than 675 pounds, gross weight.

(b) *Bagging.* Bales shall be well covered with close woven bagging. Sisal or paper covering will not be acceptable. Bales shall be baled with new or once-used three-fourths pound linter or heavier covering and shall be bound with a minimum of six new or reworked sound standard arrow type buckle and ties. Total tare shall not exceed 5 percent.

(c) *Quality.* U. S. grades or cellulose yield shall be determined on the basis of samples drawn by samplers licensed by the U. S. Department of Agriculture, or other samplers approved by CCC. All linters shall be clean, undamaged, free of excessive hull pepper, shale, and trash and shall not contain motes, sweepings or any other foreign material and, if purchased on a cellulose basis, shall be suitable for chemical use as determined by CCC. Such linters, when loaded, shall be in good condition, dry and free from weather or other damage. Chemical linters shall be sampled and analyzed in accordance with the rules of the National Cottonseed Products Association in effect on the date of tender. The grade of linters sold on a U. S. Grade basis will be determined by a U. S. licensed cotton linters classifier or the Board of Cotton Linters Examiners of the U. S. Department of Agriculture. The cost of determining the cellulose analyses and the U. S. Grade shall be for the account of CCC.

(d) *Weight.* The official destination weight, or other weight acceptable to CCC, at first receiving warehouse in the United States shall govern. CCC shall notify the crusher by telegram if the destination weight is more than one-half of one percent below the weight as billed by the crusher, and the crusher shall have the option, if he notifies CCC by telegram within 24 hours of the receipt of such notice, to have the shipment reweighed by an official weighmaster at the crusher's expense.

(e) *Loading.* All cars shall be loaded to protect minimum freight rate. All cars shall be carefully swept and cleaned before loading. All linters shall be in such condition that common carriers will accept them for transportation to destination without any charges or expense other than freight. Cars shall be furnished by crusher.

(f) *Delivery.* Within 15 days after the delivery date specified by the crusher in the notice of tender, CCC shall issue delivery instructions for immediate shipment.

(g) *Payment.* The crusher may present to CCC for provisional payment a sight draft drawn against CCC with an invoice and approved shipping documents attached for the value of the products based on the origin weights and the base price in the case of linters sold on a cellulose basis or, in the case of linters sold on a U. S. Grade basis, the specific grade price if the linters were graded before shipment or 8.5 cents per pound if the linters were not graded before shipment. Final settlement for such linters will be made upon the basis of the U. S. Grade or cellulose yield analysis and the certified destination out-turn weight of the linters.

§ 643.581 *Crude cottonseed oil purchases*—(a) *Base price.* The base price per pound of prime crude cottonseed oil basis f. o. b. buyer's tank cars at crusher's mill shall be the price specified below for the applicable area:

	Cents
Southeastern	15.625
Valley	15.5
Southwestern	15.25
Arizona	15.5
California	15.5

(b) *Grade.* The grade shall be basis prime crude cottonseed oil as defined in the rules of the National Cottonseed Products Association.

(c) *Quality settlement basis.* The base price shall be adjusted for variance in quality in accordance with the rules of the National Cottonseed Products Association.

(d) *Delivery.* Within 15 days after the delivery date specified by the crusher in the notice of tender, CCC shall issue delivery instructions for immediate shipment.

(e) *Payment.* The crusher may present to CCC for provisional payment, a sight draft drawn against CCC with an invoice and approved shipping documents attached for the value of the oil based on the origin weights and base price. Final settlement for such oil will be made upon the basis of the official

analysis and the certified destination outturn weight of the oil.

§ 643.582 *Cottonseed cake or meal purchases*—(a) *Base price.* The purchase price per pound for 41 percent minimum protein content basis hydraulic or expeller bulk meal or sized cake, f. o. b. seller's cars at crushing plant, shall be the price specified below for the applicable area:

	Cents
Southeastern	2.8
Valley	2.7
Southwestern	2.7
Arizona	2.65
California	2.65

(1) At request of CCC, crushers having pelleting equipment shall deliver pellets at a premium of $2.50 per ton over the applicable price for meal.

(2) Solvent extracted meal shall be discounted at $1.50 per ton from the base price.

(3) Slab cake, if delivered by mutual agreement between crusher and CCC, shall be delivered at a discount of $2.00 per ton from the base price. Mills making only slab cake will not be required to deliver in any other form.

(4) If the crusher, in accordance with local trade practice, as determined by the appropriate PMA commodity office, tenders on the basis of protein content of less than 41 percent, a deduction of $1.00 per ton per unit of protein below 41 percent will be made, from the base price.

(5) Meal will be delivered in bulk or in new or used bags in accordance with instructions from the appropriate PMA commodity office. The price to be paid the crusher for bags, if used, will be the current market price as agreed upon by the appropriate PMA commodity office and the crusher.

(b) *Quality.* The quality shall be prime, as defined in the rules of the National Cottonseed Products Association.

(c) *Delivery.* Within 15 days after the delivery date specified by the crusher in the notice of tender, CCC shall issue delivery instructions for immediate shipment.

(d) *Payment.* The crusher may present to CCC for provisional payment a sight draft drawn against CCC with an invoice and approved shipping documents attached for the value of the cake or meal, not including the value of bags, upon the basis of origin weights and quality of the cake or meal certified by the crusher. Final settlement will be made upon the basis of destination weights and quality determined in accordance with the rules of the National Cottonseed Products Association and the price of any bags used determined in accordance with paragraph (a) (5) of this section.

§ 643.583 *Off-quality products.* In any case where cottonseed purchased by a crusher under this subpart can not be processed into prime quality products, the crusher may tender, in accordance with § 643.579, products of less than prime quality but not less than the quality indicated by chemical analyses of such cottonseed. The price of crude cottonseed oil of less than prime quality so tendered and delivered shall be computed by applying a discount determined in accordance with the rules of the National Cottonseed Products Association to the base price specified in § 643.581. The price of any cake or meal or linters of less than prime quality so tendered and delivered shall be mutually agreed upon between crusher and CCC. The crusher shall support each tender of less than prime quality products under this section with certificates of chemical analyses of the cottonseed purchased under this subpart and such other information as CCC may require. No provisional payment shall be made for off-quality products tendered and delivered. Payment for off-quality products shall be made by draft drawn on CCC by the PMA commodity office after the destination weight and quality and the applicable price have been determined.

§ 643.584 *Ceiling prices.* By submitting each tender of products under this subpart, the crusher shall be deemed to have warranted that the prices for such products as provided in this subpart are not in excess of any ceiling prices established under Federal law and applicable to such tender of products. The prices to be paid by CCC for any products delivered by this crusher shall be the prices determined under this subpart or the ceiling prices applicable to such deliveries, as computed by the crusher, whichever are the lower. In the event that any prices provided in this subpart are reduced on specific deliveries in order to comply with ceiling price regulations, CCC shall make such upward adjustment as it determines appropriate in the prices for other products delivered by the crusher, but not in excess of the ceiling prices for such other products, to compensate the crusher on an overall price basis for such reduction in prices on specific deliveries.

§ 643.585 *Storage.* Any storage of tendered products for the account of CCC shall be covered under separate contracts negotiated with the crusher by the appropriate PMA commodity office.

§ 643.586 *Carrier and routing.* The crusher may select the originating carrier on shipments of cottonseed products but any charges in excess of the lowest available transportation rate between the point of shipment and the point of destination named in CCC's instructions shall be paid by the crusher. The routing and loading shall be in compliance with applicable carrier and governmental regulations.

§ 643.587 *Bond.* Upon CCC's request, the crusher shall furnish to CCC a bond conditioned upon the faithful performance by the crusher of his obligations under this subpart. Such bond shall be in such form, and in such amount, and with such sureties, as CCC may approve.

§ 643.588 *Movement of products.* CCC shall not be responsible for any loss or injury caused the crusher by failure of CCC to move cottonseed products due to acts of God or the public enemy, storms, floods, conflagrations, strikes, blockades, riots, embargoes, or priority, allocation, service, or other orders or directives issued by the Government, or any other cause beyond the control of CCC. Notwithstanding the foregoing provision, if CCC fails for any reason to issue shipping instructions within the period prescribed in this subpart, the crusher may have an official analysis or quality determination made, and shall not be responsible for any subsequent loss or deterioration in quality except for any loss, deterioration or damage due to fault or the negligence of the crusher.

§ 643.589 *Books and records.* The crusher shall keep a record of the name of seller, date of receipt, weight, and grade, of each lot of cottonseed purchased under this subpart. The crusher shall keep accurate books, records, and accounts with respect to all purchases of cottonseed and all other transactions under this subpart and shall furnish CCC such information and reports relating thereto as CCC may from time to time request. CCC may at any time examine and audit the books, records, and accounts of the crusher but only insofar as they relate to operations under this subpart.

§ 643.590 *Termination.* The crusher's rights and obligations under an acceptance of the offer contained in this subpart may be terminated at any time by CCC or the crusher, upon written notice to the other party, as to cottonseed purchased by the crusher after the date of such termination and cottonseed products manufactured therefrom. Notwithstanding such termination, the provisions of this subpart shall continue in full force and effect with respect to cottonseed products which are produced by the crusher from cottonseed purchased by the crusher prior to the date of such termination. Nothing contained in this section shall be construed to prevent the termination by CCC of the crusher's rights under this subpart at any time for breach of any provision of this subpart.

§ 643.591 *Benefits and non-discrimination.* No Member of or Delegate to the Congress of the United States shall be admitted to any share or part of any contract made under this subpart or to any benefit to arise therefrom, but this provision shall not be construed to extend to benefits arising from such contract if accruing to a corporation, nor shall this provision be construed to prohibit the purchase of cottonseed from a Member of or Delegate to the Congress in his capacity as a producer of such cottonseed. In the performance of any contract made under this subpart, the crusher shall not discriminate against any employee or applicant for employment because of race, creed, color, or national origin and shall include a provision in any subcontract entered into in connection with the performance of any such contract whereby the subcontractor agrees that he will not discriminate against any of his employees or applicants to him for employment because of race, creed, color, or national origin.

§ 643.592 *Assignment.* Any contracts resulting from a tender of products by the crusher and acceptance or confirmation by CCC may be assigned or transferred by CCC at any time, in whole or

in part. The crusher shall not assign or transfer any rights or claims arising under this subpart and shall not subcontract for any processing under this subpart without prior written approval by the appropriate PMA commodity office.

§ 643.593 *Provisional payments.* Where the quality of any products delivered by the crusher under §§ 643.580–643.582 results, as determined by the appropriate PMA commodity office, in significant discounts upon final settlement, such office may require that any subsequent sight drafts drawn in accordance with such sections shall be drawn for 95 percent of the value of such products.

§ 643.594 *PMA commodity offices.* The PMA commodity offices and the cotton growing area served by each are shown below:

50 Seventh Street NE., Atlanta 5, Ga.: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

1114 Commerce Street, Dallas 2, Tex.: Arkansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, and Illinois.

335 Fell Street, San Francisco 2, Calif.: Arizona, and California.

Issued this 11th day of August 1951.

[SEAL] JOHN H. DEAN,
Acting Vice President,
Commodity Credit Corporation.

Attest:

LIONEL C. HOLM,
Secretary.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 51–10053; Filed, Aug. 22, 1951; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART B—UNITED STATES STANDARDS FOR FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

UNITED STATES STANDARDS FOR SHELLED WHITE SPANISH PEANUTS

On July 3, 1951, a notice of rule making was published in the FEDERAL REGISTER (F. R. Doc. 51–7588; 16 F. R. 6466) regarding a proposed revision of United States Standards for Shelled White Spanish Peanuts under the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 97, 82d Cong., approved July 31, 1951) and the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.). Interested parties were given the opportunity to submit written data, views and arguments with respect to the proposed standards. After consideration of all relevant matters presented and the fact of disagreement among various segments of the industry as to certain of the proposals, the United States Department of Agriculture finds that additional research will be necessary before a revision of the standards can be made, and the United States Standards for Shelled White Spanish Peanuts issued August 15, 1939, shall remain in effect.

(Sec. 205, 60 Stat. 1090, Pub. Law 97, 82d Cong., 7 U. S. C. 1624)

Done at Washington, D. C., this 16th day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51–10058; Filed, Aug. 22, 1951; 8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 943—MILK IN THE NORTH TEXAS MARKETING AREA

SUBPART—ORDER RELATIVE TO HANDLING

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AUTHORITY: §§ 943.0 to 943.111 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 943.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedures, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and a proposed order regulating the handling of milk in the North Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest;

(3) The said order regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in the marketing agreement upon which a hearing has been held;

(4) All milk and milk products, handled by handlers, as defined herein, are in the current of interstate com-

merce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expenses of the market administrator for maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expenses, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all receipts within the month of: (i) Other source milk which is classified as Class I milk, and (ii) milk from producers including such handler's own production.

(b) *Additional findings.* In view of the number of handlers involved, the widely scattered location of their plants, the base forming period for producers, and the fact that this order will constitute the original imposition of a regulatory program of this nature for the market, the provisions other than those relating to prices and payments to producers, should be put into effect prior to the effective date of the provisions relating to prices and payments to producers, in order that handlers may have opportunity to make necessary adjustments in their accounting and other operational procedures to conform with all provisions of the order. It is hereby found and determined, in view of the aforesaid facts and circumstances, that good reason exists for making §§ 943.1 through 943.15, 943.20 through 943.22 (f), 943.30 through 943.34, 943.40 through 943.46, 943.97, 943.100 through 943.103, and 943.110 and 943.111 effective on September 1, 1951.

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order which is marketed within the North Texas marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of its issuance, and who during the determined representative period (April 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the North Texas marketing area shall be in conformity to and in compliance with the terms and conditions of this order as set forth below:

DEFINITIONS

§ 943.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 943.2 *Secretary.* "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States as is authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 943.3 *Department.* "Department" means the United States Department of Agriculture or such other Federal agency as is authorized to perform the price reporting functions specified in this subpart.

§ 943.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 943.5 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales or marketing milk or its products for its members.

§ 943.6 *North Texas marketing area.* "North Texas marketing area," hereinafter called the marketing area, means all territory, including all municipal corporations, Federal military reservations, facilities and installations and State institutions, within the counties of Cooke, Collin, Dallas, Delta, Denton, Ellis, Fannin, Grayson, Hopkins, Hunt, Johnson, Kaufman, Lamar, Parker, Rockwall, and Tarrant, all in the State of Texas.

§ 943.7 *Approved plant.* "Approved plant" means:

(a) A milk plant approved by any health authority having jurisdiction in the marketing area from which milk, skim milk, buttermilk, flavored milk, flavored milk drinks, or cream labeled Grade "A" is disposed of for fluid consumption in the marketing area on wholesale or retail routes (including plant stores); or,

(b) A milk plant approved by and under the routine inspection of the appropriate health authority of any municipal corporation in the marketing area which serves as a receiving station for a plant described in paragraph (a) of this section by receiving, weighing and commingling producer milk.

§ 943.8 *Unapproved plant.* "Unapproved plant" means any milk plant which is not an approved plant.

§ 943.9 *Handler.* "Handler" means:

(a) Any person in his capacity as the operator of an approved plant; or

(b) Any cooperative association with respect to the milk of any producer which it causes to be diverted to an unapproved plant for the account of such cooperative association.

§ 943.10 *Producer.* "Producer" means any person, other than a producer-handler, who produces milk which is received directly from the farm at an approved plant: *Provided,* That if ungraded milk is regularly received at the premises of such approved plant with the approval of the applicable health authority having jurisdiction, only those persons whose milk is received at such approved plant who are producing milk under a dairy farm permit or rating issued by such health authority for the production of milk to be disposed of for consumption as Grade A milk shall be producers: *And provided further,* That if the applicable health authority shall notify the operator of an approved plant and the market administrator in writing that a person whose milk has been received at such approved plant is no longer qualified to have his milk received at such plant such person shall not be a producer on the basis of receipt of milk at such plant from the effective date of such notice until the effective date of a written notice from such health authority to the market administrator that such person is again qualified to have his milk received at such plant. "Producer" shall include any such person whose milk is caused to be diverted by a handler to an unapproved plant, and milk so diverted shall be deemed to have been received at an approved plant by the handler who causes it to be diverted. "Producer" shall not include a person with respect to milk produced by him which is received at a plant operated by a handler who is subject to another Federal marketing order and who is partially exempt from the provisions of this subpart pursuant to § 943.61.

§ 943.11 *Producer milk.* "Producer milk" means all skim milk and butterfat in milk produced by a producer which is received by a handler either directly from producers or from other handlers.

§ 943.12 *Other source milk.* "Other source milk" means all skim milk and butterfat other than that contained in producer milk.

§ 943.13 *Producer-handler.* "Producer-handler" means any person who produces milk and operates an approved plant, but who receives no milk from producers.

§ 943.14 *Base milk.* "Base milk" means producer milk received by a handler during any of the months of April through June which is not in excess of each producer's daily average base computed pursuant to § 943.80 multiplied by the number of days in such month for which such producer delivered milk to such handler.

§ 943.15 *Excess milk.* "Excess milk" means milk received by a handler during any of the months of April through June which is in excess of base milk received from each producer during such month, and it shall include all milk received from producers for whom no daily average base can be computed pursuant to § 943.80.

MARKET ADMINISTRATOR

§ 943.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary, who shall be entitled

to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 943.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 943.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary.

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of funds provided by § 943.97 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 943.96) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for herein, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as the Secretary may request;

(g) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends;

(h) Publicly announce, at his discretion, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not:

(1) Made reports pursuant to §§ 943.30 to 943.32, inclusive;

(2) Maintained adequate records and facilities pursuant to § 943.33; or

(3) Made payments pursuant to §§ 943.90 to 943.95, inclusive.

(i) On or before the 12th day after the end of each month, report to each cooperative association which so requests the amount and class utilization of milk received by each handler from producers who are members of such cooperative association. For the purpose of this report the milk so received shall be prorated to each class in the proportion that the total receipts of milk from producers by such handler were used in each class;

(j) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate the prices determined for each month as follows:

(1) On or before the 5th day of each month the minimum price for Class I milk, pursuant to § 943.51 (a) and the Class I butterfat differential pursuant to § 943.52 (a), both for the current month; and the minimum price for Class II milk pursuant to § 943.51 (b) and the Class II butterfat differential pursuant to § 943.52 (b), both for the preceding month; and,

(2) On or before the 12th day of each month, the uniform prices computed pursuant to § 943.72 or § 943.73, as applicable, and the butterfat differential computed pursuant to § 943.91, both applicable to milk delivered during the preceding month; and

(k) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

(l) Furnish to a cooperative association for its members the data furnished pursuant to § 943.31 (a).

REPORTS, RECORDS AND FACILITIES

§ 943.30 *Reports of receipts and utilization.* On or before the 7th day after the end of each month, each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in milk received from producers and, for the months of April through June, the aggregate quantities of base milk and excess milk;

(b) The quantities of skim milk and butterfat contained in (or used in the production of) receipts from other handlers;

(c) The quantities of skim milk and butterfat contained in receipts of other source milk (except Class II products disposed of in the form in which received without further processing or packaging by the handler);

(d) The utilization of all skim milk and butterfat required to be reported pursuant to this section;

(e) The disposition of Class I products on routes wholly outside the marketing area; and

(f) Such other information with respect to receipts and utilization as the market administrator may prescribe.

§ 943.31 *Payroll reports.* On or before the 20th day of each month, each handler shall submit to the market administrator his producer payroll for deliveries of the preceding month, which shall show:

(a) The total pounds and the average butterfat test of milk received from each producer and cooperative association, the number of days, if less than the entire month, for which milk was received from such producer, and, for the months of April through June, such producer's deliveries of base milk and excess milk;

(b) The amount of payment to each producer and cooperative association; and,

(c) The nature and amount of any deductions or charges involved in such payments.

§ 943.32 *Other reports.* (a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) Each handler who causes milk to be diverted for his account directly from producers' farms to an unapproved plant shall, prior to such diversion, report to the market administrator and to the cooperative association of which such producer is a member his intention to divert such milk, the proposed date or dates of such diversion, and the plant to which such milk is to be diverted.

§ 943.33 *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipts and utilization of all receipts of producer milk and other source milk;

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream and milk products handled;

(c) Payments to producers and cooperative associations; and,

(d) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream and milk products on hand at the beginning and end of each month.

§ 943.34 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly, upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 943.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat received within the month by a handler and which is required to be reported pursuant to § 943.30 shall be classified by the market administrator pursuant to

the provisions of §§ 943.41 to 943.46, inclusive.

§ 943.41 *Classes of utilization.* Subject to the conditions set forth in §§ 943.43 and 943.44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat (1) disposed of in the form of milk, skim milk, buttermilk, flavored milk drinks, cream, cultured sour cream, any mixture (except eggnog and bulk ice cream and frozen dairy product mixes) of cream and milk or skim milk, (2) used to produce concentrated (including frozen) milk, flavored milk, or flavored milk drinks disposed of for fluid consumption neither sterilized nor in hermetically sealed cans, and (3) all other skim milk and butterfat not specifically accounted for as Class II milk;

(b) Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than those specified in paragraph (a) of this section;

(2) Disposed of for livestock feed;

(3) In shrinkage up to 2 percent of receipts from producers;

(4) In inventory variations of milk, skim milk, cream, or any product specified in paragraph (a) of this section.

§ 943.42 *Shrinkage.* The market administrator shall allocate shrinkage over a handler's receipts as follows:

(a) Compute the total shrinkage of skim milk and butterfat for each handler; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat in receipts from producers and of other source milk.

§ 943.43 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 943.44 *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(a) As Class I milk if transferred or diverted in the form of milk, skim milk or cream, to the approved plant of another handler (except a producer-handler), unless utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 7th day after the end of the month within which such transaction occurred: *Provided,* That if either or both handlers have received other source milk the skim milk or butterfat so transferred or diverted shall be classified at both plants so as to allocate the greatest possible Class I utilization to producer milk.

(b) As Class I milk, if transferred or diverted to a producer-handler in the form of milk, skim milk, or cream.

(c) As Class I milk, if transferred or diverted in the form of milk or skim milk from an approved plant to an unapproved plant more than 200 miles distant by the shortest highway distance as determined by the market administrator.

(d) As Class I milk, if transferred in the form of cream under Grade A certification from an approved plant to an unapproved plant located more than 200 miles distant and as Class II milk if so transferred without Grade A certification.

(e) As Class I milk if transferred or diverted in the form of milk, skim milk or cream from an approved plant to an unapproved plant located not more than 200 miles distant by shortest highway distance as determined by the market administrator, unless:

(1) The handler claims classification as Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the unapproved plant and the handler on or before the 7th day after the end of the month within which such transfer occurred; and

(2) The operator of the unapproved plant maintains books and records showing the recipts and utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification: *Provided,* That if the Class I utilization of skim milk and butterfat in such plant exceeds receipts at such plant of skim milk and butterfat, respectively, in milk direct from dairy farmers who the market administrator determines constitutes the regular source of supply for fluid usage of such unapproved plant in markets supplied by it, an amount of skim milk and butterfat equal to such excess shall be classified as Class I milk.

§ 943.45 *Computation of the skim milk and butterfat in each class.* For each month, the market administrator shall correct for mathematical and for other obvious errors the monthly report submitted by each handler and shall compute the pounds of skim milk and butterfat in Class I milk and Class II milk for such handler.

§ 943.46 *Allocation of skim milk and butterfat classified.* After making the computations pursuant to § 943.45, the market administrator shall determine the classification of milk received from producers as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk determined pursuant to § 943.41 (b) (3).

(2) Subtract from the remaining pounds of skim milk in Class II the pounds of skim milk in other source milk: *Provided,* That if the receipts of skim milk in other source milk are greater than the remaining pounds of skim milk in Class II, an amount equal to the difference shall be subtracted from the pounds of skim milk in Class I;

(3) Subtract from the remaining pounds of skim milk in each class the skim milk received from other handlers according to its classifiation as determined pursuant to § 943.44 (a);

(4) Add to the remaining pounds of skim milk in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(5) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk received from producers, subtract such excess from the remaining pounds of skim milk in series beginning with Class II milk. Any amount so subtracted shall be called "overage."

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of Class I and Class II milk computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 943.50 *Basic formula price to be used in determining Class I prices.* The basic formula price to be used in determining the price per hundredweight of Class I milk shall be the highest of the prices computed pursuant to paragraphs (a), (b), and (c) of this section.

(a) The average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department, divided by 3.5 and multiplied by 4.0:

Present Operator and Location

Borden Co., Mount Pleasant, Mich.
Carnation Co., Sparta, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Borden Co., Greenville, Wis.
Borden Co., Black Creek, Wis.
Borden Co., Oxfordville, Wis.
Borden Co., New London, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Jefferson, Wis.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Company, Manitowoc, Wis.
White House Milk Company, West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus values to subparagraphs (1) and (2) of this paragraph:

(1) From the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month, subtract 3 cents, add 20 percent thereof, and multiply by 4.0.

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the

Department, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.96.

(c) The average of the basic or field prices reported to have been paid or to be paid for ungraded milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department:

Present Operator and Location

Carnation Co., Sulphur Springs, Tex.
The Borden Co., Mount Pleasant, Tex.
Lamar Creamery, Paris, Tex.
Fairmont Foods Co., Wichita Falls, Tex.

§ 943.51 *Class prices.* Subject to the provisions of § 943.52, the minimum prices per hundredweight to be paid by each handler for milk received at his plant from producers during the month shall be as follows:

(a) *Class I milk.* The basic formula price for the preceding month plus $2.00, subject to the following:

(1) For each month after September 1952, such price shall be increased 2.5 cents for each full percentage point that the total milk received from producers by all handlers during the second and third preceding months is a smaller percentage of the total Class I milk disposed of by all handlers (exclusive of producer-handlers and handlers partially exempt from this subpart pursuant to § 943.61) during such 2-month period than the minimum percentage listed herein opposite such 2-month period, and such price shall be decreased 2.5 cents for each full percentage point that such percentage during such 2-month period is a greater percentage than the maximum percentage listed herein opposite such 2-month period:

2-month period	Percentages		Month to which adjustment applies
	Minimum	Maximum	
July and August	110	127	October.
August and September	110	127	November.
September and October	105	120	December.
October and November	100	115	January.
November and December	100	115	February.
December and January	100	115	March.
January and February	100	115	April.
February and March	105	120	May.
March and April	115	132	June.
April and May	120	140	July.
May and June	125	150	August.
June and July	120	140	September.

(2) Except for adjustments pursuant to subparagraph (1) of this paragraph, such price for each of the months of October, November and December shall not be less than that for the preceding month, and such price for each of the months of April, May and June shall not be more than that for the preceding month.

(b) *Class II milk.* The higher of the prices computed pursuant to § 943.50 (b) or (c) for the current month.

§ 943.52 *Butterfat differentials to handlers.* If the average butterfat content of the milk of any handler allocated to any class pursuant to § 943.46 is more or less than 4.0 percent, there shall be added to the respective class price, computed pursuant to § 943.51, for each one-tenth of 1 percent that the average butterfat content of such milk is above 4.0 percent, or subtracted for each one-tenth of 1 percent that such average butterfat content is below 4.0 percent, an amount equal to the butterfat differential computed by multiplying the simple average, as computed by the market administrator, of the daily wholesale selling price per pound (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter at Chicago as reported by the Department during the appropriate month by the applicable factor listed below and dividing the result by 10:

(a) *Class I milk.* Multiply such price for the preceding month by 1.25;

(b) *Class II milk.* Multiply such price for the current month by 1.15.

APPLICATION OF PROVISIONS

§ 943.60 *Producer-handlers.* Sections 943.40 through 943.46, 943.50 through 943.52, 943.70 through 943.73, 943.80 through 943.81, and 943.90 through 943.97 shall not apply to a producer-handler.

§ 943.61 *Handlers subject to other orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act, the provisions of this subpart shall not apply except as follows:

(a) The handler shall, with respect to the total receipts of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

(b) If the price which such handler is required to pay under the other Federal order to which he is subject for skim milk and butterfat which would be classified in Class I milk under this subpart is less than the price provided by this order, such handler shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all skim milk and butterfat disposed of as Class I milk within the marketing area) an amount equal to the difference between the value of such skim milk or butterfat as computed pursuant to this subpart and its value as determined pursuant to the other order to which he is subject. Such payments shall be made on or before the 13th day of the following month.

DETERMINATION OF UNIFORM PRICE

§ 943.70 *Computation of value of milk.* The value of milk received during each month by each handler from producers shall be a sum of money computed by the market administrator by multiplying the pounds of such milk in each class by the applicable class prices and adding together the resulting amounts: *Provided,* That if the handler had overage of either skim milk or butterfat, there shall be added to the above values an amount computed by multiplying the pounds of overage deducted from each class pursuant to § 943.46 by the applicable class prices.

§ 943.71 *Computation of aggregate value used to determine uniform price(s).* For each month the market administrator shall compute as follows an aggregate value from which to determine the uniform price(s) per hundredweight for milk of 4.0 percent butterfat content received from the producers:

(a) Combine into one total the values computed pursuant to § 943.70 for all handlers who made the reports prescribed in § 943.30 and who made the payments pursuant to §§ 943.90 and 943.93 for the preceding month.

(b) Add not less than one-half of the cash balance on hand in the producer-settlement fund, less the total amount of the contingent obligations to handlers pursuant to § 943.94.

(c) Subtract if the average butterfat content of the milk included in these computations is greater than 4.0 percent or add if such average butterfat content is less than 4.0 percent an amount by which the average butterfat content of such milk varies from 4.0 percent by the butterfat differential computed pursuant to § 943.91 and multiplying the resulting figure by the total hundredweight of such milk:

§ 943.72 *Computation of uniform price.* For each of the months of July through March, the market administrator shall compute the uniform price per hundredweight for all milk of 4.0 percent butterfat content received from producers at an approved plant as follows:

(a) Divide the aggregate value computed pursuant to § 943.71 by the total hundredweight of milk included in such computation; and

(b) Subtract not less than 4 cents nor more than 5 cents.

§ 943.73 *Computation of uniform prices for base milk and excess milk.* For each of the months of April through June the market administrator shall compute the uniform prices per hundredweight for base milk and for excess milk, each of 4.0 percent butterfat content, received from producers at an approved plant as follows:

(a) Compute the total value on a 4.0 percent butterfat basis of excess milk included in the computations pursuant to § 943.71 by multiplying the hundredweight of such milk not in excess of the total quantity of Class II milk included in these computations by the price for Class II milk of 4.0 percent butterfat content, multiplying the hundredweight of such milk in excess of the total hundredweight of such Class II milk by the price for Class I milk of 4.0 percent butterfat content, and adding together the resulting amounts;

(b) Divide the total value of excess milk obtained in paragraph (a) of this section by the total hundredweight of such milk, and adjust to the nearest cent. The resulting figure shall be the uniform price for excess milk of 4.0 percent butterfat received from producers;

(c) Subtract the value of excess milk obtained in paragraph (a) of this section from the aggregate value computed pursuant to § 943.71 and adjust by any amount involved in adjusting the uniform price of excess milk to the nearest cent;

(d) Divide the amount obtained in paragraph (c) of this section by the total hundredweight of base milk included in these computations;

(e) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (d) of this section. The resulting figure shall be the uniform price for base milk of 4.0 percent butterfat content received from producers.

DETERMINATION OF BASE

§ 943.80 *Computation of daily average base for each producer.* For the months of April through June of each year the market administrator shall compute a daily average base for each producer as follows, subject to the rules set forth in § 943.81:

(a) Divide the total pounds of milk received by a handler(s) from such producer during the months of October through January immediately preceding by the number of days, not to be less than ninety, of such producer's delivery in such period.

§ 943.81 *Base rules.* (a) A base shall apply to deliveries of milk by the producer for whose account that milk was delivered during the base forming period;

(b) Bases may be transferred only by notifying the market administrator in writing before the last day of any month that such base is to be transferred to the person named in such notice only as follows:

(1) In the event of the death, retirement, or entry into military service of a producer the entire base may be transferred to a member(s) of such producer's immediate family who carries on the dairy operations.

(2) If a base is held jointly and such joint holding is terminated, the entire base may be transferred to one of the joint holders.

PAYMENTS

§ 943.90 *Time and method of payment.* Each handler shall make payment as follows:

(a) On or before the 15th day after the end of the month during which the milk was received, to each producer for whom payment is not made pursuant to paragraph (c) of this section, at not less than the applicable uniform price(s) for such month computed pursuant to §§ 943.72 and 943.73, adjusted by the butterfat differential computed pursuant to § 943.91, and less the amount of the payment made pursuant to paragraph (b) of this section: *Provided,* That if by such date such handler has not received full payment for such month pursuant to § 943.94, he may reduce his total payments to all producers uniformly by not less than the amount of reduction in payments from the market administrator; he shall, however, complete such payments pursuant to this paragraph not later than the date for making such payments next following receipt of the balance from the market administrator.

(b) On or before the 25th day of each month, to each producer for whom payment is not made pursuant to paragraph (c) of this section for milk received during the first 15 days of such month, at not less than the Class II price of the preceding month.

(c) On or before the 13th and 23rd days of each month, in lieu of payments pursuant to paragraphs (a) and (b) of this section respectively, to a cooperative association which so requests, with respect to producers for whose milk such cooperative association is authorized to collect payment, an amount equal to the sum of the individual payments otherwise payable to such producers. Such payment shall be accompanied by a statement showing for each producer the items required to be reported pursuant to § 943.31.

§ 943.91 *Producer-butterfat differential.* In making payments pursuant to § 943.90, there shall be added to or subtracted from the uniform price for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 4.0 percent, an amount computed by multiplying by 1.2 the simple average as computed by the market administrator of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter at Chicago as reported by the Department during the month, dividing the resulting sum by 10, and rounding to the nearest one-tenth of a cent.

§ 943.92 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund," into which he shall deposit all payments made by handlers pursuant to §§ 943.61 (b), 943.93 and 943.95, and out of which he shall make all payments to handlers pursuant to §§ 943.94 and 943.95.

§ 943.93 *Payments to the producer-settlement fund.* On or before the 13th day after the end of the month during which the milk was received, each handler, including a cooperative association which is a handler, shall pay to the market administrator the amount, if any, by which the value of the milk received by such handler from producers as determined pursuant to § 943.70 is greater than the amount required to be paid producers by such handler pursuant to § 943.90.

§ 943.94 *Payments out of the producer-settlement fund.* On or before the 14th day after the end of the month during which the milk was received, the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the value of the milk received by such handler from producers during the month as determined pursuant to § 943.70 is less than the amount required to be paid producers by such handler pursuant to § 943.90: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market adminstrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

§ 943.95 *Adjustment of accounts.* Whenever verification by the market administrator of any handler's reports, books, records, accounts or payments discloses errors resulting in money due:

(a) The market administrator from such handler;

(b) Such handler from the market administrator; or

(c) Any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred.

§ 943.96 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than himself) pursuant to § 943.90, shall deduct 5 cents per hundredweight or such amount not exceeding 5 cents per hundredweight as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 15th day after the end of each month. Such moneys shall be used by the market administrator to sample, test, and check the weights of milk received and to provide producers with market information.

(b) In the case of producers for whom a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deduction specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and such producers and on or before the 15th day after the end of each month pay such deduction to the cooperative association rendering such services, accompanied by a statement showing the quantity of milk for which such deduction was computed for each such producer.

§ 943.97 *Expenses of administration.* As his pro rata share of the expense of administration of this subpart, each handler shall pay to the market administrator on or before the 15th day after the end of the month 4 cents per hundredweight, or such amount not exceeding 4 cents per hundredweight as the Secretary may prescribe, with respect to all receipts within the month of (a) other source milk which is classified as Class I milk, and (b) milk from producers including such handler's own production.

§ 943.98 *Termination of obligation.* The provisions of this section shall apply to any obligation under this subpart for the payment of money,

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the

handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and,

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8 (c) (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 943.100 *Effective time.* The provisions of this subpart or any amendment hereto shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated pursuant to § 943.101.

§ 943.101 *Suspension or termination.* The Secretary may suspend or terminate this subpart or any provision of this subpart whenever he finds this subpart or any provision hereof obstructs or does not tend to effectuate the declared policy of the act. This subpart shall terminate in any event whenever the provisions of the act authorizing it cease to be in effect.

§ 943.102 *Actions after suspension or termination.* If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder, the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 943.103 *Liquidation.* Upon the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such litigation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 943.110 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 943.111 *Separability of provisions.* If any provision of this subpart or its application to any person or circumstances, is held invalid, the application of such provision and the remaining provisions of this subpart to other persons or circumstances, shall not be affected thereby.

Issued at Washington, D. C., this 17th day of August 1951. Sections 943.1 through 943.15, 943.20 through 943.22 (f), 943.30 through 943.34, 943.40 through 943.46, 943.97, 943.100 through 943.103, and 943.110 and 943.111 shall be effective on and after the 1st day of September 1951, and §§ 943.22 (g), (h), (i), (j), and (k), 943.50 through 943.52, 943.60, 943.61, 943.70 through 943.73, 943.80, 943.81, 943.90 through 943.96, and 943.98 shall be effective on and after the 1st day of October 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10113; Filed, Aug. 22, 1951; 8:57 a. m.]

PART 950—PEACHES GROWN IN UTAH

In accordance with the revised Federal Register Regulations (1 CFR Part 1), the format of the order of the Secretary of Agriculture (Order No. 50, 5 F. R. 2631; 7 CFR Part 950), regulating the handling of peaches grown in Utah (including the requisite findings set forth therein), and the format of the Administrative Committee's rules and regulations (15 F. R. 5154, 16 F. R. 7505; 7 CFR Part 950) adopted pursuant thereto with the approval of the Secretary of Agriculture, are recodified as hereinafter set forth.

This recasting of the format and recodification is not intended, nor shall it be deemed, to make any substantive change in the provisions of the aforesaid order of the Secretary and the aforesaid regulations of the Administrative Committee.

Done at Washington, D. C., this 20th day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

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AUTHORITY: §§ 950.1 to 950.140 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

SUBPART—ORDER RELATIVE TO HANDLING

SOURCE: §§ 950.1 to 950.95 contained in Order No. 50, 5 F. R. 2631.

FINDINGS AND DETERMINATIONS

§ 950.0 *Findings and determinations.* The Secretary has found and proclaimed that the purchasing power of peaches grown in the State of Utah during the period August 1909–July 1914 cannot be satisfactorily determined from available statistics of the Department of Agriculture, but that the purchasing power of such peaches can be satisfactorily determined from available statistics of the Department of Agriculture for the period August 1919–July 1929, and that the period August 1919–July 1929 is the base period to be used in connection with this subpart in determining the purchasing power of such peaches; and

The Secretary finds upon the basis of the evidence introduced at the hearing and the record thereof:

(a) That at the time of the hearing the prices received by the producers of such peaches were at a level that gave such peaches a purchasing power with respect to articles that the producers thereof buy, appreciably below the purchasing power of such peaches during the base period;

(b) That the regulation of shipments of such peaches by grades or sizes, as prescribed in this subpart, will serve to prevent marked fluctuations in prices to the producers thereof, and will establish and maintain a more stabilized market for such peaches, tending to establish prices to the producers thereof at a level that will give such peaches a purchasing power with respect to articles that the producers thereof buy, equivalent to the purchasing power of such peaches during the base period;

(c) That this subpart is limited in its application to the smallest regional production area and to the smallest regional marketing area that is practicable, consistently with carrying out the declared policy of the act, and that the issuance of several orders applicable to any subdivision of such regional production or marketing areas would not effectively carry out the declared policy of the act; and

(d) That this subpart and all the terms and conditions thereof will tend to effectuate the declared policy of the act with respect to peaches grown in the State of Utah by establishing and maintaining such orderly marketing conditions therefor as will establish prices to the producers thereof at a level that will give such peaches a purchasing power with respect to articles that the producers thereof buy equivalent to the purchasing power of such peaches in the base period, and by protecting the interest of the consumer by (1) approaching the level of prices which it is declared in the act to be the policy of Congress to establish by a gradual correction of the current level of prices at as rapid a rate as the Secretary deems to be in the public interest and feasible in view of the current consumptive demand in domestic and foreign markets, and by (2) authorizing no action which has for its purpose the maintenance of prices to the producers of such peaches above the level which it is declared in the act to be the policy of Congress to establish; and the Secretary finds:

(i) That a marketing agreement regulating the handling of peaches grown in the State of Utah, executed on the 19th day of July 1940, upon which a hearing was held on April 22, 1940, was signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the peaches covered by this order) who, during the 1939 season, handled not less than fifty (50) percent of the volume of such peaches covered by this order which was marketed during the same season;

(ii) That this subpart regulates the handling of such peaches in the same manner as the aforesaid marketing agreement, and that it is made applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement;

(iii) That the issuance of this subpart is favored by producers who, during the period of January 1, 1939, to December 31, 1939, both dates inclusive (which is hereby determined to be a representative period), produced for market within the State of Utah at least two-thirds (⅔) of the volume of peaches produced for market within such production area within the said period:

It is ordered by the Secretary, acting under the authority vested in him by the act, that such handling of peaches grown in the State of Utah as is in the current of interstate commerce or commerce with Canada, or which directly burdens, obstructs, or affects such commerce in such peaches, from and after July 24, 1940, shall be in conformity to and in compliance with the terms and conditions of this subpart.

DEFINITIONS

§ 950.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States of America.

§ 950.2 *Act.* "Act" means Public Act No. 10, 73d Congress (48 Stat. 31), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246), as amended.

§ 950.3 *Person.* "Person" means an individual, partnership, corporation, association, legal representative, or any organized group of individuals.

§ 950.4 *Peaches.* "Peaches" means all varieties of peaches grown in the State of Utah for market.

§ 950.5 *Producer.* "Producer" means any person engaged in growing peaches.

§ 950.6 *Shipper and handler.* "Shipper" and "handler" are synonymous and mean any person (except a common carrier of peaches owned by another person), who, as owner, agent, or otherwise, first ships peaches, or first causes peaches to be shipped, in fresh form.

§ 950.7 *Ship.* "Ship" means to sell, transport, offer for transportation, or ship peaches in the current of interstate commerce or commerce with Canada or so as directly to burden, obstruct, or affect such commerce.

§ 950.8 *Fiscal year.* "Fiscal year" means the twelve-month period beginning May 1 of any year and ending April 30 of the following year, both dates inclusive.

§ 950.9 *District.* "District" means any of the following geographical divisions within the State of Utah:

(a) "Salt Lake-Davis District," which shall include the counties of Davis and Salt Lake.

(b) "Weber District," which shall include the county of Weber.

(c) "Washington District," which shall include the county of Washington.

(d) "South Utah District," which shall include Juab County and all of the area in Utah County south of a straight line running east and west through the south city limits of Provo City.

(e) "North Utah District," which shall include all the area in Utah County not included in the South Utah District.

(f) "Box Elder District," which shall include the county of Box Elder and all of the area in the State of Utah not included in Salt Lake-Davis District, Washington District, North Utah District, South Utah District, and Weber District.

§ 950.10 *Washington District Advisory Committee.* "Washington District Advisory Committee" means the committee established pursuant to paragraph (i) of § 950.32.

ADMINISTRATIVE COMMITTEE

§ 950.20 *Establishment and membership.* An Administrative Committee is hereby established consisting of nine members, six of whom shall represent producers, and three of whom shall rep-

resent shippers. There shall be an alternate for each member of the committee.

§ 950.21 *Selection of initial members.* The initial members of the Administrative Committee and their respective alternates shall be selected by the Secretary as soon as possible after the effective date of this subpart. In selecting the initial members and their respective alternates, the Secretary shall make his selection upon the basis of the representation provided for in §§ 950.22 and 950.23.

§ 950.22 *Nomination and selection of successors to initial producer members of the Administrative Committee.* (a) Nominations of producer members of the Administrative Committee and their respective alternates, subsequent to the initial members and alternates, shall be made at a meeting of producers in each of the districts, held at such times (on or before April 1 of each year) and places as the Administrative Committee shall designate. At each of such meetings, the producers eligible to participate therein shall select a chairman and a secretary therefor. In the election of nominees for members and for alternates for such members, each producer shall be entitled to vote in accordance with the provisions of paragraph (b) of this section. The chairman of each meeting shall announce at such meeting the name of each person for whom votes have been cast, whether as member or as alternate, and the number of votes cast for each such person, and the chairman or the secretary of the meeting shall forthwith transmit such information to the Secretary.

(b) Only producers shall participate in the nominations of producer members and their alternates, and a producer may participate only in the election held in the district in which he produces peaches. No producer shall participate in the election of members and their alternates in more than one district in any one fiscal year. In any such election, each producer shall be entitled to cast but one vote on behalf of himself, his agents, partners, and representatives for each nominee to be elected. Proxy voting shall not be allowed.

(c) The producers in each district shall elect two nominees for a producer member and two nominees for an alternate member from such district, and the Secretary shall select one producer member and his respective alternate for such district from among the nominees elected by the producers in such district.

§ 950.23 *Nomination and selection of successors to initial shipper members of the Administrative Committee.* (a) Shipper members of the Administrative Committee and their respective alternates, subsequent to the initial members and alternates, shall be nominated and selected as follows:

(1) Two nominees for a member and two nominees for an alternate member shall be elected by delegates representing cooperative associations of producers which are shippers and the Secretary shall select one member and his alternate from among such nominees.

(2) Two nominees for a member and two nominees for an alternate member shall be elected by carlot shippers who ship in carloads by rail, and the Secretary shall select one member and his alternate from among such nominees.

(3) Two nominees for a member and two nominees for an alternate member shall be elected by shippers other than carlot shippers who ship in carloads by railroad and producer cooperative associations, and the Secretary shall select one member and his alternate from among such nominees.

(b) Each cooperative association of producers shall select one delegate from among its members, officers, or employees. Nominations for a member and his alternate to represent cooperative associations of producers which are shippers, subsequent to the initial member and his alternate, shall be made at a meeting of such delegates, held at such time (on or before April 1 each year) and place as the Administrative Committee shall designate. At each such meeting the delegates shall select a chairman and a secretary therefor. In the election of nominees for such member and alternate, each delegate shall be entitled to cast but one vote for each nominee to be elected. The chairman of each meeting shall announce at such meeting the name of each person for whom votes have been cast, whether as member or alternate, and the number of votes cast for each such person, and the chairman or the secretary of such meeting shall transmit such information to the Secretary.

(c) Nominations for a member and his alternate to represent carlot shippers who ship in carloads by railroad, subsequent to the initial member and alternate, shall be made at a meeting of such shippers at such time (on or before April 1 of each year) and place as the Administrative Committee shall designate. At each such meeting such shippers shall select a chairman and a secretary therefor. In the election of nominees for such member and alternate, each such shipper shall be entitled to cast but one vote on behalf of himself, his agents, partners, and representatives for each nominee to be elected. Proxy voting shall not be allowed. The chairman of the meeting shall announce at such meeting the name of each person for whom votes have been cast, whether as member or alternate, and the number of votes cast for each such person, and the chairman or the secretary of such meeting shall forthwith transmit such information to the Secretary.

(d) Nominations for a member and his alternate to represent shippers other than carlot shippers who ship in carloads by railroad and cooperative associations of producers which are shippers, subsequent to the initial member and alternate, shall be made at a meeting of such shippers at such time (on or before April 1 of each year) and place as the Administrative Committee shall designate. At each such meeting the shippers eligible to participate therein shall select a chairman and secretary therefor. In the election of nominees for a member and alternate, each such shipper shall be entitled to cast but one vote on behalf of himself, his agents, partners, affiliates, subsidiaries, and representatives for each nominee to be elected. Proxy voting shall not be allowed. The chairman of the meeting shall announce at such meeting the name of each person for whom votes have been cast, whether as member or alternate, and the number of votes cast for each such person, and the chairman or the secretary of the meeting shall forthwith transmit such information to the Secretary.

§ 950.24 *Eligibility for membership.* (a) The members and alternates of the Administrative Committee selected to represent producers shall be producers of peaches in the district in and for which they are nominated and selected.

(b) The member and alternate of the Administrative Committee selected to represent carlot shippers who ship in carloads by railroad shall be members or employees of a firm which shipped twenty or more carloads of peaches by railroad during the fiscal year preceding the fiscal year for which they have been selected to serve on the said committee, and shall be residents of the State of Utah.

(c) The member and alternate of the Administrative Committee selected to represent shippers other than shippers who ship in carloads by railroad and cooperative associations of producers which are shippers shall be shippers who, during the fiscal year preceding the fiscal year for which they have been selected to serve on the said committee, shipped peaches in other than carloads by railroad (e. g., by truck), and shall be residents of the State of Utah.

(d) The member and alternate of the Administrative Committee selected to represent cooperative associations of producers which are shippers shall be members or employees of such cooperative associations.

§ 950.25 *Failure to nominate.* In the event nominations are not made and the names of such nominees are not submitted to the Secretary on or before April 10 of any year, pursuant to §§ 950.22 and 950.23, the Secretary may select such members and alternates without regard to nominations.

§ 950.26 *Qualification by members and alternates.* Any person selected by the Secretary as a member or as an alternate for a member of the Administrative Committee shall qualify therefor by filing a written acceptance thereof with the Secretary within 15 days after being notified of such selection.

§ 950.27 *Term of office.* The initial members and their respective alternates shall hold office for a term beginning on the date designated by the Secretary and ending April 30, 1941, or until their successors are selected and have qualified. Members and alternates selected subsequent to the initial term shall serve during the fiscal year for which they have been selected or until their successors are selected and have qualified.

§ 950.28 *Alternate members of the Administrative Committee.* An alternate for a member shall act in the place and stead of such member during such member's absence, or, in the event of the death, removal, resignation, or disqualification of such members, until a successor for such member is selected and has qualified.

§ 950.29. *Vacancies.* To fill any vacancy occasioned by the failure to qualify of any person selected as a member or as an alternate for a member of the Administrative Committee, or, in the event of the death, removal, resignation, or disqualification of any member of any alternate, nominations and selections to fill such vacancy shall be made in the manner set forth in §§ 950.22 and 950.23. If nominations to fill such vacancy are not made or the names of such nominees are not submitted to the Secretary within 20 days after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations.

§ 950.30 *Compensation and expenses.* Members of the Administrative Committee, and alternates when acting for members, may receive compensation (not to exceed the amount of $5 per diem) for attending meetings; and such members and alternates, and the members of the Washington District Committee, shall be reimbursed for expenses necessarily incurred in the performance of their duties under this subpart.

§ 950.31 *Powers.* The Administrative Committee shall have the following powers:

(a) To administer, as specifically provided in this subpart, the terms and provisions of this subpart;

(b) To make administrative rules and regulations in accordance with this subpart, and to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 950.32 *Duties.* The duties of the Administrative Committee shall be as follows:

(a) To act as intermediary between the Secretary and any producer or shipper;

(b) To keep minutes, books, and records which will clearly reflect all of the acts and transactions of the Administrative Committee, which minutes, books, and records shall be subject, at any time, to examination by the Secretary;

(c) To study and assemble data on the growing, shipping, and marketing conditions respecting peaches;

(d) To submit to the Secretary for each fiscal year a budget of its expenses for such year;

(e) To furnish to the Secretary such available information as the Secretary requests;

(f) To perform such duties as may be assigned to it from time to time by the Secretary in connection with the administration of section 32 of the act to amend the Agricultural Adjustment Act, and for other purposes (49 Stat. 774, as amended; 7 U. S. C. and Sup. 612c);

(g) To cause the books of the Administrative Committee to be audited by one or more competent accountants at least once each fiscal year, and at such other times as the committee may deem necessary or as the Secretary may request, and to file with the Secretary copies of any and all audit reports;

(h) To appoint such employees as it may deem necessary, and to determine the salaries and define the duties of such employees;

(i) To appoint a Washington District Advisory Committee (which committee may advise and consult with the Administrative Committee and its Washington District producer member in reference to regulation of shipments of peaches grown in the Washington District) of five producer members, one member to be selected by the producers in each of the towns of Santa Clara, Toquerville, Hurricane, La Verkin, and Leeds in the Washington District;

(j) To give shippers and growers adequate notice of all meetings of the Administrative Committee;

(k) To give the Secretary the same notice of meetings of the Administrative Committee as is given to the members of the committee;

(l) To give adequate notice of all meetings of the Administrative Committee to representatives who have been designated by the Utah State College of Agriculture and the Utah State Department of Agriculture to serve the Administrative Committee in an advisory capacity;

(m) To select a chairman of the Administrative Committee and, from time to time, such other officers as it may deem advisable; and

(n) Each season prior to making any recommendation to the Secretary for a regulation of shipments pursuant to §§ 950.50 through 950.53, to determine the marketing policy to be followed during the ensuing season and to submit such policy to the Secretary; said policy report to contain, among other provisions, information relative to the estimated total production and shipments of peaches by districts; information as to the expected general quality and size of peaches; possible or expected demand conditions of different market outlets; supplies of competitive commodities; such analysis of the foregoing factors and conditions as the committee deems appropriate; and the type of regulations of shipments expected to be recommended.

§ 950.33 *Procedure.* All decisions of the committee shall be made by not less than six affirmative votes: *Provided,* That no recommendation for the establishment of a regulation of shipments pursuant to § 950.50, during a period when shipments of peaches are or will be made exclusively in the Washington District, shall be made except upon the affirmative vote of the member therefrom. Voting may be by telegraph or telephone and all telephone votes shall be confirmed by letter or telegram.

§ 950.34 *Rights of the Secretary.* The members of the Administrative Committee, including successors and alternates, and any agent or employee appointed or employed by the Administrative Committee shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the Administrative Committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 950.35 *Funds and other property.* (a) All funds received by the Administrative Committee pursuant to any of the provisions of this subpart shall be used solely for the purposes specified in this subpart; and the Secretary may require the committee and its members to account for all receipts and disbursements.

(b) Upon the death, resignation, removal, or expiration of the term of office of any member of the Administrative Committee, all books, records, funds, and other property in his possession which relate to the business of the said committee shall be delivered to his successor in office or to the committee, and such assignments and other instruments shall be executed as may be necessary to vest in his successor or in the committee full title to all such books, records, funds, and other property.

EXPENSES AND ASSESSMENTS

§ 950.40 *Expenses.* The Administrative Committee is authorized to incur such expenses as the Secretary finds may be necessary to carry out its functions under this subpart. The funds to cover such expenses shall be acquired by the levying of assessments as provided in § 950.41.

§ 950.41 *Assessments.* Each shipper shall pay to the Administrative Committee, upon demand, such shipper's pro rata share of the expenses that the Secretary finds will be necessarily incurred by the committee for the maintenance and functioning of the committee during each fiscal year. Each shipper's pro rata share shall be based upon a rate of assessment fixed by the Secretary and shall be that proportion of such expenses which the total quantity of peaches shipped by such shipper during the fiscal year is of the total quantity of peaches shipped by all shippers during such fiscal year. The rate of assessment may be adjusted from time to time by the Secretary in order to cover any later finding by the Secretary of the estimated expenses or the actual expenses of the committee during said fiscal year. The Administrative Committee may, with the approval of the Secretary, exempt shipments up to and including 1,000 pounds net weight of peaches from such assessments.

§ 950.42 *Shipper accounts.* (a) At the end of each fiscal year the Administrative Committee shall credit each shipper with any amount paid by such

shipper in excess of his pro rata share of the expenses, or shall debit such shipper with the amount by which his pro rata share exceeds the amount paid by him. Any such debits shall become due and payable upon demand of the committee.

(b) The Administrative Committee, may, with the approval of the Secretary, maintain a suit in it own name or in the names of its members for the collection of any shipper's pro rata share of expenses.

REGULATION OF SHIPMENTS BY GRADES AND SIZES

§ 950.50 *Recommendation of the Administrative Committee.* Whenever the Administrative Committee deems it advisable to regulate the shipment of any variety or varieties of peaches by grades or sizes or combinations thereof during any specified period or periods, it shall so recommend to the Secretary. At the time of submitting any such recommendation, the committee shall furnish to the Secretary all pertinent data and information upon which it acted in making such recommendation, and such other data and information as the Secretary may request. The committee shall promptly give adequate notice to shippers and producers of any such recommendation submitted by it to the Secretary.

§ 950.51 *Regulation of shipments.* Whenever the Secretary finds from the recommendation made by the Administrative Committee, and from the information submitted by the committee or from other available information, that to limit the shipment of any variety or varieties of peaches to particular grades or sizes or combinations thereof would tend to effectuate the declared policy of the act, he shall so limit the shipment of such peaches during a specified period or periods. The Secretary shall immediately notify the committee of the issuance of such regulation, and the committee shall promptly give adequate notice thereof to shippers and producers.

§ 950.52 *Exemption certificates.* (a) Before the institution of any limitation of shipments pursuant to § 950.51, the Administrative Committee shall adopt and announce the procedural rules by which exemption certificates will be issued to producers. Whenever the committee recommends to the Secretary a regulation of shipments pursuant to § 950.50, the committee shall determine the percentage which the quantity of grades and sizes of each variety of peaches permitted to be shipped under such regulation bears to the total quantity of such variety of peaches which could be shipped in the absence of such regulation and the committee shall forthwith announce this percentage. An exemption certificate shall thereafter be issued to any producer who furnishes proof that he will be prevented, because of the regulation established, from shipping as large a percentage of his peaches of any specified variety or varieties as the percentage for all producers as determined by the committee. Such exemption certificate shall permit the producer to market that quantity of the regulated grades and sizes of peaches as will enable him to market as large a percentage of his peaches as the percentage for all producers. The Administrative Committee shall notify the Secretary of all exemption certificates issued under this section.

(b) If any producer is dissatisfied with the action taken with respect to his application for an exemption certificate, he may appeal to the Secretary, whose decision in the matter shall be final.

(c) The Secretary shall have power to modify, change, alter, or amend any of the procedural rules governing the issuance of exemption certificates and any exemption certificate issued under this section.

§ 950.53 *Inspection and certification.* During any period in which shipments are regulated pursuant to § 950.51, each shipper shall, prior to making each shipment of peaches, cause such shipment to be inspected by an authorized representative of the Federal-State Inspection Service. Promptly thereafter, such shipper shall submit or cause to be submitted to the Administrative Committee a copy of the Federal-State inspection certificate, showing the grades and sizes of peaches, issued on each such shipment. The Administrative Committee may, with the approval of the Secretary, exempt shipments up to and including 1,000 pounds net weight of peaches from such inspection and certification.

REPORTS BY HANDLERS

§ 950.60 *Reports.* Upon request of the Administrative Committee, made with the approval of the Secretary, each shipper shall furnish the committee, in such manner and at such times as it prescribes, such information as will enable it to exercise its powers and to perform its duties under this subpart.

LIABILITY OF ADMINISTRATIVE COMMITTEE MEMBERS

§ 950.65 *Liability.* No member, alternate member, or employee of the Administrative Committee shall be held liable, either individually or jointly with others, in any way whatsoever, to any shipper or to any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate member, or employee, except for acts of dishonesty.

COMPLIANCE AND EXCEPTIONS

§ 950.70 *Compliance.* Except as otherwise specifically provided in this subpart, no shipper shall ship peaches, the shipment of which has been prohibited by the Secretary in accordance with the provisions of this subpart.

§ 950.71 *Shipments for relief or for by-products.* Nothing contained in this subpart shall be construed to authorize any limitation of the right on the part of any person to ship peaches in any amount for commercial canning, freezing, or conversion into by-products; or for consumption by charitable institutions or for distribution by relief agencies, nor shall any assessment be levied on peaches so shipped. The Administrative Committee may prescribe adequate safeguards to present peaches shipped for any of such purposes from entering commercial channels of trade contrary to the provisions of this subpart.

EFFECTIVE TIME AND TERMINATION

§ 950.80 *Effective time.* The provisions of this subpart shall become effective July 24, 1940 and shall continue in force until terminated in one of the ways specified in § 950.81.

§ 950.81 *Termination.* (a) The Secretary may at any time terminate the provisions of this subpart by giving at least 1 day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he finds that any such provision obstructs or does not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any current marketing period whenever he finds that such termination is favored by a majority of the producers of peaches who, during such current marketing period, have been engaged in the production of peaches for market: *Provided,* That such majority have, during such period, produced for market more than 50 percent of the total volume of peaches produced for market during such period; but such termination shall be effective only if notice thereof is given on or before February 1 of such current marketing period.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 950.82 *Proceedings after termination.* (a) Upon the termination of the provisions of this subpart, the members of the Administrative Committee when functioning shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all funds and property then in the possession or under the control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements, or deliver all funds and property on hand, together with all books and records of the Administrative Committee and the trustees, to such person as the Secretary may direct, and shall upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all of the funds and claims vested in the committee or the trustees pursuant to this subpart.

(c) Any funds collected for expenses pursuant to the provisions of this subpart and held by such trustees or such other person, over and above amounts necessary to meet outstanding obligations and the expenses incurred necessarily by the trustees of such other person in the performance of their du-

ties under this subpart, shall, as soon as practicable after the termination of this subpart, be returned to the shippers pro rata in proportion to their contributions made pursuant to this subpart.

(d) Any person to whom funds, property, or claims have been delivered by the Administrative Committee or its members upon direction of the Secretary, as provided in this section, shall be subject to the same obligations and duties with respect to said funds, property, or claims as are imposed upon the members of the committee or upon the trustees.

MISCELLANEOUS

§ 950.90 *Agents.* The Secretary may, by a designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 950.91 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 950.92 *Separability.* If any provision of this subpart is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 950.93 *Derogation.* Nothing contained in this subpart is or shall be construed to be in derogation or in modification of the rights of the Secretary to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 950.94 *Amendments.* Amendments to this subpart may be proposed, from time to time, by the Administrative Committee or by the Secretary.

§ 950.95 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant thereto, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart or of any regulation issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

SUBPART—RULES AND REGULATIONS

SOURCE: §§ 950.100 to 950.140 appear at 15 F. R. 5154; 16 F. R. 7505.

DEFINITIONS

§ 950.100 *Order.* "Order" means Order No. 50 (7 CFR Part 950) regulating the handling of peaches grown in the State of Utah.

§ 950.101 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 91.

§ 950.102 *Terms.* Terms used in this subpart shall have the same meaning as when used in the marketing agreement and order.

GENERAL

§ 950.115 *Communications.* Unless otherwise provided in the marketing agreement and the order or by specific direction of the Administrative Committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed to Administrative Committee, Room 412, State Capitol Building, Salt Lake City, Utah.

REGULATION OF SHIPMENTS BY GRADES AND SIZES

§ 950.120 *Exemption certificates.* (a) Each application for an exemption certificate shall be submitted on Form A "Application for Exemption from Grade and Size Regulation," which may be obtained from the Administrative Committee, and shall contain the following information:

(1) Name and address of applicant;

(2) Location of each orchard from which peaches will be shipped pursuant to the exemption certificate requested;

(3) Estimated total production of peaches from such orchard and all other orchards owned or controlled by such applicant;

(4) Estimated percentage of peaches of such production which cannot be shipped because of the then effective (i) grade regulation, and (ii) size regulation, together with the reasons why such percentage fails to meet the requirements of the grade and size regulations; and

(5) The total quantity of such peaches which the applicant shipped or otherwise disposed of since the beginning of the then current peach shipping season.

(b) The Administrative Committee shall promptly verify all statements contained in each application for an exemption certificate. In the event the Administrative Committee finds that the applicant is entitled to an exemption certificate, it shall issue, or cause to be issued, an appropriate form of exemption certificate. If the Administrative Committee finds that the applicant is not entitled to an exemption certificate, it shall so advise the applicant promptly in writing and state the reasons therefor.

(c) Each producer who ships peaches, or causes peaches to be shipped, pursuant to an exemption certificate, shall submit promptly to the Administrative Committee an accurate report with respect to the disposition of each such shipment, and the date and quantity thereof.

§ 950.130 *Peaches exempt from inspection.* Peaches included in a shipment of peaches which does not aggregate more than 1,000 pounds, net weight, shall be exempt from the inspection and certification provisions of the marketing agreement and order.

REPORTS BY HANDLERS

§ 950.140 *Reports.* Each handler shall, with respect to all peaches shipped by him each day, promptly report, or cause to be reported, to the Administrative Committee the point of origin of each shipment, the number and type of packages, the grades and sizes of the peaches, and the number of the railroad car or the license number of the truck in which such peaches were shipped.

[F. R. Doc. 51-10112; Filed, Aug. 22, 1951; 8:57 a. m.]

PART 977—MILK IN THE PADUCAH, KY., MARKETING AREA

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AUTHORITY: §§ 977.0 to 977.101 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

§ 977.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held March 12 and 13, 1951, at Paducah, Kentucky, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Paducah, Kentucky, marketing area. Upon the basis of the evidence introduced at such hearings and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order, as amended, effective not later than September 1, 1951. Any further delay in the effective date of this order, as amended, will seriously threaten the orderly marketing of milk in the Paducah, Kentucky, marketing area. The need for the said order is also disclosed by the aforesaid decision of the Secretary of Agriculture which was executed on July 27, 1951. The provisions of the said order are well known to handlers—the public hearing having been held on March 12 and 13, 1951, the recommended decision having been published in the FEDERAL REGISTER (16 F. R. 5787) June 16, 1951, and the final decision (16 F. R. 7359) having been executed by the Secretary on July 24, 1951. Therefore, reasonable time under the circumstances, has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order, as amended, effective September 1, 1951, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended, which is marketed within the Paducah, Kentucky, marketing area refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Paducah, Kentucky, marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (May 1951), were engaged in the production of milk for sale in the said marketing area, and who participated in a referendum on the question of approval of its issuance.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Paducah, Kentucky, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, and the aforesaid order, as amended, is hereby further amended to read as follows:

DEFINITIONS

§ 977.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 977.2 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

§ 977.3 *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture, or such other Federal agency authorized to perform the price reporting functions specified in this subpart.

§ 977.4 *Person.* "Person" means any individual, partnership, corporation, association, or other business unit.

§ 977.5 *Paducah, Kentucky, marketing area.* "Paducah, Kentucky, marketing area," called the "marketing area" in this subpart, means all the territory within McCracken County, Kentucky.

§ 977.6 *Pool plant.* "Pool plant" means:

(a) Any plant, which is approved by the Paducah-McCracken County Health Department, at which milk is received from producers, and from which Class I milk via delivery routes or plant stores is disposed of in the marketing area; or

(b) Any plant which is approved by such health department to furnish milk, skim milk, or cream to a plant described in paragraph (a) of this section for disposition as Class I milk in the marketing area, and at which milk is received from producers.

§ 977.7 *Nonpool plant.* "Nonpool plant" means any milk manufacturing, processing, or bottling plant other than a pool plant.

§ 977.8 *Producer.* "Producer" means any person, irrespective of whether such person is also a handler, who is certified by the Paducah-McCracken County Health Department for the production of milk which is permitted by such health authority to be sold as Grade "A" bottled milk in the marketing area, and which is:

(a) Received at a pool plant; or

(b) Diverted by a handler from a pool plant to a nonpool plant: *Provided,* That any such milk so diverted shall be deemed to have been received by the handler for whose account it was diverted.

§ 977.9 *Handler.* "Handler" means:

(a) Any person in his capacity as the operator of a pool plant;

(b) Any cooperative association of producers, as defined in § 977.87 (b), with respect to milk of producers diverted for the account of such association to any pool plant or nonpool plant; or

(c) An person in his capacity as operator of a nonpool plant from which Class I milk is disposed of in the marketing area via delivery routes or plant stores during the delivery period.

§ 977.10 *Producer-handler.* "Producer-handler" means any person who is both a producer and a handler but who receives no milk from other producers.

§ 977.11 *Other source milk.* "Other source milk" means all milk, skim milk, cream, or any milk product received at a pool plant, except:

(a) That received from producers;

(b) That received from a pool plant of another handler, other than a producer-handler; and

(c) Any nonfluid milk product received and disposed of in the same form.

§ 977.12 *Delivery period.* "Delivery period" means the calendar month, or

the total portion thereof, during which the provisions of this subpart are effective.

MARKET ADMINISTRATOR

§ 977.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 977.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To make rules and regulations to effectuate its terms and provisions;

(c) To receive, investigate, and report to the Secretary complaints of violations; and

(d) To recommend amendments to the Secretary.

§ 977.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including, but not limited to, the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this subpart;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 977.86: (1) The cost of his bond and of the bonds of his employees, (2) his own compensation, and (3) all other expenses, except those incurred under § 977.87 necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 5 days after the day upon which he is required to perform such acts, has not made the reports or payments required pursuant to §§ 977.30, 977.62, 977.80 and 977.82;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) Upon request, report, on or before the 25th day after the end of each delivery period, to each cooperative association described in § 977.87 (b) the percentage of milk which was caused to be delivered by such association or by its members and which was used in each class by each handler receiving any such milk. For the purpose of this report the milk so received shall be prorated to each class in the proportion that the total receipts of milk from producers by such handler were used in each class;

(i) Verify all reports and payments required to be made by handlers pursuant to the provisions of this subpart;

(j) Prepare and make available for the benefit of producers, consumers, and handlers, general statistics and information concerning the operation of this subpart;

(k) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(1) On or before the 6th day after the end of such delivery period, the minimum class prices and the butterfat differential to handlers; and

(2) On or before the 10th day after the end of such delivery period, the uniform price and the butterfat differential to producers.

REPORTS, RECORDS, AND FACILITIES

§ 977.30 *Submission of reports.* Each handler shall report to the market administrator in the detail and on forms prescribed by the market administrator as follows:

(a) On or before the 6th day after the end of each delivery period:

(1) The receipts, utilization, and butterfat tests of all milk, skim milk, cream, and milk products required to be classified pursuant to § 977.40.

(2) A statement of the disposition of Class I milk outside the marketing area (other than from delivery routes serving stops both within and without the marketing area);

(3) The name and address of each producer from whom milk is received for the first time, and the date on which such milk was first received; and

(4) The name and address of each producer who discontinues deliveries of milk, and the date on which the milk of such producer was last received.

(b) Within 20 days after the end of each delivery period, his producer pay roll, which shall show for such delivery period:

(1) Each producer's total delivery of milk with the average butterfat test thereof; and

(2) The net amount of the payment made to each producer with the price, deductions, and charges involved.

§ 977.31 *Records and facilities.* Each handler shall keep adequate records of receipts and utilization of milk and milk products and shall, during the usual hours of business, make available to the market administrator or his representative such records and facilities as will enable the market administrator to:

(a) Verify the receipts and disposition of all milk and milk products required to be reported and, in case of errors or omissions, ascertain the correct figures;

(b) Weigh, sample, and test for butterfat content all milk and milk products handled; and

(c) Verify payments to producers.

§ 977.32 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such 3-year period the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 977.40 *Basis of classification.* The market administrator shall classify, on the basis of the classes set forth in § 977.41 and subject to the conditions of §§ 977.42, 977.43, and 977.44, all receipts within the delivery period by a handler of (a) milk from producers (including his own farm production), (b) milk, skim milk, cream, and milk products from other handlers, and (c) other source milk; and all milk of producers diverted by a cooperative association.

§ 977.41 *Classes of utilization.* The classes of utilization shall be as follows:

(a) Class I milk shall be all milk, skim milk, and cream disposed of in fluid form as milk, buttermilk, milk drinks (whether plain or flavored), and cream; and all milk, skim milk, and cream not specifically accounted for as Class II milk.

(b) Class II milk shall be all milk, skim milk, and cream accounted for (1) as used to produce a product other than those specified in Class I milk, (2) as actual plant shrinkage of milk received from producers, but not to exceed 2 percent of the total receipts of such milk, and (3) as actual plant shrinkage of other source milk: *Provided,* That if milk received from producers is used in the form of milk, skim milk, or cream in conjunction with other source milk, the shrinkage allocated to the milk received from producers shall not exceed its pro rata share computed on the basis of the proportion of the volumes received from the various sources to their total.

§ 977.42 *Responsibility of handlers and reclassification of milk.* (a) All milk, skim milk, and cream received shall be Class I milk, unless the handler who first receives such milk, skim milk, or cream proves to the market administrator that such milk, skim milk, or cream should be classified otherwise.

(b) Any milk, skim milk, or cream classified in one class shall be reclassified if used or reused by such handler or by another handler in another class and the adjustments necessary to reflect

the reclassified value of such milk, skim milk, or cream shall be made in the manner specified in § 977.84 with respect to errors in payment.

§ 977.43 *Transfers of milk, skim milk, and cream.* (a) Milk, skim milk, and cream disposed of, by transfer or diversion, by a handler from a pool plant to a pool plant of another handler shall be Class I milk, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred: *Provided,* That milk, skim milk, or cream so assigned to Class II milk shall be limited to the amount thereof remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 977.44 (b), and any excess of milk, skim milk, or cream shall be assigned to Class I milk.

(b) Milk, skim milk, and cream disposed of, by transfer or diversion, by a handler from a pool plant to a nonpool plant shall be Class I milk, unless (1) the handler claims another class on the basis of utilization mutually indicated in writing to the market administrator by both the operator of the nonpool plant and the handler on or before the 6th day after the end of the delivery period within which such transaction occurred, and (2) the operator of the nonpool plant maintains books and records showing the utilization of all milk and milk products at such plant which are made available if requested by the market administrator for the purpose of verification: *Provided,* That if upon inspection of his records such buyer's plant had not actually used an equivalent amount of milk, skim milk, and cream in such indicated use, the remaining pounds shall be classified as Class I milk.

§ 977.44 *Allocation of milk classified.* The amount remaining in each class after making the following computations shall be the amount in such class allocated to milk received from producers:

(a) Subtract from the total pounds in Class II milk the pounds of actual plant shrinkage of milk received from producers which does not exceed 2 percent of the total receipts of such milk;

(b) Subtract from the pounds remaining in each class, in series beginning with Class II milk, the total pounds of other source milk received;

(c) Subtract from the pounds remaining in each class the total pounds of milk, skim milk, and cream received from pool plants of other handlers and assigned to such class pursuant to § 977.43 (a); and

(d) Add to the pounds remaining in Class II milk the pounds subtracted pursuant to paragraph (a) of this section; or if the pounds remaining in all classes exceeds the pounds of milk received from producers, subtract such excess from the pounds remaining in the various classes, in series beginning with Class II milk.

MINIMUM PRICES

§ 977.50 *Class prices.* Subject to the conditions of § 977.52, each handler shall pay producers, at the time and in the manner set forth in §§ 977.80 through 977.85 not less than the prices per hundredweight computed as follows for the respective quantities of Class I milk and Class II milk, computed pursuant to § 977.44:

(a) *Class I milk.* The price of Class I milk shall be the basic formula price plus the following amounts per hundredweight: $1.70 for the delivery periods of September through February; $1.20 for the delivery periods of March and August; and 60 cents for the delivery periods of April through July.

(b) *Class II milk.* The price for Class II milk shall be the average of the basic (or field) prices reported to or ascertained by the market administrator to have been paid, or to be paid, without deductions for hauling or other charges to be paid by the farm shipper, for milk of 4.0 percent butterfat content received during the delivery period by the Pet Milk Company at its manufacturing plant located at Mayfield, Kentucky, or the price computed pursuant to the following formula, whichever is the higher:

(1) Multiply by 4.0 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period;

(2) Add 20 percent thereof; and

(3) Add 3½ cents for each full one-half cent that the price of nonfat dry milk solids by spray process for human consumption is above 5½ cents per pound. For the purpose of this formula the price per pound of nonfat dry milk solids to be used shall be the average of the carlot prices by spray process for human consumption, f. o. b. manufacturing plants in the Chicago area, as published by the Department of Agriculture during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for such price determination for the previous delivery period. In the event the carlot prices for such milk solids, f. o. b. manufacturing plant, are not so published, the average of the carlot prices for such milk solids delivered at Chicago, as published by the Department of Agriculture, shall be used, and the following shall be used in lieu of the computation provided for in this subpart: Add 3½ cents for each full one-half cent that the price of such nonfat dry milk solids delivered at Chicago is above 6½ cents per pound.

§ 977.51 *Basic formula price.* The basic formula price per hundredweight to be used in determining the price for Class I milk shall be the Class II price for the delivery period, or the price computed as follows, whichever is the higher:

To the average of the basic (or field) prices reported to have been paid, or to be paid, without deductions for hauling or other charges to be paid by the farm shipper, per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices are reported to the market administrator or to the Department of Agriculture by the companies listed below:

Companies and Location
Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

add an amount computed by multiplying the butterfat differential determined pursuant to § 977.85 by 5.

§ 977.52 *Butterfat differential to handlers.* If any handler has received milk from producers during the delivery period containing more or less than 4.0 percent of butterfat, such handler shall add or deduct, per hundredweight of milk, for each one-tenth of 1 percent of butterfat above or below 4.0 percent, an amount computed as follows: Multiply by 1.2 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

APPLICATION OF PROVISIONS

§ 977.60 *Producer-handlers.* Sections 977.30, 977.40 through 977.52 and 997.61 through 997.87 shall not apply to a producer-handler, except that such producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request and shall permit the market administrator to verify such reports.

§ 977.61 *Payment for excess milk or butterfat.* In the event that a handler, after subtracting receipts of other source milk and receipts of milk, skim milk, and cream from pool plants of other handlers, has disposed of milk or butterfat in excess of the milk or butterfat which has been credited to producers as having been received from them, such handler shall pay to producers through the producer-settlement fund the value of such milk or butterfat determined as follows:

(a) Multiply any such excess volume subtracted from any class pursuant to § 977.44 (d) by the applicable class price, adjusted by the handler butterfat differential for each one-tenth of 1 percent that the computed butterfat content of such excess varies from 4.0 percent; and

(b) Multiply the pounds of any such excess butterfat, for which no excess was subtracted pursuant to § 977.44 (d), by 10 times the handler butterfat differential.

§ 977.62 *Handlers operating nonpool plants.* Sections 977.30, 977.50 through 977.52, 977.70, 977.71, 977.80 through 977.83 and 977.85 through 977.87 shall not apply to a handler in his capacity as the operator of a nonpool plant described in § 977.9 (c), except that such handler shall:

(a) On or before the 6th day after the end of each delivery period, make reports to the market administrator in such manner as he may request with respect to such handler's total receipts and utilization of skim milk and butterfat;

(b) On or before the 13th day after the end of each delivery period, pay to the market administrator for deposit in the producer-settlement fund an amount of money computed by multiplying the quantity of Class I milk disposed of in the manner described in § 977.9 (c) by the difference betwen the price of Class II milk and the price of Class I milk; and

(c) On or before the 20th day after the end of each delivery period, pay to the market administrator, as such handler's pro rata share of the expense of administration of this order, 5 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all Class I milk and all milk, skim milk, and cream used to produce Class II products disposed of during the delivery period in the marketing area in the manner described in § 977.9 (c).

§ 977.63 *Handlers subject to other orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another order or a marketing agreement issued pursuant to the act, the provisions of this subpart shall not apply except the handler shall, with respect to his total receipts of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

DETERMINATION OF UNIFORM PRICE

§ 977.70 *Computation of value for each handler.* For each delivery period, the market administrator shall compute the value of milk of producers received by each handler by multiplying the pounds in each class by the applicable class price adjusted by the handler butterfat differential, adding together the resulting class values, and adding to such sum the value of any excess milk or butterfat computed pursuant to § 977.61.

§ 977.71 *Computation of the uniform price.* For each delivery period, the market administrator shall compute the uniform price per hundredweight of producer milk containing 4.0 percent of butterfat as follows:

(a) Combine into one total the values, computed pursuant to § 977.70, for all handlers who made the reports prescribed by § 977.30 for such delivery period, except those in default of payments required pursuant to § 977.82 for the preceding delivery period;

(b) Subtract, if the average butterfat content of all milk received from producers represented by the values included under paragraph (a) of this section is in excess of 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, the total value of the butterfat differential applicable pursuant to § 977.85;

(c) Add an amount representing the cash balance in the producer-settlement fund;

(d) Divide the resulting amount by the total hundredweight of milk received from producers included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents for the purpose of retaining in the producer-settlement fund a cash balance to provide against errors in reports and payment or delinquencies in payments by handlers.

PAYMENTS

§ 977.80 *Payments to producers—* (a) *Partial payment.* On or before the last day of each delivery period, each handler shall make payment to each producer, at not less than the applicable uniform price of the preceding delivery period, for the milk of such producer which was received by such handler during the first 15 days of the current delivery period: *Provided,* That such rate of payment to any producer who has discontinued delivery of milk during the delivery period, may be reduced by not more than 40 percent.

(b) *Final payment.* On or before the 15th day after the end of each delivery period, each handler shall make payment to each producer, for milk received from such producer during such delivery period, at not less than the uniform price per hundredweight, subject to the following adjustments: (1) The producer butterfat differential, (2) payment made pursuant to paragraph (a) of this section, (3) marketing service deductions, (4) deductions authorized by the producer, and (5) any error in calculating payment to such producer for the past delivery periods: *Provided,* That if by such date such handler has not received full payment for such delivery period pursuant to § 977.83, he may reduce uniformly per hundredweight for all producers his payments pursuant to this paragraph by an amount not in excess of the per hundredweight reduction in payment from the market administrator; however, the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this section next following that on which such balance of payment is received from the market administrator.

§ 977.81 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 977.62, 977.82 and 977.84, and out of which he shall make all payments pursuant to §§ 977.83 and 977.84: *Provided,* That payments due to any handler shall be offset by payments due from such handler.

§ 977.82 *Payments to the producer-settlement fund.* On or before the 13th day after the end of each delivery period, each handler shall pay to the market administrator any amount by which the value of his milk, computed, pursuant to § 977.70, for such delivery period is greater than an amount computed by multiplying the hundredweight of milk received by him from producers during the delivery period by the uniform price adjusted by the producer butterfat differential.

§ 977.83 *Payments out of the producer-settlement fund.* On or before the 15th day after the end of each delivery period, the market administrator shall pay to each handler, for payment to producers, any amount by which the total value of his milk, computed pursuant to § 977.70, for such delivery period is less than an amount computed by multiplying the hundredweight of milk received by him from producers during the delivery period by the uniform price adjusted by the producer butterfat differential. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

§ 977.84 *Adjustment of errors in payments.* Whenever verification by the market administrator of payments by any handler discloses errors made in payments to the producer-settlement fund the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever verification discloses that payment is due from the market administrator to any handler, the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment of less than is required by § 977.80, the handler shall make up such payment not later than the time of making payment to producers next following such disclosure.

§ 977.85 *Butterfat differential to producers.* In making payments to each producer, pursuant to § 977.80 (b), each handler shall add to the uniform price not less than, or subtract from the uniform price not more than, as the case may be, for each one-tenth of 1 percent of butterfat content above or below 4.0 percent in milk received from such producer, the amount as shown in the following schedule for the butter price range in which falls the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture, for the delivery period during which such milk was received:

Butter price range (cents):	*Butterfat differential (cents)*
17.499 or less	2
17.50–22.499	2½
22.50–27.499	3
27.50–32.499	3½
32.50–37.499	4
37.50–42.499	4½
42.50–47.499	5
47.50–52.499	5½
52.50–57.499	6
57.50–62.499	6½
62.50–67.499	7
67.50–72.499	7½
72.50–77.499	8
77.50–82.499	8½
82.50–87.499	9
87.50–92.499	9½
92.50 and over	10

§ 977.86 *Expense of administration.* As his pro rata share of the expense incurred pursuant to § 977.22 (d), each handler shall pay to the market administrator, on or before the 20th day after the end of each delivery period, 5 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to all receipts at a pool plant, during the delivery period, of milk from producers (including such handler's own production) and other source milk other than sour cream used in the production of butter. Each cooperative association which is a handler shall pay such pro rata share of expense on only that milk of producers diverted for the account of such association to a nonpool plant.

§ 977.87 *Marketing services*—(a) *Deductions for marketing services.* Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 977.80 (b), with respect to milk received from each producer (excluding such handler's own farm production), shall deduct 5 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe; and, on or before the 20th day after the end of such delivery period, shall pay such deductions to the market administrator. Such moneys shall be expended by the market administrator to verify weights, samples, and tests of the milk of such producers and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Cooperative associations.* In the case of producers for whom a cooperative association, which the Secretary determines to be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act," is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made directly to such producers pursuant to § 977.80 (b), as are authorized by such producers, and on or before the 20th day after the end of each delivery period, pay over such deductions to the association rendering such services.

§ 977.88 *Termination of obligations.* The provisions of this section shall apply to any obligations under this subpart for the payment of moneys irrespective of when such obligation arose, except an obligation involved in an action instituted before May 1, 1950, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart, shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the 2-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said 2-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representative.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate 2 years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or 2 years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 977.90 *Effective time.* The provisions of this subpart, or any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 977.91 *Suspension or termination.* The Secretary shall, whenever he finds that any or all provisions of this subpart, or any amendment to this subpart, obstruct or do not tend to effectuate the declared policy of the act, terminate or suspend the operation of any or all provisions of this subpart or any amendment to this subpart.

§ 977.92 *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this subpart or any amendment thereto, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any persons (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 977.93 *Liquidation.* Upon the suspension or termination of the provisions of this subpart, except §§ 977.32, 977.88, and 977.91 through 977.93, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 977.100 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 977.101 *Separability of provisions.* If any provisions of this subpart, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this subpart, to other persons or circumstances shall not be affected thereby.

Issued at Washington, D. C., this 17th day of August 1951, to be effective on and after September 1, 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10054; Filed, Aug. 22, 1951; 8:45 a. m.]

PART 993—HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

ORDER TERMINATING THE SUSPENSION OF CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) hereinafter referred to as the "act" and of Marketing Agreement No. 110 and Order No. 93 (7 CFR Part 993), regulating the handling of dried prunes produced in California, hereinafter referred to as the order, an order (16 F. R. 1817) was issued on February 21, 1951, effective February 27, 1951, suspending the following

provisions: § 993.4 of the order (including the provisions of Exhibit A, which is attached to and made a part of the order); § 993.5 of the order, except to the extent that the provisions of said § 993.5 were necessary for application with respect to the liquidation by the Prune Administrative Committee, the administrative agency for operations under the order, of the 1950–51 substandard prune pool, including the disposition by the committee of substandard prunes which were held by it or for its account, at the time the suspension action became effective, and the final distribution by the committee of the net proceeds of the substandard prune pool; and implementing §§ 993.104, 993.105, and 993.201 (14 F. R. 6625, 15 F. R. 1888, and 15 F. R. 5534), except to the extent that the provisions of said §§ 993.104, 993.105, and 993.201 were necessary for application with respect to the liquidation by the aforementioned Prune Administrative Committee of the 1950–51 substandard prune pool, including the disposition by the committee of substandard prunes which were held by it, or for its account, at the time the suspension action became effective, and the final distribution by the committee of the net proceeds of the substandard prune pool.

The aforementioned suspension action was taken for the reason that it was determined that the 1950–51 season average price to producers for prunes would be in excess of the price level specified in section 2 (1) of the act. On the basis of current information, it is hereby found and determined that the estimated 1951–52 season average price to producers for prunes will not be in excess of the price level specified in section 2 (1) of the act. In these circumstances, it is hereby further found and determined that, for the 1951–52 crop year, the provisions of §§ 993.4 and 993.5 of the order, as the same are amended by a document[1] which is being issued concurrently herewith, and implementing §§ 993.104, 993.105, and 993.201, will tend to effectuate the declared policy of the act.

It is therefore ordered, That the provisions of the order (16 F. R. 1817) suspending, to the indicated extent, the provisions of §§ 993.4 and 993.5 of Marketing Agreement No. 110 and Order No. 93 (7 CFR Part 993), as the same are amended by a document which is being issued concurrently herewith, and the provisions of implementing §§ 993.104, 993.105 and 993.201 (14 F. R. 6625, 15 F. R. 1888, and 15 F. R. 5534) be, and the same hereby are, terminated three days after publication of this document in the FEDERAL REGISTER.

Notice of proposed rule making, public procedure thereon, and publication or service of this termination order 30 days prior to its effective date (see 5 U. S. C. 1001 et seq.) are impracticable, unnecessary, and contrary to the public interest in that (1) delivery by producers and dehydrators to handlers of dried prunes of the 1951 crop commences not later than August 15, 1951, and it is necessary that the provisions which are being reinstated hereby be in full force and effect as soon as practicable in order to effectuate the declared policy of the act, and (2) handlers will not require more than three days' advance notice of this action because they have already had ample advance information to the effect that the apparent market situation for the current crop year will necessitate quality and volume regulation of prunes.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 17th day of August 1951.

C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–10056; Filed, Aug. 22, 1951; 8:46 a. m.]

[1] See F. R. Doc. 10057, *infra.*

PART 993—HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

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AUTHORITY: §§ 993.1 to 993.97 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

Findings and determinations—(a) *Findings upon the basis of the hearing record.* (1) The findings hereinafter set forth are supplementary and in addition to the findings and determinations which were previously made in connection with the original issuance of the marketing agreement and order (7 CFR Part 993); and all of said previous findings and determinations, except the finding as to the base period for the parity computation, are hereby ratified and confirmed except insofar as such findings and determinations may be in conflict with the findings set forth herein; (2) The amended order, as hereinafter set forth, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act; (3) Said amended order will be applicable only to persons in the respective classes of industrial and commercial activities specified or necessarily included, in the proposals upon which the amendment hearing has been held; and (4) There are no differences in the production and marketing of dried prunes in the production area covered by said amended order, which make necessary different terms applicable to different parts of such area.

(b) *Additional findings.* It is hereby further found that it is impracticable and contrary to the public interest to postpone the effective date of this amended order until 30 days after publication in the FEDERAL REGISTER (see 5 U. S. C. 1001 et seq.). Drying and dehydration of prune plums produced in California in 1951 has commenced, and delivery of dried prunes to handlers is expected to start not later than August 15, 1951. To effectuate the declared policy of the act, it is necessary that the amended order be made effective as soon as practicable. The provisions of the

amended order are well known to the handlers of dried prunes since the public hearing on the proposed amendments was held in March 1951, and the recommended decision and the final decision were published in the FEDERAL REGISTER on June 16, 1951 (16 F. R. 5794, 6200), and July 11, 1951 (16 F. R. 6723), respectively; and all known interested persons have been furnished copies of the regulatory provisions of said order. In view of such advance information, compliance with the provisions of the amended order by handlers will not require more than three days of advance preparation; and such period provides a reasonable time. In these circumstances, the provisions of this amended order must be made effective three days after publication in the FEDERAL REGISTER.

(c) *Determinations.* It is hereby determined that: (1) The marketing agreement, as amended, regulating the handling of dried prunes produced in California, which includes amendments upon which the aforesaid public hearing also was held, has been executed by handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping dried prunes covered by this amended order) who handled not less than 50 percent of the volume of such dried prunes covered by this amended order;

(2) The issuance of this amended order is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (July 1, 1950 through June 30, 1951), were engaged, within the State of California, in the production for market of prune plums for drying or dehydrating into prunes; and

(3) The issuance of this amended order is favored or approved by producers who participated in a referendum on the question of its approval and who, during the aforesaid representative period, produced for market at least two-thirds of the volume of prune plums for drying or dehydrating into prunes represented in such referendum and produced within the State of California for market.

Order relative to handling. It is, therefore, ordered, That the handling of dried prunes produced in California shall, from the effective time of this amended order, be in conformity to, and in compliance with, the terms and conditions of this amended order.

DEFINITIONS

§ 993.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the United States Department of Agriculture who is, or who may hereafter be, authorized to exercise the powers and to perform the duties of the Secretary under the act.

§ 993.2 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 993.3 *Person.* "Person" means an individual, partnership, corporation, association, or any other business unit.

§ 993.4 *Prunes.* "Prunes" means and includes all sun-dried or artificially dehydrated plums, of any type or variety, produced from plums grown in the State of California, except: (a) Sulfur-bleached prunes which are produced from yellow varieties of plums and are commonly known as silver prunes; (b) plums which have not been dried or dehydrated to a point where they are capable of being stored prior to packaging, without deterioration or spoilage, unless refrigeration or other artificial means of preservation are used, and so long as they are treated by a process which is in conformity with, or generally similar to, the processes for treatment of plums of that type which have been developed or recommended by the Food Technology Division, College of Agriculture, University of California, for the specialty pack known as "high moisture content prunes", but this exception shall not apply if and when such plums are dried to the point where they are capable of being stored, without deterioration or spoilage, unrefrigerated or not otherwise artificially preserved; and (c) prunes as used in § 993.62.

§ 993.5 *Natural condition prunes.* "Natural condition prunes" means prunes which have not been processed.

§ 993.6 *Processed prunes.* "Processed prunes" means prunes which have been cleaned, or treated with water or steam: *Provided,* That prunes shall not become processed prunes at the time they are cleaned by a producer or a dehydrator in the course of preparing them for delivery to a producer, dehydrator, or handler.

§ 993.7 *Standard prunes.* "Standard prunes" means any lot of natural condition prunes meeting the applicable grade and size standards prescribed pursuant to § 993.48.

§ 993.8 *Standard processed prunes.* "Standard processed prunes" means any lot of processed prunes meeting the applicable grade and size standards prescribed pursuant to § 993.49.

§ 993.9 *Substandard prunes.* "Substandard prunes" means any lot of processed or natural condition prunes failing to meet the applicable grade and size standards prescribed pursuant to §§ 993.48 and 993.49.

§ 993.10 *Handle.* "Handle" means to receive, process, package, sell, consign, transport, or ship or in any other way to place prunes in the current of commerce (except as a carrier of prunes owned by another person), whatever may be the ultimate destination or end use of the prunes: *Provided,* That, this term shall not include: (a) The selling or delivering of prunes by a producer or dehydrator to a producer, dehydrator, or handler within the State of California; (b) the receiving of prunes by a producer or dehydrator from a producer or dehydrator; and (c) the buying, receiving, selling, or otherwise dealing by a person with prunes which have already been handled within the meaning of this definition by another person, but this exclusion shall be of no effect for the purpose of applying the applicable restrictions of § 993.49 or § 993.50 to the subsequent handling of prunes in the event a handler's prunes are excepted from restrictions in the manner specified in § 993.49 (e) (1) or § 993.50 (c).

§ 993.11 *Handler.* "Handler" means any person who handles prunes.

§ 993.12 *Dehydrator.* "Dehydrator" means any person who produces prunes by drying or dehydrating plums by means of sun-drying or artificial heat.

§ 993.13 *Producer.* "Producer" means any person who is engaged, in a proprietary capacity, in growing plums for drying or dehydrating into prunes.

§ 993.14 *Ton.* "Ton" means a short ton of 2,000 pounds.

§ 993.15 *Grade.* "Grade" means the classification of prunes for quality and condition according to the grading specifications established pursuant to the provisions of this subpart.

§ 993.16 *Size.* "Size" means the number of prunes contained in a pound or the classification of prunes into their various count groups in accordance with the usual practice of the industry.

§ 993.17 *Crop year.* "Crop year" means the 12-month period beginning August 1 of any year and ending July 31 of the following year.

§ 993.18 *Domestic.* "Domestic" means the continental United States, Alaska, Canal Zone, Hawaii, Puerto Rico, Virgin Islands, and Canada.

§ 993.19 *Proper storage.* "Proper storage" means storage of such character as will maintain prunes in the same condition as when received by the handler, except for normal and natural deterioration and shrinkage.

§ 993.20 *Part and subpart.* "Part" means the order regulating the handling of dried prunes produced in California, and all rules, regulations, and supplementary orders issued thereunder. This order regulating the handling of dried prunes produced in California shall be a "subpart" of such part.

PRUNE ADMINISTRATIVE COMMITTEE

§ 993.24 *Establishment of Prune Administrative Committee.* A Prune Administrative Committee (hereinafter referred to as the "committee"), consisting of 21 members, with an alternate member for each such member, is hereby established to administer the terms and provisions of this part, of whom, with their respective alternates, 14 shall represent producers and seven shall represent handlers.

§ 993.25 *Term of office.* The term of office of members, and their respective alternates, shall be two years, ending on May 31 of even numbered years, and any later date which may be necessary for the selection and qualification of their respective successors.

§ 993.26 *Selection.* Selection of members of the committee, and their respective alternates, shall be made by the Secretary, for the producer and handler groups from the nominations submitted for that purpose by the re-

spective groups, or from among other qualified persons, in the discretion of the Secretary, but such selections shall be made by the Secretary from the classes within each group and in the proportions set forth in § 993.28.

§ 993.27 *Eligibility.* Each producer member and alternate member of the committee shall be, during his term of office, a producer in the district from which he is appointed, and, if such person also handled prunes during the crop year immediately preceding that for which he is selected, at least 51 percent of the prunes so handled by him during such preceding crop year must have been produced from plums grown by him: *Provided,* That, producer-at-large members and their alternates, if they otherwise meet the foregoing eligibility requirements, may be producers in any districts. Each handler member and alternate member of the committee shall be either a handler of prunes or an employee or agent of a handler of prunes actually engaged in the handling of prunes while he is such member or alternate member.

§ 993.28 *Nominees* — (a) *Producer nominees*--(1) *Independent producers.* One nominee for member on the committee and one nominee for an alternate member shall be nominated to the Secretary by majority vote in elections in which only producers who are not members of a cooperative marketing association shall participate in each of the seven districts in the State of California which are described below in this subparagraph. The committee shall cause such elections to be held in each district in each election year prior to March 31. At such election, each such producer shall be entitled to cast only one vote in each balloting for member nominee and in each balloting for alternate member nominee and each such producer shall be permitted to vote only in a district in which he is a producer. No producer shall vote in more than one district. In case a producer is a producer in more than one district, he shall elect by written notification to the committee in which of such districts he will cast his vote for such nominees. The seven districts which are referred to above are described as follows:

District No. 1. The counties of Siskiyou, Modoc, Shasta, Trinity, Lassen, Plumas, Sierra, Tehama, Glenn, Butte, Colusa, Sutter, Yuba, Nevada, and Placer.

District No. 2. The counties of Napa, Yolo, and Solano.

District No. 3. The counties of Mendocino, Lake, Sonoma, Marin, Del Norte, and Humboldt.

District No. 4. The counties of San Francisco, San Mateo, and Santa Cruz, and all that portion of the territory in Santa Clara County west of a line described as follows: beginning at the intersection of Alviso Road and San Francisco Bay in Alviso; thence south via Alviso Road to First Street in San Jose; thence south on said First Street to San Carlos Street in San Jose; thence west on San Carlos Street to Meridian Road; thence south on Meridian Road to Dry Creek Road; thence west on Dry Creek Road to the San Jose-Los Gatos Highway; thence southwesterly on the San Jose-Los Gatos Highway to Union Avenue, also known as Ware Avenue; thence south on Union Avenue, also known as Ware Avenue, along a straight line continuing to the Santa Cruz County line.

District No. 5. All of Alameda County and that part of Santa Clara County east and south of District No. 4, extending in a southerly direction to a straight line extending from along the main portion of the Cochran Road, northeasterly to the Stanislaus County line and southwesterly to the Santa Cruz County line.

District No. 6. The counties of San Benito, Monterey, and San Luis Obispo, and all of that portion of Santa Clara County not included in Districts No. 4 and No. 5.

District No. 7. All of the counties in the State of California not included in Districts No. 1 to No. 6, inclusive.

At any time the Secretary concludes that the respective areas covered by the aforementioned seven districts, as delineated above, no longer represent approximately equal segments from the standpoints of numbers of producers of prunes or productions of prune tonnages, he may change such areas with a view to reestablishing such equalization on the basis of the existing situations.

(2) *Cooperative producers.* Prior to March 1 of each election year, the committee shall report to the Secretary the total tonnage of prunes handled by all handlers as the first handlers thereof and the total tonnage of prunes handled by cooperative marketing associations as the first handlers thereof during the crop year preceding such election year. Prior to March 15 of each election year, the Secretary shall determine and announce the number of producer member nominees and producer alternate member nominees which shall be nominated by cooperative marketing associations handling prunes on behalf of their members. Such number of nominees shall bear, as far as practicable, the same percentage compared to the total of 14 producer members and their alternates as the prune tonnage handled by cooperative marketing associations as the first handlers thereof bears to the total tonnage handled by all handlers as the first handlers thereof during the crop year preceding such election year. Prior to March 31 of each election year the cooperative marketing associations handling prunes shall nominate to the Secretary on behalf of their members such number of producer nominees and their respective alternates.

(3) *Producers-at-large.* The number of nominees and their respective alternates then required to make up the total of 14 producer member nominees and their alternates shall be nominated to the Secretary by the seven independent producer nominees nominated for members on the committee pursuant to the provisions of this section. Such nominations shall be made prior to April 15 and shall be by majority vote.

(b) *Handler nominees.* Prior to March 15 of each election year, the Secretary shall determine and announce the number of handler member nominees and handler alternate member nominees which shall be nominated by cooperative marketing associations handling prunes, on the same basis as his determination of the number of cooperative producer nominees, as set forth in paragraph (a) (2) of this section, and at the same time he shall determine and announce, for those handlers who are not cooperative marketing associations (referred to in this subpart as "independent handlers"), the number of handler member nominees and handler alternate member nominees to be nominated by large handlers, the number to be nominated by medium handlers, and the number to be nominated by small handlers. Large handlers shall be deemed to be those who during the preceding crop year individually handled as the first handlers thereof, 17 or more percent of the total tonnage handled by independent handlers as the first handlers thereof; medium handlers, those who during the preceding crop year individually handled as the first handlers thereof, 8 or more percent but less than 17 percent of the total tonnage handled by independent handlers as the first handlers thereof; and small handlers, those who during the preceding crop year individually handled as the first handlers thereof, less than 8 percent of the total tonnage handled by independent handlers as the first handlers thereof. The Secretary shall, in his discretion and insofar as it is possible to do so, apportion 40 percent of the independent handler nominees to large handlers, 20 percent of the independent handler nominees to medium handlers, and 40 percent of the independent handler nominees to small handlers, but in the event that these proportions cannot be followed, there shall be at least one independent handler member nominee and handler alternate member nominee apportioned to each of the three classes of independent handlers, and the nominees for any remaining member positions, including the respective alternates, shall be apportioned to the size class or classes as determined at a general meeting of independent handlers which shall be called for that purpose by the committee, such determination to be made on the basis of a majority vote of all independent handlers who are present at such meeting and participate in the voting, and on the further basis of one vote for each such handler in each balloting. Prior to March 31 of each election year, the cooperative marketing associations handling prunes shall nominate to the Secretary such number of handler member nominees and their respective alternates as the Secretary has determined and announced for cooperative marketing associations. Prior to March 31, at a meeting called for that purpose by the committee, each class of independent handlers shall nominate the number of handler member nominees and their respective alternates as determined and announced by the Secretary for each class, respectively. At such meeting, nominations shall be made by each class of independent handlers for nominees of that class, on the basis of a majority vote of all handler members of that class present and participating in the voting and on the further basis of one vote for each handler in each class in each balloting for nominees of that class.

§ 993.29 *Alternates.* An alternate for a member of the committee shall act in the place and stead of such member (a) during his absence, and (b) in the event of his removal, resignation, dis-

qualification, or death, until a successor for such member's unexpired term has been selected and has qualified.

§ 993.30 *Failure to nominate.* In the event nominations for any positions on the committee are not received within the prescribed periods, the Secretary may select such members or their alternates, without regard to nominations, but each such selection shall be on the bases prescribed in § 993.28.

§ 993.31 *Acceptance.* Each person selected as a member or alternate member of the committee shall, prior to serving on the committee, qualify by filing with the Secretary a written acceptance within 15 days after receiving notice of his selection.

§ 993.32 *Vacancies.* In the event of any vacancy occasioned by the failure of any person selected as a member or alternate member of the committee to qualify, or, by the removal, resignation, disqualification, or death of any member or alternate member, a successor for such person's unexpired term shall be nominated within 20 calendar days after such vacancy occurs and selected in the manner provided in this subpart, insofar as applicable.

§ 993.33 *Obligations.* Upon the removal, resignation, disqualification, or expiration of the term of office of any member or alternate member of the committee, such member or alternate member shall account for all receipts and disbursements and deliver to his successor, to the committee, or to a designee of the Secretary all property (including, but not limited to, all books and records) in his possession or under his control as member or alternate member, and he shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor, committee, or designee full title to such property and funds, and all claims vested in such member or alternate member. Upon the death of any member or alternate member of the committee, full title to such property, funds, and claims vested in such member or alternate member shall be vested in his successor or, until such successor has been selected and has qualified, in the committee.

§ 993.34 *Voting procedure and verbatim record.* Except as specifically otherwise provided in this section, all decisions of the committee shall be by majority vote of the members present and voting and a quorum must be present. A quorum shall consist of at least 12 members of whom at least eight must be producer members and at least four must be handler members. Except in case of emergency, a minimum of five days advance notice must be given with respect to any meeting of the committee. In case of an emergency, to be determined within the discretion of the chairman of the committee, as much advance notice of a meeting as is practicable in the circumstances shall be given. The committee may vote by mail or telegram upon due notice to all members, but any proposition to be so voted upon first shall be explained accurately, fully, and identically by mail or telegram to all members. When any proposition is submitted for voting by such method, one dissenting vote shall prevent its adoption. Any recommendation submitted to the Secretary by the committee, pursuant to the requirements of §§ 993.41 through 993.45, §§ 993.48 through 993.50, or §§ 993.59 through 993.63, shall be on the basis of an affirmative vote by at least 16 members, and the committee shall file with the Secretary, along with such recommendations to the Secretary, a verbatim record of those portions of its meetings relating to such requirements. After any proposition is voted upon by the committee, it shall report promptly to the Secretary the individual affirmative or negative vote on such proposition of each member and of each alternate member acting in the place of a member.

§ 993.35 *Compensation and expenses.* The members of the committee, and their alternates when acting as members, shall receive $10.00 per day for each day devoted to performing their duties hereunder, plus their reasonably necessary expenses.

§ 993.36 *Powers.* The committee shall have the following powers:

(a) To administer the terms and provisions of this subpart;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violations of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

§ 993.37 *Duties.* The committee shall have, among others, the following duties:

(a) To act as intermediary between the Secretary and any producer, dehydrator, or handler;

(b) To keep minutes, books, and other records which shall clearly reflect all of its acts and transactions, and such minutes, books, and other records shall be subject to examination by the Secretary at any time;

(c) To make, subject to the prior approval of the Secretary, scientific and other studies, and assemble data on the producing, handling, shipping, and marketing conditions relative to prunes, which are necessary in connection with the performance of its official duties;

(d) To select, from among its members, a chairman and other appropriate officers, and to adopt such rules and regulations for the conduct of the business of the committee as it may deem advisable;

(e) To appoint or employ such other persons as it may deem necessary, and to determine the salaries and define the duties of such persons;

(f) To submit to the Secretary not later than June 20 of each year, a budget of its anticipated expenditures and the recommended rate of assessment for the ensuing crop year, and the supporting data therefor;

(g) To submit to the Secretary such available information with respect to prunes as the committee may deem appropriate, or as the Secretary may request;

(h) To prepare and submit to the Secretary monthly statements of the financial operations of the committee, exclusive of surplus tonnage operations, and to make such statements, together with the minutes of the meetings of said committee, available for inspection at the offices of the committee, by producers, dehydrators, and handlers;

(i) To prepare and submit to the Secretary annually, as soon as practicable after the end of each crop year and at such other times as the committee may deem appropriate or the Secretary may request, a statement of the financial operations of the committee with respect to the surplus tonnage for such crop year and to make such statement available at the offices of the committee, for inspection by producers, dehydrators, and handlers;

(j) To cause the books of the committee to be audited by a certified public accountant at least once each crop year, and at such other times as the committee may deem necessary or as the Secretary may request. Such report shall show, among other things, the receipt and expenditure of funds. At least two copies of such audit report shall be submitted to the Secretary; a copy of each such report shall be available, at the offices of the committee, for inspection by producers, dehydrators, and handlers;

(k) To give the Secretary the same notice of meetings of the committee as is given to the members of the committee;

(l) To give producers, dehydrators, and handlers reasonable advance notice of meetings of the committee, and to maintain all such meetings open to such persons;

(m) To investigate compliance with the provisions of this subpart and with any rules and regulations established pursuant to such provisions; and

(n) To establish, with the approval of the Secretary, such rules and procedures relative to administration of this subpart as may be consistent with the provisions contained in this subpart and as may be necessary to accomplish the purposes of the act and the efficient administration of this subpart.

MARKETING POLICY

§ 993.41 *Report of marketing policy.* Prior to the beginning of each crop year, the committee shall prepare and submit to the Secretary a report setting forth its marketing policy for the regulation of the handling of prunes in such crop year, pursuant to §§ 993.48 through 993.63. Such report shall include the data and information used by the committee in the formulation of such marketing policy. In developing the marketing policy, the committee shall give consideration to the following factors:

(a) The estimated tonnage of prunes from preceding crop years held by handlers;

(b) The estimated tonnage of prunes from preceding crop years held by producers and dehydrators;

(c) The estimated production of prunes in such crop year;

(d) An appraisal of the quality and size of prunes of the crop to be produced in such crop year;

(e) The estimated tonnage of prunes marketed in recent crop years segregated by countries as to foreign commerce and segregated by uses as to domestic commerce;

(f) The current prices being received for prunes by producers, dehydrators, and handlers;

(g) The trend and level of consumer income;

(h) The estimated probable market requirements for prunes in such crop year segregated by countries as to foreign commerce and segregated by uses as to domestic commerce; and

(i) Such other factors as may have a bearing on the marketing of prunes.

§ 993.42 *Policy meeting.* The committee shall hold a meeting for the purpose of formulating and adopting the marketing policy for any crop year not later than June 15 preceding the beginning of such crop year.

§ 993.43 *Time of submission.* The marketing policy report for any crop year shall be submitted to the Secretary not later than June 20 preceding the beginning of such crop year.

§ 993.44 *Modifications or changes.* In the event the committee subsequently determines that such marketing policy should be modified or changed by reason of change in economic or other conditions, it shall make such modification or change in the manner provided for above for the original formulation of a marketing policy, insofar as applicable, and shall submit promptly a report of such modified or changed marketing policy to the Secretary, along with the data which it considered in connection with the making of such modification or change.

§ 993.45 *Notice.* The committee shall give reasonable notice through newspapers having general circulation in the area and may give such notice through other channels, if the committee deems it desirable, to producers, dehydrators, and handlers of the contents of each marketing policy report submitted to the Secretary and each report modifying or changing a marketing policy. Copies of all such reports shall be maintained in the offices of the committee where they shall be available for examination by producers, dehydrators, and handlers.

GRADE AND SIZE REGULATIONS

§ 993.48 *Receiving of natural condition prunes by handlers*—(a) *General.* In order to effectuate the declared policy of the act, no handler shall receive prunes from producers or dehydrators, except in accordance with the terms and conditions with respect to grades and sizes set forth in this section: *Provided,* That no handler shall receive any prunes (either as standard prunes or as substandard prunes) from producers or dehydrators, unless such prunes have been properly dried and cured in original natural condition, without the addition of water, and free from active insect infestation, so that they are capable of being received, stored, and packed without deterioration or spoilage. Any high moisture content prunes, as described in the exception in § 993.4 (b), in the possession of a handler, shall be held separate and apart from any surplus prunes (including both standard and substandard prunes) held by him. If, and so long as, a handler commingles his salable prunes with any surplus prunes, this prohibition as to storage shall apply to the entire mass. In the event such high moisture content prunes are dried or dehydrated to a point where they are capable of being stored, without deterioration or spoilage, unrefrigerated or not otherwise artificially preserved, they shall be deemed, at that time, to have been received by such handler as prunes, and to be subject to all of the conditions and restrictions of this subpart.

(b) *Initial regulation.* Effective as of the effective time of this section and, continuing until such regulation is superseded by other regulations prescribed by the Secretary, no handler shall receive prunes from producers or dehydrators, other than as substandard prunes, unless they meet the minimum standards for natural condition prunes as set forth in § 993.97 (Exhibit A).

(c) *Superseding regulation.* In case the committee should recommend to the Secretary that the initial minimum standards as to grade, as provided for in paragraph (b) of this section, should be superseded by other minimum standards as to grades and sizes, it shall submit its recommendation to the Secretary, together with the data and information upon which it acted in making such recommendation, including information as to factors affecting the supply of, and demand for, prunes by grades and sizes, and such other information as the Secretary may request. The Secretary shall issue such superseding regulation if he finds, upon the basis of the recommendation and supporting data submitted to him by the committee, or from other pertinent information available to him, that to do so would tend to effectuate the declared policy of the act. Any such superseding regulation, insofar as it applies to grades, shall not be below the applicable minimum standards for grades of natural condition prunes as set forth in § 993.97 (Exhibit A), and any such minimum standards for grades shall provide a maximum tolerance for total defects, and may provide a maximum tolerance for single defects or classes of defects. Any superseding regulations issued by the Secretary shall subsequently be modified, suspended, or terminated, in case he finds that the pertinent facts and circumstances so warrant; and the committee, in submitting any recommendation therefor to the Secretary, shall, in each instance, submit to him the information and data on the basis of which such recommendation is made. The committee shall give prompt notice through newspapers having general circulation in the area and may give such notice through other channels, if the committee deems it desirable, to handlers, dehydrators, and producers of each recommendation submitted by it to the Secretary and of each superseding regulation issued by the Secretary. Such notice of each regulation issued shall include, but not be limited to, written notice by registered mail to all handlers of whom the committee has a record.

(d) *Inspection.* Each handler shall, at his own expense, cause an inspection to be made of prunes tendered to him by any producer or dehydrator. Prior to accepting any such tender of prunes as prunes meeting the applicable minimum standards for grades and sizes, each such handler shall obtain a certificate that the prunes meet the aforementioned requirements for standard prunes as established pursuant to the provisions of paragraphs (b) or (c) of this section, and said handler shall submit such certificate, or cause it to be submitted, together with such other instruments and records as the committee may require, to the committee. Such certificates shall be issued by inspectors of the Dried Fruit Association of California, No. 1 Drumm Street, San Francisco, California. The Secretary may designate another inspection agency in the event the services of the Dried Fruit Association of California prove unsatisfactory. Any prunes so certified as meeting the applicable requirements shall be known and referred to as standard prunes.

(e) *Substandard natural condition prunes*—(1) *Producer's or dehydrator's options.* Any natural condition prunes tendered to a handler by a producer or dehydrator which fail to meet the applicable minimum standards as to grades and sizes, may: (i) At the producer's or dehydrator's option, be returned to such producer or dehydrator for sorting; or, (ii) by agreement between such producer and handler or dehydrator and handler, be received pursuant to the provisions of subparagraph (2) of this paragraph; or, (iii) be turned over to the handler unsorted to be held by him, as substandard natural condition prunes, for the account of the committee. Any such substandard prunes, except as otherwise specifically provided, shall be treated the same as and be subject to the same provisions respecting surplus prunes, as contained in §§ 993.59 through 993.63, and, except those referred to in subparagraph (2) of this paragraph, shall be held by a handler separate and apart from any standard prunes held by him.

(2) *Equivalent quantity basis.* In the event a producer or dehydrator should elect to arrange with a handler for the receiving of substandard prunes tendered by him to such handler for sorting or disposing of such prunes unsorted in conformity with the provisions of this subpart, the inspection agency designated to make inspections of prunes shall issue, at the handler's expense, a certificate of appraisal on such prunes so tendered, which shall show the percentage thereof comprising offgrade prunes necessary to be removed therefrom for the remainder to be standard prunes. A quantity of prunes equivalent to the weight of such offgrade prunes represented by the application of such percentage to the total tonnage so appraised and certified shall be treated as substandard prunes and held as such for the account of the committee: *Provided,*

That any prunes so treated as substandard prunes shall be of such comparable size as may be established by the committee through issuance of rules and regulations. No certificate of inspection on such substandard natural condition prunes so tendered shall be required pursuant to this section after a certificate of appraisal has been issued applicable to such prunes.

§ 993.49 *Regulation of the handling of prunes subsequent to their receipt by handlers*—(a) *General.* In order to effectuate the declared policy of the act, no handler shall ship or otherwise make final disposition of natural condition prunes or of processed prunes, except in accordance with the terms and conditions of this section.

(b) *Initial regulation.* Effective as of the effective time of this section, and continuing until such regulation is superseded by other regulations prescribed by the Secretary, except as otherwise specifically provided, no handler shall ship or otherwise make final disposition of natural condition prunes or of processed prunes, which fail to meet the applicable minimum standards set forth in § 993.97 (Exhibit A) for standard prunes or standard processed prunes.

(c) *Superseding regulation.* In case the committee should recommend to the Secretary that the initial minimum standards as to grade, as provided for in paragraph (b) of this section, should be superseded by other minimum standards as to grades and sizes, it shall submit its recommendation to the Secretary together with the data and information upon which it acted in making such recommendation, including information as to factors affecting the supply of, and demand for, prunes by grades and sizes, and such other information as the Secretary may request. The Secretary shall issue such superseding regulation if he finds, upon the basis of the recommendation and supporting data submitted to him by the committee, or from other pertinent information available to him, that to do so would tend to effectuate the declared policy of the act. Any such superseding regulation, insofar as it applies to grades, shall not be below the applicable minimum standards for grades of standard prunes or standard processed prunes, as set forth in § 993.97 (Exhibit A), and any such minimum standards for grades shall provide a maximum tolerance for total defects, and may provide a maximum tolerance for single defects or classes of defects. Any superseding regulation issued by the Secretary may subsequently be modified, suspended, or terminated in case he finds that the pertinent facts and circumstances so warrant, and the committee, in submitting any recommendation therefor to the Secretary shall, in each instance, submit to him the information and data on the basis of which such recommendation is made: *Provided,* That, at all times, the regulation shall be comparable so far as practicable, to the then current regulation in effect with respect to the receiving of natural condition prunes by handlers from producers or dehydrators. The committee shall give prompt notice through newspapers having general circulation in the area and may give such notice through other channels, if the committee deems it desirable, to handlers, dehydrators, and producers of each recommendation submitted by it to the Secretary and of each superseding regulation issued by the Secretary. Such notice of each regulation issued shall include, but not be limited to, written notice by registered mail to all handlers of whom the committee has a record.

(d) *Inspection.* Each handler shall, at his own expense, before shipping or otherwise making final disposition of prunes, unless they are specifically excepted in this section, cause an inspection to be made of such prunes to determine whether they meet the then applicable grade and size standards for standard prunes or standard processed prunes. Each such handler shall not ship or otherwise make final disposition of such prunes, for any use unless they are specifically excepted in this section, if they do not meet such minimum standards. Such handler shall obtain a certificate that such prunes meet the aforementioned minimum standards and such handler shall submit such certificate, or cause it to be submitted, together with such other instruments and records as the committee may require, to the committee. Such certificates shall be issued by inspectors of the Dried Fruit Association of California, No. 1 Drumm Street, San Francisco, California. The Secretary may designate another inspection agency in the event the services of the Dried Fruit Association of California prove unsatisfactory.

(e) *Exceptions to restrictions*—(1) *Inter-plant and inter-handler transfers.* Notwithstanding the restrictions contained in paragraphs (b) or (c) of this section, any handler may transfer prunes from one plant owned by him to another plant owned by him within the State of California without having any inspection made as provided for in paragraph (d) of this section, and any handler may ship prunes from his plant to another handler's plant within the State of California without having an inspection made as provided for in paragraph (d) of this section. A report of such inter-handler transfer shall be made promptly by the transferring handler to the committee. The receiving handler shall, before shipping or otherwise making final disposition of such prunes, comply with the requirements of this section.

(2) *Defective prunes accumulated from standard prunes and prunes received by a handler for his own account which fail to meet the quality standards for disposition.* Any defective prunes which may be accumulated by a handler by removing them from his standard prunes and any prunes received by a handler for his own account which fail to meet the quality standards for the disposition of prunes, may be disposed of, or marketed for disposition, as animal feed, pitted prunes, or as other prune products in which they lose their form and character as prunes by conversion prior to consumption: *Provided,* That any such prunes which are disposed of, or marketed for disposition, for human consumption shall meet those minimum standards prescribed in § 993.97 (Exhibit A) as relate to the defects of mold, imbedded dirt, insect infestation, and decay. The committee shall issue any such rules and regulations as may be necessary to insure such uses. Each handler shall, at his own expense, before shipping or otherwise making final disposition of prunes under this subparagraph, cause an inspection to be made of such prunes by the inspection agency. Such handler shall obtain from the inspection agency a certificate that such prunes meet the applicable conditions contained in this subparagraph, and submit it, or cause it to be submitted, together with such other instruments and records as the committee may require, to the committee. Otherwise, such prunes may be shipped or disposed of for the purposes specified in this subparagraph without regard to the restrictions contained in paragraphs (b), (c), and (d) of this section.

§ 993.50 *Regulation of the handling of prunes during any crop year when the estimated seasonal average price is in excess of parity*—(a) *Determination.* If the Secretary should find that the estimated seasonal average price for prunes for any crop year will be in excess of the price level contemplated by the provisions of section 2 (1) of the act, he shall issue an order in which such finding is set forth, and, in such order, he may provide that, for such crop year, the handling of prunes shall be in accordance with the provisions set forth in this section.

(b) *Receiving of prunes by handlers.* In lieu of the provisions set forth in § 993.48, a handler may receive any tender of prunes from a producer or dehydrator: *Provided,* That such prunes have been properly dried and cured in original natural condition, without the addition of water, and free from active insect infestation, so that they are capable of being received, stored, and packed without deterioration or spoilage. For the assistance of the committee in its supervision of operations under this section, each handler shall, at his own expense, cause an inspection to be made by the inspection agency for the purpose of ascertaining the net weight of the delivery and the percentage of defective prunes in such delivery which is in excess of the maximum tolerances specified in § 993.97 (Exhibit A, paragraph C of subdivision I), and whether the prunes in the delivery meet the requirements of paragraph D of said subdivision I. In the case of each such inspection, the handler shall obtain from the inspection agency a certificate showing the results of the inspection including the percentage of such excess by defects or groups of defects, as the committee may require, and he shall submit such certificate, or cause it to be submitted, together with such other instruments and records as the committee may require, to the committee.

(c) *Disposition of prunes by handlers.* In lieu of the requirements set forth in § 993.49, no handler shall ship or otherwise make final disposition of prunes (regardless of whether natural condition or processed prunes), for human consumption as prunes, which fail to meet

the applicable minimum standards set forth in § 993.97 (Exhibit A) for natural condition prunes or processed prunes, as the case may be. Also, no handler shall ship or otherwise make final disposition of natural condition prunes or of processed prunes for use in the manufacture of any prune product for human consumption as food, which fail to meet the applicable minimum standards set forth in § 993.97 (Exhibit A) for natural condition prunes or processed prunes, as the case may be, which relate to the defects of mold, insect infestation, imbedded dirt, and decay. Any handler may ship or otherwise make final disposition of any natural condition prunes or of any processed prunes, as the case may be, for any use other than those referred to in the two preceding sentences. Such disposition without regard to the quality of prunes shall include, but is not limited to, disposition for animal feed, botanicals, and distillation. Each handler shall, at his own expense, before shipping or otherwise making final disposition of prunes, cause an inspection to be made by the inspection agency to determine whether they meet the applicable grade standards, as set forth above in this paragraph, and he shall obtain from the inspection agency a certificate that such prunes meet the aforementioned applicable minimum standards and submit such certificate, or cause it to be submitted, together with such other instruments and records as the committee may require, to the committee. Nothwithstanding the aforesaid restrictions, any handler may transfer prunes from one plant owned by him to another plant owned by him within the State of California, and any handler may ship prunes from his plant to another handler's plant within the State of California, without having such inspection made and certificate issued. A report of each interhandler transfer shall be made promptly by the transferring handler to the committee, and the receiving handler shall, before shipping or otherwise making final disposition of such prunes, comply with the requirements of this paragraph. The committee is hereby authorized to exercise such supervision as may be reasonably necessary to insure that prunes are disposed of for the respective uses for which they were intended, and that the prunes used for each particular purpose meet the applicable minimum grade standards prescribed in this paragraph.

(d) *Inspection agency.* The inspection agency referred to in this section shall be the same as the inspection agency which is provided for in §§ 993.48 and 993.49.

(e) *Assessments.* In lieu of the payment of assessments pursuant to the computation method prescribed in § 993.81 (a), each handler shall pay to the committee, upon demand, with respect to all prunes received by him as the first handler thereof, his pro rata share of such expenses which the Secretary finds will be incurred pursuant to the provisions of § 993.80 by the committee during such crop year. Also, in such an event, each handler's pro rata share of such expenses shall be equal to the ratio between the total tonnage received by him as the first handler thereof during such crop year and the total tonnage received by all handlers as the first handlers thereof during the same crop year. The Secretary shall fix the rate of assessment to be paid by such handlers on the basis of a specified rate per ton. At any time during or after a crop year the Secretary may increase the rate of assessment to apply to all prunes received by handlers as the first handlers thereof during such crop year to obtain sufficient funds to cover any finding by the Secretary relative to the expenses of the committee. Each handler shall pay such additional assessment to the committee upon demand. The Secretary shall reduce the assessment rate applicable to all such tonnage during the particular crop year if he finds that when thus reduced it will provide funds sufficient to enable the committee properly to perform its authorized functions. In all other respects, the provisions of §§ 993.80 through 993.32 shall remain in full force and effect.

(f) *Effective provisions.* In any crop year while the provisions of this section are in effect, the provisions of §§ 993.1 through 993.45, §§ 993.71 through 993.77 and §§ 993.84 through 993.93 shall remain in full force and effect, except to the extent that they may be in conflict with the provisions of this section or of the act.

SALABLE AND SURPLUS TONNAGE REGULATIONS

§ 993.59 *Method of establishing salable and surplus percentages.* After considering all available information and factors used in formulating the marketing policy, the committee, prior to July 15 in any crop year, shall recommend to the Secretary the establishment of a salable percentage and a surplus percentage during the crop year for which the marketing policy has been developed. Whenever the Secretary finds from the recommendation and information submitted by the committee, or from other available information, that to establish a salable percentage and surplus percentage of prunes for any crop year would tend to effectuate the declared policy of the act, he shall so establish such percentages. The total of the salable and surplus percentages fixed each crop year shall equal 100 percent. The salable and surplus percentages fixed for any crop year shall remain in full force and effect throughout the remainder of that crop year and during the following crop year until such percentages are fixed for the following crop year. The committee shall give prompt notice, through newspapers having general circulation in the area and may give such notice through other channels, if the committee deems it desirable, to handlers, dehydrators, and producers of each recommendation submitted by it to the Secretary and of any such percentages made effective by the Secretary. Such notice of the percentages made effective by the Secretary shall include, but not be limited to, written notice by registered mail to all handlers of whom the committee has a record.

§ 993.60 *Salable tonnage.* The salable tonnage of prunes of a handler shall be the sum of the salable tonnage portions of the prunes delivered to the handler by individual producers and dehydrators. The salable tonnage portion of prunes delivered to the handler by an individual producer or dehydrator shall be the tonnage resulting from the application of the salable percentage to the quantity of prunes (including standard and substandard prunes) so delivered, plus any tonnage of standard prunes delivered by such producer or dehydrator to the handler and covered by a diversion certificate; however, if the salable tonnage portion so computed exceeds the quantity of standard prunes delivered to the handler by the individual producer or dehydrator, it shall be reduced to the quantity of standard prunes so delivered. The handler may sell such salable tonnage in any manner he deems advisable subject to the applicable requirements specified in §§ 993.48 and 993.49. No handler shall handle any quantity of prunes in excess of his salable tonnage, except such prunes as may be obtained from surplus tonnage as specified in § 993.63, and except as provided in paragraph (g) of § 993.61. In no event, however, shall a handler be prevented from handling salable tonnage acquired by him from another handler who has received such tonnage from producers, dehydrators, or other handlers in accordance with all the provisions of this subpart.

§ 993.61 *Surplus tonnage*—(a) *Computation.* The surplus tonnage of prunes of a handler shall be the sum of the surplus tonnage portions of the prunes delivered to the handler by individual producers and dehydrators. The surplus tonnage portion of prunes delivered to the handler by an individual producer or dehydrator shall be the tonnage resulting from the application of the surplus percentage to the quantity of prunes (including standard and substandard prunes) so delivered, less any tonnage of standard prunes delivered by such producer or dehydrator to the handler and covered by a diversion certificate; however, if the surplus tonnage portion so computed is less than the quantity of substandard prunes delivered to the handler by the individual producer or dehydrator, it shall be increased to the quantity of substandard prunes so delivered. The committee shall authorize and permit a nonprofit cooperative agricultural marketing association, which has contractual authority to so pool the tonnage of its members, to concentrate the tonnage of its producer members before applying the surplus tonnage provision of this subpart.

(b) *Holding and delivery.* Each handler shall hold for the committee in proper storage, all surplus tonnage received by him until relieved of such obligation by the committee. The committee may, at any time, require a handler to deliver to it, or to anyone designated by it, at such handler's warehouse or at such other place as the prunes may be stored by the handler, surplus tonnage held by him. The committee may require that such delivery consist of natural condition prunes or it may arrange for such delivery to consist of processed prunes.

(c) *Substandard surplus prunes.* Substandard prunes, except defective prunes referred to in § 993.49 (e) (2), shall be held separate from other prunes held by any handler. The committee shall dispose of substandard prunes as expeditiously as it is practicable to do so, in any manner designated by the committee which is not contrary to any provisions of this subpart for the disposition of substandard prunes.

(d) *Storage facilities.* The committee may rent and operate, or arrange for the use of, facilities for storage and handling of surplus tonnage.

(e) *Exchange.* The committee may establish methods and procedures, including compensating payments, for the exchange by handlers of salable tonnage prunes for surplus standard prunes held by or for the committee, of the various grades and sizes of prunes: *Provided, however,* That no such exchange shall be permitted of substandard prunes. Such transfers shall be on a negotiated basis.

(f) *Payment for services.* Handlers shall be paid for necessary services rendered by them in connection with surplus tonnage, including, but not limited to, receiving, storing, grading, and fumigating, in accordance with a schedule of payments established by the committee and approved by the Secretary. If any handler, prior to December 1 of the crop year, demands removal of such surplus tonnage by the committee, such handler automatically waives payment for any and all charges that may have accrued for storing such surplus tonnage, including in and out charges. When any demand for removal is made, the committee shall remove such surplus tonnage from said handler's possession as expeditiously as practicable, and in any event within 30 days following receipt of written notice.

(g) *Deferment of obligation.* The committee may defer, upon the written request of any handler and for good and sufficient cause, the fulfilling by such handler of his surplus tonnage obligation for a specified period ending not later than November 15 of the then current crop year: *Provided,* That no handler shall dispose of any tonnage of standard prunes during such deferment period in excess of the tonnage he is authorized to handle as specified in § 993.60 plus the tonnage for which such handler holds purchase contracts with producers and dehydrators. As a condition to the granting of any such deferment, the committee shall require the handler to obtain and file with it a written undertaking that by the end of the deferment period he will have fully satisfied his obligation with respect to the holding or control by him of the surplus tonnage applicable to his receipts of prunes from producers and dehydrators. Such undertaking shall be secured by a bond or bonds to be filed with, and acceptable to, the committee, with surety or sureties satisfactory to the committee, running in favor of the committee and the Secretary, and for an amount computed on the basis of the then current market value of the prunes in the quantity for which the deferment is granted. The cost of such bond shall be borne by the handler filing same. Any sums collected through default of a handler on his bond shall, after reimbursement of the committee for any expenses incurred by it in effecting collection, be deposited with the funds obtained by it from the disposition of the surplus tonnage and disbursed by it to persons as set forth in § 993.63 (i) (2). In addition to the foregoing, the committee may establish other reasonable terms and conditions upon which such deferments may be granted.

§ 993.62 *Diversion privileges.* The word "prunes" as used in this section means plums of a variety used in the production of prunes. No producer shall be required to divert all or any portion of these prunes. Any producer may, if he chooses, participate to the extent set forth in this section, by diverting all or a portion of his production of prunes to nonhuman uses or may divert such prunes by leaving them unharvested, or may divert them to such other uses as may be approved by the committee, subject to the following terms and conditions:

(a) The producer shall first make application in writing to the committee for permission to divert prunes, disclosing in such application whether such prunes are to be diverted to nonhuman use, whether they are to be left unharvested, or to what other use they are to be diverted, and describing in detail the location of such prunes or portion thereof.

(b) If the committee approves such application, it shall estimate the amount of the production to be so diverted, on a dried weight basis, and shall advise the applicant, in writing, of its estimate of such dried production and of its approval of the application to divert, subject to satisfactory proof by the applicant that such prunes have actually been diverted as stated in his application.

(c) After receipt by the committee of satisfactory proof of such diversion, the committee shall issue to the applicant and made out in his name, a certificate of salable tonnage or diversion certificate for the dried weight of such prunes equal to the salable percentage as applied to the estimated dried production.

(d) Such diversion certificate shall not be transferable to another producer, or a handler, or any other person, except with the approval of the committee, evidenced by its endorsement of approval on the certificate.

(e) A certificate of salable tonnage or diversion certificate, so issued, shall entitle a producer to deliver to a handler, and a handler to receive, the specified dried weight of prunes free from all surplus set aside requirements in addition to the portion of all of such producer's delivery which would otherwise constitute salable tonnage, and shall entitle a handler, upon presentation of such certificate to the committee to satisfy his surplus tonnage requirements to the extent of the dried weight of prunes specified in such certificate.

(f) Any producer who diverts prunes pursuant to the provisions of this section and any other holder of diversion certificate, shall not be entitled to participate in the proceeds of the surplus tonnage for any prunes so diverted.

(g) Prior to the delivery of the diversion certificate to the producer, he shall pay to the committee the reasonable expense assessed by the committee for examining, estimating, weighing, or otherwise supervising the diversion.

§ 993.63 *Disposition of surplus tonnage*—(a) *Sales to United States Government and foreign governments.* (1) The committee is authorized to sell direct, or to sell to handlers for resale, surplus tonnage to the United States Government or to any agency thereof (including, but not limited to, sales for domestic or foreign relief purposes, school lunch and institutional feeding, or for foreign economic assistance), or to any foreign government. Such sales may be at negotiated prices with adequate consideration to probable processing costs.

(2) The committee shall file with the Secretary, by telegram or air mail letter, seven calendar days prior to making any offer to sell to any foreign government, surplus prunes pursuant to this paragraph, complete information with respect thereto, including the basis therefor. The Secretary shall have the right to disapprove, within such seven-day period, the making of such an offer or any term or condition thereof.

(b) *Sales for export*—(1) *Countries included in estimate of salable percentage.* In the event it appears that the total salable tonnage is not sufficient to meet the estimated domestic and foreign requirements due to the expansion of foreign markets in countries which were considered in estimating the salable percentage to a greater extent than was anticipated at the time of such estimate, the committee may offer to sell, and sell, surplus standard prunes to handlers for sale into, and for use in, such foreign channels in such quantities as are necessary to meet the increased demand. The quantity of prunes included in any offer to sell to individual handlers shall be in the proportion that the respective handler's sales in foreign channels bears to sales in such channels by all handlers. No such sale shall be made by the committee at a price below that which reflects the average price received by producers for salable tonnage during the then current crop year to a date as near as practicable to the date of the offer, as shown by the reports required to be filed under the provisions of § 993.73, plus accrued charges for receiving and storing of surplus tonnage.

(2) *Countries not included in estimate of salable percentage.* The committee may offer to sell, and sell, to any handler, a quantity of surplus standard prunes for export to any foreign country, which country was not included in the estimates upon which the salable percentage was based, in the event of proof of demand for such quantity for such country. Such sale may be made at a negotiated price. The committee shall require proof that any standard prunes so sold were used for the purpose for which they were sold.

(3) *Notice to Secretary of proposed sales for export.* The committee shall file with the Secretary, by telegram or

air mail letter, seven calendar days prior to making any offer to sell under either subparagraph (1) or subparagraph (2), surplus standard prunes pursuant to this paragraph, complete information with respect thereto, including the basis for such proposal. The Secretary shall have the right to disapprove, within such seven-day period, the making of such an offer or any term or condition thereof.

(c) *Sales for animal feed and certain manufacturing uses.* The committee may sell any surplus prunes for animal feed, botanicals, distillation, or for any manufacturing uses which were not provided for in estimating the salable quantity of standard prunes for the then current crop year. Such sales may be made at negotiated prices. The committee is hereby authorized to exercise such supervision as may be reasonably necessary to insure that such prunes are disposed of for the respective uses for which they are sold.

(d) *Sales to handlers*—(1) *Authorization under specified supply conditions.* If the committee finds that total contracted sales by all handlers during the crop year exceeds 80 percent of the total salable tonnage received by all handlers plus 80 percent of the estimated tonnage held unsold by producers and dehydrators which would become salable tonnage; or, if the committee finds that more than 20 percent of the uncontracted salable tonnage is being held so tightly by relatively few handlers, dehydrators, or producers as seriously to restrict commerce in prunes, and if 75 percent of all handlers have made a written request therefor and such requesting handlers have purchased over 65 percent of the salable tonnage purchased from producers and dehydrators, the committee may, in either event, sell to handlers standard prunes from the surplus tonnage for use as salable tonnage, subject to the additional conditions set forth in subparagraphs (2), (3), (4), (5) and (6) of this paragraph.

(2) *Authorized commencement date.* No such sale shall be made prior to December 15 of the crop year.

(3) *Quantity limitation.* No single sales offer of surplus tonnage to handlers shall exceed 20 percent of the original estimated salable tonnage.

(4) *Prices.* If any such sale is made for manufacturing purposes in which the prunes will lose their form and character as prunes by conversion prior to consumption, it may be made by the committee at a negotiated price; otherwise, such sales shall not be made by the committee at a price below that which reflects the average price received by producers for salable tonnage during the then current crop year to a date as near as practicable to the date of the offer, as shown by the reports required to be filed under the provisions of § 993.73, plus accrued charges for receiving and storing of surplus tonnage.

(5) *Pro rata shares and termination of offers.* In any offer by the committee to sell surplus tonnage to handlers pursuant to this paragraph, each handler shall be given the first opportunity to purchase his share of the offer, which share shall be determined as the same proportion that the respective surplus tonnage held by him is of the surplus tonnage held by all handlers. In the event that any handler declines or fails to purchase any or all of his share of any such offer, the remaining portion thereof shall be re-offered by the committee to all handlers who purchased all of their respective shares of such offer, in proportion to their respective shares. Any balance remaining unsold after such re-offer shall be withdrawn from the particular offer. Any offer outstanding as of July 5 of any crop year shall be withdrawn and the committee shall not make any further offer to sell surplus tonnage to handlers after that date, except that if the committee determines, with the approval of the Secretary, that a major change in conditions has occurred, such as the involvement of the United States in war or a crop failure in the following year, or any other significant development, which indicates a shortage of supply, the said July 5 limitation shall no longer apply.

(6) *Notice to Secretary of proposed sales to handlers.* The committee shall file with the Secretary, by telegram or air mail letter, seven calendar days prior to making any offer to sell surplus prunes pursuant to this paragraph, complete information with respect thereto, including the basis therefor. The Secretary shall have the right to disapprove, within such seven-day period, the making of such an offer or any term or condition thereof.

(e) *Sales of standard prunes for manufacturing purposes*—(1) *Manufacturing outlets included in estimate of salable percentage.* In the event it appears that the total salable tonnage is not sufficient to meet the estimated domestic and foreign requirements due to the expansion of manufacturing outlets, which outlets were provided for in estimating the salable percentage, to a greater extent than was anticipated at the time of estimating the salable percentage, the committee may offer to sell, and sell, surplus standard prunes to handlers for resale or use for such manufacturing purposes in which such prunes will lose their form and character as prunes by conversion prior to consumption, in such quantities as are necessary to meet the increased demand. The quantity of prunes offered to individual handlers to meet such deficiency shall be in the proportion that the respective handler's sales or uses for manufacturing bears to sales or uses for manufacturing by all handlers. No such sale shall be made by the committee at a price below that which reflects the average price received by producers for salable tonnage during the then current crop year to a date as near as practicable to the date of the offer, as shown by the reports required to be filed under the provisions of § 993.73, plus accrued charges for receiving and storing of surplus tonnage.

(2) *Manufacturing outlets not included in estimate of salable percentage.* The committee may offer to sell, and sell to any handler, a quantity of surplus standard prunes for any manufacturing use, which manufacturing use was not included in the estimate upon which the salable percentage was based, in the event of proof of demand for such quantity for such purpose. Such sale may be made at a negotiated price. The committee shall require proof that any standard prunes so sold were used for the purpose for which they were sold.

(3) *Notice to Secretary of proposed sales of standard prunes for manufacturing purposes.* The committee shall file with the Secretary, by telegram or air mail letter, seven calendar days prior to making any offer to sell under either subparagraph (1) or subparagraph (2), surplus standard prunes to handlers pursuant to this paragraph, complete information with respect thereto including the basis for such proposal. The Secretary shall have the right to disapprove, within such seven-day period, the making of such offer or any term or condition thereof.

(f) *Sales of substandard prunes for animal feed and for manufacturing purposes.* The committee may sell direct, or sell to handlers for resale, substandard prunes for animal feed, and for any manufacturing purpose in which such prunes will lose their form and character as prunes by conversion prior to consumption: *Provided,* That any such prunes which are sold for disposition for manufacturing purposes for human consumption, either directly to handlers, or for resale by handlers, shall, at the time of such disposition or use, meet those minimum standards prescribed in § 993.97 (Exhibit A) as relate to the defects of mold, imbedded dirt, insect infestation, and decay; and any such prunes so sold by the committee to a person who is not a handler shall meet those quality standards at the time of disposition by the committee: *And provided, further,* That no such sales for manufacturing purposes for human consumption shall be made while standard prunes are available in the surplus tonnage. The committee is hereby authorized to exercise such supervision as may be reasonably necessary to insure that such prunes are disposed of for the respective uses for which they were sold. Such sales may be made at negotiated prices.

(g) *Donations of surplus prunes.* The committee may donate limited quantities of surplus prunes for use in research or promotional activities.

(h) *Unsold surplus tonnage.* The committee shall endeavor to sell all prunes in the surplus tonnage at a rate so as to achieve, as nearly as may be practicable, the complete disposition of the surplus tonnage not later than July 31 of the crop year. Any surplus tonnage remaining unsold as of July 31 shall be disposed of as soon as practicable for animal feed, distillation, or in any other outlets which are not competitive with the sale of prunes in normal marketing channels, not otherwise provided for in this paragraph, unless determination with respect to a shortage of supply has been made as provided for in paragraph (d) (5) of this section. The committee may dispose of unsold surplus prunes after July 31 at negotiated prices.

(i) *Proceeds of sales of surplus tonnage*—(1) *Charges against proceeds.* Expenses incurred by the committee for the receiving, handling, holding, or dis-

posing of any quantity of surplus tonnage shall be charged against the proceeds of sales of surplus tonnage.

(2) *Distribution of net proceeds.* Net proceeds from the disposition of surplus tonnage shall be distributed by the committee either directly, or through handlers as agents of the committee, under safeguards to be established by the committee, to persons in proportion to their contributions thereto, or to assignees of such interests, with appropriate grade and size differentials as established by the committee. Progress payments may be made by the committee in the same manner, as sufficient funds accumulate. Distribution of the proceeds in connection with the surplus tonnage contributed by a nonprofit cooperative agricultural marketing association which has authority to market prunes of its members and to allocate the proceeds therefrom to such members shall be made to such association, if it so requests. Prior to making any such distribution, the committee shall submit to the Secretary a report including all pertinent details with respect thereto.

(j) *Prohibition against the hypothecation of surplus.* In no event shall the committee hypothecate surplus tonnage.

REPORTS AND BOOKS AND OTHER RECORDS

§ 993.71 *Confidential information.* All reports and records furnished or submitted by handlers to the committee which include data or information constituting a trade secret or disclosing of the trade position, financial condition, or business operations of the particular handler from whom received shall be received by, and at all times kept in the custody and under the control of one or more employees of the committee, who shall disclose such information to no person except the Secretary. Notwithstanding the above provisions of this section, information may be disclosed to the committee when reasonably necessary to enable the committee to carry out its functions under this subpart.

§ 993.72 *Reports of acquisitions, sales, uses, and shipments.* Each handler shall file such reports of his acquisitions, sales, uses, and shipments of prunes, as may be requested by the committee.

§ 993.73 *Reports of prices.* Each handler shall file such price reports as may be requested by the committee, showing the weighted average price paid by such handler to producers and dehydrators for each size of prunes and the quantity purchased at each such price, to enable the committee to determine the average price received by producers for the purposes set forth in paragraphs (b), (d) and (e) of § 993.63.

§ 993.74 *Reports of surplus tonnage.* Each handler shall file with the committee such reports of the total substandard prunes and other surplus tonnage by grade and size classifications thereof, held in his warehouses or under his control and the location thereof, as may be requested by the committee.

§ 993.75 *Other reports.* Upon the request of the committee, each handler shall furnish such other reports and information as are needed to enable the committee to perform its functions under this subpart.

§ 993.76 *Records.* Each handler shall maintain such records of prunes received, held, and disposed of by him as are prescribed by the committee and needed by it to perform its functions under this subpart.

§ 993.77 *Verification of reports.* For the purpose of checking and verifying reports filed by handlers or the operation of handlers under the provisions of this subpart, the committee, through its duly authorized agents, shall have access to any premises where prunes may be held by any handler and at any time during reasonable business hours, shall be permitted to inspect any prunes so held by such handler and any and all records of such handler with respect to the holding or disposition of all prunes which may be held or which may have been disposed of by him.

EXPENSES AND ASSESSMENTS

§ 993.80 *Expenses.* The committee is authorized to incur such expenses (exclusive of expenses for the receiving, handling, holding, or disposing of any quantity of surplus tonnage) as the Secretary finds are reasonable and likely to be incurred by it during each crop year for the maintenance and functioning of the committee and for such other purposes as the Secretary may, pursuant to the provisions of this subpart, determine to be appropriate. The recommendation of the committee as to these expenses and the recommended rate of assessment for each such crop year, together with all data supporting such recommendations, shall be filed with the Secretary not later than June 20 preceding the crop year in connection with which such recommendations are made.

§ 993.81 *Assessments* — (a) *Requirement for payment and rate of assessment.* The funds to cover the expenses of the committee (exclusive of expenses for the receiving, handling, holding, or disposing of any quantity of surplus tonnage) shall be acquired by levying assessments. Each handler shall pay to the committee, upon demand, with respect to all salable tonnage prunes handled by him as the first handler thereof and on all prunes sold to him from surplus tonnage for resale to other than Federal governmental agencies, his pro rata share of such expenses which the Secretary finds will be incurred as aforesaid, by the committee during each crop year. Each handler's pro rata share of such expenses shall be equal to the ratio between the total salable tonnage handled by him as the first handler thereof plus the tonnage sold to him from surplus tonnage for resale to other than Federal governmental agencies, during the applicable crop year, and the total salable tonnage prunes handled by all handlers as the first handlers thereof plus tonnage sold to such handlers from surplus tonnage for resale to other than Federal governmental agencies, during the same crop year. The Secretary shall fix the rate of assessment to be paid by such handlers on the basis of a specified rate per ton. At any time during or after a crop year the Secretary may increase the rate of assessment to apply to all salable tonnage prunes handled by handlers as the first handlers thereof and on all tonnage sold to handlers from surplus tonnage for resale to others than Federal governmental agencies during such crop year to obtain sufficient funds to cover any finding by the Secretary relative to the expenses of the committee. Each handler shall pay such additional assessment to the committee upon demand. The Secretary shall reduce the assessment rate applicable to all such tonnage during the particular crop year if he finds that when thus reduced it will provide funds sufficient to enable the committee properly to perform its functions under this subpart.

(b) *Advance payments.* In order to provide funds to carry out the functions of the committee, the committee may accept advance payments from any handler to be credited toward such assessments as may be levied pursuant to this section against the respective handler.

(c) *Disposition of excess funds from assessments.* If the first audit after the end of any crop year shows that the assessments collected for such crop year exceed the expenses incurred with respect to such crop year, the excess shall be credited to the handlers in proportion to their relative total assessments and the portion to which each handler is entitled shall be credited against assessments in the following crop year, unless the handler shall request payment, in which event prompt payment shall be made.

(d) *Suits for collection.* The committee may, with the approval of the Secretary, maintain in its own name, or in the name of its members, a suit against any handler for the collection of such handler's assessment.

§ 993.82 *Funds.* All funds received by the committee pursuant to the provisions of this subpart shall be used solely for the purposes authorized in this subpart and shall be accounted for in the manner provided for in this subpart. The Secretary may, at any time, require the committee or its members and alternate members to account for all receipts and disbursements.

MISCELLANEOUS PROVISIONS

§ 993.84 *Personal liability.* No member or alternate member of the committee, or any employee, representative, or agent thereof shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person, for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate member, employee, representative, or agent, except for acts of dishonesty.

§ 993.85 *Separability.* If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

§ 993.86 *Derogation.* Nothing contained in this subpart is, or shall be construed to be, in derogation or in mod-

ification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 993.87 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 993.88 *Agents*—(a) *Authorization by Secretary.* The Secretary may, by a designation in writing, name any person, including any officer or employee of the United States Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

(b) *Authorization by committee.* The committee may authorize any person or persons or agency to act as its agent or representative in connection with the provisions of this subpart.

§ 993.89 *Effective time.* The provisions of this subpart, as well as any amendments to this subpart, shall become effective at such time as the Secretary may declare, and shall continue in force until terminated, or during suspension, in one of the ways specified in § 993.90.

§ 993.90 *Termination or suspension*—(a) *Failure to effectuate policy of act.* The Secretary may, at any time, terminate the provisions of this subpart, by giving at least one day's notice by means of a press release or in any other manner which he may determine. The Secretary shall terminate or suspend the operation of any or all of the provisions of this subpart, whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(b) *Referendum.* The Secretary shall terminate the provisions of this subpart on or before the fifteenth day of July of any crop year, to be effective at the end of such crop year, whenever he is required to do so by the provisions of section 8c (16) (B) of the act. The Secretary may, at any time he deems it desirable, hold a referendum of producers to determine whether they favor termination of this subpart. However, beginning with 1951, if the Secretary receives a recommendation, adopted by at least a majority vote of the producer members of the committee, requesting the holding of such a referendum, the Secretary shall hold such a referendum: *Provided*, That the Secretary shall not be required to hold such a referendum upon the basis of such a request more than once every two years.

(c) *Termination of act.* The provisions of this subpart shall terminate, in any event, upon the termination of the act.

§ 993.91 *Procedure upon termination.* Upon the termination of this subpart, the members of the committee then functioning shall continue as joint trustees, for the purpose of liquidating the affairs of the committee. Action by such trustees shall require the concurrence of a majority of the said trustees. Such trustees shall continue in such capacity until discharged by the Secretary, and shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and the joint trustees, to such person as the Secretary may direct; and shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all the funds, properties, and claims vested in the committee or the joint trustees, pursuant to this subpart. Any person to whom funds, property, or claims have been transferred or delivered by the committee or the joint trustees, pursuant to this section, shall be subject to the same obligations imposed upon the members of the said committee and upon said joint trustees.

§ 993.92 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart or any regulation issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary, or of any other person, with respect to such violation.

§ 993.93 *Amendments.* Amendments to this subpart may be proposed from time to time, by any person or by the committee, and may be made a part of this subpart by the procedures provided under the act.

§ 993.97 *Exhibit A; minimum standards.*

I. Minimum standards for natural condition prunes:

A. *Defects.* Defects are: (1) off-color; (2) inferior meat condition; (3) fermentation; (4) skin or flesh damage; (5) scab; (6) burned; (7) mold; (8) imbedded dirt; (9) insect infestation; (10) decay.

B. *Explanation of terms.* (1) "Off-color" means a dull color or skin differing noticeably in appearance from that which is characteristic of mature, properly handled fruit of a given variety or type.

(2) "Inferior meat condition" means flesh which is fibrous, woody or otherwise inferior due to immaturity to the extent that the characteristic texture of the meat is substantially affected.

(3) "Fermentation" means damage to the flesh by fermentation to the extent that the characteristic appearance or flavor is substantially affected.

(4) "Skin or flesh damage" means growth cracks, splits, breaks in skin or flesh of the following descriptions:

(a) Callous growth cracks, aggregating more than three-eighths of one inch (⅜") in length;

(b) Splits or skin breaks exposing flesh and affecting materially the normal appearance of the prunes;

(c) Any cracks, splits or breaks open to the pit;

(d) Healed or unhealed surface or flesh blemishes caused by insect injury and which materially affect appearance, edibility or keeping quality;

(e) Skin damage caused by rain or overdipping to the extent that the prunes cannot be processed normally without material sloughing of the skin.

(5) "Scab" means tough or thick scab exceeding in the aggregate the area of a circle three-eights inch (⅜") in diameter or by unsightly scab of another character exceeding in the aggregate the area of a circle three-fourths inch (¾") in diameter.

(6) "Burned" means injury by sunburn or excessive heat in dehydration to the extent that the characteristic appearance, flavor or edibility of the fruit is noticeably affected.

(7) "Mold" means a characteristic fungus growth and is self-explanatory.

(8) "Imbedded dirt" means the presence of dirt or other extraneous material so imbedded in or adhering to the prune that it cannot be removed in normal processing.

(9) "Insect infestation" means the presence of insects, insect fragments or insect remains.

C. *Maximum tolerances.* Tolerance allowances shall be on a weight basis and shall not exceed the following:

(1) The tolerance allowance for decay shall not exceed one percent (1%).

(2) The combined tolerance allowance for mold, imbedded dirt, insect infestation, and decay shall not exceed five percent (5%).

(3) The combined tolerance allowance for fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed ten percent (10%).

(4) The combined tolerance for off-color, inferior meat condition, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation, and decay shall not exceed twenty percent (20%).

(5) Prunes showing obvious live insect infestation shall be fumigated prior to acceptance.

D. Natural condition prunes must be properly dried and cured in original natural condition, without the addition of water, and free from active infestation, so that they are capable of being received, stored and packed without deterioration or spoilage.

II. Minimum standards for processed prunes:

A. *Defects.* Defects are: (1) Off-color; (2) Inferior meat condition; (3) Fermentation; (4) Skin or flesh damage; (5) Scab; (6) Burned; (7) Mold; (8) Imbedded dirt; (9) Insect infestation; (10) Decay.

B. *Explanation of terms.* (1) "Off-color" means a dull color or skin differing noticeably in appearance from that which is characteristic of mature, properly handled fruit of a given variety or type.

(2) "Inferior meat condition" means flesh which is fibrous, woody or otherwise inferior due to immaturity to the extent that the characteristic texture of the meat is substantially affected.

(3) "Fermentation" means damage to the flesh by fermentation to the extent that the characteristic appearance or flavor is substantially affected.

(4) "Skin or flesh damage" means growth cracks, splits, breaks in skin or flesh of the following descriptions:

(a) Callous growth cracks, aggregating more than three-eighths of one inch (⅜") in length;

(b) Splits or skin breaks exposing flesh and materially affecting the normal appearance of French prunes; or markedly affecting the normal appearance of varieties other than the French variety;

(c) Any cracks, splits or breaks open to the pit;

(d) Healed or unhealed surface or flesh blemishes caused by insect injury and which materially affect the appearance, edibility or keeping quality.

(5) "Scab" means tough or thick scab exceeding in the aggregate the area of a circle three-eighths of one inch (⅜") in diameter, or by unsightly scab of other character exceeding in the aggregate the area of a circle three-fourths of one inch (¾") in diameter.

(6) "Burned" means injury by sunburn or excessive heat in dehydration to the extent that the characteristic appearance, flavor or edibility of the fruit is noticeably affected.

(7) "Mold" means a characteristic fungus growth and is self-explanatory.

(8) "Imbedded dirt" means the presence of dirt or other extraneous material so imbedded in or adhering to the prune that it cannot be readily removed in washing the fruit.

(9) "Insect infestation" means the presence of insects, insect fragments or insect remains.

C. *Maximum tolerances.* Tolerance allowances shall be on a weight basis and shall not exceed the following:

(1) There shall be no tolerance allowance for live insect infestation.

(2) The tolerance allowance for decay shall not exceed one percent (1%).

(3) The combined tolerance allowance for mold, imbedded dirt, insect infestation, and decay shall not exceed five percent (5%).

(4) The combined tolerance allowance for fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation and decay shall not exceed ten percent (10%).

(5) The combined tolerance for off-color, inferior meat condition, fermentation, skin or flesh damage, scab, burned, mold, imbedded dirt, insect infestation and decay shall not exceed twenty percent (20%).

Issued at Washington, D. C., this 17th day of August, 1951, to be, and become, effective on the third day after the publication hereof in the FEDERAL REGISTER.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

C. J. McCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10057; Filed, Aug. 22, 1951; 8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 82]

PART 60—AIR TRAFFIC RULES

DANGER AREA ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Title 14, § 60.13-1 is amended as follows:

1. The Ajo, Arizona, area, published on May 17, 1951, in 16 F. R. 4607, is amended by changing the "Using Agency" column to read: "Air Training Command, Luke AFB, Phoenix, Arizona, and Air Defense Command, Yuma County Airport, Yuma, Arizona".

2. A Boullion Mountains, California, area is added to read:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
Boullion Mountain (Los Angeles chart).	Beginning at lat. 34°41'00" N, long. 116°03'00" W; SE to lat. 34°35'30" N, long. 115°58'00" W; ESE to lat. 34°33'00" N, long. 115°47'00" W; S to lat. 34°25'00" N, long. 115°47'00" W; E to lat. 34°25'00" N, long. 115°44'00" W; S to lat. 34°14'00" N, long. 115°44'00" W; W to lat. 34°14'00" N, long. 116°17'00" W; NW to lat. 34°43'00" N, long. 116°34'30" W; E to lat. 34°43'00" N, long. 116°17'00" W; ESE to lat. 34°41'00" N, long. 116°03'00" W, point of beginning.	Surface to unlimited.	Continuous.	Commandant, Eleventh Naval District, San Diego, Calif.

3. The Eureka, Washington, area, published on July 19, 1951, in 16 F. R. 6915, is deleted.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on August 31, 1951.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-10079; Filed, Aug. 22, 1951; 8:51 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 4]

PART 620—SECURITY CONTROL OF AIR TRAFFIC

ALASKAN DOMESTIC AND COASTAL ADIZ

Part 620 is hereby amended for the purpose of establishing Air Defense Identification Zones in the Alaska area. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

1. Section 620.13 is amended as follows:

§ 620.13 *Authorized exceptions.* * * *

(d) *Alaskan Domestic ADIZ.* The provisions of §§ 620.11 and 620.12 are not applicable to aircraft operating within the Alaskan Domestic ADIZ on a VFR flight originating from within the Alaskan Domestic ADIZ when the following instructions are observed:

(1) The flight is confined to altitudes of 2,000 feet or less above the immediate terrain; and

(2) The aircraft is flown no closer than 500 feet to any other aircraft.

2. Section 620.21 is amended as follows:

§ 620.21 *Domestic ADIZ's.* * * *

(f) *Alaskan Domestic ADIZ.* Area bounded by a line 70° 00' N., 141° 00' W.; 58° 30' N., 141° 00' W.; 58° 30' N., 150° 00' W.; 56° 35' N., 153° 00' W.; 54° 35' N., 163° 00' W.; 59° 30' N., 168° 30' W.; 68° 30' N., 168° 30' W.; 71° 45' N., 156° 30' W.; and 70° 00' N., 141° 00' W.

3. Section 620.22 is amended as follows:

§ 620.22 *Coastal ADIZ's.* * * *

(d) *Alaskan Coastal ADIZ.* The area bounded by a line 73° 00' N., 141° 00' W.; 70°00' N., 141°00' W.; 71°45' N., 156° 30' W.; 68° 30' N., 168° 30' W.; 59°30' N., 168° 30' W.; 54° 35' N., 163° 00' W.; 56° 35' N., 153° 00' W.; 58° 30' N., 150° 00' W.; 58° 30' N., 141° 00' W.; 50° 00' N., 160° 00' W.; 50° 00' N., 170° 00' E.; 52° 30' N., 170° 00' E.; 65° 00' N., 169° 00' W.; 73° 00' N., 169° 00' W.; 73° 00' N., 141° 00' W. (point of beginning).

(Secs. 205, 308, 52 Stat. 984, 986; 49 U. S. C. 425, 458. Interpret or apply secs. 1201-1205, 64 Stat. 825; 49 U. S. C. 701-705. E. O. 10197, Dec. 22, 1950, 15 F. R. 9180; 3 CFR, 1950 Supp.)

This amendment shall become effective thirty days after publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-10078; Filed, Aug. 22, 1951; 8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4458]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

ELGIN RAZOR CORPORATION ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.70 *Fictitious or misleading guarantees;* § 3.130 *Manufacture or preparation;* § 3.155 *Prices; exaggerated as regular and customary: Usual as reduced, special, etc.;* § 3.235 *Source or origin; maker.* Subpart—*Misbranding or mislabeling:* § 3.1280 *Price;* § 3.1325 *Source or origin—Maker or seller.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.1980 *Guarantee, in general;* § 3.2000 *Limited offers or supply.* Subpart—*Passing off:* § 3.2105 *Passing off.* Subpart—*Simulating competitor or another or product thereof:* § 3.2245 *Trade name of competitor's or other's product.* Subpart—*Using misleading name; Goods:* § 3.2345 *Source or origin; maker.* In connection with the offering for sale, sale, or distribution

in commerce, of electric shavers, cameras, electric sunlamps, talking machines, electric clocks and electric lighters, or any other merchandise, and among other things, as in order set forth, and on the part of Elgin Razor Corporation, and four other corporations, and their officers, and on the part of respondent Henry T. Schiff, and three other individuals, as officers of said corporations and individually, and trading under various names as in the order set out, and on the part of two other individuals, and on the part of respondents' agents, etc., (a) using the names "Elgin", "Hamilton", or "Remington", or "Underwood", or any simulations thereof, either alone or in connection with other words, to designate, describe or refer to respondents' products; (b) representing as the customary prices of respondents' products prices which are in excess of the prices at which such products are regularly and customarily sold in the normal course of business; (c) representing that the prices at which respondents' products are offered for sale are special or reduced prices or are applicable for a limited period of time only, when such prices are in fact the regular and customary prices at which such products are offered for sale in the normal course of business; or, (d) representing, through the issuance of purported "Guarantee Certificates" or otherwise, that respondents' products are guaranteed against defective workmanship and materials, unless respondents do in fact repair in accordance with the terms of such guarantee products found to be defective in such respects; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, Elgin Razor Corporation et al., Docket 4458, May 24, 1951]

Subpart—*Advertising falsely or misleadingly:* § 3.15 *Business status, advantages or connections; identity: Plant and equipment.* Subpart — *Misbranding or mislabeling:* § 3.1230 *Identity.* Subpart—*Passing off;* § 3.2105 *Passing off.* Subpart—*Simulating competitor or another or product thereof:* § 3.2240 *Trade name of competitor.* Subpart—*Using misleading name; vendor:* § 3.2385 *Identity;* § 3.2440 *Plant and equipment.* In connection with the offering for sale, sale or distribution in commerce of the aforesaid products or any other merchandise, and among other things, as in order set forth, I, using the name "Elgin", or any simulation thereof, as a part of the corporate or trade name of respondent Elgin Razor Corporation, on the part of said corporation, and its officers, and on the part of respondent Henry T. Schiff, and three other individuals, individually and as officers of said corporation, and on the part of respondents' agents etc.; and, II, in said connection, (a) using the name "Underwood", or any simulation thereof, as a part of the corporate or trade name of respondent Underwood Laboratories, Inc., or, (b) using the word "laboratories", or any simulation thereof, as a part of the corporate or trade name of respondent Underwood Laboratories, Inc.; on the part of said corporation, and its officers, etc., as above set forth; and, III, in said connection, (c) using the name "Underwood", or any simulation thereof, as a part of the corporate or trade name of respondent Underwood Industries, Inc.; and on the part of said corporation, and its officers, etc., as above set forth; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, Elgin Razor Corporation et al., Docket 4458, May 24, 1951]

Subpart—*Advertising falsely or misleadingly:* § 3.70 *Fictitious or misleading guarantees;* § 3.130 *Manufacture or preparation;* § 3.155 *Prices; exaggerated as regular and customary: Usual as reduced, special, etc.;* § 3.235 *Source or origin; maker.* Subpart—*Misbranding or mislabeling:* § 3.1280 *Price;* § 3.1325 *Source or origin; Maker or seller.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.1980 *Guarantee, in general;* § 3.2000 *Limited offers or supply.* Subpart—*Passing off:* § 3.2105 *Passing off.* Subpart—*Simulating competitor or another or product thereof;* § 3.2245 *Trade name of competitor's or other's product.* Subpart—*Using misleading name; goods:* § 3.2345 *Source or origin; maker.* In connection with the offering for sale, sale or distribution in commerce of the aforesaid products or any other merchandise, and among other things, as in order set forth, and on the part of respondent, The Monarch Manufacturing Company, and its officers, and on the part of six individual respondents, individually and as officers of said corporation, and on the part of respondents' agents, etc. (a) using the names "Elgin", "Remington", or "Underwood", or any simulations thereof, either alone or in connection with other words, to designate, describe or refer to respondents' products; (b) representing as the customary prices of respondents' products prices which are in excess of the prices at which such products are regularly and customarily sold in the normal course of business; (c) representing that the prices at which respondents' products are offered for sale are special or reduced prices or are applicable for a limited period of time only, when such prices are in fact the regular and customary prices at which such products are offered for sale in the normal course of business; or, (d) representing, through the issuance of purported "Guarantee Certificates" or otherwise, that respondents' products are guaranteed against defective workmanship and materials, unless respondents do in fact repair in accordance with the terms of such guarantee products found to be defective in such respects; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, Elgin Razor Corporation et al., Docket 4458, May 24, 1951]

In the Matter of Elgin Razor Corporation, Underwood Laboratories, Inc., Underwood Industries, Inc., Match King, Inc., The Monarch Manufacturing Company, The American Supercraft Corporation, The American Camera Corporation, Electric Clock Corporation of America, corporations, and Henry T. Schiff, Frances R. Schiff, Robert M. Schiff, Benjamin A. Schiff, Jack Galter, Dora M. Galter, William Galter, Harry C. Feinberg, Robert D. Schoenbrod, Arnold F. Shapiro, Albert I. Leight, Ed Cohan, Individuals

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, certain stipulations of fact entered into between the respondents and counsel for the Commission, and testimony and other evidence, and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act and issued its order to cease and desist on August 14, 1947; and

Respondents Jack Galter, individually and as former president of Match King, Inc., a dissolved corporation, Dora M. Galter, William R. Galter, Arnold F. Shapiro, individually and as former President of American Supercraft Corporation, a dissolved corporation, and Monarch Manufacturing Company a corporation, having filed in the United States Court of Appeals for the Seventh Circuit their petition to review and set aside the order to cease and desist issued herein, and that Court having heard the matter on briefs and oral argument, fully considered the matter, and, on March 5, 1951, entered its final decree modifying and affirming, as modified, the aforesaid order to cease and desist pursuant to its opinion announced on February 5, 1951:

1. *Now therefore, it is hereby ordered,* That respondents Elgin Razor Corporation, Underwood Laboratories, Inc., Underwood Industries, Inc., The American Camera Corporation, and Electric Clock Corporation of America, corporations, and their officers, and respondents Henry T. Schiff, Frances R. Schiff, Robert M. Schiff and Benjamin A. Schiff, as officers of said corporations and individually and trading under the names The Keen Manufacturing Company, Razor Service Co., General Chromium and Copper Company and Utility Manufacturing Company, or trading under any other name, and respondents Albert I. Leight and Ed Cohan, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of electric shavers, cameras, electric sunlamps, talking machines, electric clocks and electric lighters, or any other merchandise, do forthwith cease and desist from:

(a) Using the name "Elgin", or any similation thereof, either alone or in connection with other words, to desig-

nate, describe or refer to respondents' products;

(b) Using the name "Hamilton" or any simulation thereof, either alone or in connection with other words, to designate, describe or refer to respondents' products;

(c) Using the name "Remington" or any simulation thereof, either alone or in connection with other words, to designate, describe or refer to respondents' products;

(d) Using the name "Underwood" or any simulation thereof, either alone or in connection with other words, to designate, describe, or refer to respondents' products;

(e) Representing as the customary prices of respondents' products prices which are in excess of the prices at which such products are regularly and customarily sold in the normal course of business;

(f) Representing that the prices at which respondents' products are offered for sale are special or reduced prices or are applicable for a limited period of time only, when such prices are in fact the regular and customary prices at which such products are offered for sale in the normal course of business;

(g) Representing, through the issuance of purported "Guarantee Certificates" or otherwise, that respondents' products are guaranteed against defective workmanship and materials, unless respondents do in fact repair in accordance with the terms of such guarantee products found to be defective in such respects.

2. *It is further ordered,* That respondent Elgin Razor Corporation, a corporation, and its officers, and respondents Henry T. Schiff, Frances R. Schiff, Robert M. Schiff, and Benjamin A. Schiffff, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of electric shavers, cameras, electric sunlamps, talking machines, electric clocks and electric lighters, or any other merchandise, do forthwith cease and desist from:

(a) Using the name "Elgin" or any simulation thereof, as a part of the corporate or trade name of said corporation.

3. *It is further ordered,* That respondent Underwood Laboratories, Inc., a corporation, and its officers, and respondents Henry T. Schiff, Frances R. Schiff, Robert M. Schiff and Benjamin A. Schiff, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of electric shavers, cameras, electric sunlamps, talking machines, electric clocks and electric lighters, or any other merchandise, do forthwith cease and desist from:

(a) Using the name "Underwood" or any simulation thereof, as a part of the corporate or trade name of said corporation;

(b) Using the word "Laboratories" or any simulation thereof, as a part of the corporate or trade name of said corporation.

4. *It is further ordered,* That respondent Underwood Industries, Inc., a corporation, and its officers, and respondents Henry T. Schiff, Frances R. Schiff, Robert M. Schiff and Benjamin A. Schiff, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of electric shavers, cameras, electric sunlamps, talking machines, electric clocks and electric lighters, or any other merchandise, do forthwith cease and desist from:

(a) Using the name "Underwood" or any simulation thereof, as a part of the corporate or trade name of said corporation.

5. *It is further ordered,* That respondent The Monarch Manufacturing Company, a corporation, and its officers, and respondents Jack Galter, Dora M. Galter, William Galter, Harry C. Feinberg, Robert D. Schoenbrod, and Arnold F. Shapiro, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of electric shavers, cameras, sunlamps, talking machines, electric clocks and electric lighters, or any other merchandise, do forthwith cease and desist from:

(a) Using the name "Elgin," or any simulation thereof, either alone or in connection with other words, to designate, describe, or refer to respondents' products;

(b) Using the name "Remington" or any simulation thereof, either alone or in connection with other words, to designate, describe or refer to respondents' products;

(c) Using the name "Underwood" or any simulation thereof, either alone or in connection with other words, to designate, describe or refer to respondents' products;

(d) Representing as the customary prices of respondents' products prices which are in excess of the prices at which such products are regularly and customarily sold in the normal course of business;

(e) Representing that the prices at which respondents' products are offered for sale are special or reduced prices or are applicable for a limited period of time only, when such prices are in fact the regular and customary prices at which such products are offered for sale in the normal course of business;

(f) Representing through the issuance of purported "Guarantee Certificates" or otherwise, that respondents' products are guaranteed against defective workmanship and materials, unless respondents do in fact repair in accordance with the terms of such guarantee products found to be defective in such respects.

6. *It is further ordered,* That respondents Elgin Razor Corporation, Underwood Laboratories, Inc., Underwood Industries, Inc., The Monarch Manufacturing Company, The American Camera Corporation, and Electric Clock Corporation of America, corporations, and Henry T. Schiff, Frances R. Schiff, Benjamin A. Schiff, Jack Galter, individually and as former President of Match King, Inc., a dissolved corporation, Dora M. Galter, William Galter, Harry C. Feinberg, Robert D. Schoenbrod, Arnold F. Shapiro, individually and as former President of American Supercraft Corporation, a dissolved corporation, Albert I. Leight, and Ed Cohan shall, within ninety (90) days after the entry of the aforesaid decree by the United States Court of Appeals for the Seventh Circuit, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: May 24, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-10083; Filed, Aug. 22, 1951; 8:51 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter II—Economic Stabilization Agency

[General Order 7, Amdt.]

GO 7—Temporary Emergency Railroad Wage Panel

1. The purpose of this order is to provide temporarily, until a permanent panel is established, the organization and procedure necessary to the administration of the wage stabilization program with respect to employees subject to provisions of the Railway Labor Act, pursuant to sections 403 and 502 of the Defense Production Act of 1950, as amended. ("Defense Production Act Amendments of 1951" approved July 31, 1951, Pub. Law 96.)

2. Section 2 of General Order No. 7, dated April 9, 1951, is hereby amended by the addition of the following paragraphs:

The Panel is further directed, pursuant to section 403 of the Defense Production Act, as amended, to receive and act upon requests for rulings and applications for approval of adjustments in wages, salaries, and other compensation of employees subject to the provisions of the Railway Labor Act. Such actions shall be in conformity with the standards established under the authority of the Defense Production Act of 1950, as amended, for the administration of controls over wages, salaries and other compensation. The regulations, policies, orders and decisions applicable to control of wages, salaries and other compensation generally shall be applicable to the employees subject to the provisions of the Railway Labor Act.

In accordance with section 502 of the Defense Production Act, as amended, the Panel or the Chairman thereof, shall, with respect to any proposed wage adjustment which is found to be approvable, make a specific finding and certification that the proposed adjustments are consistent with the standards in effect for the stabilization of wages, salaries and other compensation, including General Wage Regulations of the Wage Stabilization Board and regulations or policies of the Administrator. Such findings and certifications shall be submitted to the Administrator for approval, together with a statement of facts in support thereof.

Any arbitration board, emergency board or other agency provided for by the Railway Labor Act, including any panel or panel board established by the President, for the adjustment of disputes arising under such act, may file with the Administrator its specific finding and certification, in accordance with section 502 of the Defense Production Act, as amended, that the changes proposed by the settlement or recommended settlement of such dispute are consistent with the standards then in effect for the stabilization of wages, salaries and other compensation generally. Such finding and certification should be accompanied by a statement of facts in support thereof, as a basis for consideration and approval by the Administrator pursuant to section 502 of the Defense Production Act, as amended.

3. Appointments to the Panel shall expire 30 days from the effective date of this amendment.

4. Until the members of the Panel are appointed, the Chairman of the Panel is empowered to perform the functions outlined in this amendment.

5. The Administrator will provide the Panel with the necessary administrative staff to perform the functions outlined in this amendment.

6. This amendment shall be effective for a period of 30 days.

Issued: August 17, 1951.

ERIC JOHNSTON,
Administrator.

[F. R. Doc. 51-10150; Filed, Aug. 21, 1951; 2:03 p. m.]

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 55, Amdt. 2]

CPR 55—CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

AMENDMENT FOR INDIVIDUAL ADJUSTMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 55 is issued.

STATEMENT OF CONSIDERATIONS

This amendment is issued to provide a method for adjustment of individual ceiling prices. This regulation uses a formula pricing method which uses for all products under the regulation, a base period in the year 1948. That year was selected because it is considered to be the latest period most representative of normal competitive conditions for the canning industry. Nevertheless, when this selection of the base period year was made, it was recognized that some price dislocations and distortions did exist in 1948 in the industry in different areas and for different products. For this reason, it was announced in the statement of considerations when this regulation was issued that provision is necessary for adjustment of individual ceiling prices to meet the particular problem resulting from the dislocations existing in 1948. In accordance with that announcement, this amendment is issued.

Insofar as practicable, the Director of Price Stabilization has consulted informally with industry representatives concerning this amendment.

AMENDATORY PROVISION

Section 8 is amended to read as follows:

SEC. 8. *Individual adjustment of processors' ceiling prices*—(a) *Who may apply.* If, as a result of abnormal price relationships in the base period, your ceiling prices generally as calculated under this regulation, are substantially out of line with the ceiling prices of your most closely competitive sellers of the same class when your relative prices are compared with the normal relationship which existed during the period from 1946 to 1950, you may apply to the Office of Price Stabilization, Washington 25, D. C., for adjustment of your ceiling prices.

(b) *Information to be submitted.* In filing an application for adjustment under this section, you shall submit the following information:

(1) For all items of the product which you process:

(i) A description of each of the items;

(ii) Your ceiling prices as calculated under this regulation;

(iii) Your base prices;

(iv) Your selling prices as of the date of application;

(v) Your requested ceiling prices.

(2) The names of three processors most closely competitive with you and whose operations are most comparable to your operation. Indicate which of the items are processed by each competitor.

(3) Price lists to show the relationship of your selling prices to your competitors' prices during the past five years. If you do not have or cannot obtain your competitors' price lists, state the reason why.

(4) A statement why the base period is not representative of your operations, what period would be representative and why.

(5) The number of cases of each item of the product packed each year during the years 1946 through 1950, and your estimated number of cases for 1951 (or the actual number if your pack is completed), and your total case volume of production of all processed fruits, berries and vegetables in each such year.

(6) Your company balance sheets and profit and loss statements for the years 1946 through 1950, or for such of those years in which you packed processed fruits and berries or vegetables.

(7) A projected profit and loss statement for 1951 computed on the basis of your 1950 volume and your current ceiling prices, except that 1951 volume shall be used for those products where the 1951 pack has been completed.

(8) Your basic wage rates for unskilled male and female labor for the years 1948 and 1951.

(9) The cost to you of the raw material per ton (or other unit of purchase), delivered at the factory, for the years 1948, 1950, and 1951.

In projecting 1951 profit and loss statements, your costs for the raw agricultural materials listed in Table II shall not exceed those resulting from the applications of the maximum permitted increases set forth in that table; and your costs for labor shall not exceed your wage rates authorized and effective under the regulations of the Wage Stabilization Board.

You shall submit such further information relating to your application for adjustment under this section as may be requested by the Office of Price Stabilization.

(c) *Factors to be considered in making individual adjustments.* In making any adjustment under this section, the following factors will be considered:

(1) The degree of abnormality of applicant's base prices.

(2) A comparison of price relationships, item by item, between applicant and his most closely competitive sellers of the same class from 1946 to date.

(3) Total unit costs of processing.

(4) A comparison of applicant's projected earnings based upon existing ceiling prices with 1946–1949 earnings.

(5) The amount of adjustment under section 402 (d) of the Defense Production Act, as amended.

(d) *Action to be taken by the Director of Price Stabilization.* The Director of Price Stabilization may upon filing of a petition under this section adjust (upward or downward) any or all of applicant's prices for the product for which he seeks adjustment. Such adjustments will be made upon the basis of the standards set forth in paragraph (c) of this section and will be in accordance with the purposes and requirements of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951. Any adjustment made under this section may be revised or revoked at any time by the Director of Price Stabilization.

(e) During the consideration of any application under this section, the Director may authorize the applicant to agree with purchasers from him that any deliveries made during the pendency of the application shall be at the price determined by the disposition of the application.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 21, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in

accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10166; Filed, Aug. 21, 1951; 4:00 p. m.]

[Ceiling Price Regulation 56, Amdt. 2]

CPR 56—CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

AMENDMENT FOR INDIVIDUAL ADJUSTMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 2 to Ceiling Price Regulation 56 is issued.

STATEMENT OF CONSIDERATIONS

This amendment is issued to provide a method for adjustment of individual ceiling prices. This regulation uses a formula pricing method which uses for all products under the regulation a base period in the year 1948. That year was selected because it is considered to be the latest period most representative of normal competitive conditions for the canning industry. Nevertheless, when this selection of the base period year was made, it was recognized that some price dislocations and distortions did exist in 1948 in the industry in different areas and for different products. For this reason, it was announced in the statement of considerations when this regulation was issued that provision is necessary for adjustment of individual ceiling prices to meet the particular problem resulting from the dislocations existing in 1948. In accordance with that announcement, this amendment is issued.

Insofar as practicable, the Director of Price Stabilization has consulted informally with industry representatives concerning this amendment.

AMENDATORY PROVISION

Section 8 is amended to read as follows:

SEC. 8. *Adjustment of processors' ceiling prices*—(a) *Who may apply.* If, as a result of abnormal price relationships in the base period, your ceiling prices generally as calculated under this regulation, are substantially out of line with the ceiling prices of your most closely competitive sellers of the same class when your relative prices are compared with the normal relationship which existed during the period from 1946 to 1950, you may apply to the Office of Price Stabilization for adjustment of your ceiling prices.

(b) *Information to be submitted.* In filing an application for adjustment under this section, you shall submit the following information:

(1) For all items of the product which you process:

(i) A description of each of the items;

(ii) Your ceiling prices as calculated under this regulation;

(iii) Your base prices;

(iv) Your selling prices as of the date of application;

(v) Your requested ceiling prices.

(2) The names of three processors most closely competitive with you and whose operations are most comparable to your operation. Indicate which of the items are processed by each competitor.

(3) Price lists to show the relationship of your selling prices to your competitors' prices during the past five years. If you do not have or cannot obtain your competitors' price lists, state the reason why.

(4) A statement why the base period is not representative of your operations, what period would be representative and why.

(5) The number of cases of each item of the product packed each year during the years 1946 through 1950, and your estimated number of cases for 1951 (or the actual number if your pack is completed), and your total case volume of production of all processed fruits, berries and vegetables in each such year.

(6) Your company balance sheets and profit and loss statements for the years 1946 through 1950, or for such of those years in which you packed processed fruits and berries or vegetables.

(7) A projected profit and loss statement for 1951 computed on the basis of your 1950 volume and your current ceiling prices, except that 1951 volume shall be used for those products where the 1951 pack has been completed.

(8) Your basic wage rates for unskilled male and female labor for the years 1948 and 1951.

(9) The cost to you of the raw material per ton (or other unit of purchase), delivered at the factory, for the years 1948 and 1951.

In projecting 1951 profit and loss statements and in making unit cost estimates for 1951, your costs for the raw agricultural materials listed in Table III shall not exceed those resulting from the applications of the maximum permitted increases set forth in that table; and your costs for labor shall not exceed your wage rates authorized and effective under the regulations of the Wage Stabilization Board.

You shall submit such further information relating to your application for adjustment under this section as may be requested by the Office of Price Stabilization.

(c) *Factors to be considered in making individual adjustments.* In making any adjustment under this section, the following factors will be considered:

(1) The degree of abnormality of applicant's base prices.

(2) A comparison of price relationships, item by item, between applicant and his most closely competitive sellers of the same class from 1946 to date.

(3) Total unit costs of processing.

(4) A comparison of applicant's projected earnings based upon existing ceiling prices with 1946–49 earnings.

(5) The amount of adjustment under section 402 (d) of the Defense Production Act, as amended.

(d) *Action to be taken by the Director of Price Stabilization.* The Director of Price Stabilization may upon filing of a petition under this section adjust (upward or downward) any or all of applicant's prices for the product for which he seeks adjustment. Such adjustments will be made upon the basis of the standards set forth in paragraph (c) of this section and will be in accordance with the purposes and requirements of the Defense Production Act of 1950, as amended by the Defense Production Act Amendments of 1951. Any adjustment made under this section may be revised or revoked at any time by the Director of Price Stabilization.

(e) During the consideration of any application under this section, the Director may authorize the applicant to agree with purchasers from him that any deliveries made during the pendency of the application shall be at the price determined by the disposition of the application.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 21, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10167; Filed, Aug. 21, 1951; 4:01 p. m.]

[Ceiling Price Regulation 14, Amdt. 5]

CPR 14—CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Ceiling Price Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment corrects certain typographical errors; extends the deadline for filing applications for adjustment for "specialty" wholesalers, and establishes adjustment provisions for certain wholesalers who operate in a manner similar to wagon wholesalers but do not meet exactly the CPR 14 definition of wagon wholesalers.

Amendment 2 to CPR 14 provided an adjustment provision, with a deadline date which has expired, for "specialty" wholesalers. Since many wholesalers did not have sufficient time to file before the deadline, the filing date is extended to September 30, 1951. Also, it has been determined that there are some wholesalers who operate in exactly the same manner as "wagon wholesalers" and render the same services. The only difference is that these wholesalers take advance orders. They should be treated as "wagon wholesalers" and may now apply for adjustment if they fulfill the criteria set forth in section 27a.

In the formulation of these amendments, special circumstances have rendered impractical consultation with offi-

cial advisory committees, including trade association representatives, however, the provisions of this amendment incorporate the recommendations of persons representing substantial segments of the industry. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 14 is amended in the following respects:

1. A new section 27a, is inserted in Article III after section 27 to read as follows:

SEC. 27a. *How certain wholesalers similar to wagon wholesalers may apply to use the provisions of the General Ceiling Price Regulation instead of the markups in this regulation for the purpose of establishing their ceiling prices for all items under this regulation except frozen foods.* (a) If you do business in the manner outlined in this section, you may apply under paragraph (b) of this section to use the provisions of the General Ceiling Price Regulation instead of the markups in this regulation for the purpose of establishing your ceiling prices on all items except frozen foods.

(1) During the year 1950 your operations and functions, on the items listed in Table A, except frozen foods, sold by you to retail stores, must have been identical with those of wagon wholesalers except that you took advance orders and thereafter delivered to the retailer;

(2) On 90 percent or more of the items listed in Table A, except frozen foods, sold by you to retail stores, you were the exclusive distributor of your supplier in the area in which you did business.

(3) You rendered special services not performed by the usual service wholesaler, such as rotation of stock in retail stores, the building of displays for merchandise you sold and exchanging stale merchandise.

(4) Your selling prices, for items listed in Table A, except frozen foods, were resale prices suggested to you by more than 50 percent of the manufacturers whose products you distribute.

(b) Your application must set forth the following:

(1) A list of the Table A items except frozen foods, you distributed in 1950 to retail stores, for each such item indicating: whether you were the exclusive distributor in your area; and, the markup over cost which was in effect during the 90 days prior to June 24, 1950;

(2) A list of the special services rendered by you but not performed by the usual service wholesaler, such as rotation of stocks in retail stores, the building of displays and the exchanging of stale merchandise;

(3) The number of manufacturers whose products you distribute, and the number of those who suggested to you resale prices;

(4) Any other information you consider relevant to demonstrating the similarity between your functions and those of a wagon wholesaler, and the difference between your functions and those of the usual service wholesalers.

2. Section 28b paragraph (b) is amended by substituting the date September 30, 1951 for the date May 31, 1951.

3. Section 35 paragraph (b) (19) is amended to read as follows:

(19) "Meat, canned" includes but is not limited to, canned or glass chicken products, canned or glass turkey products, chicken and noodles, meat gravy, meat ravioli, pickled meats, luncheon meats, chili con carne, meat stews, meat spreads, and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, tripe, veal loaf, mincemeat, frozen food products in which meat, chicken, or turkey are combined with other ingredients, frozen meat gravies and frozen meat stews and pies.

4. Section 35 paragraph (c) (19) is amended by deleting the words "and any canned meat which is removed from the can by the retailer and sold sliced in smaller amounts".

5. Section 35 paragraph (d) (8) "Fish, Processed" is amended to read as follows:

(8) Excluded are: Fresh fish and sea food, canned clam juice, fish and sea food pates, pastes and purees, sauce containing fish and sea food, fish roe, caviar, fish and sea food hors d'oeuvres, imported "fish, processed" if imported in consumer size containers, except tuna, crabmeat and salmon.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 27, 1951.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10246; Filed, Aug. 22, 1951; 11:52 a. m.]

[Ceiling Price Regulation 15, Amdt. 6]

CPR 15—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Ceiling Price Regulation 15 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment establishes a provision for the pricing of certain special promotions in the form of joint sales; extends the date for filing applications for adjustments for "specialty" retailers; corrects certain typographical errors; and removes tub or bulk butter from the provisions of this regulation.

Manufacturers have historically used various types of promotional deals to induce consumers to try their products, to obtain additional distribution or to increase sales. Under present provisions of CPR 15 any free goods or any special reduction in price to retailers must be reflected in the "net cost" by retailers in figuring ceiling prices. This is proper when the special promotion is only a device for reducing the "net cost" to retailers. However, actual promotional deals under these present provisions are placed under a handicap because retailers have a completely unrealistic "net cost" on which to apply their markups, resulting in little or no profit margin to retailers on such deals. In order to induce retailers to go to the extra bother and incur the added overhead of handling special promotions in the form of joint sales this amendment provides that they receive a markup more in line with their historic markups on these sales. This will facilitate true special promotions in the form of joint sales, resulting in consumers benefiting by purchasing the items so sold at considerably less than the regular ceiling prices. Retailers may now figure ceiling prices for certain special promotions in the form of joint sales which will provide for a normal margin of profit on the special item in the joint sale. The price for the special item must be 50 percent or less of the retailer's existing ceiling price for the item, or for a new item for which the retailer does not have an existing ceiling price, he may use as his markup a maximum of 3 cents per item. This 3-cent markup is based upon the fact that historically most special promotions in the form of joint sales have been so set up that the average return to the retailer on the special item was 3 cents.

Amendment 2 to CPR 15 provided an adjustment provision, with a filing date which has expired, for "specialty" retailers. Since many retailers did not have sufficient time to file before the deadline, the filing date is extended to September 30, 1951.

This amendment removes tub butter from the CPR 15 commodity definition of "butter" and limits the coverage to packaged butter. Evidence has been presented to OPS which indicates that tub butter is handled and sold in an entirely different manner than butter which the retailer buys already packaged. This provision places sales of such bulk butter under the base period ceilings of the General Ceiling Price Regulation.

In the formulation of these amendments, special circumstances have rendered impractical consultation with official advisory committees, including trade association representatives; however, the provisions of this amendment incorporate the recommendations of

persons representing substantial segments of the industry. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

1. Section 3 is amended by adding a new paragraph (d) to read as follows:

(d) *Pricing special promotions.* Where you have a "special promotion" consisting of two or more items bound together for joint sale or bearing appropriate printing or labeling referring to the joint sale, you shall compute your ceiling price for the joint sale as follows:

(1) Determine which item or items are the regular portion of the "special promotion" and which item or items are the "special" portion.

(2) For the regular item or items compute your ceiling prices according to this regulation, disregarding entirely the special item or items.

(3) For the special item or items you may charge up to 50 percent of your existing ceiling price for those items.

(4) If you have no existing ceiling price for the special item or items you may use as your markup a maximum of 3 cents per item.

(5) Your ceiling price for the joint sale is the sum of the ceiling price for the regular item plus the price determined under subparagraph (3) or (4) of this paragraph for the special items.

You may not price any special promotion on the same items under this paragraph for a period of more than 120 days. Also you may not price under this paragraph another special promotion on the same items until six months after the conclusion of the previous such offering.

2. Section 26a paragraph (b) is amended by substituting the date September 30, 1951, for the date May 30, 1951.

3. Section 35 paragraph (i) is amended by placing a comma after the word "boats" in the second sentence.

4. Section 37 paragraph (b) (19) is amended to read as follows:

(19) "Meat, canned" includes but is not limited to, canned or glass chicken products, canned or glass turkey products, chicken and noodles, meat gravy, meat ravioli, pickled meats, luncheon meats, chili con carne, meat stews, meat spreads and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, tripe, veal loaf, mincemeat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies and frozen meat stews and pies.

5. In section 38 paragraph (b) the "butter" commodity definition under "dairy products" is amended to read as follows: "Butter (packaged) means only butter from milk, including but not limited to, processed salted, unsalted and whipped butter. Not included in this definition are peanut, nut, fruit or honey butters."

Paragraph (c) of the same commodity definition is amended to read as follows: "Butter excluded: Bulk or tub butter."

6. Section 39 paragraph (a) Table C is amended as follows: "Where the net cost is 34 cents and the markup is 25 percent the ceiling price of 42 cents is changed to read 43 cents and where the net cost is 72½ cents and the markup is 29 percent the ceiling price of 93 cents is changed to read 94 cents."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 27, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10247; Filed, Aug. 22, 1951; 11:52 a. m.]

[Ceiling Price Regulation 16, Amdt. 6]

CPR 16—CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Ceiling Price Regulation 16 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment establishes a provision for the pricing of certain special promotions in the form of joint sales; extends the date for filing applications for adjustment for "specialty" retailers; corrects certain typographical errors; permits Group 1 stores to reclassify as Group 2 stores; and removes tub or bulk butter from the provisions of this regulation.

Manufacturers have historically used various types of promotional deals to induce consumers to try their products, to obtain additional distribution or increase sales. Under present provisions of CPR 16 any free goods or any special reduction in price to retailers must be reflected in the "net cost" by retailers in figuring ceiling prices. This is proper when the special promotion is only a device for reducing the "net cost" to retailers. However, actual promotional deals under these present provisions are placed under a handicap because retailers have a completely unrealistic "net cost" on which to apply their markups, resulting in little or no profit margin to retailers on such deals. In order to induce retailers to go to the extra bother and incur the added overhead of handling special promotions in the form of joint sales this amendment provides that they receive a markup more in line with their historic markups on these sales. This will facilitate true special promotions in the form of joint sales, resulting in consumers benefiting by purchasing the items so sold at considerably less than the regular ceiling prices. Retailers may now figure ceiling prices for certain special promotions in the form of join sales which will provide for a normal margin of profit on the special item in the joint sale. The price for the special item must be 50 percent or less of the retailer's existing ceiling price for the item, or for a new item for which the retailer does not have an existing ceiling price, he may use as his markup a maximum of 3 cents per item. This 3-cent markup is based upon the fact that historically most special promotions in the form of joint sales have been so set up that the average return to the retailer on the special item was 3 cents.

Amendment 2 to CPR 16 provided an adjustment provision, with a filing date which has expired, for "specialty" retailers. Since many retailers did not have sufficient time to file before the deadline, the filing date is extended to September 30, 1951.

This amendment removes tub butter from the CPR 16 commodity definition of "butter" and limits the coverage to packaged butter. Evidence has been presented to OPS which indicates that tub butter is handled and sold in an entirely different manner than butter which the retailer buys already packaged. This provision places sales of such bulk butter under the base period ceilings of the General Ceiling Price Regulation.

CPR's 15 and 16 permit Group 3 retailers to reclassify to Group 4, and Group 1 retailers to reclassify to Group 3 or 4. It has been determined that provision should be made to permit Group 1 retailers to reclassify to Group 2. This provision will result in a reduction of ceiling prices and a saving to the consumer.

In the formulation of these amendments, special circumstances have rendered impractical consultation with official advisory committees, including trade association representatives; however, the provisions of this amendment incorporate the recommendations of persons representing substantial segments of the industry. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

1. Section 2, paragraph (d) is amended to read as follows:

(d) *When you choose to treat your store as a Group 2, 3 or 4 store.* You may choose to treat your store as either a

Group 2 store under this regulation or a Group 3 or 4 store under Ceiling Price Regulation No. 15 and display a sign in your store as a member of such other group if you:

(1) Figure your ceiling prices for all the items listed in Tables A and B of this regulation as a member of the group you choose; and

(2) Notify the OPS District Office for your area of these facts.

2. Section 3 is amended by adding a new paragraph (d) to read as follows:

(d) *Pricing special promotions.* Where you have a "special promotion" consisting of two or more items bound together for joint sale or bearing appropriate printing or labeling referring to the joint sale, you shall compute your ceiling price for the joint sale as follows:

(1) Determine which item or items are the regular portion of the "special promotion" and which item or items are the "special" portion.

(2) For the regular item or items compute your ceiling prices according to this regulation, disregarding entirely the special item or items.

(3) For the special item or items you may charge up to 50 percent of your existing ceiling price for those items.

(4) If you have no existing ceiling price for the special item or items you may use as your markup a maximum of 3 cents per item.

(5) Your ceiling price for the joint sale is the sum of the ceiling price for the regular item plus the price determined under subparagraphs (3) or (4) of this paragraph for the special items.

You may not price any special promotion on the same items under this paragraph for a period of more than 120 days. Also you may not price under this paragraph another special promotion on the same items until six months after the conclusion of the previous such offering.

3. Section 24a paragraph (b) is amended by substituting the date September 30, 1951 for the date May 30, 1951.

4. Section 32 paragraph (b) (19) is amended to read as follows:

(19) "Meat, canned" includes but is not limited to, canned or glass chicken products, canned or glass turkey products, chicken and noodles, meat gravy, meat ravioli, pickled meats, luncheon meats, chili con carne, meat stews, meat spreads and spaghetti and meat balls. Not included in this definition are pigs feet, scrapple, tamales, tripe, veal loaf, mincemeat, frozen food products in which meat, chicken or turkey are combined with other ingredients, frozen meat gravies and frozen meat stews and pies.

5. In section 33 paragraph (b), the "butter" commodity definition under "dairy products" is amended to read as follows: "Butter (packaged) means only butter from milk, including but not limited to, processed salted, unsalted and whipped butter. Not included in this definition are peanut, nut fruit or honey butters."

Paragraph (c) of the same commodity definition is amended to read as follows: "Butter excluded: Bulk or tub butter."

6. Section 34 paragraph (a) Table C is amended as follows: "Where the net cost is 34 cents and the markup is 25 percent the ceiling price of 42 cents is changed to read 43 cents, and where the net cost is 72½ cents and the markup is 29 percent the ceiling price of 93 cents is changed to read 94 cents."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 27, 1951.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10248; Filed, Aug. 22, 1951; 11:53 a. m.]

[Ceiling Price Regulation 34, Amdt. 1 to Supplementary Regulation 1]

CPR 34—SERVICES

SR 1—WHOLESALE DRY CLEANING, FINISHING AND DYEING IN THE NEW YORK CITY AREA

WESTCHESTER COUNTY, NEW YORK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to Supplementary Regulation 1 (16 F. R. 5698) to Ceiling Price Regulation 34 (16 F. R. 4446) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 1 to Ceiling Price Regulation 34 authorizes wholesalers of dry cleaning, finishing and dyeing services in Westchester County, New York, to revert to prevailing prices charged prior to June 14, 1951 for cleaning and finishing certain garments.

Since 1942, prices for wholesale cleaning and finishing services have been slightly higher in Westchester County than in the other seven counties in the New York City area. At the time Supplementary Regulation 1 was issued, the fact that there existed in Westchester County a slightly higher price differential for the cleaning and finishing of certain garments was not taken into consideration when the schedule of prices was prepared, thus resulting in a rollback of certain prices charged by five or six plants servicing this County. Therefore, this action not only precluded the recovery of increased labor and material costs by those plants, but instead reduced some of their prices.

This amendment merely restores to wholesalers selling services in Westchester County prices prevailing prior to the issuance of Supplementary Regulation 1 for cleaning and finishing certain garments.

The limited nature of the provisions of this amendment to Supplementary Regulation 1 made it unnecessary to consult formally with industry representatives. However, various representatives from the affected service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceiling Price Regulation 34 is hereby amended in the following respects:

1. Paragraph (a) of section 3 is amended by adding in the first sentence after "Westchester", the following, "(with certain exceptions set forth in subparagraph (3))", so that section 3 (a) reads as follows:

SEC. 3. *Ceiling prices.* (a) The ceiling prices which may be charged by sellers of wholesale cleaning, finishing and dyeing services in the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk and Westchester (with certain exceptions set forth in subparagraph (3) of this paragraph), New York, shall be as follows:

2. The subparagraph entitled "(a)" of paragraph (a) of section 3 is amended by striking the letter "(a)" in the first line thereof and inserting in its place the figure "(1)".

3. The subparagraph entitled "(b)" of paragraph (a) of section 3 is amended by striking the letter "(b)" in the first line thereof and inserting in its place the figure "(2)".

4. A new subparagraph (3) is added to paragraph (a) of section 3 to read as follows:

(3) *Certain exceptions in Westchester County, New York.* In the area beginning with the Bronx-Westchester line and extending north, east and west to the limits of and including the City of White Plains, the ceiling prices for "Sales to Outlets", "Cleaned and Finished", for Men's, Women's and Children's Suits, Topcoats, Overcoats and Children's Dresses and Ladies Dresses (plain—up to 4 pleats) shall be $.60. In the area beginning with the North City Line of the City of White Plains and extending north, east and west for the remainder of Westchester County, the ceiling prices for "Sales to Outlets", "Cleaned and Finished" for Men's, Women's and Children's Suits, Topcoats, Overcoats and Children's Dresses and Ladies' Dresses (plain—up to 4 pleats) shall be $.60; for "Sales to Outlets", "cleaned only", the ceiling prices for Men's, Women's and Children's Suits, and Children's Dresses and Ladies' Dresses (plain—up to 4 pleats) shall be $.30. All other prices in Schedule A are applicable to wholesale dry cleaning and finishing and dyeing services in Westchester County, New York.

Effective date. This amendment shall become effective on August 27, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10249; Filed, Aug. 22, 1951; 11:53 a. m.]

[Ceiling Price Regulation 30, Amdt. 8]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

BRAND NAME MANUFACTURERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 8 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 30 as originally issued included within its coverage any person who sells a commodity under his own brand or trade name. These sellers were included within the coverage of Ceiling Price Regulation 30 because their pricing practices generally conformed to the pricing practices of producers. However, experience under the regulation has indicated that the provisions of Ceiling Price Regulation 30 are not well adapted to the pricing of commodities by persons who do not perform any manufacturing functions with respect to the same or similar commodities, or commodities for which the commodities he purchases are used as replacement parts. Generally, such sellers determine their selling prices in the same manner as resellers who do not sell commodities under their own brand or trade name. Accordingly, the regulation has been amended to limit its coverage to those persons who sell a commodity under their own brand or trade name, where they produce the same or a similar commodity in their own plant, or where the commodity which they sell under their own brand or trade name is a replacement part for a commodity which they produce in their own plant.

The wide coverage of this amendment made it impossible to consult in detail with representatives of all the industries affected. However, in the preparation of this amendment conferences were held with many industry representatives and consideration was given to their recommendations.

AMENDATORY PROVISIONS

Section 45 (k) (3) is amended to read as follows:

(3) Any person who sells a commodity under his own brand or trade name, where he produces the same or a similar commodity in his own plant, or where the commodity which he sells under his own brand or trade name is a replacement part for a commodity which he produces in his own plant.

Effective date. The effective date of this amendment is August 27, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10256; Filed, Aug. 22, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 5 to Supplementary Regulation 5]

GCPR, SR 5—RETAIL PRICES FOR NEW AND USED AUTOMOBILES

PRICING OF SPECIALLY DESIGNED AUTOMOBILES AND AUTOMOBILES CONTAINING CERTAIN AIR-CONDITIONING UNITS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 5 to Supplementary Regulation 5 (16 F. R. 1769) to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits the ceiling price of used cars to be increased by the price of compressor type, refrigerated air-conditioning units which have been installed in used cars in certain sections of the country. Such units are of considerable original cost and of continuing value to users in those areas. For this reason used cars equipped with these units have customarily commanded a price which reflected in part the cost of the units.

This amendment also makes it clear that a seller of a used car which has been modified from its original design by the addition of a custom body or a specially designed engine determines the price of such automobile under the General Ceiling Price Regulation rather than by any price set forth in a guide book. The change effected by such a modification takes the car out of the model designation used in the guide book.

This action is taken as a result of requests from numerous sellers of used automobiles. No further consultation with representatives of the industry was deemed necessary or practical.

AMENDATORY PROVISIONS

Supplementary Regulation 5 to the General Ceiling Price Regulation is amended in the following respects:

1. Section 4 (c) is amended to read as follows:

(c) The ceiling price may be increased by the amount of the used equipment price for any radio, heater, or optional transmission or drive which is furnished with the car and for which a used equipment price is separately listed in the guide which the seller uses. The ceiling price may also be increased by the price of any compressor type, refrigerated air-conditioning unit installed in used cars, the price of which unit shall be determined under the provisions of the General Ceiling Price Regulations.

2. Section 4 (d) is amended to read as follows:

(d) If the guide does not list any model of the used car, or if the used car has been substantially modified from its original design by the addition of a special body or engine, the ceiling price shall be determined under the provisions of the General Ceiling Price Regulation.

Effective date. This Amendment 5 to Supplementary Regulation 5 to the General Ceiling Price Regulation shall become effective August 27, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10257; Filed, Aug. 22, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 49]

GCPR, SR 49—BASIC TIRE CARCASSES, RECAPPED AND RETREADED TIRES

DEFINITION OF BASIC TIRE CARCASS AND MODIFICATION OF METHOD FOR CALCULATING CEILING PRICES OF RECAPPED TIRES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 49 to the General Ceiling Price Regulation is issued.

STATEMENT OF CONSIDERATIONS

In the interest of clarifying SR 49 to GCPR, this amendment distinguishes a basic tire carcass both from used and scrap tires by supplying the definition of "basic tire carcass" which appears in section 1.

As SR 49 formerly read, the recapper's ceiling price to a dealer would be his wholesale price for the recapping service, plus his wholesale price for the basic tire carcass, which was specified to be $2.60. Actually, however, though the cost of a basic tire carcass to a recapper is generally $2.60, the recapper's price to the dealer has generally been $3.50. Therefore section 3 is amended in order to permit the recapper himself rather than any dealer in recapped tires subsequent to the recapper to obtain the 90 cent differential between the wholesale and retail price of the basic tire carcass, permitted under section 2.

The result not only follows industry practice, but is based in part on the fact that the recapper rather than any subsequent dealer bears the expenses incurred in connection with the carcasses, including those of collection, inspection, and losses thru guarantees.

In the limited cases, however, where a basic tire carcass is supplied by a dealer to a recapper, and the recapper turns over a recapped tire to the dealer, the two transfers will naturally be regarded as parts of one transaction; as to such transaction, the recapper will of course be permitted to charge the

dealer only for the recapping service. Thus the dealer, who will have bought the basic tire carcass for no more than the wholesale ceiling price of $2.60, will compute his ceiling price for the recapped tire sold to the ultimate user by adding to his retail ceiling price for the recapping service the retail ceiling price of the basic tire carcass, $3.50, so that the dealer gets the 90 cent differential in such case.

Since the original issuance of SR 49 inadvertently contained certain departures from GCPR price levels, such changes in ceiling prices as are brought about by this amendment merely restore the general level of GCPR ceiling prices.

In view of the fact that this amendment restores price practices in effect under the General Ceiling Price Regulation, the Director has not found it necessary or practicable to consult formally with industry prior to the formulation of this amendment. There has been, however, consultation with individual members of the industry and consideration has been given to their recommendations.

AMENDATORY PROVISIONS

1. Section 1 is amended by adding the following paragraph:

A basic tire carcass is a tire whose tread design has been worn smooth for 4 or more consecutive inches in any direction but is sound or has been made sound with vulcanized repairs, and can be recapped or retreaded for safe use under normal operating conditions. A sound tire is one in need of no repair.

2. Paragraph (a) of section 3 is amended to read as follows:

(a) *Passenger tires.* The ceiling price for the sale of a recapped or retreaded passenger car tire shall be the particular seller's ceiling price for the recapping service, as determined under CPR 34, plus $3.50.

Effective date. This amendment shall become effective on August 27, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10250; Filed, Aug. 22, 1951; 11:53 a. m.]

[General Overriding Regulation 17]

GOR 17—SALES BY CONCESSIONERS OF THE NATIONAL PARK SERVICE

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation 17 is hereby issued.

STATEMENT OF CONSIDERATIONS

General Overriding Regulation 17 establishes ceiling prices for certain sales by concessioners of the National Park Service.

In accordance with the act of August 25, 1916, c. 408, sec. 1, 39 Stat. 535, as amended (16 U. S. C. 1) (1946 ed.), the National Park Service of the Department of Interior is responsible for the administration of the national parks, monuments, and other areas and for the conservation and enjoyment thereof. Under this act, the National Park Service enters into contracts with concessioners for the purpose of providing necessary accommodations, commodities, facilities, and services for visitors to such areas. These contracts provide that all rates and prices charged to the visiting public by the concessioners shall be subject to regulation and control by the National Park Service.

During the many years that the National Park Service has exercised control over such concession operations, it has developed a system of review prior to approval and of policing after approval which utilizes the superintendent of the area concerned and his staff, technical concession management personnel in the regional offices of the National Park Service, and personnel of the Concessions Management Division in the National office. This control is designed to provide reasonable rates to the visiting public, taking into consideration the many factors involved in furnishing commodities and services in the areas, such as the seasonal nature of the operations, accessibility, availability and cost of labor and materials, prices charged for comparable items and services outside such areas, and the necessity of permitting the concessioners to earn a fair profit on their operations as a whole. The Office of Price Stabilization has compared many of the prices being charged by concessioners of the National Park Service and has found them to be generally in linc with those prevailing for comparable items in areas outside the jurisdiction of the National Park Service.

The number and type of commodities and services offered by the concessioners very with the size of the operations. However, some offer more than four hundred commodities and services, including such items as transportation. lodging, groceries, garages, service stations, souvenirs, laundry and dry cleaning, barber shops, restaurants, shoe repairs, ski-lifts, golf courses, etc. Under existing regulations, the establishment of ceiling prices for some of these commodities and services has been delegated to the District offices of the Office of Price Stabilization; others must be handled by the National office.

Since most of the national park concessions are seasonal in nature, the National Park Service generally begins during the fall of each year to examine and approve rates and price schedules submitted by the concessioners for the following year's operations. Many such schedules are approved by December. At the time of the issuance of the General Ceiling Price Regulation on January 25, 1951, more than 95 percent of all of the concessioners had submitted rate and price schedules to the National Park Service for its approval. Such schedules, when approved, would have been effective during the 1951 season. However, the price freeze prevented the National Park Service from approving rates and prices for commodities and services covered by the said regulation.

This regulation is deemed necessary in order to eliminate the filing of numerous applications with the District and National offices of the Office of Price Stabilization and to permit the National Park Service to give force and effect to its contracts, of which rate control over concession operations is an integral part.

Under the circumstances existing in this case, it is felt that the prices and rates which are subject to the approval of the National Park Service should be handled on an over-all basis and that centralization in the National office of the Office of Price Stabilization is desirable.

With respect to the commodities and services covered, this regulation supersedes all other regulations, except, however, that concessioners are required to preserve their records of prices in effect for commodities and services offered for delivery during the base period December 19, 1950 to January 25, 1951.

In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

Prior to the issuance of this regulation, the Director consulted with the National Park Service and with representative concessioners and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Sales by concessioners of the National Park Service.
3. Records.
4. Prohibitions.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation establishes ceiling prices for sales by concessioners of the National Park Service of commodities and services which are subject to price control. It does not apply to any commodity or service which is now or hereafter exempted from price control by any other price regulation.

SEC. 2. *Sales by concessioners of the National Park Service.* Notwithstanding the provisions of any other price regulation, the ceiling price for the sale by a concessioner of the National Park Service of any commodity or service for which a price is specified in any contract with, or rate schedule approved by, the National Park Service for the calendar year 1951 shall be the price specified in such contract or rate schedule: *Provided, however,* That (1) such contracts and rate schedules shall be filed by the National Park Service with the Office of Price Stabilization, and (2) any price subsequently approved by the National Park Service which varies from the price so specified shall, following such approval, be filed by the National Park

Service with the Office of Price Stabilization, Washington 25, D. C., together with justification for such variation, and, if not objected to by the Office of Price Stabilization within 30 days following the receipt thereof, shall become the ceiling price for any such sale after that date.

SEC. 3. *Records.* A seller of commodities and services, the ceiling price for which is established by this regulation, shall not be required to comply with the reporting or record-keeping provisions of any other price regulation but must preserve and keep available for examination by the Director of Price Stabilization records in his possession showing the prices charged by him for the commodities and services which he delivered or offered to deliver during the base period December 19, 1950, to January 25, 1951.

SEC. 4. *Prohibitions.* No person covered by this regulation shall sell, or in the regular course of business buy, any commodity or service at a price higher than the applicable ceiling price established by this regulation. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950, as amended.

SEC. 5. *Definitions.* "Price regulation" means a ceiling price regulation heretofore or hereafter issued by the Office of Price Stabilization, and any amendment or supplement thereto or order issued thereunder.

Effective date. This General Overriding Regulation 17 shall become effective August 27, 1951.

NOTE: The reporting requirements of this General Overriding Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10251; Filed, Aug. 22, 1951; 11:53 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[CMP Regulation No. 3, Direction 3]

CMP REG. 3—PREFERENCE STATUS OF DELIVERY ORDERS UNDER THE CONTROLLED MATERIALS PLAN

DIR. 3—STATUS OF CERTAIN ORDERS FOR CONTROLLED MATERIALS DURING THE FOURTH QUARTER OF 1951

This direction under CMP Regulation No. 3 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

SECTION 1. Since CMP allotments for delivery of controlled materials during the fourth quarter of 1951 will be issued to persons who previously operated under the provisions of NPA Orders M-47A and M-68, it is the purpose of this direction to give such persons sufficient time to convert unrated orders for controlled materials which they have placed for delivery during the fourth quarter of 1951 into authorized controlled material orders, thus also minimizing disruption of mill schedules and production of consumer durable goods and passenger automobiles.

SEC. 2. Notwithstanding the provisions of section 4 of CMP Regulation No. 3, an unrated order which has been accepted by a controlled materials producer for delivery of controlled materials during the fourth quarter of 1951 shall have equal preferential status with an authorized controlled material order until September 10, 1951. Subsequent to September 10, 1951, the provisions of said section 4 of CMP Regulation No. 3 shall govern such delivery orders for controlled materials. If an unrated delivery order for controlled materials has not been converted into an authorized controlled material order on or before September 10, 1951, the controlled materials producer by whom it has been accepted shall cancel it.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup.; sec. 2, E. O. 10200, Jan. 3, 1951, 61 F. R. 61.)

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10195; Filed, Aug. 21, 1951; 5:15 p. m.]

[NPA Order M-1, Direction 3]

M-1—IRON AND STEEL

DIR. 3—ORDER ACCEPTANCE; SET-ASIDE CANCELLATION

This direction to NPA Order M-1 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this direction there has been consultation with industry representatives and consideration has been given to their recommendations.

Sec.
1. What this direction does.
2. Acceptance of orders.
3. Set-aside cancellation.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101 E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction preserves the established flow of steel products and minimizes customer relationship disruptions by permitting steel producers, until 15 days prior to the expiration of lead times, to accept orders, within certain limitations, without regard to the date of receipt of such orders.

SEC. 2. *Acceptance of orders.* Until 15 days prior to the expiration of lead time, a steel producer shall have the option of determining which authorized controlled material orders or portions thereof he will accept and schedule without regard to dates of receipt of such orders: *Provided,* That the total of the orders accepted does not exceed 90 percent of the percentages set forth in columns (1), (2), and (3) in part C of Table I of NPA Order M-1 as amended, applicable to the product involved for that month: *And provided further,* That there shall be included in such 90 percent, (a) all orders bearing allotment symbols A through E which have been offered to him, (b) all NPA directives received by him, (c) proposed shipments to distributors under NPA Order M-6 as amended, and (d) proposed shipments to producer converters under NPA Order M-1 as amended. Orders which are not accepted shall be returned immediately so that the purchasers may place such orders with other suppliers. Within the 15-day period immediately preceding the expiration of lead times, a steel producer shall accept and schedule for production all authorized controlled material orders offered to him, up to the maximum total of his required order acceptance. Such orders shall be scheduled for production with precedence given to the order received first.

SEC. 3. *Set-aside cancellation.* Effective September 17, 1951, all percentages applying to steel mill products as set forth in columns (1), (2), and (3) in part C of Table I of NPA Order M-1 as amended, are cancelled and each steel producer shall accept orders only to fulfill NPA directives, distributor orders under section 4 of NPA Order M-6 as amended, producer converter orders under section 8 of NPA Order M-1 as amended, and authorized controlled material orders. Commencing September 17, 1951, the 90 percent referred to in section 2 of this direction shall be applicable to a producer's total authorized production of the product involved.

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10196; Filed, Aug. 21, 1951; 4:55 p. m.]

[NPA Order M-1, Direction 4]

M-1—IRON AND STEEL

DIR. 4—TONNAGE RESERVATION

This direction to NPA Order M-1 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of

this direction consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.
1. What this direction does.
2. Certain tonnages reserved.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; Sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction provides for the transition to a full CMP operation in the fourth quarter by reserving the former "free area" in steel products for the acceptance of authorized controlled material orders from producers of consumer durable goods and passenger automobiles.

SEC. 2. *Certain tonnages reserved.* Until September 17, 1951, all available tonnages of each steel mill product to be produced in excess of the percentages set forth in columns (1), (2), and (3) in part C of Table I of NPA Order M-1 as amended (or as modified by NPA in the case of certain individual producers), shall be reserved by each steel producer for acceptance of fourth quarter 1951 authorized controlled material orders bearing allotment symbols which are identified by the suffix "X" (for example, V-IX or L-IX), or for unrated orders which are converted into authorized controlled material orders not later than September 10, 1951. In accepting such orders for November 1951 delivery, each steel producer may, but is not required to, accept and schedule or reschedule such orders until September 10, 1951, without regard to date of receipt by him of such orders. From September 10 to September 17, 1951, each steel producer shall accept and schedule for production such orders calling for November 1951 delivery (or later delivery in the case of products with longer than 45-day lead time), offered to him within the tonnages reserved herein. Such orders shall be scheduled for production with precedence given to the order received first. With respect to such orders calling for delivery after November 1951, the provisions of Direction 3 to NPA Order M-1 shall apply (except orders for products having more than a 45-day lead time which are placed prior to September 17, 1951, pursuant to this direction).

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10197; Filed, Aug. 21, 1951; 4:55 p. m.]

[NPA Order M-5, Direction 1]

M-5—RATED ORDERS FOR ALUMINUM

DIR. 1—ORDER ACCEPTANCE

This direction under NPA Order M-5 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Acceptance of orders.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Supp. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction preserves the established flow of aluminum controlled materials and minimizes customer relationship disruptions by permitting aluminum controlled material producers, until 15 days prior to the expiration of lead times, to accept orders, within certain limitations, without regard to the date of receipt of such orders.

SEC. 2. *Acceptance of orders.* Until 60 days prior to the first day of the month in which delivery is requested, an aluminum controlled material producer shall have the option of determining which authorized controlled material orders or portions thereof he will accept and schedule without regard to dates of receipt of such orders: *Provided*, That the total of the orders accepted does not exceed 85 percent of his production directive covering the product involved for that month, or his proposed production thereof if no production directive has been issued: *And provided further*, That there shall be included in such 85 percent, (a) all orders bearing allotment symbols A through E which have been offered to him, and (b) all NPA directives received by him, including shipments to distributors, independent fabricators and smelters pursuant to such directives. Orders which are not accepted shall be immediately rejected and returned, so that the purchasers may place such orders with other suppliers. Within the period from 45 to 60 days prior to the first day of the month in which delivery is requested, an aluminum controlled material producer shall accept and schedule for production all authorized controlled material orders offered to him, up to the maximum total of his production directive or his proposed production if no directive has been issued. Such orders shall be scheduled for production with precedence given to the orders received first.

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10198; Filed, Aug. 21, 1951; 4:56 p. m.]

[NPA Order M-5, Direction 2]

M-5—RATED ORDERS FOR ALUMINUM

DIR. 2—RESERVATION OF FOURTH QUARTER PRODUCTION

This direction under NPA Order M-5 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Certain production reserved.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Supp. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction provides for the transition to a full CMP operation in the fourth quarter by reserving certain production of aluminum controlled materials for the acceptance of authorized controlled material orders from producers of consumers durable goods and passenger automobiles.

SEC. 2. *Certain production reserved.* Effective August 20 and up to and including September 17, 1951, aluminum controlled material producers shall reserve a percentage of their production directives or their proposed production if no production directives have been issued during the fourth quarter, 1951, equal to the difference between the percentage of authorized controlled material orders and/or rated orders they are required to accept pursuant to paragraph (b) of section 3 of NPA Order M-5 and 100 percent. Such reserved production shall be used for acceptance of fourth quarter 1951 authorized controlled material orders bearing allotment symbols which are identified by the suffix X (such as V-2X or L-5X), or for unrated orders which are converted into authorized controlled material orders not later than September 10, 1951. In accepting and scheduling such authorized controlled material orders for November 1951 delivery, aluminum controlled material producers may, but are not required to, accept and schedule or reschedule such orders until September 10, 1951, without regard to date of receipt of such orders. From September 10, 1951, to September 17, 1951, aluminum controlled material producers shall accept and schedule for production any such authorized controlled material orders calling for delivery in November 1951 offered to them within the production reserved herein. Such orders shall be scheduled for production with precedence given to the orders received first. With respect to such orders calling for delivery after No-

vember 1951, the provisions of Direction No. 1 to NPA Order M–5 shall apply.

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10199; Filed, Aug. 21, 1951; 4:56 p. m.]

[NPA Order M–11, Direction 2]

M–11—COPPER AND COPPER-BASE ALLOYS

DIR. 2—ORDER ACCEPTANCE

This direction under NPA Order M–11 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Acceptance of order.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction preserves the established flow of copper controlled materials and minimizes customer relationship disruptions by permitting copper controlled material producers, until 15 days prior to the expiration of lead times, to accept orders, within certain limitations, without regard to the date of receipt of such orders.

SEC. 2. *Acceptance of orders.* Until 15 days prior to the expiration of lead time, as set forth in Schedule 3 of CMP Regulation No. 1, a copper controlled material producer shall have the option of determining which authorized controlled material orders or portions thereof he will accept and schedule without regard to dates of receipt of such orders: *Provided,* That the total of the orders accepted does not exceed 85 percent of his authorized production of the product involved for that month: *And provided further,* That there shall be included in such 85 percent, (a) all orders bearing allotment symbols A through E which have been offered to him, (b) all NPA directives received by him, (c) proposed shipments to distributors under Direction 1 to NPA Order M–11 or future amendments thereto, or any applicable distributors order, and (d) all proposed shipments of intermediate shapes to other copper controlled material producers as directed by NPA. Orders which are not accepted shall be immediately rejected and returned, so that the purchasers may place such orders with other suppliers. Within the 15 day period immediately preceding the expiration of lead times, a copper controlled material producer shall accept and schedule for production all authorized controlled material orders offered to him, up to the maximum total of his authorized production. Such orders shall be scheduled for production with precedence given to the orders received first.

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10200; Filed, Aug. 21, 1951; 4:56 p. m.]

[NPA Order M-11, Direction 3]

M–11—COPPER AND COPPER-BASE ALLOYS

DIR. 3—RESERVATION OF FOURTH QUARTER PRODUCTION

This direction under NPA Order M-11 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Certain production reserved.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION. 1. *What this direction does.* This direction provides for the transition to a full CMP operation in the fourth quarter by reserving certain production of copper controlled materials for the acceptance of authorized controlled material orders from producers of consumer durable goods and passenger automobiles.

SEC. 2. *Certain production reserved.* Effective August 21, 1951, and up to and including September 17, 1951, copper controlled material producers shall reserve a portion of their monthly production during the fourth quarter 1951 equal to their scheduled production of unrated orders for delivery in September 1951. Such reserved production shall be used for acceptance of fourth quarter 1951 authorized controlled material orders bearing allotment symbols which are identified by the suffix X (such as V–2X or L–5X), or for unrated orders which are converted into authorized controlled material orders not later than September 10, 1951. In accepting and scheduling such authorized controlled material orders for October and November 1951 delivery, copper controlled material producers may, but are not required to, accept and schedule or reschedule such orders until September 10, 1951, without regard to date of receipt of such orders. From September 10, 1951, to September 17, 1951, copper controlled material producers shall accept and schedule for production any such authorized controlled material orders calling for delivery in November 1951 (or later delivery in the case of products with longer than 45-day lead time) offered to them within the production reserved herein. Such orders shall be scheduled for production with precedence given to the orders received first. With respect to such orders calling for delivery after November 1951, the provisions of Direction No. 2 to NPA Order M–11 shall apply (except orders for products having more than a 45-day lead time which are placed prior to September 17, 1951, pursuant to this direction).

This direction shall take effect on August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10201; Filed, Aug. 21, 1951; 4:56 p. m.]

[NPA Order M–50 as Amended August 21, 1951]

M–50—ELECTRIC UTILITIES

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order, as amended, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M–50 by amending Appendices A, B, C, D, and E to provide the full fourth quarter 1951 allotments of controlled materials for minor requirements and to authorize advance allotments of such materials for the first three quarters of 1952. As so amended, NPA Order M–50 reads as follows:

ARTICLE I—GENERAL PROVISIONS

Sec.
1. What this order does.
2. Definitions.
3. Applications for adjustment or exception.
4. Records and reports.
5. Communications.
6. Violations.

ARTICLE II—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

21. Effect on other orders.
22. Restrictions on placement of delivery orders for controlled materials.
23. Conversion of outstanding orders.
24. Use of allotment numbers and certification.

ARTICLE III—MAJOR PLANT ADDITIONS

31. Restrictions on construction.
32. Construction schedules and allotments for major plant additions.
33. Required use of excess inventory.
34. Authorization to use DO rating to obtain products and materials other than controlled materials for major plant additions.

ARTICLE IV—MINOR REQUIREMENTS

Sec.
41. Allotments of controlled materials for minor requirements.
42. Quarterly controlled material quotas for minor requirements.
43. Applications for increased controlled materials quotas.
44. Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements.
45. Inventory restrictions.

AUTHORITY: Sections 1 to 45 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. *What this order does.* This order provides rules of special application to the procurement and use of materials by electric utilities. It sets forth the procedure by which electric utilities procure materials under the Controlled Materials Plan. It modifies the application to electric utilities of CMP Regulations Nos. 2 and 6, as well as other orders and regulations of NPA.

SEC. 2. *Definitions.* (a) "Electric utility" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories or possessions, supplying, or having facilities built for supplying, electric power, directly or indirectly, for general use by the public or, in the case of a cooperative, for use by its members. If an electric utility is engaged in the supply of electric power and in other activities, this order shall apply only to the procurement and use of materials required directly or indirectly for the supply of electric power.

(b) "DEPA" means the Administrator of Defense Electric Power Administration.

(c) "Maintenance" means the continuation of any plant, facility, or equipment in sound working condition; and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. "Maintenance" and "repair" include the replacement of any equipment regardless of its accounting classification, but neither "maintenance" nor "repair" includes the improvement of any plant, facility, or equipment, or the replacement of material which is in sound working condition with material of a better kind, quality, design, or greater capacity.

(d) "Operating supplies" means material, other than fuel, which is consumed in the course of an electric utility's operations, except in maintenance, repair, and plant additions.

(e) "Gross weight of conductor" means, in the case of overhead lines, the weight of conductor as installed, including steel content in the case of conductor containing steel, without deduction for material salvaged; and in the case of underground lines the copper and aluminum content only, without deduction for material salvaged.

(f) "Line construction" means construction of both overhead and underground lines.

(g) "Net material cost" means the cost of all material, including any commodity, equipment, accessory, part, assembly, or product of any kind, incorporated in plant, less the cost of all material removed from plant, priced in accordance with the electric utility's regular accounting practice.

(h) "Plant addition" means the construction or installation of new facilities or the replacement or existing facilities with facilities of greater capacity. Single plant additions may not be combined or subdivided for purposes of affecting their classification as "major plant additions," as defined in this section. To assist in determining whether particular construction constitutes one, or more than one, plant addition, it shall be considered that a single plant addition consists of:

(1) Any construction of related facilities, excluding maintenance and repair work, which is completed during a continuous period of construction, not interrupted by periods of time such as months or years, except where such interruption is caused by uncontrollable forces, such as adverse weather conditions.

(2) In the case of line construction, a single continuous integrated system of lines, with necessary connected substations. (Thus, several sections of line emanating from different points on a utility's system would be several plant additions, not one plant addition.)

(i) "Major plant addition" means any plant addition which involves one or more of the following:

(1) Line construction designed for operation at more than 15 kv where the plant addition requires more than 10,000 pounds gross weight of conductor; or

(2) Line construction designed for operation at 15 kv or less where the plant addition has a net material cost exceeding $50,000; or

(3) Non-line construction necessary for the generation, transmission, and distribution of electric power, where the plant addition has a net material cost over $50,000, excluding construction of facilities for use as a garage, warehouse, operating headquarters, office building, administrative building, or other similar use, unless such facilities are essential for the generation, transmission, and distribution of electric power.

(j) "Approved major plant addition" means any major plant addition in which DEPA has authorized commencement or continuation of construction.

(k) "Minor requirements" means electric utility requirements of controlled materials and other materials for all purposes (including MRO) except major plant additions, and except construction of facilities for use as a garage, warehouse, office building, administrative building, or other similar use, unless such facilities are essential for the generation, transmission, and distribution of electric power.

(l) "Inventory" of any item of material means new or salvaged material in the possession of an electric utility, unless physically incorporated in plant, without regard to its accounting classification, excluding, however:

(1) Any material specifically set aside on April 1, 1951, for use in time of emergency, and replacement thereof; and

(2) Any material set aside on July 17, 1951, for use in an approved major plant addition. Any material set aside for use in any such major plant addition shall be returned to inventory as soon as it becomes apparent that such material will not be used in such major plant addition.

(m) "Practicable minimum working inventory" means the smallest quantity of material from which an electric utility can reasonably supply its services on the basis of its currently scheduled method and rate of operation. In the absence of unusual circumstances, if the ratio of an electric utility's inventory to its currently scheduled operations is substantially greater than the ratio which it found necessary to maintain between inventory and operations during the recent past, its inventory will be considered excessive.

(n) "Permissible inventory" of any item of material means the quantity of such material which is necessary for use in supplying electric service on the basis of an electric utility's scheduled method and rate of operation pursuant to this order during the succeeding 90-day period, or a practicable minimum working inventory, whichever is less.

(o) "Excess inventory" of any item means that part of an electric utility's inventory of such item which exceeds its permissible inventory of such item.

(p) "Authorized construction schedule," "controlled material," "allotment," "Class A product," "Class B product," "delivery order," and "authorized controlled material order" shall have the meanings respectively assigned to such terms in CMP Regulation No. 6.

SEC. 3. *Applications for adjustment or exception.* (a) Any electric utility effected by any provision of this order may file a request for adjustment or exception on the ground that such provision works an undue or exceptional hardship upon such utility not suffered generally by other electric utilities, or that its enforcement against such utility would not be in the interest of national defense or in the public interest. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

(b) Each such request shall be addressed to DEPA and, if approved, DEPA will grant an appropriate adjustment or exception.

SEC. 4. *Records and reports.* (a) Each electric utility participating in any transaction covered by this order shall retain in its possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met, including the amounts of quarterly quotas, the method of computation, factual justification, methods of figuring quotas, and charges

against them. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) Each electric utility shall make such further records and submit such further reports to DEPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 5. *Communications.* All communications concerning this order, and CMP Regulation No. 6 as modified by this order, and all requests for forms, shall be addressed to the Defense Electric Power Administration, Department of the Interior, Washington 25, D. C.

SEC. 6. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials, or of using facilities under priority or allocation control, and to deprive him of further priorities assistance..

ARTICLE II—PROCUREMENT OF CONTROLLED MATERIALS GENERALLY

SEC. 21. *Effect on other orders.* (a) This order modifies the application of CMP Regulation No. 6 (Construction) to electric utilities and supersedes any conflicting provisions in CMP Regulation No. 6. All of the provisions of CMP Regulation No. 6 apply to electric utilities except as modified by this order.

(b) The provisions of CMP Regulation No. 5 shall not apply to electric utilities. Electric utilities shall procure materials for maintenance, repair, and operating supplies in the manner provided in Article IV of this order.

(c) The provisions of section 45 of this order supersede any conflicting provisions in CMP Regulation No. 2.

SEC. 22. *Restrictions on placement of delivery orders for controlled materials.* No electric utility shall make any allotments of controlled materials unless such allotments are made pursuant to allotments authorized by DEPA.

SEC. 23. *Conversion of outstanding orders.* DO–48 or DO–48 (Minor) rated orders calling for delivery in the third quarter which were placed on or after July 3, 1951, shall be converted into authorized controlled material orders in the manner provided in paragraph (e) of section 19 of CMP Regulation No. 1. Any use of the CMP symbols H–3 or H-4 to order controlled materials or Class A products in the third quarter, including their use for the conversion of outstanding orders, shall constitute a charge against allotments of controlled materials for the third quarter.

SEC. 24. *Use of allotment numbers and certification.* Authorized controlled material orders for major plant additions shall show the allotment number H-3; authorized controlled material orders for minor requirements shall show the allotment number H-4. Such orders shall also show the calendar quarter in which the allotment is valid. For example, a delivery order for controlled materials for a major plant addition placed pursuant to an allotment valid for the third quarter of 1951 shall be designated as follows:

H-3-3Q51.

In addition, each authorized controlled material order shall be certified as follows:

Certified under CMP Regulation No. 6 and NPA Order M-50

This certification shall be signed manually or as provided in NPA Reg. 2. DO–H–3 rated orders and DO–H–4 rated orders shall also be certified and signed in such manner.

ARTICLE III—MAJOR PLANT ADDITIONS

SEC. 31. *Restrictions on construction.* No electric utility may commence construction of any major plant addition or use any controlled material in any major plant addition commenced as of the date of this order without specific authorization from DEPA. DEPA authorization to commence or continue construction does not necessarily mean that DEPA will allot materials in the amounts requested by any electric utility.

SEC. 32. *Construction schedules and allotments for major plant additions.* A construction schedule for each major plant addition will be authorized by DEPA on Form DEPA–7, or as otherwise provided in this section. Construction schedules will be authorized on the basis of information furnished by electric utilities on the Forms DEPA–2, DEPA–3, and DEPA–3S submitted for such major plant addition, or pursuant to application made in such manner as DEPA may hereafter require. Accordingly, for any major plant addition, no electric utility is required to file Form CMP–4C for authorization to commence construction or to request an allotment of controlled materials. Unless otherwise instructed by DEPA, any previous DEPA authorization to apply DO–48 ratings to order any controlled material for delivery in the third quarter, or DEPA authorization to use controlled materials on hand in any major plant addition during the third quarter, shall constitute DEPA authorization of the construction schedule for such major plant addition. Each electric utility which has heretofore received any such authorization is hereby allotted controlled material for the third quarter of 1951 in the quantity of each controlled material designated in such authorization.

SEC. 33. *Required use of excess inventory.* Any electric utility which has an excess inventory of any material shall use such material in approved major plant additions to the extent, and on the earliest date, that such materials are required in any approved major plant addition. In filing applications for allotments of controlled materials for major plant additions, excess inventories shall be taken into account, and in stating its requirements of controlled material for any major plant addition, no electric utility shall include in its requirements any quantity of material which is available in excess inventory.

SEC. 34. *Authorization to use DO rating to obtain products and materials other than controlled materials for major plant additions.* Subject to any special provisions contained in any appendix to this order, a DO–H–3 rating is hereby assigned to each authorized construction schedule for a major plant addition. This rating may be used only to acquire products and materials other than controlled materials in the minimum practicable amounts required and on a date or dates no earlier than required to fulfill such schedule or to replace in inventory products and materials other than controlled materials used to fulfill authorized construction schedules for major plant additions. The DO–H–3 rating shall not be used to obtain any material listed in Schedules I and II of CMP Regulation No. 5, as amended from time to time.

ARTICLE IV—MINOR REQUIREMENTS

SEC. 41. *Allotments of controlled materials for minor requirements.* Subject to the restrictions contained in section 45 of this order, each electric utility is hereby granted an allotment of controlled materials for minor requirements in the amount of its quota for each controlled material as provided in section 42 of this order. No electric utility shall place delivery orders for any controlled material in excess of its quota for such controlled material. Each delivery order for controlled material for minor requirements shall contain the allotment number H–4 as provided in section 24 of this order.

SEC. 42. *Quarterly controlled material quotas for minor requirements.* Unless DEPA has prescribed otherwise, an electric utility may elect to use either a standard quota or an alternative quota, but may not thereafter change from one quota to the other without the express approval of DEPA.

(a) *Standard quota.* An electric utility's standard quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which was used for minor requirements in the calendar year 1950 (or, if it operated on a fiscal year basis, in its fiscal year ending nearest to December 31, 1950).

(b) *Alternative quota.* An electric utility's alternative quota for any controlled material for any calendar quarter is the percentage specified in the applicable appendix to this order of the quantity of such material which it used in the corresponding calendar quarter of 1950 (or, if it operated on a fiscal year basis, in the corresponding quarter of its fiscal year ending nearest to December 31, 1950).

(c) *Quota where 1950 base inapplicable.* An electric utility not in opera-

tion throughout the year 1950 (calendar or fiscal) shall establish its standard or alternative controlled material quota in accordance with this section by adjusting, in direct proportion, its actual use of such controlled material for part of the year to an annual basis. To determine an alternative quota in such cases, the adjusted annual use may be unequally distributed among 4 quarters to reflect seasonal variations. An electric utility not in operation throughout 1950 shall report to DEPA the controlled material quota which it establishes in accordance with this section. If an electric utility was not in operation during any part of the year 1950 (calendar or fiscal), it may apply to DEPA for a controlled material quota, supplying, in detail, information pertinent to a proper evaluation of its application.

(d) *Special provisions.* DEPA may, by notice addressed to individual electric utilities, prescribe quarterly controlled material quotas for minor requirements greater or less than such utility's standard of alternative quotas.

SEC. 43. *Applications for increased controlled materials quotas.* Each application for an increased controlled material quota shall contain the following information:

(a) Statement of the amount of any special authorization which the utility has received.

(b) Statement of the total amount, in pounds or tons, of each controlled material requested to be authorized for use in minor requirements during each quarter, including the base period quota permitted by the applicable appendix to this order.

(c) Detailed statement of necessity for larger quota.

(d) Any additional information which may be pertinent to proper evaluation of the application.

SEC. 44. *Authorization to use DO ratings to obtain products and materials other than controlled materials for minor requirements*—(a) *Assignment of DO–H–4 ratings.* Subject to any special provisions in any appendix to this order, and subject to the provisions of paragraph (b) of this section, each electric utility is hereby authorized to use a DO–H–4 rating to order products and materials other than controlled materials necessary for use in connection with any minor requirements project which involves the use of any portion of its minor requirements allotment of any controlled material, and to order such additional amounts of products and materials other than controlled materials as are necessary for the operation, maintenance, and repair of its electric system.

(b) *Restrictions on the use of the DO–H–4 rating.* Use of the DO–H–4 rating by electric utilities is subject to the following restrictions:

(1) The DO–H–4 rating may be used only to acquire products and materials other than controlled materials in the minimum practicable amounts required and on a date or dates no earlier than required for the purposes specified in paragraph (a) of this section, or to replace in inventory products and materials other than controlled materials used for such purposes.

(2) No electric utility shall use the DO–H–4 rating to obtain any item costing more than $10,000 without specific authorization by DEPA. Requests for such authorization may be made by letter setting forth, in detail, any information pertinent to proper evaluation of such requests.

(3) No electric utility shall use the DO–H–4 rating to obtain any materials on lease.

(4) No electric utility shall use the DO–H–4 rating to obtain any material listed in Schedules I and II of CMP Regulation No. 5, as amended from time to time.

SEC. 45. *Inventory restrictions.* No electric utility shall place delivery orders for any item of controlled material or other material if its inventory of such item is, or by receipt of such material would become, in excess of a permissible inventory. If an electric utility would be authorized by this section to place a delivery order for a quantity of any item of controlled material or other material less than the minimum sales quantity of such item, it may accept delivery of the minimum sales quantity of such item. The minimum sales quantity of any item of controlled material shall be the quantity designated in Schedule IV of CMP Regulation No. 1.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

This order as amended shall take effect of August 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

APPENDIX A—ALUMINUM

1. *Definition.* "Aluminum" means aluminum in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Aluminum quotas for minor requirements for third quarter.*
Standard quota: 12.5 percent.
Alternative quota: 50.0 percent.

3. *Aluminum quotas for minor requirements for fourth quarter.*
Standard quota: 12.5 percent.
Alternative quota: 50.0 percent.

4. *Advance aluminum quotas for minor requirements for 1952.*
(a) First quarter:
Standard quota: 9.4 percent.
Alternative quota: 37.5 percent.
(b) Second quarter:
Standard quota: 7.5 percent.
Alternative quota: 30.0 percent.
(c) Third quarter:
Standard quota: 6.25 percent.
Alternative quota: 25.0 percent.

5. *Exemption from quantity restrictions.* The quantity restrictions applicable to aluminum shall not apply to any electric utility which orders for delivery, in any calendar quarter, a weight of aluminum which does not exceed 1,000 pounds.

6. *Special provisions for ACSR.* Delivery orders for Aluminum Conductor Steel Reinforced shall bear the allotment symbol H–3 for major plant additions and H–4 for minor requirements, plus the appropriate quarter's designation. Orders so placed shall constitute a charge against each utility's aluminum allotment in the amount of the aluminum content of ACSR, but shall not constitute a charge against its steel allotment.

APPENDIX B—COPPER

1. *Definition.* "Copper" means the shapes and forms indicated in Schedule I of CMP Regulation No. 1 under the headings "Copper and copper-base alloy brass mill products," "Copper wire mill products," and "Copper and copper-base alloy foundry products and powder."

2. *Copper quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.

3. *Copper quotas for minor requirements for fourth quarter.*
Standard quota: 18 75 percent.
Alternative quota: 75.0 percent.

4. *Advance copper quotas for minor requirements for 1952.*
(a) First quarter:
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.
(b) Second quarter:
Standard quota: 11.25 percent.
Alternative quota: 45.0 percent.
(c) Third quarter:
Standard quota: 9.4 percent.
Alternative quota: 37.5 percent.

5. *Exemption from quantity restrictions.* The quantity restrictions applicable to copper shall not apply to any electric utility which orders for delivery in any calendar quarter a quantity of copper which does not exceed 1,000 pounds in the aggregate.

6. *Special provisions for Amerductor and Copperweld conductor.* Delivery orders for Amerductor and Copperweld conductor shall bear the allotment symbol H–3 for major plant additions and H–4 for minor requirements, plus the appropriate quarter's designation. Orders so placed shall constitute a charge against each utility's copper allotment in the amount of the copper content of Amerductor or Copperweld conductor, but shall not constitute a charge against its steel allotment.

APPENDIX C—CARBON STEEL

1. *Definition.* "Carbon steel" means carbon steel, including wrought iron, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Carbon steel quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.

3. *Carbon steel quotas for fourth quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.

4. *Advance carbon steel quotas for minor requirements for 1952.*
(a) First quarter:
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.
(b) Second quarter:
Standard quota: 11.25 percent.
Alternative quota: 45.0 percent.
(c) Third quarter:
Standard quota: 9.4 percent.
Alternative quota: 37.5 percent.

APPENDIX D—ALLOY STEEL (EXCEPT STAINLESS STEEL)

1. *Definition.* "Alloy steel" means alloy steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

2. *Alloy steel quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.

3. *Alloy steel quotas for minor requirements for fourth quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.

4. *Advance alloy steel quotas for minor requirements for 1952.*
(a) First quarter:
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.

(b) Second quarter:
Standard quota: 11.25 percent.
Alternative quota: 45.0 percent.
(c) Third quarter:
Standard quota: 9.4 percent.
Alternative quota: 37.5 percent.

APPENDIX E—STAINLESS STEEL

1. *Definition.* "Stainless steel" means stainless steel in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.
2. *Stainless steel quotas for minor requirements for third quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.
3. *Stainless steel quotas for minor requirements for fourth quarter.*
Standard quota: 18.75 percent.
Alternative quota: 75.0 percent.
4. *Advance stainless steel quotas for minor requirements for 1952.*
(a) First quarter:
Standard quota: 14.1 percent.
Alternative quota: 56.25 percent.
(b) Second quarter:
Standard quota: 11.25 percent.
Alternative quota: 45.0 percent.
(c) Third quarter:
Standard quota: 9.4 percent.
Alternative quota: 37.5 percent.

[F. R. Doc. 51-10202; Filed, Aug. 21, 1951; 4:57 p. m.]

Chapter XVI—Production and Marketing Administration, Department of Agriculture

[Defense Food Order 5]

DFO-5—PROCEDURES OF THE PRODUCTION AND MARKETING ADMINISTRATION PURSUANT TO NPA DELEGATION 14 GOVERNING FILING OF APPLICATIONS FOR AUTHORIZED CONSTRUCTION SCHEDULES, ALLOTMENTS OF CONTROLLED MATERIALS AND DO RATINGS ON OTHER MATERIALS AND EQUIPMENT

It is hereby found and determined that the provisions of this order are necessary and appropriate to promote the national defense; and this order is, therefore, made effective pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., approved September 8, 1950; Pub. Laws 69 and 96, 82d Cong.) and delegations of authority thereunder (Executive Orders Nos. 10161 and 10200 (15 F. R. 6105; 16 F. R. 61); Defense Production Administration Delegation No. 1, as amended (16 F. R. 738, 4594); Defense Food Delegation No. 1 (15 F. R. 6424; 16 F. R. 2446, 3311, 3519); Memorandum of Agreement between Administrator (PMA) and Administrator (NPA), as amended (16 F. R. 3410, 7949); NPA Delegation 10 (16 F. R. 3669); and NPA Delegation 14, as amended (16 F. R. 7628)). Consultation with industry representatives and with representatives of trade associations in advance of the issuance of this order has been rendered impracticable by the fact that the order applies to all food trades and industries.

SUMMARY OF ORDER

This order sets forth the procedures of the Production and Marketing Administration governing the submission of, and actions on, applications for authorized construction schedules and for allotments of controlled materials and priority ratings for other necessary materials and equipment as provided for by NPA Order M-4A and CMP Regulation 6, with respect to the categories of construction for which authority is assigned to the Secretary of Agriculture by NPA Delegation 14. This order also indicates the procedures to be followed in submitting applications for exceptions or adjustments and appeals related thereto.

PROCEDURAL PROVISIONS

Sec.
1. Definitions.
2. Filing applications.
3. Notification of action.
4. Adjustments, exceptions and appeals.
5. Communications.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.

SECTION 1. *Definitions.* (a) "PMA" means the Production and Marketing Administration, United States Department of Agriculture.

(b) "OMF" means the Office of Materials and Facilities, PMA.

(c) "NPA" means the National Production Authority, United States Department of Commerce.

(d) "PMA State Office" means each PMA State Office and each PMA Insular Area Office listed in Appendix A of this order, as from time to time amended.

(e) "NPA Order M-4A" means NPA Order M-4A (16 F. R. 7703) as from time to time amended.

(f) "CMP Reg. 6" means CMP Regulation 6, as amended August 3, 1951 (16 F. R. 7709), and as from time to time further amended.

(g) "NPA Del. 14" means NPA Delegation 14, as amended (16 F. R. 7628), and as from time to time further amended.

(h) "Agricultural category of construction" means the following categories of construction: farm construction, including farmstead construction; food production and processing facilities, and wholesale food distribution facilities, within the limits of the Memorandum of Agreement between Administrator (PMA) and Administrator (NPA), 16 F. R. 3410, as from time to time amended or supplemented, responsibility for which is assigned to the Secretary of Agriculture by NPA Del. 14.

(i) "DFO-4" means Defense Food Order 4 (16 F. R. 7568), as from time to time amended.

(j) The terms "petition" and "appeal" shall have the respective meanings set forth for such terms in DFO-4.

(k) All other terms used in this order that are defined in NPA Order M-4A or CMP Reg. 6 shall have the same meaning as when used in the applicable NPA order or regulation.

SEC. 2. *Filing applications.* (a) Applications for authorized construction schedules, allotments of controlled materials and DO ratings for other materials and equipment, and other documents, prescribed by CMP Reg. 6 for, or relating to, any construction within an agricultural category of construction should be filed by the prime contractor with the PMA State Office in the State or insular area where the construction is to be performed. PMA State Offices will forward all applications and other documents to OMF. With respect to construction to be performed in the District of Columbia, such applications and other documents shall be filed with the Office of Materials and Facilities, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(b) Applications for allotments of controlled materials to be used during any calendar quarter should be filed not later than sixty (60) days before the beginning of such quarter.

SEC. 3. *Notification of action.* Written notification shall be given each applicant concerning the action taken by PMA with respect to his application.

SEC. 4. *Adjustments, exceptions and appeals.* An application for adjustment or exception as prescribed in section 18 of CMP Reg. 6, arising in connection with an agricultural category of construction, shall be deemed to be a petition and shall be filed in triplicate with OMF. Appeals shall be filed in quadruplicate with OMF. Such petitions and appeals shall be acted on in accordance with the provisions of DFO-4.

SEC. 5. *Communications.* All communications concerning this order, except those relating to adjustments, exceptions or appeals, shall be addressed to the PMA State Office in the State or insular area where the construction is to be performed, or to the Office of Materials and Facilities, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., if the construction is to be performed in the District of Columbia. All communications concerning adjustments, exceptions or appeals shall be addressed directly to the Office of Materials and Facilities.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Done in Washington, D. C., this 20th day of August 1951, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

APPENDIX A TO DEFENSE FOOD ORDER 5

LIST OF PMA STATE AND INSULAR AREA OFFICES

State of Insular Area and Location of Office

Alabama: Old Post Office Building, Montgomery.

Arizona: Union Investment Company Building, 415 South First Street, Phoenix.

Arkansas: 108½ West Third Street, P. O. Box 2781, Little Rock.
California: 2288 Fulton Street, Berkeley 4.
Colorado: 948 Broadway, Denver 3.
Connecticut: 500 Capitol Avenue, Hartford 6.
Delaware: Courtney and Academy Streets, Newark.
Florida: Seagle Building, Gainesville.
Georgia: Old Post Office Building, Athens.
Idaho: P. O. Box 4068, 1524 Vista Street, Boise.
Illinois: Standard Office Building, 124–132 South Water Street, Decatur 12.
Indiana: Fifth Floor, Illinois Street Postal Building, Indianapolis 9.
Iowa: Tenth and Mulberry Streets, Onthank Building, Des Moines 7.
Kansas: 1122 Moro Street, Manhattan.
Kentucky: Mill and Maxwell Streets, Lexington 29.
Louisiana: P. O. Box 8597 University Station, Baton Rouge.
Maine: University of Maine, Orono.
Maryland: P. O. Box 38, University of Maryland, College Park.
Massachusetts: University of Massachusetts, Amherst.
Michigan: Cahill Building, 200 North Capitol Avenue, Lansing 4.
Minnesota: 210 Main Post Office Building, St. Paul 1.
Mississippi: P. O. Box 1251, Masonic Building, 1130 West Capitol Street, Jackson 5.
Missouri: I. O. O. F. Building, Tenth and Walnut Streets, Columbia.
Montana: P. O. Box 149, 211 North Grand Street, Bozeman.
Nebraska: Third Floor, Trust Building, Lincoln 1.
Nevada: 818 South Virginia Street, Reno.
New Hampshire: 29 Main Street, Durham.
New Jersey: College Farm, New Brunswick.
New Mexico: State College.
New York: Byrne Building, 236 West Genesee Street, Syracuse 2.
North Carolina: State College Station, Raleigh.
North Dakota: 304 de Lendrecie Building, P. O. Box 2017, Fargo.
Ohio: 202 Old Federal Building, Columbus 15.
Oklahoma: Etherton Building, Sixth and Main Streets, Stillwater.
Oregon: 515 Southwest Tenth Avenue, Portland 5.
Pennsylvania: 928 North Third Street, Harrisburg.
Rhode Island: 71 Jackson Street, Providence 3.
South Carolina: P. O. Box 660, 1615 Hampton Street, Columbia 33.
South Dakota: 56 Third Street Southeast, Huron.
Tennessee: 129 Eighth Avenue, North Nashville 3.
Texas: AAA Building, College Station.
Utah: 222 Southwest Temple Street, Old Terminal Building, Salt Lake City 1.
Vermont: 102 Adams Street, Burlington 14.
Virginia: 609 East Main Street, Richmond 19.
Washington: Room 301, Hutton Building South 9, Washington Street, Spokane 8.
West Virginia: 144 Pleasant Street, Morgantown.
Wisconsin: 117 Monona Avenue, Madison 3.
Wyoming: P. O. Box 1211, 345 East Second Street, Casper.
Alaska: University of Alaska, College, Alaska.
Hawaii: Hawaiian Area Office, 303 Dillingham Building, Honolulu 16, T. H.
Puerto Rico and Virgin Islands: Caribbean Area Office, P. O. Box 4349, San Juan 21, P. R.

[F. R. Doc. 51–10344; Filed, Aug. 22, 1951; 11:13 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 745]

UTAH

WITHDRAWING PUBLIC LANDS AND RESERVED MINERALS IN PATENTED LANDS FOR USE OF THE UNITED STATES ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The public lands and the minerals reserved to the United States in patented lands in the following-described areas in Utah are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for the use of the United States Atomic Energy Commission:

SALT LAKE MERIDIAN

T. 22 S., R. 21 E.,
Secs. 25 to 28 inclusive, and secs. 31 to 36 inclusive.
T. 23 S., R. 21 E.,
Secs. 1 to 6 inclusive, and secs. 8 to 12 inclusive;
Sec. 15.
T. 22 S., R. 22 E.,
Secs. 19 to 36 inclusive.
T. 23 S., R. 22 E.,
Secs. 1 to 8 inclusive.
T. 22 S., R. 23 E.,
Secs. 19 and 20;
Secs. 27 to 36 inclusive.
T. 23 S., R. 23 E.,
Secs. 1 to 6 inclusive.

The areas described, including both public and non-public lands, aggregate 40,995.31 acres.

Any tract or tracts of land within the above-described areas to which valid claims have attached under the public-land laws prior to the date of this order, are excluded from the reservation hereby made: *Provided, however,* That upon the abandonment or extinguishment of such claims for any cause, the reservation shall immediately become effective as to such tract or tracts and the minerals therein.

The reservation made by this order shall be subject to existing withdrawals affecting any of the lands.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 16, 1951.

[F. R. Doc. 51–10067; Filed, Aug. 22, 1951; 8:48 a. m.]

[Public Land Order 746]

ALASKA

RESERVING CERTAIN LAND FOR THE USE OF THE ALASKA RAILROAD

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, 36 Stat. 847 (43 U. S. C. 141), and section 1 of the act of March 12, 1914, 38 Stat. 305, 307 (48 U. S. C. 304), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

The following-described tract of public land in Alaska is hereby withdrawn from settlement, location, sale, and entry, and other forms of disposal, and reserved for the use of the Alaska Railroad for railroad purposes:

Lot 2 block 3 Anchorage Town Site.

Executive Order No. 4258 of July 1, 1925, which reserved the above-described tract of land for the use of the Alaska Road Commission in the construction of certain military and post roads, bridges, and trails, is hereby revoked.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 17, 1951.

[F. R. Doc. 51–10068; Filed, Aug. 22, 1951; 8:48 a. m.]

[Public Land Order 747]

ARIZONA

CORRECTING THE LAND DESCRIPTION IN PUBLIC LAND ORDER NO. 680 OF OCTOBER 27, 1950

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, the land description in Public Land Order No. 680 of October 27, 1950, revoking Public Land Order No. 197 of December 20, 1943, and revoking in part Public Land Order No. 97 of March 16, 1943, so far as such description relates to lands in sec. 15, T. 7 S., R. 12 W., is hereby corrected to read as follows:

GILA AND SALT RIVER MERIDIAN

T. 7 S., R. 12 W.,
Sec. 15, S½NE¼ and S½.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 17, 1951.

[F. R. Doc. 51–10069; Filed, Aug. 22, 1951; 8:49 a. m.]

[Public Land Order 748]

ALASKA

CORRECTING THE LAND DESCRIPTION IN PUBLIC LAND ORDER NO. 690 OF NOVEMBER 22, 1950

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, the land description in Public Land Order No. 690 of November 22, 1950, which reserved lands for the use of the Department of the Air Force for military purposes, so far as such description relates to lands in sec. 32, T. 1 N., R. 1 E., Fairbanks Meridian, is hereby corrected to read as follows:

FAIRBANKS MERIDIAN

T. 1 N., R. 1 E.,
Sec. 32, E½SW¼ and SE¼.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 17, 1951.

[F. R. Doc. 51–10070; Filed, Aug. 22, 1951; 8:49 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9898]

PART 11—INDUSTRIAL RADIO SERVICES

PART 16—LAND TRANSPORTATION RADIO SERVICES

NEW POLICY ON LICENSING OF RELAY STATIONS IN THE INDUSTRIAL AND LAND TRANSPORTATION RADIO SERVICES

On February 17, 1951, the Commission adopted a notice of proposed rule making (Docket 9898) with respect to a revision of Part 11, Rules Governing Industrial Radio Services, and Part 16, Rules Governing Land Transportation Radio Services, to permit licensing of mobile relay stations in these services in certain situations where it appeared that no other satisfactory solution to an applicant's communication problem was possible. The period in which interested parties were afforded an opportunity to submit comments has expired and statements have been received from the following persons:

(a) Industrial group:
1. National Committee for Utilities Radio.
2. National Rural Electric Cooperative Association.
3. Rural Electrification Administration.
4. Central Committee for Radio Facilities, American Petroleum Institute.
5. National Forest Industries Communications.
6. Pineapple Growers Association.
7. Hawaiian Sugar Planters Association.

(b) Transportation group:
1. Association of American Railroads.
2. American Shortline Railroad Association.
3. Southern Railway Co.
4. New York Central Railroad Co.
5. Chicago, South Shore & Southbend Railroad.
6. National Bus Communications, Inc.
7. Consolidated Bus Lines, Inc.

(c) Manufacturing group:
1. General Electric Co.
2. Motorola, Inc.

While the comments are very helpful in many respects, it has become evident that it is not desirable for all parts of the proposal to be finalized at this time. Further, the comments raise an issue which goes beyond the scope of the original proposal, the proper disposition of which requires that all interested persons be given an opportunity to participate in a public hearing. There follows a detailed discussion and disposition of each of the principal issues involved.

1. *Eligibility.* As proposed, the rules restricted eligibility for mobile relay station authorizations to those cases where an applicant could show a substantial requirement for extended-range mobile-to-mobile communication greater than that obtainable by direct car-to-car communication on the same frequency. No distinction was made between the various services in this respect. While this met with the approval of most of those who filed, the railroads pointed out that although this concept may fit the area type of operation where mobile units operate generally in a circle about one or more base stations, it does not recognize the peculiar nature of railroad operations. The area over which railroad mobile units operate generally consists of a comparatively narrow strip extending in both directions from a base station located on or near the railroad right-of-way. Most of the communications are from point-to-train and in many cases these points, which generally are located at wayside offices, are at such distances from each other that the service areas of the base stations located thereat do not cover all the right-of-way between them. In circumstances such as these, it is not feasible to establish and man an intermediate base station, but it is practicable to locate an automatic unattended relay station at an intermediate point so as to extend the communication range of the base station. The nature of railroad operating practices is such that there is very little need for train-to-train communications when they are separated by a considerable distance.

The Commission is of the opinion that there may be such a difference between the use of radio by railroads and its use by many industrial operations to warrant, perhaps, a different approach. We do not believe, however, that the problem is limited to railroad operations. There are other users of radio who have need for a "ribbon" as against an "area" type of communications system. Further, it is not clear that the "ribbon" versus "area" type of operation would in and of itself establish a reasonable basis for different eligibility standards. To change the standard of eligibility for railroads, therefore, without giving others an opportunity to be heard on their particular needs would appear to be an arbitrary action based on inadequate information. On the other hand, there are many persons who have a need for mobile relay stations in their current operations and who can operate under the conditions as proposed. We do not believe it would be in the public interest to have such persons await a determination of this further issue. Accordingly, we are finalizing the eligibility portion of the rules as proposed and we are designating for hearing the question of expanding the concept to include extended-range point-to-mobile communications via mobile relay stations.

2. *Requirement for a coded signal device.* In order to protect other stations operating within the service area of a mobile relay station from undue interference that might be caused by frequent activation of the relay transmitter by undesired signals, the rules proposed that all mobile relay stations be so designed and installed that they normally would be activated only by means of a coded signal device. Since there undoubtedly are cases where the possibility of such interference is remote, it was believed that the coded signal requirement could be waived in particular cases. Accordingly, the Commission proposed that "* * * when the relay station is activated by signals received only on frequencies above 50 Mc, and when the applicant makes a satisfactory showing that his proposed station location is in an area normally free of undesired signals on frequencies which would activate the mobile relay station * * *" a waiver might be granted. The Commission invited comment on what factual information should be considered a satisfactory showing for waiver. The comments, generally, were to the effect that the language of the proposed rules was adequate, considering the provision for cancellation "* * * after ninety days notice if it later develops that the mobile relay station is in fact frequently activated by undesired signals and thereby causes harmful interference to other licensees." This ninety day cancellation provision is intended only as a means to end interference, to be applied in all cases where it occurs, irrespective of whether or not a coded signal device is used. To bring it into play would, as a practical matter, generally require much more than ninety days, during which time the effectiveness of the radio system of some third person operating within the service area of the relay station might be seriously jeopardized. It also is believed that the majority of serious interference problems will occur between stations located less than seventy-five miles apart. Until more experience is gained through the operation of Mobile Relay Stations, the Commission is not in a position to establish and administer flexible standards.

For these reasons we have substituted for the general standard originally proposed, the more specific requirement that, to obtain a waiver an applicant for a mobile relay station must determine that there are no other persons having equal rights to the frequency in question operating on the applicant's proposed mobile station frequency within a radius of seventy-five miles of the proposed mobile relay station location. To accommodate those special situations where there may be licensees operating within this seventy-five mile radius on the same frequency who desire to coordinate activities, as in the case of many rural electric cooperatives, compliance with this section may be effectuated by submitting the written consent of each licensee within the area confirming the fact that they have no objection to the proposed operation. In any event, however, should interference in fact develop and complaint be received, the waiver may be cancelled after ninety days notice.

3. *Use of mobile service frequencies by operational fixed (control) stations.* The proposed rules would have permitted operational fixed (control) stations in a mobile relay system to operate on frequencies allocated to the mobile service. At the present time, all such stations licensed under the provisions of Parts 11 and 16 must employ frequencies available for fixed service operations. The use of mobile frequencies for control purposes, while convenient, is not essential to the satisfactory functioning of radio systems employing mobile relay stations. A reexamination of the proposal, therefore, leads us to the conclusion that the effect of its adoption would be to discriminate in favor of those who could qualify for mobile relay stations as against users of conventional systems. Furthermore, while the operation of control circuits on mobile service frequencies may not be essential to mobile relaying where such systems are limited to extended-range

mobile-to-mobile communications, it may be of importance in the type of operation proposed by the railroads on which hearing is to be held, i. e., whether or not mobile relay stations should be authorized to extend the range of point-to-mobile communications. Accordingly, although no comments were filed on the question, we believe it is more appropriate to delete this aspect of the proposal from the final rules and include it as an issue in the aforementioned hearing. Pending a final determination, all operational fixed (control) stations will be governed by the pertinent provisions of Parts 11 and 16 currently in effect.

4. *Establishment of 47 Mc as the minimum "triggering" frequency.* The notice of proposed rule making set 47 Mc as a compromise minimum frequency for "triggering" mobile relay stations. Since there are no mobile service frequencies above 47 Mc sub-allocated to the Intercity Bus Service, the net effect of the limitation is to preclude the use of such stations in this service. To this, National Bus Communications, Inc., and Consolidated Bus Lines, Inc., objected. The Commission recognizes that this figure does not make complete provision for all otherwise eligible persons who may wish to establish a mobile relay station, and that therefore it may cause hardship in certain cases. However, all persons are agreed that some line of demarcation is necessary since indiscriminate use of all mobile service frequencies for this purpose will intensify the problem of interference.

Furthermore, the spokesmen for the bus industry do not claim that there is any present need for mobile relay stations in their service. They state, however, that as the service develops and radio is used over more isolated routes, the use of such stations then will be indispensable for extending the bus-to-bus communication range in such areas. In view of all these factors, therefore, the Commission is rejecting the protests of the bus operators at this time. Perhaps by the time the bus operators are ready to extend their use of radio so that the mobile relay stations are of immediate and not prospective importance, sufficient experience may be gained from operations in other services to indicate that the "triggering" frequency can be lowered safely.

5. *Petition of the New York Central Railroad.* On May 9, 1950, the New York Central Railroad Company filed a petition requesting that Part 16 of the Commission's rules be amended to permit the railroads to operate a relay system on frequencies allocated for mobile service use to extend the range of mobile-to-mobile, base-to-mobile, and base-to-base communications. The rules, as adopted, permit the use of mobile relay stations to extend the range of mobile-to-mobile communications. To this extent, therefore, the petition is granted. The question of permitting use of mobile relay stations to extend the range of base-to-mobile communications has been set for hearing as indicated above.

There remains the question of the use of mobile relay stations to extend the range between Base Stations. Stated in this manner, the proposition seems to be reasonable and, in fact, the railroad service rules permit communication between base stations on a non-interference basis to the mobile service. The difficulty with the proposed system, however, is found in the fact that the stations involved would not be base stations. The stations from which the communications originate would be operational fixed (control) stations and the station relaying the message would be a fixed relay station. Thus, in effect, the New York Central is proposing two radio systems, each utilizing two mobile service frequencies. The first system involves communications with rolling stock, in which case, under present rules, point-to-point communications are permitted on a secondary basis. The second system, however, would be designed exclusively for point-to-point communication. This is contrary to all previous determinations by the Commission of the manner in which the various frequencies may be utilized. Because certain frequencies are peculiarly adapted to mobile operations, their prime usage is limited to such purposes. Where a radio system is designed for point-to-point operations, it should utilize frequencies allocated to the fixed service. Until the vast demand for mobile communications has been satisfied, it would appear that the public interest demands that this line of demarcation be maintained. Accordingly, in this respect the petition is denied.

6. *Interconnection of a multiplicity of mobile relay stations in large systems.* The proposed rules provided that any necessary circuits for interconnection of two or more mobile relay stations in the same radio system should be provided by means of wire lines or fixed service frequencies. The purpose of this restriction was to limit each radio system employing one or more mobile relay stations to a total of two mobile service frequencies regardless of the number of mobile relay stations installed. Motorola, Incorporated, recommended that this part of the proposal not be adopted because there are some situations in which the interconnection cannot be provided economically unless VHF mobile service frequencies are used. This recommendation is being rejected for the following reasons:

a. The interconnection facilities would require assignment of additional mobile service frequencies to each licensee of such a system.

b. It is difficult to see how the Commission could authorize use of VHF mobile service frequencies for point-to-point interconnection of mobile relay stations and continue to deny use of such frequencies for a host of other more or less meritorious fixed service purposes.

c. Use of VHF mobile service frequencies for interconnection of mobile relay stations is in general a convenience rather than a necessity. Fixed service frequencies are available on a nationwide basis. The only deterrent to their use in most cases is one of cost. In the absence of more complete information than this record discloses, cost alone is considered not to be sufficiently a factor to justify use of VHF mobile service frequencies for such interconnection purposes.

7. *General considerations.* For clarification purposes the definition of a mobile relay station has been revised. It is believed that this change is desirable since the definition as originally proposed appeared to many persons to prohibit all transmission of mobile service messages between operational fixed (control) stations and mobile stations via a mobile relay station, a result not intended.

It will be noted that while the section concerning operation of mobile relay stations in the industrial radio services has been placed in Subpart A of Part 11 as a matter of general information, it has been made a part of Subpart H, the railroad radio service, in Part 16, rules governing land transportation radio services. The reason for this rearrangement is found in the fact that by reason of the requirement of 47Mc as the minimum "triggering" frequency and the specific exclusion of the taxicab and automobile emergency services, the section is of interest only to the railroad service.

No special distinction will be made between attended and unattended mobile relay stations.

The operation of mobile relay stations requires the assignment of two mobile service frequencies per radio system. In this connection, comment was requested as to whether or not such radio systems should be permitted to operate on two frequencies at all times or whether the two-frequency operation should be confined to those periods when the mobile relay station is functioning as such. The comments stated that because of the technical considerations involved in switching from single to two-frequency operation and vice versa, the two-frequency operation should be permitted at all times. In this we concur.

Accordingly, *It is ordered,* This 15th day of August 1951, that Part 11, rules governing industrial radio services, and Part 16, rules governing land transportation radio services, are amended as set forth below, effective the 24th day of September 1951.

It is further ordered, That the questions of extended-range point-to-mobile communications and the use of mobile frequencies for operational fixed (control) stations in mobile relay systems, as discussed above, are designated for hearing as set forth in the further notice of proposed rule making issued concurrently herewith.[1]

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082, as amended; 47 U. S. C. 301, 303)

Released: August 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

1. Changes in Part 11, industrial radio services:

a. In § 11.3 *Definition of terms,* delete present paragraphs (i) and (j), which

[1] See F. R. Doc. 51-10026, in the Proposed Rule Making Section, *infra.*

now define "Relay Station" and "Repeater Station", respectively, and substitute the following:

(i) *Fixed relay station.* An operational fixed station in the fixed service, established to receive radio signals directed to it from any source and to retransmit them automatically on a fixed service frequency for reception at one or more fixed points.

(j) *Mobile relay station.* A base station in the mobile service, authorized primarily to retransmit automatically on a mobile service frequency communications originated by mobile stations.

b. Add § 11.7 as follows:

§ 11.7 *Relay stations*—(a) *General.* Relay stations are used to extend the range of communication between another radio station and the point with which it is desired to communicate. For the purposes of the rules in this part, there are two types of relay stations: Mobile relay stations and fixed relay stations. For definitions see § 11.3.

(b) *Mobile relay stations.* The policies governing authorization and operation of this type of relay station are as follows:

(1) Each application for a new mobile relay station authorization shall be accompanied by a satisfactory showing that the applicant has a substantial requirement for prompt mobile-to-mobile communication over ranges greater than can be realized consistently by direct communication on the frequency presently assigned, or, in the case of a proposed new radio system, on any available frequency. (Measurements obtained by use of low-power transmitters of the hand-carried or pack-carried type will not be accepted in satisfaction of the requirements of this subparagraph.)

(2) A mobile relay station may be authorized to operate on any mobile service frequency available for assignment to base stations.

(3) Each mobile relay station shall be so designed and installed that it normally will be activated only by means of a coded signal or signals or such other means as will effectively prevent its activation by undesired signals: *Provided, however,* That this requirement may be waived when both of the following conditions are met:

(i) The radio system is shown to be so designated that the mobile relay station normally is capable of activation only by signals received on frequencies above 50 Mc; and

(ii) The applicant for a mobile relay station authorization either verifies that no person having equal rights to the frequency in question is operating on the mobile station frequency within a radius of seventy-five miles of the proposed mobile relay station location, or, alternatively, obtains and submits with the application the written consent of each such person to installation of the proposed mobile relay station and its operation on a regular basis for a trial period of one year from the date a station license is granted by the Commission. In any event, a waiver granted under the provisions of this subparagraph may be cancelled after ninety days notice by the Commission if it develops that the mobile relay station is in fact consistently activated by undesired signals and thereby causes harmful interference to other licensees.

(4) Each mobile relay station shall be so designed and installed that it will be deactivated automatically when its associated receivers are not receiving a signal on the frequency or frequencies which normally activate it.

(5) Each mobile relay station required by the terms of subparagraph (3) of this paragraph to be activated by a coded signal shall be so designed and installed that it will be deactivated upon receipt or cessation of a coded signal or signals and, in addition, shall be provided with an automatic time-delay or clock device which will deactivate the station not more than three minutes after its activation.

(6) A mobile station associated with one or more mobile relay stations may be authorized to operate only on a mobile service frequency above 47.0 Mc which is available for assignment to mobile stations.

(7) An operational fixed (control) station associated with one or more mobile relay stations will be authorized to operate only on a frequency available for assignment to stations operating in the fixed service.

(8) In any radio system which employs more than one mobile relay station, where there is a requirement that stations in the vicinity of one mobile relay station be able to communicate automatically with stations in the vicinity of other mobile relay stations, any necessary circuits for interconnection of the mobile relay stations shall be provided by means of wire lines or radio stations operating on fixed service frequencies.

(9) Mobile relay stations will not be authorized in the low power industrial radio service.

(c) *Fixed relay stations.* Fixed relay stations will be authorized to operate only on frequencies available for use by operational fixed stations.

c. In § 11.58 *Supplemental information required with applications for control, repeater, or relay stations,* delete the word "repeater" from the title and text of this section.

d. In §§ 11.254, 11.304, 11.354, 11.404, 11.454, and 11.504 *frequencies available for base, mobile and operational fixed stations,* delete present subparagraph (3) of paragraph (b) from each of these sections, as shown in Rule Amendment 11–2 published in the FEDERAL REGISTER June 30, 1950 (15 F. R. 4195), and substitute the following:

(3) Fixed relay stations may be used to provide two automatic retransmissions of a mobile service message. Additional automatic retransmissions on these frequencies by means of such stations is prohibited.

2. Changes in Part 16, Land Transportation Radio Services:

a. In § 16.6 *Definition of terms,* delete present paragraphs (p) and (q), which now define "relay station" and "repeater station," respectively, and substitute the following:

(p) *Fixed relay station.* An operation in the fixed service, established to receive radio signals directed to it from any source and to retransmit them automatically on a fixed service frequency for reception at one or more fixed points.

(q) *Mobile relay station.* A base station in the mobile service, authorized primarily to retransmit automatically on a mobile service frequency communications originated by mobile stations. (Authorized in the railroad radio service only.)

b. Add § 16.355 as follows:

§ 16.355 *Relay stations*—(a) *General.* Relay stations are used to extend the range of communication between another radio station and the point with which it is desired to communicate. For the purposes of the rules in this part, there are two types of relay stations: Mobile relay stations and fixed relay stations. For definitions, see § 16.6.

(b) *Mobile relay stations.* The policies governing authorization and operation of this type of relay station are as follows:

(1) Each application for a new mobile relay station authorization shall be accompanied by a satisfactory showing that the applicant has a substantial requirement for prompt mobile-to-mobile communication over ranges greater than can be realized consistently by direct communication on the frequency presently assigned, or in the case of a proposed new radio system, on any available frequency. (Except for radio systems in railroad yard or terminal areas, range measurements obtained by use of low-power transmitters of the hand-carried or pack-carried type will not be accepted in satisfaction of the requirements of this subparagraph.)

(2) A mobile relay station may be authorized to operate on any mobile service frequency available for assignment to base stations.

(3) Each mobile relay station shall be so designed and installed that it normally will be activated only by means of a coded signal or signals or such other means as will effectively prevent its activation by undesired signals: *Provided, however,* That this requirement may be waived when both of the following conditions are met:

(i) The radio system is shown to be so designed that the mobile relay station normally is capable of activation only by signals received on frequencies above 50 Mc; and

(ii) The applicant for a mobile relay station authorization either verifies that no person having equal rights to the frequency in question is operating on the mobile relay station frequency within a radius of seventy-five miles of the

proposed mobile relay station location or, alternatively, obtains and submits with the application the written consent of each such person to installation of the proposed mobile relay station and its operation on a regular basis for a trial period of one year from the date a station license is granted by the Commission.

In any event, a waiver granted under the provisions of this subparagraph may be cancelled after ninety days notice by the Commission if it develops that the mobile relay station is, in fact, consistently activated by undesired signals and thereby causes harmful interference to other licensees.

(4) Each mobile relay station shall be so designed and installed that it will be deactivated automatically when its associated receiver or receivers are not receiving a signal on the frequency or frequencies which normally activate it.

(5) Each mobile relay station required by the terms of subparagraph (3) of this paragraph to be activated by a coded signal shall be so designed and installed that it will be deactivated upon receipt or cessation of a coded signal or signals, and, in addition, shall be provided with an automatic time-delay or clock device which will deactivate the station not more than three minutes after its activation.

(6) A mobile station associated with one or more mobile relay stations may be authorized to operate on any available mobile service frequency.

(7) An operational fixed (control) station associated with one or more mobile relay stations will be authorized to operate only on a frequency available for assignment to stations operating in the fixed service.

(8) In any radio system which employs more than one mobile relay station, where there is a requirement that stations in the vicinity of one mobile relay station be able to communicate automatically with stations in the vicinity of other mobile relay stations, any necessary circuits for interconnection of the mobile relay stations shall be provided by means of wire lines or radio stations operating on fixed service frequencies.

(c) *Fixed relay stations.* Fixed relay stations will be authorized to operate only on frequencies available for use by operational fixed stations.

c. In § 16.58 *Supplemental information required with applications for control, repeater, or relay stations,* delete the word, "repeater" from the title and text of this section.

[F. R. Doc. 51-10029; Filed, Aug. 21, 1951; 8:53 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-43]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

LEASE AND INTERCHANGE OF VEHICLES BY MOTOR CARRIERS

Upon further consideration of the record in the above-entitled proceeding, and upon consideration of telegraphic request of H. Nathan Swaim, Judge of the United States Court of Appeals for the Seventh Circuit, for postponement of the effective date of the order to allow time to assemble a three-judge court to hear and decide suit to enjoin and set aside the Commission's order herein:

It is ordered, That the order entered in said proceeding on May 8, 1951, which was subsequently modified to become effective September 1, 1951, be, and it is hereby, further modified to become effective November 1, 1951.

Dated at Washington, D. C., this 17th day of August A. D., 1951.

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10087; Filed, Aug. 22, 1951; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR Part 40]

EXCESS PROFITS TAXES: TAXABLE YEARS ENDING AFTER JUNE 30, 1950

NOTICE OF PROPOSED RULE MAKING

Correction

In Federal Register Document 51-9833, appearing at page 8115 of the issue for Thursday, August 16, 1951, the following changes should be made:

1. Paragraph (b) of § 40.461-7 should read as follows:

(b) *Application of Part II in certain types of transactions described in section 461 (a) (1) (E).* In the case of a Part II transaction described in section 461 (a) (1) (E) which involves—

(1) A transfer by a component corporation to an acquiring corporation which was not created incident to the transaction, or

(2) A transfer to an acquiring corporation, whether or not the acquiring corporation was created incident to the transaction, of properties by more than one component corporation, where one or more of such component corporations transferred less than substantially all of its properties,

the acquiring corporation shall compute its excess profits credit under Part II as though each component corporation in any such transaction which transferred less than substantially all of its properties had transferred those properties to a corporation created incident to the transaction in a transaction described in section 461 (a) (1) (E) and such corporation had immediately thereafter transferred all of such properties to the acquiring corporation in a Part II transaction other than a transaction described in section 461 (a) (1) (E). See section 461 (e), relating to component corporations which were acquiring corporations in a previous Part II transaction.

2. The introductory paragraph of § 40.462-10 (a) (2) should read as follows:

(2) Except to the extent duplication of experience occurs, no adjustment is necessary under section 462 (j) (1) if, in view of all the circumstances of the transaction in which the stock of the component corporation is acquired, it is determined that no assets have left the group as a result of the transaction, and if it is established to the satisfaction of the Commissioner that the transaction is not in pursuance of a plan having as one of its principal purposes the avoidance of Federal income or excess profits taxes; for example—

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 925]

[Docket No. AO-226-A1]

HANDLING OF MILK IN PUGET SOUND, WASHINGTON, MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Seattle, Washington, on August 7-8, 1951, pursuant to notice thereof issued on July 27, 1951 (16 F. R. 7463).

The material issues of record related to:

(1) Revision of the price differentials (over basic formula price) for Class I milk;

(2) Elimination of the portion of the marketing area lying within Pacific County, Washington, from coverage by the order; and

(3) The emergency character of marketing conditions and the need for immediate change in the order provisions.

Issues numbered (1) and (3) above are covered by the findings and conclusions made in this decision. It is determined that emergency action is required on such issues. It is concluded that the remaining issue should not be decided under emergency procedure and should not delay action on the matters included under issue (1). Decision on issue (2) therefore is reserved to a later date.

Rulings on proposed findings and conclusions. Only one of the briefs filed on behalf of producers or handlers contained proposed findings and conclusions with respect to issues Nos. (1) and (3). To the extent that the findings and conclusions of this decision are at variance with such proposed findings and conclusions, the request to make such findings and conclusions is hereby denied.

Findings and conclusions. The following findings and conclusions on the issues decided herein are hereby made upon the basis of the record of the hearing:

(1) The price differential added to the basic formula price for Class I milk should be revised to provide for (i) a temporary increase in the differential, and (ii) the adoption of a "contraseasonal" price adjustment.

From the information submitted at the hearing, milk production available to supply the Puget Sound marketing area has been on the decline for more than a year. This decline has been accompanied by a decrease in the number of producers since June 1950. Recent drought conditions have increased the supply problem for the next several months to emergency proportions. Although substantial numbers of farmers in the supply area produce manufacturing grade milk, relatively few are making the necessary outlays to convert to the production of Grade A milk. This could indicate that the differential over the basic formula price is insufficient to procure necessary supplies of milk for the market area.

Past experience discloses a production pattern for the market under which there is a decline seasonally by approximately 60 percent between June and November. June production this year was 8 percent below the level of June 1950. This indicates a total Grade A supply available next for November of slightly more than 33,000,000 pounds, which is less than the known level of Class I sales. If the supply should decrease to such level in November, the market would be approximately 10 percent short of meeting its needs for Grade A milk.

Pasture, hay and feed conditions have been adversely affected by an unprecedented drought during the past four months. Total precipitation in the area was 2.26 inches in this period, which is only 36 percent of normal and the lowest recorded since 1900. Temperatures have been somewhat above normal in the same months. Home grown hay supplies are estimated at 78 percent of last year's total while supplies of silage are 92 percent of the amount made last year. Pastures for the State of Washington were only 79 percent of normal in July. In the Puget Sound milkshed, however, pastures had deteriorated badly by July 1 due to the lack of rain and approached 65 percent of normal at that date. This condition in the milkshed has been aggravated further by extremely dry weather since July 1. Such pasture conditions are in sharp contract to those of the midwest section of the country where pastures are rated good to excellent and to the good to excellent rating for the Puget Sound milkshed in July 1950. Estimates of hay production indicate a record crop for the Nation as a whole, but a somewhat smaller crop in the western States, and particularly in western Washington, as compared with last year. Puget Sound area producers will begin supplementary feeding approximately 54 days earlier this year than in 1950. The above feed production conditions are prevalent in all segments of the milk supply area and will necessitate increased expenditures by producers for purchased feed originating east of the Cascade Mountains if production is to be maintained this fall at a level adequate to meet market requirements and if milk cows are to be kept in proper condition to give full production in 1952. Prices of the principal feed supplements such as oats, barley and millfeed have advanced since a year ago.

Farm labor rates in the supply area have increased since last year. Present wage levels for hired farm help in the State of Washington are the highest for the United States, being $220.00 per month "with house" as compared with $146.00 as the United States average. Figures for Oregon and California are $199.00 and $208.00, respectively. When compared with last year's level the increase in Washington has been higher than for Oregon, California or the United States as a whole. Wages "with board" show a highly similar trend.

Present business conditions indicate a continued strong demand for Grade A milk supplies. Purchasing power in the marketing area has increased since a year ago. Department store sales have increased 15 percent over last year as compared with 9 percent nationally. Non-agricultural employment in Washington as of May was 8.3 percent above May 1950 as compared with 4 percent for the nation.

Facing the above conditions ten producers' associations in the area have proposed an increase in the price differential for Class I milk of 42 cents (to $1.87) to be accompanied by (a) a specific "floor" under the price to be effective through March 1952, (b) a supply-demand adjustment to be applied in the determination of the effective price differential, and (c) a "contraseasonal" price provision to prevent price increases in the months of seasonally high production and price reductions in the months when production usually is at the lowest level for the year. It is concluded on the basis of the evidence that the Class I price differential should be increased from $1.45 to $1.87 per hundredweight of milk until the end of March 1952. This change should assist producers to meet higher out-of-pocket expenditures which may be expected during the next several months and therefore to maintain needed market supplies. However, in view of (a) the fact that such increase will take effect following the time of year when basic formula prices normally are at their low point, and (b) the contraseasonal price provision included, it does not appear necessary to provide a specific "floor" price even for the temporary period proposed. A contraseasonal price provision will assist in providing a seasonal movement of prices which will encourage an improved production pattern. Although there would be merit in applying a supply-demand adjustment for the automatic and prompt revision of the Class I price differential as milk production and Class I sales change relative to each other, it is concluded that insufficient information exists at this time for the development of a provision which could be expected to work adequately over a period of time. At this time only one month's statistics on market sales and production are available for study. No information of this kind has been collected for the season of shortest production. It appears that a more satisfactory approach to the development of such type of provision will be possible in light of additional information on market trends.

(2) The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the opportunity for exception thereto, on the above issue.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the attached order effective would defeat the purpose of such amendment. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereto, would make such relief ineffective. The propriety of omitting the recommended decision and opportunity of filing exceptions thereto with respect to all proposals considered was indicated by proponents on the record and no objection was raised.

General findings. (a) The proposed marketing agreement and the order as hereby proposed to be amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the proposed marketing agreement and in the order as hereby proposed to be amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order as hereby proposed to be amended, will regulate the handling of milk in the same manner as,

and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of June 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Puget Sound, Washington, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 20th day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] Amending the Order Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area

§ 925.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Washington, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Puget Sound, Washington, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended as follows:

1. Delete § 925.51 (a) and substitute therefor the following:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price plus $1.87 through March 1952 and thereafter the basic formula price plus $1.45: *Provided,* That the price for Class I milk for the months of April through June, inclusive, of any year shall not be higher than the price computed pursuant to the above provisions of this paragraph for the month of March immediately preceding, and the price for Class I milk for any October through January period, inclusive, shall not be lower than the price computed pursuant to the above provisions of this paragraph for the month of September immediately preceding.

Order of the Secretary Directing That a Referendum Be Conducted Among the Producers Supplying Milk in the Puget Sound, Washington, Marketing Area, and Designation of an Agent to Conduct Such Referendum

Pursuant to Section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the order regulating the handling of milk in the Puget Sound, Washington, marketing area) who, during the month of June 1951 were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order amending such order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

Nicholas L. Keyock is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177).

[F. R. Doc. 51–10111; Filed, Aug. 22, 1951; 8:56 a. m.]

[7 CFR Part 940]

PEACHES GROWN IN THE COUNTY OF MESA IN COLORADO

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND THE FIXING OF THE RATE OF ASSESSMENT FOR THE 1951–52 FISCAL YEAR

Consideration is being given to the following proposals which were submitted by the Administrative Committee, established under the marketing agreement, as amended, and Order No. 40, as amended (7 CFR Part 940), regulating the handling of peaches grown in the County of Mesa in the State of Colorado, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $1,200.00 are likely to be incurred by said committee during the fiscal year beginning March 1, 1951, and ending February 29, 1952, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal year, the rate of assessment at $0.01 per bushel basket of peaches, or its equivalent of peaches in other containers or in bulk, shipped by such handler during said fiscal year.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C. not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 20th day of August 1951.

S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51–10114; Filed, Aug. 22, 1951; 8:53 a. m.]

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[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

[7 CFR Part 944]

[Docket Nos. AO-105-A8, AO-174-A5]

HANDLING OF MILK IN THE QUAD CITIES AND CLINTON, IOWA, MARKETING AREAS

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act," and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed order amending the orders, as amended, regulating the handling of milk in the Quad Cities and Clinton, Iowa, marketing areas. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed marketing agreement and order were formulated was conducted at Rock Island, Illinois, on May 21-24, 1951, pursuant to notice thereof which was issued on May 2, 1951 (16 F. R. 4140).

The material issues of record related to:

1. The merger of Orders No. 44 and 70 regulating the handling of milk in the Quad Cities and Clinton, Iowa, marketing areas;
2. Extending the combined marketing area to include all the territory now regulated by Order No. 12, regulating the handling of milk in the Dubuque, Iowa, marketing area, as well as certain territory contiguous to the present Quad Cities and Clinton, Iowa, marketing areas;
3. Revising the classification of milk;
4. Revising class prices;
5. Termination of the provisions relating to emergency milk;
6. Defining the obligations of country plants;
7. Providing country plant differentials;
8. Revising the butterfat differential to producers;
9. Changing the rates of assessment for the marketing service and administrative funds; and
10. Other administrative changes necessitated by the merger of the two orders.

Findings and conclusions. The following findings and conclusions on the material issues are based upon the evidence in the record.

1. Order No. 70 regulating the handling of milk in the Clinton, Iowa, marketing area should be consolidated with Order No. 44, regulating the handling of milk in the Quad Cities marketing area.

The evidence clearly indicates that in recent years the character of the industry in the two markets has so changed that there is no longer a clearly defined break between the two areas. The overlapping and intermingling of routes both for the procurement and distribution of milk have increased to the point where the two areas must be considered a single homogeneous market. There appears to be full reciprocity between the several health departments involved. Milk approved by the City of Clinton is eligible for sale in any of the municipalities of the Quad Cities, and Clinton authorities will permit the sale of any milk which has been approved by any of the cities in the Quad Cities.

Substantial quantities of milk and dairy products are distributed in the Clinton area by handlers from Quad Cities, while Clinton handlers operate routes through practically the entire Quad Cities area. There is active competition for business between the two groups of handlers in the territory lying between and adjacent to the two marketing areas.

The area from which Clinton draws its milk is entirely encompassed by the Quad Cities' milkshed, and the producers for the two markets are extensively intermingled. Producers are in a position to ship to either market with equal facility and whenever prices in one market have been out of line with prices in the other market, there has been a shifting of producers from the one market to the other. These markets have been so closely interrelated that in recent years it has been necessary to hold hearings in both markets whenever an adjustment appeared necesary in either market. Although there have been slight variations in classification between the two markets, the prices have been so adjusted that costs to handlers and returns to producers have been virtually identical. A comparison of uniform prices under the two orders for the years 1949 and 1950, shows that while the prices between the two markets in some months varied several cents, the average yearly returns were virtually the same. The simple average of the uniform prices received by Quad Cities producers in 1949 was $3.714 per hundredweight, while Clinton producers received $3.738. In 1950, the respective prices were $3.715 and $3.719.

From the foregoing it has been concluded that there is no longer a reasonable basis for distinguishing between the two areas. In the interest of administrative facility and economy the two marketing areas should be combined under a single order.

To accomplish the merger effectively and most equitably the funds in the custody of the market administrator in the administrative, marketing service and producer-settlement funds under the Clinton order should be combined with the moneys in the similar funds under the Quad Cities order when the merger is effected. Any other method of liquidating the several funds under the Clinton order would be inequitable since it would unduly burden the handlers and producers now regulated by the Quad Cities order.

2. The marketing area should not be expanded to include any additional territory not now covered by either Order No. 44 or Order No. 70.

It was proposed by the cooperative association in the Dubuque market that the area be extended to include the territory now covered by the Dubuque order—Order No. 12. The record evidence does not support the proposal. There is apparently no reciprocity between the Dubuque health authorities and those of the several cities in the Clinton-Quad Cities area. Thus any surplus in the Dubuque market would not be available to alleviate any seasonal shortages of Grade A milk in Clinton and the Quad Cities, but would merely serve to reduce the uniform prices to producers in the latter markets. This could only serve to make more difficult the task of securing an adequate supply for Clinton and the Quad Cities at this time.

While the two milksheds are in part contiguous, there is apparently little overlapping of routes. No milk is regularly disposed of in one area by handlers from the other area, although small lots of milk have on occasion been received in Clinton plants from Dubuque handlers.

One of the handlers proposed that the marketing area be expanded to include all of Clinton, Scott and Muscatine Counties in Iowa, and all of Rock Island County, Illinois. Except for the present Clinton and Quad Cities marketing areas, this area is most rural in character. There are only four communities having populations in excess of 1,000, and of these only the City of Muscatine (approximately 21,000) has a population of 2,500 or more. Moreover there are no effective health regulations in these outlying areas. The City of Muscatine several years ago passed a Grade A ordinance but it has not been applied. At the present time the only Grade A milk distributed in Muscatine originates in the Quad Cities. The four plants located within the city are distributing non-Grade A milk. Accordingly, to extend the marketing area to include this territory while restricting its application to Grade A milk would be a meaningless gesture since no additional handlers would be brought within the scope of the regulation. No proposal was made and no evidence presented on behalf of regulating non-Grade A milk.

A proposal was made also to include within the marketing area the township of Port Byron, a small community in Rock Island County, Illinois, immediately adjacent to the present marketing area. This proposal should be denied for the same reasons that the proposal to include the entire county should be denied.

3. The amended order should provide for three classes of milk. Class I should include fluid milk, milk drinks, cream and concentrated milk for fluid use; Class II should include the less concentrated products such as ice cream, evaporated and condensed milk and aerated products, such as Reddi-Wip; and Class III should contain butter, cheese, casein,

nonfat dry milk solids, animal feed and a limited amount of shrinkage.

This proposed classification is virtually identical to that contained in the present Clinton order, and varies from that provided in the Quad Cities order primarily in that it combines in the same class with fluid milk, milk used for flavored milk drinks, buttermilk and cream.

The record clearly indicates that all products which are required to be made from Grade A milk should be classified as Class I and should return to producers the highest price provided in the order. This is the practice which has been followed in Clinton and in most other markets under regulation. As in the past in both markets unaccounted for skim milk and butterfat and shrinkage in excess of the allowable maximum should also be classified as Class I.

Class I should also include the product generally referred to as "concentrated milk" which has been introduced in a number of markets. While its distribution has not yet been undertaken in the marketing area, there are one or more plants fairly close to the marketing area which are currently manufacturing this product and it is anticipated that it may be introduced in the market in the near future. This product is not sterilized and is disposed of to consumers for consumption in fluid form by the addition of water, or it may be used in the concentrated form as a cream substitute in coffee or on cereals. While the local health authorities have not made a formal ruling as to the requirements for milk to be concentrated, the record indicates a necessity for the product to be made from milk meeting the same requirements as are applicable to fluid whole milk. Accordingly it has been concluded that concentrated milk should properly be classified as Class I milk.

As is currently the case in both Clinton and Quad Cities, the amended order should provide two classes for surplus milk. The identification of the products in these classes, however, should be revised. Class II should continue to contain those products for which there is a local market such as ice cream ingredients and cottage cheese and the less concentrated products such as evaporated milk and condensed milk. Class II should also contain milk or cream sold to wholesale bakeries, candy manufacturers and soup companies. Such establishments are not required to use Grade A milk in their products and are able to purchase milk or cream for use in these products at less than the Class I price from nonregulated plants. Classifying such milk in Class II will permit handlers to compete for this type of trade and will provide an additional outlet for seasonal surpluses at a higher return to producers than can be obtained from the use of such milk in butter or cheese.

Aerated products such as Reddi-Wip and Instant Whip also should be classified in Class II. While these products are directly competitive with fluid cream for the consumer trade, they are not required to be made from Grade A milk and must compete with similar products from unregulated plants. At the hearing producers abandoned their proposal to place such products in Class I, and stated that they should properly be classified in Class II.

The proposed Class III varies from the present definitions of Class III in Clinton or Class IV in Quad Cities only by the addition of nonfat dry milk solids. Until very recently this product was not manufactured by any handler and was not specified in the orders. Accordingly, it fell within the catch-all phrase, "other milk products" in the same class as ice cream and cottage cheese. Since these dry solids provide a concentrated storable product, they may be properly classified in the same class as cheese, butter, and casein.

Some testimony was offered in opposition to the revised classification recommended herein. One handler argued that fluid cream should continue to be classified separately from fluid milk. The evidence, however, does not support this position, since the health regulations apply equally to both fluid milk and cream. The same handler proposed that there be only one class for manufacturing milk to be priced at the higher manufacturing level. The evidence indicates, however, that at least during the period of flush production, facilities in the market are not adequate to absorb the entire receipts of the market in the more favorably priced products and it is necessary that some milk be manufactured into those products which yield a lower return. As the supply of milk increases to a point where it will more nearly meet the demands of the market, the volume of milk going into low return items will increase. Accordingly, it has been concluded that two classes must be provided for proper handling of the surplus milk on the market.

A further proposal was made that bulk condensed skim milk be classified in the lowest class with nonfat dry milk solids. The principal market for milk solids in this form is the local ice cream industry and most of the condensed skim manufactured is ultimately used locally in ice cream or ice cream mix. It appears proper to continue to classify condensed skim milk in the class with ice cream and ice cream mix.

4. The class prices should be revised.

The evidence indicates that the Quad Cities market is becoming increasingly competitive with the Chicago market in the procurement of producer supplies. It is apparent that this trend will continue in the future. The Class I prices in the Quad Cities market must be maintained at or close to their historical relationship with Chicago or it will be at a competitive disadvantage.

In the past the Class I differential in the Quad Cities has averaged 24.2 cents higher than the Class I differential in the Chicago market. The average variation in the Class I prices, however, has been approximately 20 cents because the basic formula price in the Chicago market has averaged approximately 5 cents higher than the basic formula price in the Quad Cities market.

In order to preserve the past relationship it has been concluded that the Class I differential should be fixed 25 cents higher each month than the Class I differential provided in the Chicago order as recently amended. This would result in an increase of 5 cents in the Class I differential during the months of January, February, March, May and June, of 25 cents in the month of April, and in a decrease of 20 cents during the month of December. The average differential for the year would be increased from $0.975 to $1.00.

The problem of maintaining the proper relationship between the two markets has been further complicated by the recent amendment to the Chicago order which provides that the differentials shall be increased or decreased within fixed limits as the ratio of producer receipts to Class I sales varies from the normal seasonal index set forth in the order. As a result of the operation of this supply-demand adjustment, the Class I differential under the Chicago order has been raised 20 cents per hundredweight for the month of July 1951. It is apparent that for the next several months the differentials will continue at a somewhat higher level than as normally provided in such order. To compensate for this factor and to prevent a narrowing of the spread between the Quad Cities and Chicago prices, the amended order must provide that the Class I price in the Quad Cities shall not be less than the Class I price announced for the 70 mile zone under the Chicago order, plus 20 cents.

While it must be concluded that it is necessary to increase the Class I differential in Quad Cities by a corresponding amount whenever the Class I differential under the Chicago order is raised, the Class I differential should not be permitted to drop below the level recommended herein should the operation of the supply-demand adjustment result in a reduction in the nominal differentials provided in the Chicago order. It would be unreasonable and uneconomic to permit the Quad Cities differential to fall below the approximate levels which have prevailed in the past few years. To do so would endanger the supply of milk for the area and tend to disrupt the orderly marketing of milk.

The Chicago market normally is amply supplied with milk and draws the bulk of its supplies from Wisconsin areas which are primarily dairy regions. The Quad Cities market has been in very short supply even since Grade A ordinances were adopted by all the cities in the marketing area. Except in the spring months of peak production, producer receipts have been less than the fluid requirements of the market. The Quad Cities milkshed is in a diversified farm area where beef, hogs and cash grains, rather than dairying, are the major farm enterprises.

Although there has been a steady increase in producer numbers in the Quad Cities, the increase has been very gradual. A reduction in the Class I differential would seriously retard the development of an adequate supply of milk for the market. The returns to farmers from beef, hogs and cash grains are such that a reduction in milk prices would not only reduce the incentive for any expansion of present milk production, but might also cause producers on

the market to abandon dairying in favor of more lucrative farm enterprises.

The Class II (Class III under the present order) price which is also the basic formula for determining the Class I price should be changed by the addition of the Carnation Company of Waverly, Iowa, to the listed plants whose paying prices are used in computing an alternative price for Class II milk. It was proposed by the producers that the 18 midwest condenseries which are widely used as a pricing basis in other markets be substituted for the Illinois plants now used in both the Quad Cities and Clinton orders. It was their contention that use of these plants would keep the Quad Cities price more nearly aligned with the Chicago price. A comparison of the two price series, however, indicates a very similar pattern, with the prices paid by the Illinois plants averaging approximately 5 cents under those paid by the 18 condenseries. Very similar Class I prices would result from the use of either the Illinois plants plus the proposed differentials, or the 18 condenseries plus a 5 cent lower differential. Because of the nearness of the Illinois plants and the fact that several of them actively compete with Quad Cities and Clinton handlers for milk produced in the milkshed, it has been concluded that their paying price is more representative than the 18 condenseries of conditions in the milkshed relating to the purchase of manufacturing milk. The Illinois plants should therefore continue to be used as a basis for fixing the Class II price. The Carnation plant at Waverly, Iowa, should be added to the list, however. Because a sizeable volume of the receipts in the market originate in Iowa, it was argued that Iowa plants should also be used in determining the Class II price. The Waverly plant is the only Iowa condensery located close to the milkshed of the Quad Cities. Although the prices paid at this plant have averaged approximately the same as those paid by the Illinois plants, there are short time differences in price and the inclusion of this plant will provide a broader base which will be more representative of conditions in the entire milkshed.

The butter-cheese formula provided as an alternative Class II price is the same as that provided in the present Quad Cities order and its use should be continued. This formula is similar to those provided in other marketing orders and establishes a floor under the Class I and Class II prices in the event the prices paid by the condenseries should fall below their normal relationship to the values of manufactured dairy products.

The Class III (present Class IV) price should provide a butter-powder formula as an alternative to the cheese formula currently used for pricing. Based on current commodity prices the proposed formula would return to producers a somewhat higher price than the present cheese formula. Until recently there were no drying facilities available to the market and any seasonal surplus above that which could be absorbed in ice cream, cottage cheese and other Class II products was manufactured into cheese, or butter and casein, or butter and animal feed. Now, however, there are drying facilities available to absorb such milk and it appears reasonable that the Class III price should be altered to reflect the higher returns available from such utilization.

The formula which has been recommended is based on the representative yields of butter and nonfat dry milk solids in 100 pounds of milk of 3.5 percent butterfat content. It provides a manufacturing and handling allowance of approximately 78 cents per hundredweight. Of this amount 6 cents is allowed per pound of butter and 6.5 cents per pound of nonfat solids. The record indicates that this amount is a reasonable allowance for a plant of the type in the milkshed which must operate on a relatively small volume of milk which is highly seasonal in character.

The cheese formula now included in both the Quad Cities and Clinton, Iowa, orders, provides for use of the average weekly prices of "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin as reported by the Department of Agriculture during the delivery period with a proviso that if there are no sales on the Exchange during any week, the last previously quoted price shall be used as the price for that week. Since the Department now publishes an average price of such cheese for each month which includes a price for each week the proviso to use the previous week's price is no longer necessary.

The Class I and Class II (present Class III) butterfat differentials to handlers should be continued at the rates provided in the present order, i. e., 1.4 times the price of butter and 1.2 times the price of butter, respectively. The Class III (present Class IV) butterfat differential should be reduced to provide the same relationship between the values of butterfat and skim milk as is used in computing the Class III price for milk of 3.5 percent butterfat content. The present differential of 1.2 times the price of butter makes no allowance for a manufacturing cost in the handling of butterfat and results in undervaluing the skim milk. A differential based on the butterfat value used in determining the Class III price will remedy this defect and will place values on butterfat and skim milk in line with the returns obtained from them. The Class III butterfat differential therefore should be computed by subtracting 6 cents from the price of butter and multiplying the result by 1.2.

A handler witness proposed that the Class I differential be reduced from 1.40 percent of the butter price to 1.25 percent of the butter price. The evidence introduced in support of this proposal, however, does not warrant making a reduction in the differential at this time.

5. The emergency milk provisions of the order should be modified. Under the present order it is possible for handlers to import excessive quantities of emergency milk when the market is found to be short of producer milk. Abuse of the emergency provisions has a very depressing effect on the market since it reduces the uniform price to producers at a time when the market is short and producers should be encouraged to increase their supply. Producers advocated the complete deletion of the emergency milk provisions, and the designation of all imported milk as "other source" milk which would be allocated to the lowest use classification in handlers' plants. Handlers proposed that a restriction be placed on the amount of milk which could be designated "emergency" milk and suggested an amount equal to the difference between producer receipts and 110 percent of Class I sales.

The evidence clearly indicates that the market will continue to have insufficient producer milk to meet its Class I requirements during the fall months of 1951 and probably of 1952. The emergency milk provisions should be continued until there is sufficient producer milk to care for the needs of the market. A limitation, however, should be placed on the amount of milk so designated to prevent any unnecessary dilution of returns to producers. The record evidence shows that during the 6-month period of September 1950 to February 1951, producer receipts plus imports of emergency milk averaged 108 percent of Class I (Class I and Class II of present order) disposition. It appears, therefore, that an excess of 8 percent over Class I requirements will provide sufficient margin to accommodate day to day fluctuations in receipts and sales. Accordingly it has been concluded that receipts of other than producer milk should be considered emergency milk up to an amount not in excess of the difference between producer receipts and 108 percent of Class I sales.

6. There is no necessity at the present time for prescribing a set of stringent requirements to which country plants must adhere to be included in the market-wide pool under the order. Until very recently all the milk in the market was received directly from producers by the city bottling plants. A few months ago, however, one of the cooperative associations in the market acquired a plant some 60 miles from Rock Island, Illinois, where milk is received from producers and transported to the market in tank trucks when it is needed. One of the handlers, fearful that this milk might be diverted elsewhere when the market needed it, proposed that country plants be required to ship a certain percentage of their receipts to the market as Class I milk and meet other stringent requirements or be barred from participation in the pool. The record fails to indicate any need for such a provision at this time. Moreover, the proposal as presented is unsuited to the Quad Cities market, having been copied from a similar provision in an order in a large market in which most of the milk moves through country plants.

If, in the future, there should develop a situation where country plants were able to "ride the pool" and avoid their obligation to supply milk to the market when needed, it would undoubtedly be necessary to amend the order to adopt corrective measures. Such an amendment, however, would necessarily be based on the situation then existing in the market, and would be designed to remedy the particular problem which threatened the stability of the market.

Accordingly, it must be concluded that no action should be taken at this time on the proposal.

7. The order should not provide a location differential on milk moved from country plants to the marketing area. A handler witness proposed that for milk received at a country plant located outside the marketing area and which is moved to the marketing area, the class prices in the order should be reduced 3 cents per hundredweight for each 15 miles or additional fraction thereof that such plant is distant from the City Hall in Rock Island, Illinois. He further proposed that no deduction be taken from producers supplying the plant—in effect a suggestion that all the producers subsidize the hauling of producers shipping to country plants. The latter proposal appears unreasonable. If handlers were allowed a location differential on milk received at country plants, a similar adjustment should be made in the prices received by producers shipping to such plant.

No other witness testified either for or against the inclusion of location differentials to producers or handlers. Accordingly, the evidence on this issue is limited. The record fails to show what would be the effect of location differentials, particularly at the producer level, on market supplies of milk.

As pointed out above, the only country plant at present supplying the market is located a little more than 60 miles from the Rock Island City Hall. The producers shipping to this plant are located little or no farther from the marketing area than are many other producers whose milk is hauled directly from the farm to city plants. In view of the lack of evidence as to the effect that producer location differentials might have on producer receipts—particularly the competitive relationship with other markets whose milksheds border on that of the Quad Cities—it must be concluded that the record does not justify the inclusion of location differentials at this time.

8. The producer butterfat differential should be revised to reflect the average value of excess butterfat in each class. Producer witnesses testified that the butterfat differential to producers should be equal to the average price paid by handlers for butterfat. It has been concluded that the producer differential should be equal to the simple average of the class butterfat differentials paid by handlers. The resulting butterfat differential will be slightly higher than the present differential of 1.2 times the price of butter. It will more nearly represent the value of butterfat in excess of 3.5 percent than would the proposal of the producers. It will also avoid the excessive seasonal increases and wide monthly variations in value that could result from the use of a weighted average.

9. The administrative assessment should be continued at a maximum of 3 cents per hundredweight and the marketing service assessment at a maximum of 6 cents per hundredweight. In the present Clinton order the maximum rate of assessment in both funds is 5 cents.

The market administrator is required to verify the utilization of all milk received, and therefore other source milk and emergency milk as well as producer milk should bear their proportionate share of the administrative cost. It appears that an assessment on emergency milk and other source milk classified as Class I will apportion the expenses more equitably among handlers. The testimony indicates that some handlers receive substantial quantities of other than producer milk for their manufacturing operations. Application of the assessment to all such receipts by a handler would place him at some disadvantage in disposing of manufactured dairy products in competition with persons not regulated by the order.

The record indicates that an assessment of 3 cents per hundredweight will provide ample funds to administer the combined order. The question was raised as to whether the merging of the orders might not result in sufficient savings to warrant a reduction in the maximum figure. Since the two orders have been administered jointly from a single office and with the same staff of employees, the economies in administration will not be sufficiently great to warrant a reduction in the prescribed maximum rate. As in the past the 3 cents is a maximum figure and the actual assessment can be reduced should operations prove that a lesser amount will provide sufficient revenue to administer the order.

The record further indicates that to provide adequate marketing services to producers the marketing service assessment should be continued at 6 cents. The record indicates little likelihood of any savings in the cost of administering the marketing service program as a result of the merger of the two orders. It appears that increased traveling costs would more than offset any saving effected through merging of laboratory facilities and personnel. As in the case of the administrative fund, the 6 cent figure provided is a maximum and the actual rate of assessment can be reduced should operations prove that a lesser amount will provide sufficient revenue to provide adequate services to producers.

10. The evidence indicates that the remaining provisions of the amended order should be essentially the same as the like provisions of the Quad Cities order. These are virtually identical to the provisions of the present Clinton order, except for the deletion of that provision of the Clinton order whereby handlers if they prefer, may discharge their obligations to producers by paying the market administrator the full utilization value of their milk. The market administrator is then required to pay the individual producers who supplied milk to such handler. The record indicates that only one handler in Clinton is exercising this option at the present time. Accordingly, it has been concluded that the option to pay producers through the market administrator should be omitted from the amended order merging the two markets.

Likewise the provision of the Clinton order providing for mid-delivery period payments to producers should be dropped from the combined order. No evidence was presented in favor of the retention of such a provision. There is nothing in the order which would prevent handlers from continuing the practice of making advance payments to producers if they so desire. Such advances have frequently been made to producers in the Quad Cities and in other markets which do not require that advance payments be made to all producers.

One of the handlers proposed that the requirement that the market administrator advise a cooperative association of any variance between the handlers reported utilization of milk received from the cooperative association and that reported by the cooperative association, be deleted from the order. It was the contention of this handler, that such information was confidential and should not be revealed to the association. Under the order the cooperative associations in the Quad Cities are handlers and the order provides that they should report to the market administrator the utilization of milk sold to other handlers. In any other interhandler transaction both handlers are required to report the utilization of the milk transferred. With respect to purchases from a cooperative association, the difference is one of degree since in most cases purchases from the cooperative association represent the major portion of or all of the receipts of a particular handler. A further reason for divulging such information to cooperative associations is to facilitate more efficient marketing of milk. In a short market such as Quad Cities it is especially important that a cooperative association know the utilization of the individual plants. This facilitates an equitable distribution of milk among handlers. The knowledge of which handlers are short of milk and which are over-supplied affords the association a basis for diverting milk between handlers to assure its utilization in the highest class. Accordingly it is concluded that no change in this provision should be made.

A further proposal was made by handlers that the date for filing reports be changed from the 5th day of the month to the 10th. They contended that the present five days did not provide sufficient time to compile reports, especially when a week-end or a holiday fell within the period. Producers were bitterly opposed to any change which would further delay payments to producers for their milk. The market administrator testified that if the two markets were combined and his office was no longer required to compute separate pools for Clinton and Quad Cities, he believed that he could continue to compute and announce the uniform price on the 10th of the month if handlers' reports were received by the 7th of the month. It has been concluded, therefore, that the date for filing reports should be changed from the 5th to the 7th day of the month. This will afford handlers two additional days in which to prepare their reports and will not necessitate any change in the date of making payments to producers. No proposals were made and no testimony offered in support of any substantive changes in the provisions of the order other than those specifically discussed in preceding paragraphs. The witness who testified recommended the

adoption of such provisions in their present form. Accordingly, except for changes in context necessitated by the adoption of the amendments discussed above, the remaining provisions of the order should be incorporated in their present form.

General findings. (a) The proposed marketing agreement and the order amending the order, as amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order amending the order, as amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order amending the order, as amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Proposed findings and conclusions. Several briefs were filed on behalf of the three producers' associations and the handlers in the market. The briefs contained proposed findings of fact, conclusions, and argument with respect to the proposals discussed at the hearing. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein the request to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions in this decision.

Recommended Marketing Agreement and Order

The following order amending the order, as amended, is recommended as the detailed and appropriate means by which these conclusions may be carried out. The proposed marketing agreement is not included because the regulatory provisions thereof would be the same as those contained in the order:

DEFINITIONS

§ 944.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 944.2 *Secretary.* "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States as may be authorized to exercise the powers and to perform the duties of the said Secretary of Agriculture.

§ 944.3 *Quad Cities marketing area.* "Quad Cities marketing area" hereinafter called the "marketing area" means the territory lying within the corporate limits of the City of Clinton, Iowa, and that part of Camanche township, including the City of Camanche, lying east of sections 2, 11, 14, 23, 26, and 35, all in Clinton County, Iowa; the territory lying within the corporate limits of the Cities of Davenport and Bettendorf, Iowa, and Rock Island, Moline, East Moline and Silvis, Illinois; together with the territory lying within the following townships: Davenport, Rockingham and Pleasant Valley in Scott County, Iowa; and South Moline, Moline, Blackhawk, Coal Valley, Hampton, and South Rock Island in Rock Island County, Illinois.

§ 944.4 *Department.* "Department" means the United States Department of Agriculture or such other Federal agency as may be authorized to perform the price reporting functions of the United States Department of Agriculture.

§ 944.5 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 944.6 *Delivery period.* "Delivery period" means the calendar month or the total portion thereof during which this order is in effect.

§ 944.7 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines: (a) Is qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; (b) has full authority in the sale of milk of its members; and (c) is engaged in making collective sales of or marketing milk or its products for its members.

§ 944.8 *Producer.* "Producer" means any person who, in conformity with the Grade A quality requirements of the milk ordinance of any of the several municipalities in the marketing area or the Grade A Milk and Grade A Milk Products Law of the State of Illinois produces milk which (a) is received at a pool plant or (b) which is caused by a cooperative association to be diverted from a pool plant to a nonpool plant. This definition shall not include a person with respect to milk produced by him which is received by a handler who is subject to another Federal marketing order and who is partially exempt from the provisions of this order pursuant to § 944.56.

§ 944.9 *Handler.* "Handler" means (a) any person in his capacity as the operator of a pool plant, (b) a cooperative association which in a handler pursuant to paragraph (a) of this section with respect to the milk of any producer which it causes to be delivered to the pool plant of another handler, and (c) any cooperative association with respect to the milk of any producer which it causes to be diverted from a pool plant to a nonpool plant.

§ 944.10 *Pool plant.* "Pool plant" means (a) a plant from which Class I milk is disposed of as Grade A milk on wholesale or retail routes (including plant stores) within the marketing area, (b) a plant owned and operated by a cooperative association which is located within the marketing area, or (c) a plant which is under regular inspection by one or more of the health authorities of the several municipalities in the marketing area and which is approved for the receiving of Grade A milk and from which Grade A milk is regularly disposed of to plants described in paragraph (a) of this section for Class I use.

§ 944.11 *Producer - handler.* "Producer-handler" means any person who is both a producer and a handler and who receives no milk directly from the farms of other producers: *Provided,* That the maintenance, care and management of the dairy animals and other resources necessary to produce the milk, and the processing, packaging, and distribution of the milk are the personal enterprise and the personal risk of such person.

§ 944.12 *Producer milk.* "Producer milk" means all skim milk and butterfat which is produced by a producer, other than a producer-handler, and which is received by a handler either directly from producers or from other handlers.

§ 944.13 *Emergency milk.* "Emergency milk" means milk which is received by a handler under the conditions and subject to the limitations prescribed in § 944.57.

§ 944.14 *Other source milk.* "Other source milk" means all skim milk and butterfat except that contained in producer milk and in emergency milk.

MARKET ADMINISTRATOR

§ 944.20 *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

§ 944.21 *Powers.* The market administrator shall have the power to:

(a) Administer the terms and provisions of this subpart;

(b) Make rules and regulations to effectuate the terms and provisions of this subpart;

(c) Receive, investigate, and report to the Secretary complaints of violations of the terms and provisions of this subpart; and

(d) Recommend to the Secretary amendments to this subpart.

§ 944.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including but not limited to the following:

(a) Within 30 days following the date upon which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 944.75 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses, except those incurred under § 944.76, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary, surrender the same to such person as the Secretary may designate;

(f) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(g) Publicly announce unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who within 10 days after the date upon which he is required to perform such acts has not made (1) reports pursuant to § 944.30, or (2) payments pursuant to §§ 944.65 to 944.70;

(h) On or before the 10th day after the end of each delivery period, report to each cooperative association which is a handler pursuant to § 944.9 (b) the amount and classification of milk caused to be delivered by such cooperative association to any handler, if such amount or classification reported by the handler differs from that reported by the cooperative association;

(i) Audit each handler's records and payments by inspection of such handler's records and the records of any other person upon whose utilization the classification of skim milk and butterfat for such handler depends;

(j) Publicly announce by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(1) On or before the 5th day of each delivery period (i) the minimum price for Class I milk computed pursuant to § 944.50 (a) and the butterfat differential computed pursuant to § 944.51 (a), both for the current delivery period, and (ii) the minimum prices computed pursuant to § 944.50 (b) and (c) and the butterfat differentials computed pursuant to § 944.51 (b) and (c) for the previous delivery period; and

(2) On or before the 10th day of each delivery period the uniform price computed pursuant to § 944.61 and the butterfat differential computed pursuant to § 944.66, both for the previous delivery period; and

(k) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

REPORTS, RECORDS AND FACILITIES

§ 944.30 *Delivery period reports of receipts and utilization.* On or before the 7th day of each delivery period each handler, except a producer-handler, shall report to the market administrator in the detail and on the forms prescribed by the market administrator:

(a) The quantities of skim milk and butterfat contained in (or used in the production of) all receipts within the preceding delivery period of (1) producer milk, (2) skim milk and butterfat in any form from other handlers, (3) emergency milk, and (4) other source milk (except nonfluid milk products disposed of in the form in which received without further processing or packaging by the handler) and the sources thereof;

(b) The utilization of all receipts required to be reported pursuant to paragraph (a) of this section; and

(c) Such other information with respect to all such receipts and utilization as the market administrator may prescribe.

§ 944.31 *Other reports.* Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

§ 944.32 *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business, such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to:

(a) The receipts and utilization, in whatever form, of all skim milk and butterfat received, including nonfluid milk products disposed of in the form in which received without further processing or packaging;

(b) The weights and tests for butterfat and for other content of all skim milk, milk, cream, and milk products handled;

(c) Payments to producers and cooperative associations; and

(d) The pounds of skim milk and butterfat contained in or represented by all skim milk, milk, cream, and milk products on hand at the beginning and end of each delivery period.

§ 944.33 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such three-year period the market administrator notifies the handler in writing that the retention of such records or of specified books and records is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 944.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat received during the delivery period by a handler from producers or other handlers or as emergency milk or as other source milk shall be classified by the market administrator pursuant to §§ 944.41 to 944.47.

§ 944.41 *Classes of utilization.* Subject to the conditions set forth in §§ 944.43 and 944.44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat (1) disposed of in the form of milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, or any mixture (except mixes for ice cream and frozen desserts) of cream and milk or skim milk containing more than 6 percent of butterfat, (2) used in the production of concentrated milk, not sterilized, for fluid consumption, and (3) not specifically accounted for under paragraphs (b) and (c) of this section.

(b) Class II milk shall be all skim milk and butterfat (1) used to produce evaporated milk, condensed milk, condensed skim milk, ice cream, mixes for ice cream and frozen desserts, yogurt, aerated products such as Super-Wip, Instant-Whip and similar products, cottage cheese or any other milk product not specified in paragraphs (a) and (c) of this section, and (2) disposed of to wholesale bakeries, candy manufacturers or soup companies.

(c) Class III milk shall be all skim milk and butterfat (1) used to produce butter, American-type Cheddar Cheese, animal feed, casein and nonfat dried milk solids; (2) in shrinkage up to 2 percent of receipts from producers and cooperative associations and of emergency milk; and (3) in shrinkage of other source milk.

§ 944.42 *Shrinkage.* The market administrator shall allocate shrinkage over a handler's receipts as follows:

(a) Compute the total shrinkage of skim milk and butterfat for each handler.

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat contained in (1) producer milk and emergency milk, and (2) other source milk.

§ 944.43 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat received by a handler shall be Class I milk, unless the handler who first receives such skim milk or butterfat can prove to the market administrator that it should be classified otherwise.

(b) Any skim milk or butterfat (except that transferred to a producer-handler) shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 944.44 *Transfers.* Skim milk or butterfat disposed of by a handler, either

by transfer or diversion shall, except as provided in § 944.45, be classified:

(a) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to another handler, except a producer-handler, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 7th day after the end of the delivery period within which such transaction occurred, but in no event shall the amount classified in any class exceed the total use in such class by the transferee handler: *Provided,* That if either or both handlers have received other source milk such milk so disposed of shall be classified at both plants so as to return the higher class utilization to producer milk.

(b) As Class I milk if transferred to a producer-handler in the form of milk, skim milk, or cream.

(c) As Class I milk if transferred or diverted in the form of milk, skim milk, or cream to a nonhandler's plant unless (1) the handler claims other utilization on the basis of utilization mutually indicated in writing to the market administrator by both the handler and nonhandler on or before the 7th day after the end of the delivery period within which such transfer or diversion occurred, (2) such nonhandler maintains books and records showing the utilization of all skim milk and butterfat at his plant, which are made available if requested by the market administrator for the purpose of verification, and (3) such nonhandler's plant had actually used not less than the equivalent amount of skim milk and butterfat in the use indicated in such statement: *Provided,* That if verification of such nonhandler's records discloses that an equivalent amount of skim milk and butterfat had not been used in such indicated utilization, the remaining pounds shall be classified in series beginning with the next higher price classification in which such nonhandler had utilization.

§ 944.45 *Receipts from a cooperative association.* Skim milk and butterfat caused to be delivered from a producer to any other handler by a cooperative association which is a handler pursuant to § 944.9 (b) shall be ratably apportioned over the receiving handler's total utilization of milk remaining after the subtraction of other source milk, receipts from other handlers which are not cooperative associations, and emergency milk.

§ 944.46 *Computation of skim milk and butterfat in each class.* For each delivery period the market administrator shall correct mathematical and other obvious errors in the delivery period report submitted by each handler and shall compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk, and Class III milk for such handler.

§ 944.47 *Allocation of skim milk and butterfat classified.* After computing the classification of all skim milk and butterfat received by a handler pursuant to § 944.46, the market administrator shall determine the classification of milk received from producers as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class III the pounds of skim milk determined pursuant to § 944.41 (c) (2);

(2) Subtract from the remaining pounds of skim milk in each class in series beginning with the lowest-priced class in which the handler has use, the pounds of skim milk contained in other source milk;

(3) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk contained in receipts from other handlers in accordance with its classification as determined pursuant to § 944.44 (a);

(4) Add to the remaining pounds of skim milk in Class III the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph;

(5) Subtract pro rata from the remaining pounds of skim milk in each class the pounds of skim milk contained in emergency milk;

(6) Subtract pro rata from the remaining pounds of skim milk in each class the pounds of skim milk received from a cooperative association which is a handler pursuant to § 944.9 (b); and

(7) If the remaining pounds of skim milk in all classes exceed the pounds of skim milk received from producers, an amount equal to the difference shall be subtracted from the pounds of skim milk in each class in series beginning with the lowest-priced class in which the handler has use. Any amount so subtracted shall be called "overrun."

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

MINIMUM PRICES

§ 944.50 *Class prices.* Subject to the provisions of §§ 944.51 and 944.52 the minimum prices per hundredweight to be paid by each handler for milk received at his plant from producers during the delivery period shall be as follows:

(a) *Class I milk.* The price for Class I milk for the preceding delivery period plus $0.75 during May and June; plus $1.13 during the months of July through November, inclusive, and plus $0.95 during the remaining months of each year: *Provided,* That in no month shall the Class I price be less than the 70 mile zone price established per hundredweight of Class I milk under Order No. 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area plus 20 cents.

(b) *Class II milk.* The higher of the prices resulting from the computations made pursuant to subparagraphs (1) and (2) of this paragraph:

(1) The average of the basic or field prices reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the period from the 16th day of the preceding delivery period to the 15th day of the current delivery period at each of the manufacturing plants or places listed below for which prices are reported to the market administrator or to the Department:

Present Operator of Plant and Location

Amboy Milk Products Co., Amboy, Ill.
Borden Co., Dixon, Ill.
Borden Co., Sterling, Ill.
Carnation Co., Morrison, Ill.
Carnation Co., Oregon, Ill.
Carnation Co., Waverly, Iowa.
United Milk Products Co., Argo Bay, Ill.

(2) The price resulting from the following computation:

(i) Multiply by 6 the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department during the delivery period;

(ii) Add an amount equal to 2.4 times the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of the cheese known as "Twins" at Chicago as reported by the Department during the delivery period;

(iii) Divide the resulting sum by 7;

(iv) Add 30 percent thereof; and

(v) Multiply the resulting sum by 3.5.

(c) *Class III milk.* The higher of the prices resulting from the following computations by the market administrator:

(1) Multiply by 2.4 the simple average as published by the Department of the prices determined per pound of "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, during the delivery period and multiply such result by 3.5;

(2) From the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department during the delivery period, deduct 6 cents, multiply the resulting sum by 1.2, and multiply that result by 3.5; and add the result of the following: From the simple average of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, for human consumption, f. o. b., manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month, deduct 6½ cents, multiply the result by 8.2 and multiply that result by 0.965: *Provided,* That, if such f. o. b. manufacturing plant prices for nonfat dry milk solids are not reported, there shall be used for the purpose of such computation the average of carlot prices for nonfat dry milk solids for human consumption, both spray and roller process, delivered at Chicago as reported by the Department during the delivery period; and in the latter event 8½ cents shall be used in lieu of the 6½ cent deduction in arriving at the computation.

§ 944.51 *Butterfat differentials to handlers.* If the average butterfat content of the milk of any handler allocated to any class pursuant to § 944.47 is more or less than 3.5 percent, there shall be added to the respective class price computed pursuant to § 944.50 for each one-tenth of 1 percent that the average butterfat content is above 3.5 percent, or subtracted for each one-tenth of 1 percent that such average butterfat content

is below 3.5 percent, an amount equal to the applicable butterfat differential computed as follows:

(a) *Class I milk.* Multiply the simple average of the daily average wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department during the delivery period preceding that in which the milk was received by 1.40 and divide the resulting amount by 10.

(b) *Class II milk.* Multiply the simple average of the dairy average wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department during the delivery period in which the milk was received by 1.20 and divide the resulting amount by 10.

(c) *Class III milk.* From the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the Department during the delivery period in which the milk was received, subtract 6 cents, multiply the result by 1.20 and divide the result by 10.

§ 944.52 *Emergency price provisions.* (a) Whenever the provisions hereof require the market administrator to use a specific price or prices for any milk product for the purpose of determining class prices or for any other purpose the market administrator shall add to the specified price the amount of any subsidy or other similar payments being made by any Federal agency in connection with the milk, or product, associated with the prices specified.

(b) If the specified price which the market administrator is required to use for the purpose of determining class prices or for any other purpose is not reported or published, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

APPLICATION OF PROVISIONS

§ 944.55 *Producer-handler.* Sections 944.40 to 944.47, 944.50 to 944.52, 944.60 and 944.61, 944.65 to 944.70, and 944.75 shall not apply to a producer-handler.

§ 944.56 *Handlers subject to other Federal orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another milk marketing order issued pursuant to the act, the provisions of this subpart shall not apply except as follows:

(a) The handler shall, with respect to his total receipts and utilization of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports in accordance with the provisions of § 944.32.

(b) If the price which such handler is required to pay under the other order to which he is subject for skim milk and butterfat which is classified as Class I milk under this subpart, is less than the price provided by this subpart, such handler, on or before the 13th day after the end of the delivery period in which a bill is rendered, shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all skim milk and butterfat disposed of as Class I milk within the marketing area) an amount equal to the difference between the value of such skim milk or butterfat as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

§ 944.57 *Emergency milk.* In any delivery period in which the market administrator determines that the supply of skim milk or butterfat in producer milk available to any handler is insufficient for such handler's disposition of Class I milk, skim milk or butterfat, other than that in producer milk, which is received by such handler and which is permitted by the health authorities of any of the municipalities in the marketing area to be disposed of as Grade A milk shall be considered emergency milk up to an amount equal to the difference between the receipts of skim milk or butterfat in producer milk by such handler and 108 percent of his total disposition of skim milk or butterfat in Class I milk.

DETERMINATION OF UNIFORM PRICE

§ 944.60 *Computation of the value of milk received from producers.* The value of the milk received from producers during each delivery period by each handler shall be a sum of money computed by the market administrator by multiplying the pounds of milk in each class by the applicable class prices and adding together the resulting amounts: *Provided,* That, if the handler had overrun of either skim milk or butterfat there shall be added to the above value an amount computed by multiplying the pounds of overrun by the applicable class prices.

§ 944.61 *Computation of uniform price.* For each delivery period the market administrator shall compute the uniform price per hundredweight of milk received from producers as follows:

(a) Combine into one total the values computed pursuant to § 944.60 for all handlers who made the reports prescribed by § 944.30 and who made the payments pursuant to §§ 944.65 to 944.68 for the preceding delivery period.

(b) Add not less than one-half of the cash balance on hand in the producer-settlement fund less the total amount of contingent obligations to handlers pursuant to §§ 944.69 and 944.70;

(c) Subtract if the average butterfat content of the milk included in these computations is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed by: Multiply the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 944.66, and multiplying the resulting figure by the total hundredweight of such milk;

(d) Divide the resulting amount by the total hundredweight of milk included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents from the amount per hundredweight computed pursuant to paragraph (d) of this section. The resulting figure shall be known as the uniform price for milk received from producers.

PAYMENT FOR MILK

§ 944.65 *Time and method of payment.* Each handler shall make payment as follows:

(a) On or before the 15th day after the end of the delivery period during which the milk was received, to each producer for milk received from him and for which payment is not made to a cooperative association pursuant to paragraphs (b) and (c) of this section, at not less than the uniform price computed in accordance with § 944.61, subject to the butterfat differential computed pursuant to § 944.66.

(b) On or before the 12th day after the end of the delivery period during which the milk was received, to a cooperative association which is not a handler pursuant to § 944.9 (b), for milk which it caused to be delivered to such handler from producers, if such cooperative association is authorized to collect such payments for its member producers and wishes to exercise such authority, an amount equal to the sum of the individual payments otherwise payable to such producers.

(c) On or before the 12th day after the end of the delivery period during which the milk was received, to a cooperative association which is a handler pursuant to § 944.9 (b), for milk which was caused to be delivered to such handler by such cooperative association, at not less than the value of such milk computed by multiplying the pounds of such milk allocated to each class pursuant to § 944.47 by the applicable class prices provided in § 944.50.

§ 944.66 *Butterfat differential to producers.* In making payments pursuant to § 944.65 (a) there shall be added to or subtracted from the uniform price per hundredweight for each one-tenth of 1 percent that the average butterfat content of the milk received from each producer is above or below 3.5 percent an amount equal to the simple average of the butterfat differentials to handlers for all classes of milk pursuant to § 944.51 (a), (b) and (c).

§ 944.67 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 944.56, 944.68, and 944.70, and out of which he shall make all payments to handlers pursuant to §§ 944.69 and 944.70.

§ 944.68 *Payments to the producer-settlement fund.* On or before the 13th day after the end of the delivery period during which the milk was received, each handler, including a cooperative association which is a handler, shall pay to the market administrator the amount, if

any, by which the value of the milk received by such handler from producers as determined pursuant to § 944.60 is greater than the amount required to be paid producers by such handler pursuant to § 944.65.

§ 944.69 *Payments out of the producer-settlement fund.* On or before the 15th day after the end of the delivery period during which the milk was received, the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the value of the milk received by such handler from producers during the delivery period, as determined pursuant to § 944.60 is less than the amount required to be paid producers by such handler pursuant to § 944.65: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who has not received the balance of such payments from the market administrator shall be considered in violation of § 944.65 if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

§ 944.70 *Adjustment of accounts.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (a) the market administrator from such handler, (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due; and payment thereof shall be made on or before the next date for making payment set forth in the provisions under which such error occurred.

§ 944.71 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c (15) (A) of the act or before a court.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart, shall except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this order to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

OTHER PAYMENTS

§ 944.75 *Expenses of administration.* As his pro rata share of the expense of administration of this subpart, each handler shall pay to the market administrator, on or before the 15th day after the end of the delivery period during which the milk was received, 3 cents per hundredweight or such lesser amount as the Secretary from time to time may prescribe, with respect to all receipts within the delivery period from producers (including such handler's own production and receipts from cooperative associations) and with respect to emergency milk or other source milk which is classified as Class I milk: *Provided,* That a handler which is a cooperative association shall pay such pro rata share of expense on only that milk of producers received by such cooperative association or caused by such cooperative association to be delivered to a nonpool plant.

§ 944.76 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than himself) pursuant to § 944.65 shall make a deduction of 6 cents per hundredweight of milk or such lesser deduction as the Secretary from time to time may prescribe, with respect to the following:

(1) All milk received from producers at a plant not operated by a cooperative association; and

(2) All milk received at a plant operated by a cooperative association from producers who are not members of such cooperative association.

Such deductions shall be paid by the handler to the market administrator on or before the 15th day after the end of the delivery period during which the milk was received. Such moneys shall be expended by the market administrator for verification of weights and tests of milk received from such producers and in providing market information to such producers.

(b) In the case of each producer who is a member of, or who has given written authorization for the rendering of marketing services and the taking of a deduction therefor to a cooperative association, which the Secretary has determined is performing the services described in paragraph (a) of this section, such handler in lieu of the deduction specified under paragraph (a) of this section, shall deduct from the payments made pursuant to § 944.65 (a) the amount per hundredweight authorized duction to the cooperative association entitled to receive it on or before the 15th day after the end of the delivery period during which such milk was received.

EFFECTIVE TIME, SUSPENSION AND TERMINATION

§ 944.80 *Effective time.* The provisions of this subpart, or any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 944.81 *Suspension or termination.* The Secretary shall, whenever he finds this subpart, or any provision hereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this subpart or any such provision hereof.

§ 944.82 *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations hereunder the final accrual or ascertainment of which require further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 944.83 *Liquidation.* Upon the suspension or termination of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all accounts, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand

exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 944.90 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 944.91 *Separability of provisions.* If any provision of this subpart or its application to any person or circumstance, held invalid, the application of such provision, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

Filed at Washington, D. C., this 16th day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-10055; Filed, Aug. 22, 1951; 8:45 a. m.]

[7 CFR Part 945]

[Docket No. AO 231]

HANDLING OF MILK IN THE WICHITA FALLS, TEX., MARKETING AREA

ORDER OF THE SECRETARY DIRECTING THAT REFERENDUM BE CONDUCTED AMONG PRODUCERS SUPPLYING MILK; DETERMINATION OF REPRESENTATIVE PERIOD; AND DESIGNATION OF AGENT TO CONDUCT SUCH REFERENDUM

A referendum was held on August 3, 1951, pursuant to the directive issued July 17, 1951 (16 F. R. 7029). Prior to preparation of a report on the results of this referendum, producers reported instances of their misunderstanding and confusion as to the manner in which the balloting was to be conducted. It is alleged that these circumstances did not permit a true reflection of producers' sentiments. Producers therefore requested that no decision be made on the results of such referendum and that a new referendum be conducted in order to avoid any misunderstanding as to the adequacy of the opportunity to producers to cast a vote.

Therefore, pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among producers (as defined in the proposed order regulating the handling of milk in the Wichita Falls, Texas, marketing area which was annexed to the decision issued on July 17, 1951 (16 F. R. 7029)) who, during the month of April 1951, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of such order.

The month of April 1951 is hereby determined to be the representative period for the conduct of such referendum.

Hobart E. Crone is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for conducting of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177) such referendum to be completed on or before the 35th day from the date this referendum order is issued.

Done at Washington, D. C., this 20th day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-10110; Filed, Aug. 22, 1951; 8:55 a. m.]

[7 CFR Part 950]

PEACHES GROWN IN UTAH

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO THE EXPENSES AND THE FIXING OF RATE OF ASSESSMENT FOR 1951-52 FISCAL YEAR

Consideration is being given to the following proposals which were submitted by the Administrative Committee, established under the marketing agreement and Order No. 50 (7 CFR Part 950), regulating the handling of peaches grown in Utah, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $3,050.00 are likely to be incurred by said committee during the fiscal year beginning May 1, 1951, and ending April 30, 1952, both dates inclusive, for its maintenance and functioning under the aforesaid marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships peaches shall pay in accordance with the provisions of the aforesaid marketing agreement and order during the aforesaid fiscal year, the rate of assessment at $0.0075 per bushel basket of peaches, or an equivalent quantity of peaches in other containers or in bulk, shipped by such handler during said fiscal year.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 20th day of August 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51-10109; Filed, Aug. 22, 1951; 8:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 11, 16]

[Docket No. 9898]

NEW POLICY ON LICENSING OF RELAY STATIONS IN THE INDUSTRIAL AND LAND TRANSPORTATION RADIO SERVICES

FURTHER NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given that a hearing will be held on a date to be specified later in the above entitled matter for the purpose of obtaining information on the issue set forth below.

2. By its report and order in Docket 9898, adopted August 15, 1951, the Commission amended Parts 11 and 16 of its rules,[1] effective September 24, 1951, to provide for the licensing of mobile relay stations under certain conditions. At the same time, the Commission pointed out that additional information would be necessary before a final determination could be made on certain of the issues raised by the rules proposed in Docket 9898 and by the comments submitted thereon.

3. Accordingly, pursuant to the authority contained in sections 4 (i), 301 and 303 of the Communications Act of 1934, as amended, a hearing will be held on the following issues:

a. To determine under what circumstances, if any, mobile relay stations should be licensed under Parts 11 and 16 of the Commission's rules for the purpose of providing extended range point-to-mobile communications; and

b. To determine under what circumstances, if any, operational fixed (control) stations associated with mobile relay stations licensed under Parts 11 and 16 of the Commission's rules should be permitted to operate on frequencies allocated to the mobile service.

4. Any interested person desiring to appear and submit evidence at the hearing shall file a notice of appearance with the Commission on or before October 15, 1951. Such persons, or any other interested persons desiring to comment on the matters set forth in the above issues, may file a brief or written statement with the Commission on or before October 26, 1951. Any replies to comments should be filed on or before November 9, 1951. Fifteen copies of each notice of appearance, brief or written comment should be filed as required by § 1.764 of the Commission's rules and regulations.

Released: August 15, 1951.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10026; Filed, Aug. 21, 1951; 8:52 a. m.]

[1] See F. R. Doc. 51-10029, Title 47, Chapter I, *supra.*

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SMALL TRACT CLASSIFICATION NO. 43

AUGUST 17, 1951.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management, under § 2.21 of Order No. 427, approved by the Secretary of the Interior August 16, 1950 (15 F. R. 5641), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. Sec. 682a), as amended, the following described public lands in the Anchorage, Alaska Land District, comprising 36 tracts embracing approximately 108.47 acres, for lease and sale:

HOMER AREA

MILLER'S LANDING UNIT

For Cabin Sites

SEWARD MERIDIAN

T. 6 S., R. 13 W.,
Sec. 14: Lot 1; Lot 2; Lot 3, that portion which would be if described in terms of a normal subdivision: E½NE¼SW¼, NW¼SE¼, NE¼NW¼.

2. The lands are located approximately three and one-half miles northeast of Homer, Alaska, in the vicinity of Miller's Landing. The majority of the tracts front on Kachemak Bay, and are accessible only by boat via Kachemak Bay or by foot from the nearest access road, located one quarter mile to the north. Generally level, the lands vary in elevation above Kachenak Bay from 12 feet in the northern portion to 60 feet in the southern portion. Adequate water for domestic purposes can be obtained from wells, and sewage disposal may be made by the use of cesspools. No public facilities are obtainable in the area at the present time. The climate is distinctively marine influenced with comparatively mild winters and moderately cool summers. The average January temperature is 25.4 degrees, and the average July temperature is 53.8 degrees.

3. Pursuant to § 257.9 of the Code of Federal Regulations (43 CFR Part 257), a preference right to a lease is accorded to those applicants whose applications (a) were regularly filed, under the regulations issued pursuant to the act, prior to this classification, and (b) are of the type of site for which the lands subject thereunder have been classified. As to such applications, this order shall become effective upon the date which it is signed.

4. As to the lands not covered by the applications referred to in paragraph 3, this order shall not become effective to permit the leasing of such land under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on September 6, 1951. At that time such land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection, as follows:

(a) *Ninety-day period for other preference right filings.* For a period of 90 days from 10:00 a. m. on September 6, 1951, to close of business on December 4, 1951, inclusive, to (1) application under the Small Tract Act of June 1, 1938, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279, 282), as amended, and by other qualified persons entitled to credit for service under the said act, subject to the requirements of applicable law, and (2) application under any applicable public law, based on prior existing valid settlement and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by such veterans and by other persons entitled to credit for service shall be subject to claims of the classes described in subdivision (2).

(b) *Advance period for simultaneous preference right filings.* All applications by such veterans and persons claiming preference rights superior to those of such veterans filed on August 17, 1951, or thereafter, up to and including 10:00 a. m. on September 6, 1951, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public land laws.* Commencing at 10:00 a. m. on December 5, 1951, any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on November 15, 1951, or thereafter, up to and including 10:00 a. m. on December 5, 1951, shall be treated as simultaneously filed.

5. A veteran shall accompany his application with a complete photostatic, or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claim. Persons asserting preference rights, through settlement or otherwise, and those having equitable claim, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications referred to in paragraphs 3 and 4, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, in the circumstances, are presentable, substantial and appropriate for the use for which the lease is issued. Leases will be for a period of not more than three years, at an annual rental of $5.00, payable in advance for the entire lease period. Every lease will contain an option to purchase clause and every lessee may file an application to purchase at the sale price as provided in the lease.

8. All of the land will be leased in tracts varying in size from approximately 2 acres to approximately 6 acres, in accordance with the classification map on file in the Land Office, Anchorage, Alaska. The tracts where possible are made to conform in description with the rectangular system of survey, in compact units.

9. All sewage disposal facilities will be located not less than 75 feet from the exterior boundaries of the tract described in the lease, provided, however, that if said tract abuts upon any stream, lake or other body of fresh water, no sewage disposal facility shall be placed within 100 feet of any such water. If the tract described in the lease is located upon sloping lands, lessee should locate any well or sewage disposal facility according to the recommendations of the Alaska Territorial Department of Health.

10. The leases will be made subject to rights-of-way for road purposes and public utilities, of 33 feet in width, on each side of the tracts contiguous to the section and/or quarter section lines, or as shown on the classification maps on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, or the State or Territory, county or municipality, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands shall be addressed to the Manager, Land Office, Anchorage, Alaska.

ABE BARBER,
Acting Regional Administrator.

[F. R. Doc. 51-10061; Filed, Aug. 22, 1951; 8:47 a. m.]

ALASKA

SHORE SPACE RESTORATION NO. 463

AUGUST 17, 1951.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059, 48 U. S. C. 372), and in accordance with § 2.22 (3) of Order No. 427, approved by

the Secretary of the Interior August 16, 1950 (15 F. R. 5641), it is hereby determined that the lands described below are not necessary for harborage uses and purposes and that no shore space reserve in such lands shall now or hereafter be created under the act of May 14, 1898 (30 Stat. 409), as amended by the act of March 3, 1903 (32 Stat. 1028, 48 U. S. C. 371) by the initiation of claims under the public land laws:

Unsurveyed lands, which when surveyed will be identified as follows:

FAIRBANKS MERIDIAN

T. 2 S., R. 1 E.,
Sec. 1: Lots 1, 2, 3, 4, 5, 6, 8, 9, 10, 11;
Sec. 2: Lots 2, 3, 4, 5, 6, 7 NW¼NE¼;
Sec. 3: Lots 1, 2, 3.

Containing approximately 451.23 acres.

ABE BARBER,
Acting Regional Administrator.

[F. R. Doc. 51-10062; Filed, Aug. 22, 1951; 8:47 a. m.]

[Misc. No. 59162]

OREGON AND WASHINGTON

RESTORATION ORDER NO. 1305 UNDER FEDERAL POWER ACT

AUGUST 16, 1951.

Pursuant to the following-listed determinations of the Federal Power Commission and in accordance with Departmental Order No. 2583, § 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the following-described public lands, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under the applicable public-land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920, 41 Stat. 1075 (16 U. S. C. 818) as amended:

Determination No.	Dates and types of withdrawal	Type of restoration	Description of lands
DA-395...	Power project No. 850, effective Nov. 28, 1927.	Under the applicable public land laws.	T. 10 S., R. 6 E., W. M., Oregon, sec. 16, S½SW¼NW¼SE¼, containing 5 acres.
The above-described land is within the Willamette National Forest.			
DA-398...	Power site reserve No. 273 of May 28, 1912.	Under the applicable public land laws.	T. 21 S., R. 8 W., W. M., Oregon, sec. 2, SW¼SW¼; sec. 4, SE¼NE¼, E½SW¼, and SE¼, containing 320 acres.
The above-described lands are within the Siuslaw National Forest.			
DA-111...	Power site classification No. 126 of Jan. 23, 1926.	For mining purposes only...	T. 39 N., R. 7 E., W. M., Washington, sec. 4, lots 5, 8, and SE¼NW¼, containing 102.15 acres.
The above-described lands are within the Mount Baker National Forest.			
DA-106...	Power site classification No. 214 of Dec. 6, 1928.	Under the applicable public land laws.	T. 34 N., R. 21 E., W. M., Washington, sec. 1, lots 1 and 5, containing 45.29 acres.

The lands described shall be subject to application by the respective States in which they are located for a period of ninety days from the date of the publication of this order in the FEDERAL REGISTER for rights-of-way for public highways, or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended.

As to said determination DA-111 Washington, the restoration is made subject to the stipulation that, if and when the lands are required wholly or in part for purposes of power development, any structures, machinery, or improvements placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with the power development without expense to the United States or its permittees or licensees.

Lots 1 and 5, sec. 1, T. 34 N., R. 21 E., W. M., Washington, are chiefly valuable for recreational and homesite use. No application for said lots may be allowed under the homestead, small-tract, or desert-land laws, or any other non-mineral public-land laws unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 91st day after the date of its publication in the FEDERAL REGISTER. At that time the said lands shall become subject to application, petition, location and selection, subject to the requirements of applicable law and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended.

MARION CLAWSON,
Director.

[F. R. Doc. 51-10063; Filed, Aug. 22, 1951; 8:47 a. m.]

[Misc. No. 1351072]

ARIZONA AND OREGON

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS RESTORED FROM FEDERAL POWER PROJECTS

AUGUST 16, 1951.

Pursuant to the following vacation orders of the Federal Power Commission, the public lands within the areas described are hereby restored to disposition under the applicable public land laws from the withdrawals for Federal Power Projects named, subject to valid existing rights and the provisions of existing withdrawals:

Order of the Federal Power Commission dated August 2, 1949, partially vacating the withdrawal of February 19, 1927, for Federal Power Project No. 767:

ARIZONA

GILA AND SALT RIVER MERIDIAN

T. 13 N., R. 6 W.,
Sec. 12, lot 9.
T. 12 N., R. 8 W.,
Sec. 4, lots 1, 2, 3, NW¼SE¼, SW¼;
Sec. 8, E½NE¼, SE¼;
Sec. 9, N½NW¼, SW¼NW¼, NW¼SW¼;
Sec. 17, E½;
Sec. 20, E½E½;
Sec. 21, SW¼NW¼.
T. 13 N., R. 8 W.,
Sec. 13, NE¼NE¼, S½NE¼, SW¼, NW¼SE¼;
Sec. 14, SE¼SE¼;
Sec. 22, S½SE¼;
Sec. 23, N½NE¼, SW¼NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 27, N½NE¼, SW¼NE¼, SE¼NW¼, N½SW¼, SW¼SW¼;
Sec. 28, E½SE¼;
Sec. 33, E½E½.
T. 12 N., R. 9 W.,
Sec. 30, lots 3, 4, E½SW¼, W½SE¼;
Sec. 31, NW¼NE¼, S½NE¼, E½NW¼, N½SE¼;
Sec. 33, S½;
Sec. 34, S½;
Sec. 35, S½.
T. 11 N., R. 10 W.,
Sec. 3, lot 1, S½NE¼, SE¼SW¼, N½SE¼, SW¼SE¼;
Sec. 7, SE¼SE¼;
Sec. 8, SW¼, N½SE¼, SE¼SE¼;
Sec. 9, S½;
Sec. 10, NW¼NE¼, NE¼NW¼, S½NW¼, N½SW¼;
Sec. 17, NW¼NW¼;
Sec. 18, E½NE¼, SE¼;
Sec. 19, E½;
Sec. 30, lots 3, 4, W½NE¼, E½NW¼, E½SW¼.
T. 12 N., R. 10 W.,
Sec. 25, NE¼SE¼, S½SE¼;
Sec. 34, SE¼SE¼;
Sec. 35, SW¼, N½SE¼, SW¼SE¼.
T. 10 N., R. 11 W.,
Sec. 11, W½E½;
Sec. 14, W½E½, NE¼SW¼, S½SW¼;
Sec. 19, lots 1, 2, 3, E½NW¼, N½NE¼;
Sec. 20, NE¼, N½NW¼, SE¼NW¼;
Sec. 21, NW¼NW¼, S½N½, NE¼SE¼;
Sec. 22, NE¼NE¼, S½N½, N½SW¼, NW¼SE¼;
Sec. 23, N½NW¼, SW¼NW¼.
T. 11 N., R. 11 W.,
Sec. 25, S½SE¼;
Sec. 35, E½SE¼.
T. 10 N., R. 12 W.,
Sec. 15, SW¼, SW¼SE¼;
Sec. 17, S½S½;
Sec. 18, lots 2, 3, 4, E½SW¼, W½SE¼, SE¼SE¼;
Sec. 22, E½, NE¼NW¼;

Sec. 23, SE¼SE¼;
Sec. 24, SE¼NE¼, NE¼SW¼, S½SW¼, SE¼;
Sec. 25, NW¼NW¼;
Sec. 26, N½NE¼, SW¼NE¼, NE¼NW¼, S½NW¼;
Sec. 27, NE¼.
T. 10 N., R. 13 W.
Sec. 8, NE¼SE¼, S½SE¼, SE¼SW¼;
Sec. 9, SW¼NW¼, S½;
Sec. 12, S½SW¼;
Sec. 13, NW¼NE¼, S½NE¼, N½NW¼, SE¼NW¼, NE¼SE¼;
Sec. 14, N½N½;
Sec. 15, N½NE¼, SW¼NE¼, NW¼;
Sec. 17, lots 1, 2, NE¼NW¼, N½NE¼;
Sec. 18, lots 5, 6, 8, 9, E½SW¼, SW¼SE¼;
Sec. 19, lot 1, NE¼NW¼.
T. 10 N., R. 14 W., partly unsurveyed,
Sec. 7, N½S½;
Sec. 8, SW¼, S½SE¼;
Sec. 17, N½NE¼, SE¼NE¼;
Sec. 21, N½NE¼, SE¼NE¼;
Sec. 22, NW¼, S½NE¼;
Sec. 23, S½N½;
Sec. 24, N½.
T. 10 N., R. 15 W., partly unsurveyed,
Sec. 6, lot 4;
Sec. 8, SW¼SW¼;
Sec. 10, S½SE¼, SE¼SW¼;
Sec. 11, S½S½;
Sec. 12, S½;
Sec. 15, NW¼NE¼, N½NW¼;
Sec. 16, N½;
Sec. 17, N½;
Sec. 18, NE¼NE¼.
T. 10 N., R. 16 W.,
Sec. 1, S½NW¼, N½S½;
Sec. 2, SE¼NE¼, N½SE¼;
Sec. 4, NW¼NW¼, S½N½, N½SE¼, NE¼SW¼;
Sec. 5, N½NE¼, SE¼NE¼, NE¼NW¼.
T. 11 N., R. 16 W.,
Sec. 31, lots 5, 6, 7, 8, 9.
T. 11 N., R. 17 W.,
Sec. 28, SE¼SE¼;
Sec. 34, S½;
Sec. 36, SE¼.

The areas described, including both public and non-public lands, aggregate 16,423.90 acres.

Portions of the above-described lands are within grazing districts, and all of the lands described in said T. 11 N., R. 17 W., G. and S. R. M., are within a first form reclamation withdrawal established by the Secretary of the Interior on June 4, 1930.

The following-described lands are included in applications by the State of Arizona for exchange under the act of June 28, 1934, as amended by the act of June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315g):

GILA AND SALT RIVER MERIDIAN

T. 12 N., R. 9 W.,
Sec. 30, lots 3, 4, E½SW¼, and W½SE¼;
Sec. 31, NW¼NE¼, S½NE¼, E½NW¼, and N½SE¼;
Sec. 33, S½;
Sec. 34, N½S½.
T. 12 N., R. 10 W.,
Sec. 25, NE¼SE¼ and S½SE¼.

The areas described contain 1,113.42 acres.

Order of the Federal Power Commission dated May 11, 1948, vacating the withdrawal of December 28, 1920, for Federal Power Project No. 143:

OREGON

WILLAMETTE MERIDIAN

T. 39 S., R. 22 E.,
Sec. 1, E½SW¼;
Sec. 12, N½ and N½SE¼.
T. 39 S., R 23 E.,
Secs. 7, 8, 9, and 10, inclusive;
Sec. 11, SW¼;
Sec. 14;
Sec. 15, S½;
Sec. 19, SE¼;
Sec. 20;
Sec. 21, N½ and SW¼;
Sec. 22, N½;
Sec. 29, N½NW¼;
Sec. 30, N½ and SW¼.

The areas described, including both public and non-public lands, aggregate approximately 6,240 acres.

The above-described lands are within Oregon Grazing District No. 2 established by the Secretary of the Interior on July 9, 1935 and portions are within Power Site Reserve No. 265 established by Executive order of April 29, 1912 or Power Site Reserve No. 429 established by Executive order of April 3, 1914.

The above-described lands in Arizona and Oregon are primarily suitable for grazing. No application for the unreserved, unappropriated land may be allowed under the homestead, small tract, or desert-land laws, or any other non-mineral public land laws unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application.

Effective on the date of publication of this order in the FEDERAL REGISTER, the unreserved public lands affected by this order shall be subject to application by the States of Arizona and Oregon, respectively, for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, pursuant to section 24 of the Federal Power Act as amended by the act of May 28, 1948, 62 Stat. 275 (16 U. S. C. 1946 Ed. Supp. III, sec. 818).

This order shall not otherwise affect the status of the lands until the ninety-first day after publication of this order in the FEDERAL REGISTER. At that time the said unreserved, unappropriated land shall become subject to application, petition, location and selection, subject to the provisions of existing withdrawals, the requirements of applicable law and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284), as amended.

Inquiries concerning these lands should be addressed to the Land and Survey Office, at Phoenix, Arizona, or the Land Office at Portland, Oregon.

MARION CLAWSON,
Director.

[F. R. Doc. 51–10064; Filed, Aug. 22, 1951; 8:47 a. m.]

NEW MEXICO

STOCK DRIVEWAY WITHDRAWAL NO. 16

AUGUST 17, 1951.

By virtue of the authority contained in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (43 U. S. C. 300), and in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (43 U. S. C. 315f), and pursuant to the authority delegated by the Director, Bureau of Land Management, in § 2.22 (a) (1) of Order No. 427, dated August 16, 1950, 15 F. R. 5639, it is ordered as follows:

The following-described public lands in New Mexico are hereby classified as necessary and suitable for stock-driveway purposes, and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public, the reservation to be known as Stock Driveway Withdrawal No. 16, New Mexico:

NEW MEXICO PRINCIPLE MERIDIAN

T. 29 N., R. 12 W.,
Sec. 26: N½NW¼NW¼;
Sec. 27: N½NE¼NE¼, SW¼NE¼NE¼, N½NW¼NE¼, SE¼NW¼NE¼.
T. 29 N., R. 13 W.,
Sec. 7: NW¼NW¼NE¼, W½SW¼NW¼NE¼, SE¼NW¼, Lot 1.

The areas described aggregate 139.64 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

HAROLD T. TYSK,
Acting Regional Administrator.

[F. R. Doc. 51–10065; Filed, Aug. 22, 1951; 8:48 a. m.]

NEW MEXICO

NOTICE FOR FILING OBJECTIONS TO STOCK DRIVEWAY WITHDRAWAL NO. 16 [1]

AUGUST 17, 1951.

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may file their objections in duplicate in the Land and Survey Office at Sante Fe, New Mexico. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

HAROLD T. TYSK,
Acting Regional Administrator.

[F. R. Doc. 51–10066; Filed, Aug. 22, 1951; 8:48 a. m.]

[1] See F. R. Doc. 51–10065, *supra.*

Geological Survey

NOOKSACK RIVER, WASHINGTON

POWER SITE CLASSIFICATION NO. 418

Pursuant to authority vested in me by the act of March 3, 1879 (20 Stat. 394; 43 U. S. C. 31), and by Departmental Order No. 2333 of June 10, 1947 (43 C. F. R. 4.623; 12 F. R. 4025), the following described land is hereby classified as power sites insofar as title thereto remains in the United States and subject to valid existing rights; and this classification shall have full force and effect under the provisions of sec. 24 of the act of June 10, 1920, as amended by sec. 211 of the act of August 26, 1935 (16 U. S. C. 818):

WILLAMETTE MERIDIAN, WASHINGTON

T. 40 N., R. 8 E.,
Sec. 36, lots 1, 3, and 5, N½SE¼.
T. 40 N., R. 9 E.,
Sec. 31, lot 4.

The area described aggregates 160.20 acres.

Dated: August 16, 1951.

JULIAN D. SEARS,
Acting Director.

[F. R. Doc. 51-10071; Filed, Aug. 22, 1951; 8:49 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 435]

RUBON WOODFINISHING & PRODUCTS CO., INC.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Rubon Woodfinishing & Products Company, Inc., 500 West Seventh Street, Kansas City 6, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of dust mops, dusters, dust cloths, rubon polish, scrub mops and applicators sold through wholesalers and retailers and having the brand name(s) "Rubon" shall be the proposed retail ceiling prices listed by Rubon Woodfinishing & Products Company, Inc., hereinafter referred to as the "applicant" in its application dated June 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Rubon Woodfinishing & Products Co., Incorporated must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----------	$-----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9893; Filed, Aug. 15, 1951; 4:12 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 436]

MARCUS BREIER SONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Marcus Breier Sons, Inc., 20 Hamilton Street, Amsterdam, New York.

Brand name: "Bantamac".

Articles: men's outerwear and sportswear jackets.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag, or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendent to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9896; Filed, Aug. 15, 1951; 4:32 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 444]

SO-LO MARX RUBBER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, So-Lo Works, Inc., D/B/A So-Lo Marx Rubber Co., Loveland, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's and children's rubber footwear sold through wholesalers and retailers and having the brand name(s) "MARXIE-totes" and "OVERSHOE-totes" shall be the proposed retail ceiling prices listed by So-Lo Works, Inc., D/B/A So-Lo Marx Rubber Co., Loveland, Ohio hereinafter referred to as the "applicant" in its application dated July 5, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 16, 1951, So-Lo Works, Inc., D/B/A So-Lo Marx Rubber Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application, or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9941; Filed, Aug. 16, 1951; 3:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 445]

BERNS MANUFACTURING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Berns Manufacturing Corporation, 3050 North Rockwell Street, Chicago 18, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of window fans and floor circulators sold through wholesalers and retailers and having the brand name(s) "Berns Air King" shall be the proposed retail ceiling prices listed by Berns Manufacturing Corporation, 3050 North Rockwell Street, Chicago 18, Illinois, hereinafter referred to as the "applicant" in its application dated June 9, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 16, 1951, Berns Manufacturing Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ ---

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9942; Filed, Aug. 16, 1951; 3:17 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 446]

HERSCHEDE HALL CLOCK CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below.

Name and address of applicant: The Herschede Hall Clock Company, McMillian and Essex Place, Cincinnati 6, Ohio.

Brand names: "Herschede" and "Revere".

Articles: Chime clocks.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the Applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9943; Filed, Aug. 16, 1951; 3:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 447]

RANDOLPH FURNITURE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Randolph Furniture Co., Inc., Salisbury Street, Randolph, Vermont, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required un-

der this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of facts submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of household furniture manufactured by Randolph Furniture Co., Inc., Salisbury Street, Randolph, Vermont, having the brand name(s) "Ye Olde Randolph House" shall be the proposed retail ceiling prices listed by Randolph Furniture Co. in its application dated April 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 16, 1951, Randolph Furniture Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9944; Filed, Aug. 16, 1951; 3:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 448]

NATIONAL PRODUCTION CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, National Production Company, 4561–4603 St. Jean Avenue, Detroit 13, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of infant and juvenile specialties manufactured by National Production Company, 4561–4603 St. Jean Avenue, Detroit 13, Michigan, having the brand name(s) "Teeterbabe" shall be the proposed retail ceiling prices listed by National Production Company in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 16, 1951, National Production Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9945; Filed, Aug. 16, 1951; 3:18 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 449]

PICKARD, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Pickard, Incorporated, Corona Avenue, Antioch, Illinois.

Brand names: "Pickard China" and "Pickard Ravenswood".

Articles: dinnerware.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceil-

ing price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit, dozen, etc.} Terms {net, percent EOM, etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must ,within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9946; Filed, Aug. 16, 1951; 3:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 450]

STANDARD KNITTING MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Standard Knitting Mills, Inc., Knoxville 3, Tennessee, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of knit underwear, sportswear, and sleepwear sold through wholesalers and retailers and having the brand name(s) "Healthknit" shall be the proposed retail ceiling prices listed by Standard Knitting Mills, Inc., Knoxville 3, Tennessee, hereinafter referred to as the "applicant" in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated August 2, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 16, 1951, Standard Knitting Mills, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail

ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9947; Filed, Aug. 16, 1951; 3:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 451]

MASTER CLOTHES, INC.

CEILING PRICES AT RETAIL

Statement of Considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for Retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Master Clothes, Inc., 1133 Arch Street, Philadelphia 7, Pennsylvania.

Brand names: "Botany Brand 2-2-22 Tailored by Master Clothes".

Articles: boys' outerwear.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail

ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS–Sec. 43–CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9948; Filed, Aug. 16, 1951; 3:19 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 452]

CONCORD WATCH CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Concord Watch Co., Inc., 10 West Forty-seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of watches and clocks sold through wholesalers and retailers and having the brand name(s) "Concord" shall be the proposed retail ceiling prices listed by Concord Watch Co., Inc., 10 West Forty-Seventh Street, New York 19, New York, hereinafter referred to as the "applicant" in its application dated June 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 16, 1951, Concord Watch Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is tick-

eted in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9949; Filed, Aug. 16, 1951; 3:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 453]

KNAPE AND VOGT MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Knape and Vogt Manufacturing Company, Grand Rapids, Michigan.

Brand names: "K-Venience".

Articles: garment racks, shoe racks, tie racks, hat holders, clothes carriers, necktie racks, closet rods, trouser and skirt hangers, over-door hangers, pan racks, towel racks, and hangers (with trouser bar).

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS-Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag

such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same informatien.

10. *Sale volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9950; Filed, Aug. 16, 1951; 3:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 454]

KAYLON INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for Retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Kaylon, Inc., 180 Madison Avenue, New York City.

Brand names: "Tommies".

Articles: women's pajamas, pajama sets and lounging sets.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list

shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9951; Filed, Aug. 16, 1951; 3:20 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 455]

CONSOLIDATED TRIMMING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Consolidated Trimming Corporation, 27 West Twenty-third Street, New York, New York.

Brand names: "Simpleat & Drawpleat".

Articles: Drapery tape.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9952; Filed, Aug. 16, 1951; 3:21 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 456]

CHARLES DOPPELT & CO., INC.

CEILING PRICES AT RETAIL

Statement of Considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Charles Doppelt & Co., Inc., 2024–26 South Wabash Avenue, Chicago 16, Illinois.

Brand names: "Dopp-kit" and "Brief Master".

Articles: toilet kits, brief bags.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amend-

ment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of making the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9953; Filed, Aug. 16, 1951; 3:21 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 457]

CROWN FASTENER CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Crown Fastener Corporation, Warren, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of slide fasteners manufactured by Crown Fastener Corporation, Warren, Rhode Island, having the brand names(s) "Crown" shall be the proposed retail ceiling prices listed by Crown Fastener Corporation in its application dated June 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 16, 1951, Crown Fastener Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9954; Filed, Aug. 16, 1951; 3:21 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 458]

WIMBLEDON SHIRT CO. INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Wimbledon Shirt Company Inc., 878 Merchandise Mart, Chicago 54, Illinois.

Brand names: "Wimbledon".

Articles: men's sport shirts.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the Applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per _____{unit. / dozen. / etc.} Terms {net. / percent E O M. / etc.}
$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9955; Filed, Aug. 16, 1951; 3:22 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 459]

W. F. WHITNEY CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, W. F. Whitney Company, Inc., Pleasant Street, South Ashburnham, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level

of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of household furniture manufactured by W. F. Whitney Company, Inc., Pleasant Street, South Ashburnham, Massachusetts, having the brand name(s) "Whitney" shall be the proposed retail ceiling prices listed by W. F. Whitney Company, Inc., in its application dated April 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 16, 1951, W. F. Whitney Company, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 15, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 16, 1951.

[F. R. Doc. 51-9956; Filed, Aug. 16, 1951; 3:22 p. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

DIRECTOR, POULTRY BRANCH

DELEGATION OF AUTHORITY TO EXERCISE CERTAIN POWERS AND FUNCTIONS

Pursuant to the authority vested in me under § 70.1 of the regulations of the Secretary of Agriculture, appearing in Title 7, Chapter I, Part 70, Code of Federal Regulations, as printed in the FEDERAL REGISTER June 5, 1951 (16 F. R. 5210; 16 F. R. 5423) authority is hereby delegated to the Director, Poultry Branch, Production and Marketing Administration, to exercise the powers and functions vested in me pursuant to §§ 70.1 to 70.40, 70.101 to 70.105, and 70.201, inclusive, of said regulations, and to redelegate the authority granted herein to any officer or employee of the Production and Marketing Administration under his supervision.

Any action heretofore taken by the Director, Poultry Branch, with respect to the foregoing matters is hereby ratified and confirmed, and shall remain in full force and effect unless and until expressly modified, amended, suspended, revoked, or terminated; and the delegation of authority to the Chief, Dairy and Poultry Inspection and Grading Division, Dairy Branch, Production and Marketing Administration of January 16, 1950 (15 F. R. 332) is hereby revoked.

Done at Washington, D. C., this 17th day of August 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 51-10059; Filed, Aug. 22, 1951; 8:47 a. m.]

DIRECTOR, POULTRY BRANCH

DELEGATION OF AUTHORITY TO EXERCISE CERTAIN POWERS AND FUNCTIONS

Pursuant to the authority vested in me under § 54.1 of the Regulations of the

Secretary of Agriculture, appearing in Title 7, Chapter I, Part 54, Code of Federal Regulations, as printed in the FEDERAL REGISTER June 5, 1951 (16 F. R. 5200) authority is hereby delegated to the Director, Poultry Branch, Production and Marketing Administration, to exercise the powers and functions vested in me pursuant to §§ 54.1 to 54.37, 54.101 to 54.102, inclusive, of said regulations, and to redelegate the authority granted herein to any officer or employee of the Production and Marketing Administration under his supervision.

Any action heretofore taken by the Director, Poultry Branch, with respect to the foregoing matters, is hereby ratified and confirmed, and shall remain in full force and effect unless and until expressly modified, amended, suspended, revoked, or terminated.

Done at Washington, D. C., this 17th day of August, 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 51-10060; Filed, Aug. 22, 1951; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-238]

ACCIDENT OCCURRING NEAR RICHMOND, VIRGINIA

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N-119A, which occurred near Richmond, Virginia, on July 19, 1951.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday, August 23, 1951, at 9:00 a. m., e. d. t., in the Lexington Hotel, Forty-eighth Street and Lexington Avenue, New York, New York.

Dated at Washington, D. C., August 15, 1951.

[SEAL] ROBERT W. CHRISP,
Presiding Officer.

[F. R. Doc. 51-10100; Filed, Aug. 22, 1951; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10008]

BARTELL BROADCASTERS, INC. (WOKY)

ORDER CONTINUING HEARING

In re application of Bartell Broadcasters, Inc. (WOKY), Greenfield, Wisconsin, for construction permit; Docket No. 10008, File No. BP-7959.

The Commission having under consideration a petition filed on August 9, 1951, by Bartell Broadcasters, Inc. (WOKY), Milwaukee, Wisconsin, requesting that the hearing now scheduled to be held on the above-entitled application, in Washington, D. C., on August 20, 1951, be continued for a period of not more than sixty days; and

It appearing, that no opposition has been filed to the above petition by any of the parties to the instant proceeding:

It is ordered, This 16th day of August, 1951, that the above petition be, and it is hereby, granted; and that the hearing on the above-entitled application be, and it is hereby, continued until 10:00 a. m., Monday, October 15, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10101; Filed, Aug. 22, 1951; 8:52 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1700]

HOPE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 17, 1951.

Notice is hereby given that, on August 14, 1951, the Federal Power Commission issued its findings and order entered August 14, 1951, issuing certificate of public convenience and necessity authorizing relocation of natural gas facilities, and permitting and approving abandonment of natural gas facilities in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10074; Filed, Aug. 22, 1951; 8:49 a. m.]

[Docket No. E-6346]

CONNECTICUT RIVER POWER CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 17, 1951.

Notice is hereby given that, on August 15, 1951, the Federal Power Commission issued its findings and order entered on August 14, 1951, in the above-entitled matter, that the interests of interstate or foreign commerce would be affected by the construction and operation of the Littleton development and ordering that the declarant, before commencing construction of the proposed Littleton development, shall have received a license therefor under the provisions of the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10073; Filed, Aug. 22, 1951; 8:49 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

CENTRAL OFFICE

DESCRIPTION OF AGENCY AND PROGRAM AND FINAL DELEGATION OF AUTHORITY

Section II, Central Office Organization and Final Delegations of Authority to Central Office officials is amended as follows:

Subparagraph (d) is added to paragraph II e 6 as follows:

(d) Effective June 13, 1951, to negotiate purchases for supplies and services up to $500 from administrative funds without advertising for bids.

Date approved: August 13, 1951.

[SEAL] JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 51-10072; Filed, Aug. 22, 1951; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26335]

WALLBOARD FROM RIO GRANDE CROSSINGS TO SOUTHWEST

APPLICATION FOR RELIEF

AUGUST 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3843.

Commodities involved: Wallboard, building, wall, or insulating boards, viz: fibreboard or strawboard and wood combined, carloads.

From: Rio Grande crossings (ex Mexico).

To: Points in Kansas, Missouri, and Oklahoma.

Grounds for relief: To apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3843, Supp. No. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-10088; Filed, Aug. 22, 1951; 8:51 a. m.]

[4th Sec. Application 26336]

CLAY FROM KONA, N. C., TO ANDERSON, S. C.

APPLICATION FOR RELIEF

AUGUST 20, 1951.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Carolina and Northwestern Railway Company and other carriers.

Commodities involved: Clay, kaolin or pyrophyllite, carloads.

From: Kona, N. C.

To: Anderson, S. C.

Grounds for relief: Competition with rail carriers, market competition, and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 809, Supp. 173.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10089; Filed, Aug. 22, 1951; 8:52 a. m.]

[4th Sec. Application 26337]

COKE BREEZE FROM ALABAMA CITY, ALA., TO FORT SMITH, ARK.

APPLICATION FOR RELIEF

AUGUST 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Chicago, Rock Island and Pacific Railroad Company and other carriers.

Commodities involved: Coke breeze (the direct product of coal), carloads.

From: Alabama City, Ala.

To: Fort Smith, Ark.

Grounds for relief: Circuitous routes and competition with rail carriers.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10090; Filed, Aug. 22, 1951; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-66, 59-61, 59-35]

FEDERAL WATER AND GAS CORP. ET AL.

NOTICE OF FILING OF LIQUIDATION PLAN AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of August A. D. 1951.

Notice is hereby given that Federal Water and Gas Corporation ("Federal"), a registered holding company, has filed a plan for the completion of its liquidation pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") and to effectuate compliance with section 11 (b) of the act and orders of the Commission dated February 10, 1943, July 2, 1948, and July 27, 1948, issued thereunder. All interested persons are referred to said plan, which is on file in the office of the Commission, for a full statement of the transactions therein proposed, which may be summarized as follows:

Federal proposes to distribute to its stockholders common stock of Scranton-Spring Brook Water Service Company ("Scranton") on the basis of 0.3 of a share of Scranton for each share of Federal.

Unless otherwise provided by order of this Commission or by the United States District Court for the District of Delaware, the stock transfer books of Federal will be permanently closed at 3:00 p. m., e. d. s. t., September 18, 1951, such date and hour being hereinafter referred to as the "record date", and thereafter no stock transfers will be made on the books of Federal.

Upon approval of the plan by this Commission and by the United States District Court for the District of Delaware without objection or, if objection is raised, after the objection is finally disposed of, Federal will deliver to The New York Trust Company, as distributing agent, a certificate for 292,955 shares of common stock of Scranton to be registered in the name of the distributing agent or its nominee, for distribution to the stockholders of Federal. Since the distribution of 0.3 of a share of common stock of Scranton will be the last substantial distribution of assets to Federal stockholders (the distribution of cash and common stock of Southern Natural Gas Company, Southern Production Company, Inc. and certain shares of Scranton, having previously been made pursuant to authorization of the Commission), the right of stockholders to receive the distribution and any further distribution is conditioned upon the surrender by the stockholders of their certificates of stock.

Federal, at the same time, will mail to its stockholders of record on the record date letters requesting them to surrender their certificates of stock in order that they might receive the distributions provided for by this plan. An appropriate letter of transmittal will be enclosed. Thereafter, each holder of stock of Federal will be entitled, upon surrender of the certificate or certificates accompanied by a properly executed letter of transmittal, to receive full shares of stock of Scranton, and a cash adjustment in lieu of fractional shares, in the ratio of 0.3 of a share of stock of Scranton for each share of Federal represented by the certificate or certificates surrendered. The New York Trust Company will from time to time as necessary to meet the requirements of those entitled to fractional shares sell full shares and divide the net proceeds of sale thereof among those entitled to fractional shares.

If the certificate surrendered is one which has not received all of the prior distributions to which it was entitled, the holder thereof, if entitled to any prior distribution, will receive the same at the time of surrender. Delivery of the stock and/or cash will be made by The New York Trust Company either personally or by registered mail.

At the same time that Federal mails to its stockholders of record on the record date letters requesting such stockholders to surrender their certificates and receive the distribution to which they are entitled under this plan, Federal will also mail letters to the stockholders of record on the record date of Federal Water Service Corporation ("Water Service") and Utility Operators Company ("Utility Operators") who were entitled under the merger agreement, effective October 31, 1941, to surrender their certificates of stock in exchange for certificates of stock of Federal. Upon surrender of the certificates of stock of Water Service and Utility Operators by the holders thereof, accompanied by letters of transmittal properly executed, The New York Trust Company, as distributing agent, will deliver or send by registered mail the certificates of stock of Scranton and/or cash to which the holder of the certificate is entitled. In determining the amount of cash to which the holders of outstanding certificates of stock of Water Service and Utility Operators are entitled, The New York Trust Company, as Distributing Agent, will include the proportionate part of the sum of $3,118.91 held by The New York Trust Company as a result of the failure of scrip holders to receive scrip and thereafter surrender the scrip for fractional shares of Federal pursuant to the merger agreement.

The New York Trust Company will keep a record of the names of the holders of the surrendered certificates of Federal, Water Service and Utility Operators and the number of shares of Federal represented thereby, together with the addresses to which any future distributions should be sent. Thereafter any future distributions will be made by

The New York Trust Company by mailing checks to the persons whose names are shown by the records at the addresses so given, or as they may be changed by written notice to The New York Trust Company.

Notwithstanding the closing of the transfer books on September 18, 1951, assignments of the right of the holder of a certificate of stock of Federal, or of Water Service, or of Utility Operators, whether executed before or after September 18, 1951, to receive the distributions to which such certificate is entitled will be recognized, where such assignment is evidenced by the transfer of the certificate endorsed in blank or to the order of the persons surrendering them. Endorsements must be guaranteed by a commercial bank or trust company having a New York correspondent or by a member firm of the New York Stock Exchange, and endorsed certificates must have affixed thereto stock transfer stamps in the proper amount. Certificates surrendered by the record owner need not be endorsed.

The right to receive Scranton stock upon surrender of certificates of stock of Federal, Water Service and Utility Operators shall cease and terminate at the close of business on December 31, 1952. As soon as practicable after that date, the distributing agent will sell at public or private sale any Scranton stock which shall not then have been distributed and thereafter will hold the net proceeds of sale, together with any dividends which had been received by the distributing agent on such undistributed stock, for the benefit of the persons entitled thereto.

Within such reasonable time as is appropriate following the approval of this plan, Federal will sell at public or private sale on such terms and conditions as are deemed by its officers to be appropriate the remaining shares of Scranton stock held by Federal and add the proceeds of sale to its cash on hand.

Federal will pay all fees and expenses incurred in connection with its plan of liquidation to the extent approved by the Commission. Upon determination of the maximum claims against it, including fees and expenses of the plan, and after provision has been made for payment thereof, Federal will pay its remaining cash balance to The New York Trust Company for further distribution. Upon receipt of such remaining cash balance The New York Trust Company will determine the amount of such balance to which each share of Federal is entitled and will mail checks for the amounts to which stockholders who have surrendered their certificates are entitled to them at their addresses as given on the books of The New York Trust Company and will retain the remainder for the other stockholders who have not surrendered their certificates.

Federal will maintain its office until December 31, 1951, after which date no further notices will be sent by Federal to stockholders of record urging the surrender of their certificates to obtain the distributions to which such stockholders are entitled. During the month of December, 1952, The New York Trust Company, as Distributing Agent, will send notice to the stockholders of record who have not surrendered their certificates advising them of their rights. Similar notices will be sent out in December, 1953, 1954, 1955, and 1956. Thereafter any money on hand will be treated by The New York Trust Company in accordance with the Abandoned Property Law of the State of New York.

The Commission being required by the provisions of section 11 (e) of the act before approving any plan submitted thereunder to find after notice and opportunity for hearing that the plan, as submitted, or as modified, is necessary to effectuate the provisions of subsection (b) of section 11 of the act and is fair and equitable to the persons affected thereby; and it appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that notice be given and a hearing be held with respect to said plan to afford all interested persons an opportunity to be heard with respect thereto, and that said plan shall not become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said plan, pursuant to the applicable provisions of the act and rules thereunder, be held on September 14, 1951, at 11 a. m., e. d. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., in such room as may be designated on that day by the hearing room clerk in Room 193. In the event amendments are filed to said plan during the course of said proceeding, no notice of such amendments will be given unless specifically ordered by the Commission.

It is further ordered, That any person, other than those persons who previously have been granted participation in this proceeding, desiring to be heard in connection with this proceedng, or otherwise participate herein, shall file with the Secretary of the Commission on or before September 7, 1951, his request or application therefor as provided in Rule XVII of the rules of practice of the Commission.

It is further ordered, That Edward C. Johnson, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in the proceeding. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the plan as submitted, or as it may hereafter be modified, is necessary to effectuate the provisions of section 11 (b) of the act and is in conformity with the requirements of the Commission's orders of February 10, 1943, and July 2 and 27, 1948, and is fair and equitable to the persons affected thereby;

2. Whether the fees and expenses and other remuneration which may be claimed in connection with this plan and prior plans, and transactions incident thereto, are for necessary services and are reasonable in amount;

3. Generally, whether the proposed transactions are in all respects in the public interest and in the interest of investors and consumers and consistent with all applicable requirements of the act and rules thereunder, and whether any modifications should be required to be made therein, and whether any terms and conditions should be imposed to satisfy the applicable statutory standards;

It is further ordered, That attention shall be directed at said hearing to the foregoing issues and such other matters and questions as may be presented by this plan.

It is further ordered, That all persons proposing to request an allowance for services or expenses shall file herein an application therefor on or before the 7th day of September 1951.

It is further ordered, That the Secretary of the Commission cause a copy of this notice to be mailed to Federal by registered mail, and that Federal cause copies thereof to be mailed to its stockholders of record, such mailing to be made as of a date not later than August 24, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-10076; Filed, Aug. 22, 1951; 8:50 a. m.]

[File No. 70-2680]

AMERICAN GAS AND ELECTRIC CO.

ORDER AUTHORIZING ISSUANCE OF SHARES OF COMMON STOCK IN PAYMENT OF STOCK DIVIDEND

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of August A. D. 1951.

American Gas and Electric Company ("American"), a registered holding company, having filed a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") regarding the following transactions:

American Gas proposes to issue not in excess of 271,739 shares of its Common Stock ($10 par value), to be paid as a stock dividend to its stockholders of record on August 10, 1951, at the rate of one share for each twenty shares of its outstanding common stock. To reflect the proposed stock dividend, American Gas proposes to charge earned surplus in the amount of $13,586,950, to credit its Common Stock account in the amount of $2,717,390, and to credit premium on Commons Stock (Capital Surplus) in the amount of $10,869,560. As of June 30, 1951, the earned surplus of American Gas was $80,379,833.68.

American Gas proposes that no fractional shares of stock will be issued, but

in lieu thereof scrip certificates will be delivered representing fractional interest. Such scrip certificates will be exchanged, when combined with other scrip certificates, for shares of American Gas Common Stock, if presented on or before December 31, 1953. Thereafter any common stock applicable to outstanding scrip certificates will be sold, and the proceeds remitted to holders of the outstanding scrip certificates. The declarant states that holders of scrip certificates who do not surrender them on or before December 31, 1957, will be presumed to have abandoned all claims thereunder and that all cash allocable thereto will be paid to and become the property of American Gas.

American Gas has made arrangements with Guaranty Trust Company of New York, as depositary, pursuant to which the depositary will act as the agent for holders of scrip certificates who may desire (1) to purchase additional scrip certificates, so that their holdings will aggregate one full share of Common Stock of American Gas; and (2) to sell their scrip certificates. Such services will be furnished without charge to the holders of scrip certificates.

Said declaration having been filed on August 1, 1951, and notice of such filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that said declaration satisfies the requirements of the applicable provisions of the act and the rules and regulations promulgated thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that the declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10075; Filed, Aug. 22, 1951; 8:49 a. m.]

[File Nos. 59-11, 59-17, 54-25]

UNITED LIGHT RAILWAYS CO. ET AL.

ORDER ALLOWING REIMBURSEMENT FOR FEES ANE EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 17th day of August A. D. 1951.

In the matter of The United Light and Railway Company, American Light Traction Company, et al.; File Nos. 59-11, 59-17, 54-25.

The Commission, by Order dated December 30, 1947, having approved the amended plan of The United Light and Railways Company ("Railways") and American Natural Gas Company (formerly American Light & Traction Company—"American Natural") filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"), and said order having reserved jurisdiction with respect to the fees and expenses incurred or to be incurred in connection with the plan and its consummation; and

The Commission, by Order dated December 22, 1949, having approved the fees and expenses incurred and to be incurred by Railways, American Natural and certain participants; and

An application having been filed by Allied Chemical & Dye Corporation ("Allied") for reimbursement on account of fees and expenses aggregating $329,329 paid by it in connection with the proceedings with respect to said plan; and

A public hearing having been held after appropriate notice, briefs having been filed and oral argument heard; and

The Commission having considered the record and having this day issued its findings and opinion herein;

It is ordered, That the application of Allied for approval of an allowance for reimbursement on account of fees and expenses paid by it in connection with section 11 (e) plans filed by Railways and American Natural be, and it is hereby approved in the amount of $75,000, and denied in respect to the request in excess of that amount; and that said sum of $75,000 be, and it hereby is, allocated between and shall be paid by Railways and American Natural in equal proportions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10077; Filed, Aug. 22, 1951; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18284]

HERMANN HOHLBEIN ET AL.

In re: Securities owned by Hermann Hohlbein and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, set forth below, and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibit A, set forth below, and by reference made a part hereof, are corporations, partnerships, associations, or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal place of business in Germany and are nationals of a designated enemy country (Germany);

3. That Ferdinand Mantei, whose last known address is Konigslutter, Klosterstr. 7, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Hulda Ronte, whose last known address is Hagen, Zur Niedenstrasse 6, fur Erbengemienschaft, Hagen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Leocardo Schuler, whose last known address is Munster, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That Wilhelm Kremer, whose last known address is Leverkusen-Schlebusch, Kurt Neubauerstrasse 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Walter Wohllebe, whose last known address is Hude, Oldenburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That Heinrich Rieper, whose last known address is Hohenfelde b/Steinkirchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

9. That Vereingte Stahlwerke, the last known address of which is Duesseldorf, Germany is a corporation, partership, association, or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany, and is a national of a designated enemy country (Germany);

10. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners together with all declared and unpaid dividends thereon,

b. That certain debt or other obligation, matured or unmatured, evidenced by one (1) 4½ Percent First and Ref. Mortgage bond of Columbia Hospital, Milwaukee, Wisconsin, due May 1, 1946, numbered M220 of $1,000 face value owned by Ferdinand Mantei, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

c. All rights and interests in and under one (1) Certificate of Deposit, numbered 174404 for The Athletic Club and Office Building, Kansas City, Missouri 6½ percent First Mortgage bond of $100 face value, said certificate numbered 2438, owned by Hulda Ronte,

d. One (1) Deutscher Verein 4 percent 30 year income debenture bond numbered M109, due April 1, 1955, of $1,000.00 face value owned by Leocardo

Schuler, together with any and all rights in and under said bond,

e. All rights and interests in and under one (1) certificate of Beneficial Interest numbered 481 for 123 units of Beneficial Interest in a trust known as Flamingo Hotel Liquidation Trust, Chicago, Illinois, issued February 4, 1936 by Chicago City Bank and Trust Company as Trustee under its Trust numbered 2150 owned by Wilhelm Kremer,

f. All rights and interests in and under one (1) Certificate of Beneficial Interest numbered 36 for 1 unit of Beneficial Interest in a trust known as Ford Sales and Service Building Liquidation Trust, Chicago, Illinois, issued December 31, 1937 by Chicago City Bank and Trust Company as Trustees under its Trust numbered 2451 owned by Wilhelm Kremer,

g. All rights and interest in and under two (2) Certificates of Beneficial Interest numbered 82 and 84 each for 10 units of Beneficial Interest in a trust known as Glen Eden Hotel Liquidation Trust, Chicago, Illinois issued April 26, 1937 by Chicago City Bank and Trust Company as Trustees under its Trust numbered 2404 owned by Wilhelm Kremer,

h. All rights and interests in and under one (1) Guaranteed First Mortgage Participation Certificate numbered 147, mortgage numbered 241766, issued October 17, 1930, by Lawyers Title and Guaranty Company in the face amount of $5,000.00 owned by Walter Wohllebe,

i. All rights and interests in and under one (1) certificate numbered 2506 having a face value of $100.00 representing a part interest in Mortgage Gold Bonds of Guayaquil and Quito Railway Company, said certificate owned by Heinrich Rieper,

j. All rights and interests in and under one (1) Participation Certificate, numbered 6, Series B, dated February 3, 1915 issued by The Farmers Loan and Trust Company, Trustees under Trust Agreement dated January 15, 1915 between Hermann D. Boker, Hans R. Boker, H. Boker & Co., Inc., Carl F. Boker, Valley Forge Cutlery Co., and Farmers Loan and Trust Company in the face amount of $253.40 owned by Vereinigte Stahlwerke,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

11. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3, 4, 5, 6, 7, 8 and 9 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
Cornplanter Refining Co	Capital	$100.00	634, 711, and 932	13	Hermann Hohlbein.
Do	do	100.00	681, 710 and 871	20	Henrich Bode.
Deep Tunnel Mining Co	do	None	519	25	Waldemar Meng.
The Doyle Consolidated Mines Corp.	do	$1.00	505	25	Hermann Meuer.
Furance Creek Copper Co	do	1.00	11926 and 12053	200	Kreissparkasse.
Geller, War & Hasner Hardware Co.	Common	None	187	12	Friedrich Geller.
General Electric Co	do	None	NYD252269	25	Friedrich Schmidt.
German American Lumber Co	Preferred	$100.00	1/6	5,000	Prinz Wolrad zu Schaumburg-Lippe.
Glengarry Mining Co	Capital	1.00	534B and 536B	700	Marlis Kaulen.
Do	do	1.00	320B	250	Wwe. Hugo Pahl.
Do	do	1.00	594B	200	Dorothea Borger-Landwehrmann.
Do	do	1.00	1254B	100	Fritz Suthaus.
Do	do	1.00	1256B	100	Lina Stuckenbrock.
Do	do	1.00	1705B	50	Lina Suthaus.
Do	do	1.00	1008B	100	Arthur von Hurter.
Do	do	1.00	360B	25	Dr. Erhard Hedwig.
The Gold Divide Mining, Milling & Tunnel Co.	do	1.00	271, 296/7, 348, 368, 457, 508, 516, 576, and 590.	2,075	Marianne Hebert.
The Good Hope Gold Mining Co	do	1.00	256/260	5,000	Erben Marie Goldschmidt.
The Gorham State Bank	do	100.00	82	2	Johann Brombach.

[F. R. Doc. 51-10102; Filed, Aug. 22, 1951; 8:53 a. m.]

[Vesting Order 18285]

ELSIE KAHLE ET AL.

In re: Securities owned by Elsie Kahle and others. F-28-31614.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsie Kahle, whose last known address is Lüneburg, Lünerdamm 21, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That Allianz Lebensversicherung A. G. the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

3. That Braunschweigische Lebensversicherung A. G., the last known address of which is Braunschweig, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Braunschweig, Germany, and is a national of a designated enemy country (Germany);

4. That Wilhelm Kremer, whose last known address is Leverkusen-Schlebusch, Franz Schubertstr. 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by six (6) New York Majestic Corporation 4 percent non-cumulative income bonds, due June 1, 1956, numbered M8408 to M8413 inclusive, each of $1,000 face value, owned by Elsie Kahle, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds,

b. All rights and interest in and under fifty (50) certificates for corporate stock of The City of New York, for the construction of rapid transit railroads, numbered 1751 R14 through 1800 R14, inclusive, each of $1,000 face value, owned by Allianz Lebensversicherung A. G.,

c. Those certain debts or other obligations, matured or unmatured evidenced by two (2) Norfolk and Western Railway Company first consolidated 4 percent gold bonds, due 1996, numbered D7162 of $500 face value and C5445 of $100 face value, owned by Braunschweigische Lebensversicherung A. G., together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds, and

d. Fifteen (15) shares of $9.00 par value capital stock of Normandy Park Company, a corporation organized under

the laws of the State of Washington, evidenced by two certificates numbered 318 for five (5) shares and 319 for ten (10) shares, owned by Wilhelm Kremer, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1, 2, 3 and 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10103; Filed, Aug. 22, 1951; 8:53 a. m.]

[Vesting Order 18286]

FRIEDA KLEINE ET AL.

In re: Securities owned by Frieda Kleine and others. F-28-31611.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, set forth below, and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Landesgenossenschaft Stade, the last known address of which is Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, which has or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That Theodor von Gorrissen, whose last known address is Hamburg v. d. Hohe Weinbergweg 15, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Elbert Gorrissen, also known as Elbert von Gorrissen, whose last known address is Gottingen Herzbergerlandstrasse 49, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Wilhelm Kremer, whose last known address is Leverkusen-Schlebusch Kurt Neubauerstrasse 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That the property described as follows:

a. That certain debt or other obligation, matured or unmatured, evidenced by one (1) Baltimore & Ohio Railroad Company 5 percent Ref. & Gen. Mortgage Series F bond, numbered D388 of $500 face value, owned by Landesgenossenschaft Stade, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bond,

b. All rights and interests in and under eight (8) Interest Bearing and Non-Interest Bearing Scrip Certificates of Associated Gas & Electric Company for interest on convertible obligations and owned by Theodor von Gorrissen, numbered and of face value as set forth below:

Certificate Nos.	Face valuc	Type
3DS7445	$200.00	Interest bearing.
3NS38207	10.60	Noninterest bearing.
2DS7269	200.00	Interest bearing.
2NS38495	10.60	Noninterest bearing.
NS38601	70.20	Do.
7NS23518	35.10	Do.
9NS23401	35.10	Do.
5NS23855	35.10	Do.

c. All rights and interests in and under one (1) Certificate, numbered BX3943 of the Associated Electric Gas & Electric Company for 6 percent Series A convertible obligation in the sum of $2,600.00 owned by Theodor von Gorrissen,

d. All rights and interests in and under two (2) Scrip Certificates, numbered TCOS 941 and TCOS 942, of Associated Gas & Electric Company for interest on convertible obligations owned by Elbert Gorrissen, also known as Elbert von Gorrissen,

e. All rights and interests in and under one (1) Certificate of Beneficial Interest, numbered 31, for 5 units of beneficial interest in the trust known as the Bennett Court Apartments Liquidation Trust, issued by Chicago City Bank and Trust Company as Trustee under Trust numbered 2364, owned by Wilhelm Kremer and

f. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

7. That to the extent that the persons referred to in subparagraph 1 and the persons named in subparagraphs 2, 3, 4, and 5 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuers	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
American Central Railways Co	Common capital	$5.00	26/9 and 48	10,000	Frieda Kleine.
Anderson Hotel Co	Common	None	349	1	Wilhelm Kremer.
Associated Gas & Electric Co	A	None	H096827	1	Locarde Schuler.
The Bank of United States	Capital	25.00	070707	40	Do.
Bankus Corp	do	5.00	070707	40	Do.
The Augusta Metal Mining Co	do	1.00	580	1,000	San. Rat. Dr. Adam.
Baldwin State Bank	do	100.00	155	5	Emil Harf.
The Baltimore & Ohio R. R. Co	Common capital	100.00	D102102	10	Geheimrat Dr. Hans V. Flotow.
Benson Super-Power Corp	Capital	10.00	C1377	39½	Henirich Thyssen.

[F. R. Doc. 51-10104; Filed, Aug. 22, 1951; 8:54 a. m.]

[Vesting Order 18289]

PAUL MUNDRY ET AL.

In re: Securities owned by Paul Mundry and others. F–28–31612.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, set forth below, and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprise whose name is set forth as owner in Exhibit A, set forth below, and by reference made a part hereof is a corporation, partnership, association, or other business organization organized under the laws of Germany, and which has on or since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That Frida Puvogel, whose last known address is Crindau ü/Schwarmstedt, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. Paul Klose, whose last known address is Lindenstrasse 57, Hilden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Heinrich Grossehambrucker, whose last known address is Friedrichstrasse 32, Bielefeld, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That William F. Schmidt, whose last known address is Bismarckstrasse 6, Goslar, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, together with all declared and unpaid dividends thereon,

(b) One (1) Brazil Railway Company 4½ percent first mortgage 60-year gold bond, due July 1, 1969, numbered A11190 and of £ 100.00 sterling face value owned by Frida Puvogel, together with any and all rights in and under said bonds,

c. One (1) Brazil Railway Company 5 percent, 50-year gold debenture, due January 1, 1957, numbered A3506 and of $100.00 face value, owned by Paul Klose, together with any and all rights in and under said bonds,

d. Those certain debts or other obligations, matured or unmatured, evidenced by two (2) Central Building Property 6 percent and surplus Participating Bonds, numbered 131 and 466 of $2,000 and $1,000 face value, respectively, owned by Heinrich Grossehambrucker, together with any and all accruals to the aforesaid debts or other obligations, and any and all rights to demand, enforce and collect the same, and any and all rights in and under said bonds, and

e. Any and all rights and interests in and under one (1) Certificate of Deposit, numbered A03195, for 10 shares of Prior Preferred Series A stock of Chicago, Rapid Transit Company, owned by William F. Schmidt,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

8. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3, 4, 5, and 6 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate Nos.	Number of shares	Owner
P. Berwin & Co., Inc.	Capital	None	1	100	Nachlass Graf Egon v. Furstenburg-Stammheim.
Budd Wheel Co.	Common	None	NO4257	50	Paul Mundry.
Cachise Mining & Milling Co.	Capital	$100.00	298/301	133	Lilly Gevers.
Central & Northwest Corp.	Preferred	50.00	102	2	Wilhelm Kremer.
Central Commodities Corp., Inc.	Capital	100.00	1/3	3	Klockner & Co.
The Cherokee Oil & Gas Co.	do	100.00	301, 367, 464 and 648	32	Herman Hohlbein.
The Cherokee-Warren Oil & Gas Co.	do	50.00	248	30	Heinrich Bode.
The Cherokee Oil & Gas Co.	do	100.00	267, 368, 468 and 583	30	A. Bode.
The Chicago, Rock Island and Pacific Ry. Co.	6 percent preferred.	100.00	E11215	100	Pauline von Joest.
Cobalt Central Mines Co.	Capital	1.00	A58284	100	Karl Engler.
Do	do	1.00	A66124/5 and B8946	400	Emma Auguste Zenker.

[F. R. Doc. 51–10105; Filed, Aug. 22, 1951; 8:54 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 16 NUMBER 165

Washington, Friday, August 24, 1951

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

MISCELLANEOUS AMENDMENTS

Effective November 15, 1950, §§ 6.101 (h), 6.108 (f), 6.110 (k) and 6.112 (i) are amended as set out below:

1. Section 6.101 (h) is amended to read as follows:

§ 6.101 *Entire Executive Civil Service.* * * *

(h) NC/PD. Any position in a foreign country, or beyond the continental limits of the United States, when in the opinion of the Commission, appointment through competitive examination is impracticable, except as provided in paragraphs (i) and (j) of this section and except: Positions in Hawaii, Puerto Rico and the Virgin Islands; in the Immigration and Naturalization Service, all positions in Canada and Mexico, and continuing positions at GS–7 and above in Cuba; positions in the Bureau of Customs, Treasury Department, in foreign countries.

2. A new subparagraph is added to § 6.108 (f) as follows:

§ 6.108 *Department of Justice.* * * *

(f) *Immigration and Naturalization Service.* * * *

(3) Pilot Engineers, CPC–4 in Puerto Rico and the Virgin Islands.

3. Section 6.110 (k) (3) is amended to read as follows:

§ 6.110 *Department of the Interior.* * * *

(k) *Division of Territories and Island Possessions.* * * *

(3) The following positions concerned with the government of the Virgin Islands: Executive Assistant to the Governor; Commissioner of Finance; Administrator for St. John; Private Secretary to the Governor; Administrative Assistant to the Governor; Commissioner of Health, V. I.; Assistant Commissioner of Health, St. Croix; Director of Social Welfare, V. I.; Superintendent of Public Works, St. Thomas; Superintendent of Public Works, St. Croix; Superintendent of Education, St. Thomas; Superintendent of Education, St. Croix; Administrator for St. Croix.

4. A new subparagraph is added to § 6.112 (i) as follows:

§ 6.112 *Department of Commerce.* * * *

(i) *Bureau of Public Roads.* * * *

(3) Positions of Highway Engineer and Highway Bridge Engineer in Puerto Rico and the Virgin Islands.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1938 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 51–10192; Filed, Aug. 23, 1951; 8:51 a. m.]

PART 9—SEPARATIONS, SUSPENSIONS AND DEMOTIONS

MISCELLANEOUS AMENDMENTS

Effective August 26, 1950, a new subparagraph (4) is added to § 9.105 (b) and a new § 9.107 is added as follows:

§ 9.105 *Authority of Commission to investigate separations, suspensions, reassignments or demotions.* * * *

(b) * * *

(4) The Commission has no authority to investigate a suspension or termination of employment under Public Law 733, 81st Congress where it is alleged that the agency failed to follow the procedure prescribed in the law.

§ 9.107 *Effect of separation under Public Law 733, 81st Congress, or other similar law.* Any civilian officer or employee whose employment is terminated in the interest of national security under the provisions of Public Law 733, 81st Congress, or other law granting the power of summary dismissal in the interest of national security, may request the Civil Service Commission, in writing, to determine whether he is eligible for employment in any other agency or department of the Government. The Commission will determine, after such investigation as necessary, whether the

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former employee may be employed in another agency or department.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
L. A. MOYER,
Executive Director.

[F. R. Doc. 51-10193; Filed, Aug. 23, 1951; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART B—UNITED STATES STANDARDS FOR FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

UNITED STATES STANDARDS FOR APPLES FOR PROCESSING

By virtue of authority vested in me by the Secretary of Agriculture, I hereby approve the publication in the FEDERAL REGISTER of the following United States Standards for apples for processing which have been in effect since September 2, 1946. These standards are currently in effect pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and Public Law 70, 82d Congress, approved July 1, 1951.

§ 51.106 *Standards for apples for processing*—(a) *Grades*—(1) *U. S. No. 1.* U. S. No. 1 shall consist of apples of one variety which are not overripe and which are free from decay, worm holes, freezing injury and internal breakdown. The apples shall also be free from any defect which cannot be removed during the usual commercial preparation for use without causing a loss of over 5 percent, by weight, of the apple in excess of that which would occur if the apple were perfect. (See Size.)

(2) *U. S. No. 2.* U. S. No. 2 shall consist of apples of one variety which are not overripe and which are free from freezing injury and internal breakdown. The apples shall also be free from any defect which cannot be removed during the usual commercial preparation for use without causing a loss of over 25 percent, by weight, of the apple in excess of that which would occur if the apple were perfect. (See Size.)

(b) *Culls.* Culls shall consist of apples which do not meet the requirements of either of the foregoing grades.

(c) *Size.* The minimum size and range of size may be fixed by agreement between buyer and seller. The measurement for minimum size shall be the largest diameter taken at right angles to a line from stem to blossom end and the measurement for maximum size shall be the smallest diameter taken at right angles to a line from stem to blossom end.

(d) *Tolerances.* In the application of these standards it is contemplated that in most instances sellers will not sort their apples into separate lots of the various grades and sizes before delivery to the buyer, and that the buyer will pay on the basis of the percentage of each grade and size in the lot as determined by inspection. In such cases, there is no need for tolerances. If the contract between buyer and seller provides for the delivery of lots containing only one grade and size, such as "U. S. No. 1—2¼ inches up," "U. S. No. 1—2¼ to 2½ inches," or "U. S. No. 2—2¼ inches up," then unless otherwise specified, a 10 percent tolerance shall be allowed for apples which fail to meet the requirements of the grade upon which the contract is based, and an additional tolerance of 5 percent shall be allowed for apples below any specified minimum size and an additional tolerance of 10 percent shall be permitted for apples above any specified maximum size.

(Sec. 205, 60 Stat. 1090, Pub. Law 97, 82d Cong.; 7 U. S. C. 1624)

Done at Washington, D. C., this 21st day of August 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-10203; Filed, Aug. 23, 1951; 8:52 a. m.]

PART 51—FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

SUBPART B—UNITED STATES STANDARDS FOR FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

UNITED STATES STANDARDS FOR PEARS FOR CANNING

By virtue of authority vested in me by the Secretary of Agriculture, I hereby approve the publication in the FEDERAL REGISTER of the following United States Standards for Pears for Canning which have been in effect since June 12, 1939. These standards are currently in effect pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1037; 7 U. S. C. 1621 et seq.) and

Public Law 70, 82d Congress, approved July 1, 1951.

§ 51.333 *Standards for pears for canning*—(a) *General.* (1) All percentages shall be calculated on the basis of weight.

(b) *Grades*—(1) *U. S. No. 1.* U. S. No. 1 shall consist of pears of one variety which are mature, handpicked, firm, well formed, free from scald, hard end, black end, internal breakdown, decay, worms and wormholes and from damage caused by broken skins, limbrubs, sprayburn, sunburn, scab, russeting, bruises, hail, frost, drought spot, disease, insects, mechanical or other means.

(i) Unless otherwise specified, the pears shall not be further advanced than yellowish green.

(ii) Tree-ripened pears and pears grown from late blooms shall not be considered as meeting the requirements of this grade. (See Size classification.)

(2) *U. S. No. 2.* U. S. No. 2 shall consist of pears of one variety which are mature, handpicked, firm, not seriously deformed, free from scald, hard end, black end, internal breakdown, decay, worms and worm holes, and from serious damage by any other cause.

(i) Unless otherwise specified, the pears shall not be further advanced than yellowish green.

(ii) Tree-ripened pears and pears grown from late blooms shall not be considered as meeting the requirements of this grade. (See Size Classification.)

(c) *Culls.* Culls are pears which do not meet the requirements of either of the foregoing grades.

(d) *Size classification.* The diameter size may be fixed by agreement between buyer and seller. If desired, pears may be contracted on the basis of more than one size classification within one of the above grades such as U. S. No. 1, 2⅛ to 2⅜inches, U. S. No. 1, 2⅜ inches and larger, or U. S. No. 1, 2¼ to 2⅜ inches. Specifications also may be made with respect to the ratio of length to diameter such as U. S. No. 1, 2⅛ to 2⅜ inches, length 1¼ times the diameter, U. S. No. 1, 2⅜ inches and larger, length 1¼ times the diameter. Similar specifications or simply a minimum size may be designated for U. S. No. 2 grade.

(e) *Definitions of terms.* (1) "Mature" means that the pear has reached the stage of maturity which will insure the proper completion of the ripening process.

(2) "Handpicked" means that the pears do not show evidence of having been on the ground.

(3) "Firm" means that the pear is fairly solid and yields only very slightly to moderate pressure, and is not wilted, shriveled, rubbery or flabby.

(4) "Well formed" means that the pear has the shape characteristic of the variety, so that after paring, cutting in halves and coring, each half of the pear shall be well formed. Bartlett pears shall have at least a fairly well developed neck.

(5) "Damage" means any injury or defect which materially affects the canning quality of the fruit. After paring, cutting in halves and coring, each half of the pear shall be well formed or the pear is considered damaged. Pears showing surface blemishes shall be considered damaged when the injury cannot be completely removed in the ordinary process of paring for commercial use.

(6) "Pears grown from late blooms." Such pears often have excessively long stems (commonly termed "rat tails"), or may be misshapen or slightly rough. Such pears do not ripen properly for ordinary canning use.

(7) "Seriously deformed" means that the pear is so badly misshapen as to cause a loss during the usual commercial preparation for use of over 20 percent, by weight, of the pear in excess of that which would occur if the pear were well formed. Round or apple-shaped pears shall not be considered seriously deformed.

(8) "Serious damage" means any injury or defect which cannot be removed during the usual commercial preparation for use without a loss of over 20 percent, by weight, of the pear in excess of that which would occur if the pear were not defective.

(9) "Diameter" means the greatest dimension of the pear taken at right angles to a line running from the stem to the blossom end.

(Sec. 205, 60 Stat. 1090, Pub. Law 97, 82d Cong.; 7 U. S. C. 1624)

Done at Washington, D. C., this 21st day of August 1951.

ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-10204; Filed, Aug. 23, 1951; 8:52 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 946—MILK IN THE LOUISVILLE, KY., MARKETING AREA

ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK

§ 946.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), public hearings were held December 18-21, 1950 and March 9 and 14, 1951, at Louisville, Kentucky, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Louisville, Kentucky, marketing area. Upon the basis of the evidence introduced at such hearings and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order, as amended, effective not later than September 1, 1951. Any further delay in the effective date of this order, as amended, will seriously threaten the orderly marketing of milk in the Louisville, Kentucky, marketing area. The need for the said order is also disclosed by the aforesaid decision of the Secretary of Agriculture which was executed on July 31, 1951. The provisions of the said order are well known to handlers—the public hearings having been held on December 18-21, 1950 and March 9 and 14, 1951, the recommended decision having been published in the FEDERAL REGISTER (16 F. R. 6625), July 7, 1951, and the final decision (16 F. R. 7619) having been executed by the Secretary on July 31, 1951. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order, as amended, effective September 1, 1951, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order, as amended) of more than 50 percent of the volume of milk covered by this order, as amended, which is marketed within the Louisville, Kentucky, marketing area refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, as amended, is the only practical means pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the Louisville, Kentucky, marketing area; and

(3) The issuance of this order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (May 1951), were engaged in the production of milk for sale in the said marketing area, and who participated in a referendum on the question of approval of its issuance.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of milk in the Louisville, Kentucky, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, and the aforesaid order, as amended, is hereby further amended to read as follows:

DEFINITIONS

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946.1 Act.
946.2 Secretary.
946.3 Department of Agriculture.
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946.5 Cooperative association.
946.6 Louisville, Kentucky, marketing area.
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946.100 Agents.
946.101 Separability of provisions.

AUTHORITY: §§ 946.1 to 946.101 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c.

DEFINITIONS

§ 946.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as recnacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 946.2 *Secretary.* "Secretary" means the Secretary of Agriculture or any other officer or employee of the United States authorized to exercise the powers or to perform the duties pursuant to the act of the said Secretary of Agriculture.

§ 946.3 *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture or other Federal agency authorized to perform the price reporting functions specified in this subpart.

§ 946.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 946.5 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members.

§ 946.6 *Louisville, Kentucky, marketing area.* "Louisville, Kentucky, marketing area," hereinafter called the "marketing area," means the territory within Jefferson County, Kentucky, including but not being limited to the City of Louisville, the Fort Knox Military Reservation; the territory within Floyd County, Indiana, including but not being limited to all municipal corporations in said county; and the territory within the townships of Jeffersonville, Utica, Silver Creek, Union, and Charleston, in Clark County, Indiana.

§ 946.7 *City plant.* "City plant" means the building and facilities, except those of a producer-handler, which are used during the month in the processing and packaging of producer milk and from which not less than 10 percent of such milk is distributed in the container in which packaged from delivery routes or plant stores as Class I milk in the marketing area: *Provided,* That such building and facilities shall include any portion thereof which is used during the month in the processing of producer milk for any use.

§ 946.8 *Country plant.* "Country plant" means the building and facilities, except those of a city plant, which are used during the month in the receipt of milk from dairy farmers who hold dairy farm inspection permits issued by the appropriate health authority having jurisdiction in the marketing area and which are approved by such health authority to furnish milk to a city plant for use as Class I milk: *Provided,* That such building and facilities shall include any portion thereof which is used during the month in the processing of producer milk for any use.

§ 946.9 *Pool plant.* "Pool plant" means:

(a) A city plant;

(b) A country plant during the period of October through March for each month in which not less than 10 percent of its receipts from dairy farmers who hold dairy farm inspection permits issued by the appropriate health authority having jurisdiction in the marketing area is delivered to a city plant in the form of milk, skim milk, or cream; or

(c) A country plant during the months of April through September from which more than 50 percent of its combined receipts from dairy farmers, who held dairy farm inspection permits issued by the appropriate health authority having jurisdiction in the marketing area, during the preceding period of October through February were delivered to one or more city plants in the form of milk, skim milk or cream, unless the operator of such plant notifies the market administrator in writing on or before March 15th of withdrawal of the plant from the pool for the months of April through September next following.

§ 946.10 *Nonpool plant.* "Nonpool plant" means any milk manufacturing, processing or bottling plant other than a pool plant.

§ 946.11 *Handler.* "Handler" means:

(a) Any person in his capacity as the operator of one or more pool plants;

(b) A producer-handler;

(c) Any cooperative association with respect to milk of producers which it causes to be diverted to a nonpool plant for the account of such cooperative association; or

(d) Any person, other than a producer-handler, in his capacity as oper-

ator of a nonpool plant used during the month for the processing and packaging of milk any portion of which is disposed of in the marketing area as Class I milk from delivery routes or plant stores.

§ 946.12 *Producer.* "Producer" means any person who produces, under a dairy farm inspection permit issued to such person by the appropriate health authority having jurisdiction in the marketing area (as used in this subpart, "dairy farm inspection permit" shall include approval of milk by the authority to administer regulations governing the quality of milk acceptable to agencies of the United States Government for fluid consumption in its institutions or bases located in the marketing area, which is received at a plant from which any portion of such milk is disposed of to such institutions or bases in the container in which packaged as Class I milk), milk which is:

(a) Delivered from his farm to a pool plant;

(b) Diverted by a handler to a pool plant or a nonpool plant: *Provided,* That any such milk so diverted shall be deemed to have been received at the pool plant from which it was diverted: *And provided further,* That this definition shall not include during any of the months of October through February, any person whose milk was diverted to a nonpool plant for more than one-half of the days of such month; or

(c) Diverted by a cooperative association to a nonpool plant for the account of the cooperative association: *Provided,* That any such milk so diverted shall be deemed to have been received by the cooperative association.

§ 946.13 *Producer milk.* "Producer milk" means all skim milk and butterfat in milk produced by a producer.

§ 946.14 *Other source milk.* "Other source milk" means all skim milk and butterfat received in any form from a producer-handler and from a source other than producers or pool plants, except the receipt of any non-fluid milk product which is disposed of in non-fluid form.

§ 946.15 *Producer-handler.* "Producer-handler" means any person who processes and packages milk from his own farm production, distributing any portion of such milk within the marketing area as Class I milk and who receives no milk from producers.

§ 946.16 *Chicago butter price.* "Chicago butter price" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of Grade A (92-score) bulk creamery butter at Chicago as reported by the Department of Agriculture during the month.

MARKET ADMINISTRATOR

§ 946.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 946.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 946.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including but not limited to the following:

(a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 946.87 the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses (except those incurred under § 946.86) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Submit his books and records to examination and furnish such information and reports as may be requested by the Secretary;

(g) Verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends, or by such investigation as the market administrator deems necessary;

(h) Prepare and disseminate to the public such statistics and such information as he deems advisable and as do not reveal confidential information;

(i) Publicly announce, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 5 days after the date upon which he is required to perform such acts, has not made reports pursuant to §§ 946.30 through 946.32, or payments pursuant to §§ 946.80 through 946.85;

(j) On or before the 15th day after the end of each month, report to each cooperative association the percentage in each class of the producer milk caused to be delivered by the cooperative association or by its members to each handler during the month. For the purpose of this report the milk so received shall be allocated in each class for each handler in the same ratio as milk received from all producers by such handler during the month;

(k) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, and notify each handler in writing the prices and butterfat differentials determined for each month as follows:

(1) On or before the 10th day after the end of each month, the minimum prices for each class of milk computed pursuant to § 946.51, and the butterfat differentials for each class computed pursuant to § 946.52; and

(2) On or before the 10th day after the end of each month, the uniform price computed pursuant to § 946.71, and the butterfat differential computed pursuant to § 946.81;

(l) On or before the 11th day after the end of each month, the market administrator shall mail to each handler, at his last known address, a statement showing:

(1) The net obligation computed for such handler pursuant to § 946.70; and

(2) The amounts to be paid by such handler pursuant to §§ 946.61, 946.83, 946.86 and 946.87.

REPORTS, RECORDS, AND FACILITIES

§ 946.30 *Reports of receipts and utilization.* On or before the 5th day after the end of each month each handler, except a producer-handler, shall report to the market administrator in the detail and on the forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in milk received from producers (including such handler's own farm production);

(b) The quantities of skim milk and butterfat contained in receipts from pool plants of other handlers (except the receipt of any nonfluid milk product which is disposed of in nonfluid form);

(c) The quantities of skim milk and butterfat contained in receipts of other source milk;

(d) The utilization of all skim milk and butterfat required to be reported pursuant to this section;

(e) The disposition of Class I milk other than on routes and through plant stores operated wholly or partially within the marketing area; and

(f) Such other information with respect to receipts and utilization as the market administrator may prescribe.

§ 946.31 *Payroll reports.* On or before the 20th day after the end of each month, each handler shall submit to the market administrator his producer payroll for deliveries during the month which shall show (a) the total pounds of milk received from each producer and the average butterfat content of such milk, (b) the prices paid and the amount of payment to each producer, and (c) the nature and amount of any credits, deductions, or charges involved in such payments.

§ 946.32 *Other reports.* (a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) Each handler shall report to the market administrator, as soon as possible after first receiving milk from any producer, the name and address of such producer, the date upon which such milk was first received, and the plant at which such milk was received: *Provided,* That milk diverted to a pool plant as described in § 946.12 (b) need not be reported pursuant to this paragraph.

(c) On or before the 10th day after the request of the market administrator, each handler shall submit a schedule of rates which are charged and paid for the transportation of milk from the farm of each producer to such handler's plant. Changes in such schedule of rates and the effective dates thereof shall be reported to the market administrator within 10 days.

§ 946.33 *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts, records, and reports of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipts and utilization of producer milk and other source milk;

(b) The weights and tests for butterfat and other content of all milk, skim milk, cream, and milk products handled;

(c) Payments to producers; and

(d) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream, and other milk products on hand at the beginning and end of each month.

§ 946.34 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided,* That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 946.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat which is received within the month by a handler and which is required to be reported pursuant to §§ 946.30 and 946.61 shall be classified by the market administrator pursuant to the provisions of §§ 946.41 through 946.46.

§ 946.41 *Classes of utilization.* Subject to the conditions set forth in §§ 946.42 through 946.44, the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk and butterfat (1) disposed of in fluid form as milk, skim milk, cream (including sour cream), buttermilk, milk drinks (plain or flavored), except skim milk and butterfat disposed of in fluid form for livestock feed, (2) disposed of in fluid form as any milk product which is required by the appropriate health authority in the marketing area to be made from milk, skim milk, or cream, from sources approved by such authority, and (3) not accounted for as Class II milk.

(b) Class II milk shall be all skim milk and butterfat the utilization of which is established: (1) As used to produce any product other than those specified in paragraph (a) of this section, (2) as disposed of for livestock feed, (3) as disposed of in any form in bulk and used for non-fluid purposes by soda fountains, restaurants, bakeries, candy and soup manufacturers, and retail food establishments which, under the applicable health regulations, are permitted to receive milk, skim milk, and cream of other than Grade A quality for nonfluid uses, and (4) in plant shrinkage of skim milk and butterfat in milk received from producers and in other source milk computed pursuant to § 946.42.

§ 946.42 *Unaccounted for skim milk and butterfat and plant shrinkage.* Skim milk and butterfat received at a handler's pool plant(s) in excess of such handler's established utilization of skim milk and butterfat pursuant to subparagraphs (1) and (2) of paragraph (a) and subparagraphs (1), (2), and (3) of paragraph (b) of § 946.41 at such plant(s) shall be known as unaccounted for skim milk and butterfat and classified as follows: *Provided,* That if producer milk is diverted by such handler to a pool plant of another handler without having been received for purposes of weighing and testing in the diverting handler's plant, the respective quantities of skim milk and butterfat contained in such receipts of milk shall be included in the receipts of skim milk and butterfat, respectively, of the second handler in computing his plant shrinkage or unaccounted for skim milk and butterfat and shall be excluded from the receipts of skim milk and butterfat, respectively, in such computation for the diverting handler: *And provided further,* That if producer milk is so diverted to a nonpool plant the respective quantities of skim milk and butterfat contained therein shall be excluded from the receipts of the diverting handler in computing his plant shrinkage or unaccounted for skim milk and butterfat.

(a) Prorate the quantities of unaccounted for skim milk and butterfat between such handler's receipts of skim milk and butterfat, respectively, in the milk received from producers and other source milk.

(b) The following portions of the quantities computed pursuant to paragraph (a) of this section shall be known as shrinkage and classified as Class II milk: *Provided,* That if the quantities of skim milk and butterfat utilized and disposed of in milk and all milk products are not established by such handler all unaccounted for skim milk and butterfat prorated to receipts of milk from producers pursuant to paragraph (a) of this section shall be classified as Class I milk:

(1) That portion of skim milk and butterfat, respectively, prorated to receipts of other source milk;

(2) That portion which is prorated to skim milk in receipts of milk from producers but which, during the months of August through March, is not in excess of 2 percent of the total quantity of skim milk in such receipts and, during the months of April through July, is not in excess of 5 percent of the total quantity of skim milk in such receipts; and

(3) That portion which is prorated to butterfat in receipts of milk from producers but which is not in excess of 2 percent of the total quantity of butterfat in such receipts.

(c) That portion of skim milk and butterfat which is prorated to receipts of milk from producers, pursuant to paragraph (a) of this section, which is in excess of the amount of skim milk and butterfat, respectively, classified as Class II milk, pursuant to paragraph (b) of this section, shall be classified as Class I milk.

§ 946.43 *Responsibility for classification of milk.* (a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect, or if used or reused by such handler or by another handler except a producer-handler in another class.

§ 946.44 *Transfers.* Skim milk or butterfat disposed of by a handler from a pool plant either by transfer or diversion shall be classified as follows:

(a) As Class I milk if transferred or diverted in the form of fluid milk, skim milk, or cream (excluding frozen cream) to a pool plant of another handler, unless utilization in Class II is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the month within which such transaction occurred: *Provided,* That if upon inspection of the records of the transferee-handler it is found that an equivalent amount of skim milk or butterfat, respectively, was not actually used in such indicated use the remaining quantity shall be classified as Class I milk: *And provided further,* That if either or both handlers have received other source milk, the skim milk or butterfat so transferred or diverted shall be classified at both plants so as to allocate the highest-priced possible class utilization to producer milk.

(b) As Class I milk if transferred or diverted to a producer-handler in the form of fluid milk, skim milk, or cream (excluding frozen cream).

(c) As Class I milk if transferred or diverted in the form of milk or skim milk to a nonpool plant located 100 miles or more from the City Hall at Louisville, Kentucky, by the shortest hard surface highway distance as determined by the market administrator.

(d) As Class I milk if transferred or diverted in the form of milk or skim milk to a nonpool plant located less than 100 miles from the City Hall at Louisville, Kentucky, by the shortest hard surface highway distance as determined by the market administrator, and as Class I milk if transferred in the form of fluid cream to such a plant, wherever located, unless the following conditions are met:

(1) The handler claims classification in Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the handler and the operator of the nonpool plant on or before the 5th day after the end of the month within which such transaction occurred;

(2) The market administrator is permitted to audit the books and records showing the utilization of all skim milk and butterfat received at such nonpool plant; and

(3) An amount of skim milk or butterfat, respectively, not less than that so transferred or diverted was used in the indicated use: *Provided*, That if upon inspection of the records of the nonpool plant it is found that an equivalent amount of skim milk or butterfat, respectively, was not actually used in such indicated use the remainder shall be classified as Class I milk.

§ 946.45 *Computation of the skim milk and butterfat in each class.* For each month, the market administrator shall correct for mathematical and for other obvious errors the report of receipts and utilization submitted by each handler and shall compute the pounds of skim milk and butterfat in each class for such handler.

§ 946.46 *Allocation of skim milk and butterfat classified.* After making the computations pursuant to § 946.45, the market administrator shall determine for each handler the classification of milk received from producers as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract the plant shrinkage of skim milk in milk received from producers, determined pursuant to § 946.42 (b) (2), from the total pounds of skim milk in Class II;

(2) Subtract the pounds of skim milk in receipts of other source milk which are not subject to the Class I pricing provisions of another order or marketing agreement issued pursuant to the act from the remaining pounds of skim milk in Class II: *Provided*, That if the pounds of skim milk to be subtracted is greater than the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk in Class I;

(3) Subtract the pounds of skim milk in receipts of other source milk which are subject to the Class I pricing provisions of another order or marketing agreement issued pursuant to the act from the remaining pounds of skim milk in Class II: *Provided*, That if the pounds of skim milk to be subtracted is greater than the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk in Class I;

(4) Subtract the pounds of skim milk in milk, skim milk, and cream received from pool plants of other handlers from the pounds of skim milk in the class to which it was assigned: *Provided*, That, if the pounds of skim milk to be subtracted is greater than the pounds of skim milk in such class, the balance shall be subtracted from the pounds of skim milk remaining in the next higher-priced class;

(5) Add the plant shrinkage of skim milk in milk received from producers subtracted in subparagraph (1) of this paragraph, to the remaining pounds of skim milk in Class II; and

(6) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk in milk received from producers, subtract such excess from the remaining pounds of skim milk in series beginning with Class II. Any amount of excess so subtracted shall be called "overage."

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of milk remaining in each class computed pursuant to paragraphs (a) and (b) of this section.

MINIMUM PRICES

§ 946.50 *Basic formula price.* The basic formula price to be used in determining the price per hundredweight of Class I milk shall be the highest of the prices computed pursuant to paragraphs (a), (b), and (c) of this section and subparagraph (1) of § 946.51 (b).

(a) The price per hundredweight computed by adding together the plus values pursuant to subparagraphs (1) and (2) of this paragraph:

(1) Add 20 percent to the Chicago butter price for the month and multiply by 3.8.

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agriculture, deduct 5.5 cents, and multiply by 8.2.

(b) The price per hundredweight computed by adding together the values determined pursuant to subparagraphs (1) and (2) of this paragraph, dividing by 7, adding 30 percent thereof, and then multiplying by 3.8.

(1) Multiply by 6 the Chicago butter price for the month.

(2) Multiply by 2.4 the simple average, as published by the Department of Agriculture, of the prices determined per pound of "Cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, for the trading days that fall within the month.

(c) To the average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

add an amount computed by multiplying the Chicago butter price for the month by 0.12 and then by 3.

§ 946.51 *Class prices.* Subject to the provisions of § 946.52, the minimum prices per hundredweight to be paid by each handler for milk received at his pool plant(s) from producers during the month shall be as follows:

(a) *Class I milk.* The price of Class I milk shall be the basic formula price plus $1.25 per hundredweight.

(b) *Class II milk.* The price of Class II milk for the months of August through March shall be the price per hundredweight computed pursuant to § 946.50 (a), or that pursuant to subparagraph (1) of this paragraph, whichever is higher; and for the months of April through July the higher of the prices computed pursuant to subparagraphs (1) and (2) of this paragraph.

(1) From the average of the basic or field prices per hundredweight reported by, and ascertained by the market administrator to have been paid by the following concerns at the plants or places listed below, for ungraded milk of 4.0 percent butterfat content, without deductions for hauling or other charges to be paid by the farmer shipper, received from dairy farmers during the month:

Concern and Location

Kraft Foods Co., Lawrenceburg, Ky.
Armour Creameries, Elizabethtown, Ky.
Armour Creameries, Springfield, Ky.
Kraft Foods Co., Salem, Ind.
Ewing-Von Allmen Co., Corydon, Ind.
Ewing-Von Allmen Co., Madison, Ind.
Producers' Dairy Marketing Association, Orleans, Ind.

subtract the amount computed by multiplying the Chicago butter price for the month by 0.12, and then by 2.

(2) The price per hundredweight computed by adding together the plus values pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) Add 15 percent to the Chicago butter price for the month and multiply by 3.8.

(ii) From the simple average as computed by the market administrator of

the weighted averages of carlot prices per pound for nonfat dry milk solids, roller process, for human consumption, f. o. b. manufacturing plants in Chicago area as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agriculture, deduct 5.5 cents and multiply by 8.2, and then deduct 8 cents.

§ 946.52 *Butterfat differential to handlers.* If the weighted average butterfat content of milk received from producers allocated to Class I milk or Class II milk, respectively, pursuant to § 946.46, for a handler is more or less than 3.8 percent, there shall be added to or subtracted from, as the case may be, the price for such class, for each one-tenth of 1 percent that such weighted average butterfat test is above or below 3.8 percent, a butterfat differential (computed to the nearest tenth of a cent), calculated for each class as follows:

(a) *Class I milk.* Multiply by 1.25 the Chicago butter price for the month and divide the result by 10.

(b) *Class II price.* For the months of August through March, multiply by 1.2 the Chicago butter price for the month and divide the result by 10, and for the months of April through July, multiply by 1.15 the Chicago butter price for the month and divide by 10.

APPLICATION OF PROVISIONS

§ 946.60 *Producer-handlers.* Sections 946.40 through 946.46, 946.50 through 946.52, 946.61, 946.70, 946.71, and 946.80 through 946.88 shall not apply to a producer-handler.

§ 946.61 *Handlers operating nonpool plants.* Sections 946.30 through 946.32, 946.50 through 946.52, 946.70, 946.71, 946.80 through 946.84, 946.86 and 946.87 shall not apply to a handler in his capacity as the operator of a nonpool plant described in § 946.11 (d), except that such handler shall:

(a) On or before the 5th day after the end of the month, make reports to the market administrator in such manner as he may request with respect to such handler's total receipts and utilization of skim milk and butterfat;

(b) On or before the 13th day after the end of each month, pay to the market administrator for deposit in the producer-settlement fund an amount of money computed by multiplying the quantity of Class I milk disposed of in the manner described in § 946.11 (d) by the difference between the price of Class II milk and the price of Class I milk adjusted by the butterfat differential to handlers; and

(c) On or before the 15th day after the end of the month, pay to the market administrator, as such handler's pro rata share of the expense of administration of this order, 2.5 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all Class I milk and all milk, skim milk, and cream used to produce Class II products disposed of during the month in the marketing area in the manner described in § 946.11 (d).

§ 946.62 *Handlers subject to other orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk as Class I milk in another marketing area regulated by another order or a marketing agreement issued pursuant to the act, the provisions of this subpart shall not apply except the handler shall, with respect to his total receipts of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

DETERMINATION OF UNIFORM PRICE

§ 946.70 *Net obligation of each handler.* The net obligation of each handler for milk received during each month from producers shall be a sum of money computed by the market administrator as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 946.46 by the applicable class price;

(b) Add together the resulting amounts;

(c) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 946.46 by the applicable class prices; and

(d) Add the amount computed by multiplying the pounds of other source milk which are allocated to Class I and which are not subject to the Class I pricing provisions of another order or marketing agreement issued pursuant to the act by the difference between the Class II and the Class I prices adjusted by the butterfat differential to handlers.

§ 946.71 *Computation of uniform price.* For each month the market administrator shall compute the uniform price per hundredweight of milk of 3.8 percent butterfat content received from producers as follows:

(a) Combine into one total the net obligations computed for all handlers who made the reports prescribed in § 946.30 for the month and who are not in default of payments pursuant to § 946.83 for the preceding month;

(b) Subtract, if the average butterfat content of the producer milk included in these computations is greater than 3.8 percent, or add, if such average butterfat content is less than 3.8 percent an amount computed by multiplying the amount by which the average butterfat content of such milk varies from 3.8 percent by the butterfat differential computed pursuant to § 946.81 and multiplying the resulting figure by the total hundredweight of such milk;

(c) Subtract for each of the months of April, May, June, and July an amount computed by multiplying the total hundredweight of producer milk included in these computations by 12 percent of the simple average of the basic formula prices, computed to the nearest cent, for the 12 months of the preceding calendar year;

(d) Add an amount representing the cash balance on hand in the producer-settlement fund, less the total amount of contingent obligations to handlers pursuant to § 946.84 (a), and less the aggregate of the amounts held pursuant to paragraph (c) of this section for payment pursuant to § 946.84 (b);

(e) Divide the resulting total by the total hundredweight of producer milk included in these computations; and

(f) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (e) of this section. The resulting figure shall be the uniform price for milk of 3.8 percent butterfat content received from producers at a handler's pool plant.

PAYMENTS

§ 946.80 *Time and method of payment.* On or before the 15th day after the end of each month, each handler shall pay to each producer from whom he received milk during the month an amount of money representing not less than the total value of such producer's milk at the uniform price per hundredweight, subject to the producer butterfat differential, and less deductions authorized by such producer, and less deductions for marketing services: *Provided,* That, if by such date such handler has not received full payment for such month pursuant to § 946.84, he may reduce uniformly per hundredweight for all producers his payments pursuant to this section by an amount not in excess of the per hundredweight reduction in payment from the market administrator; however, the handler shall make such balance of payment to those producers to whom it is due on or before the date for making payments pursuant to this section next following that on which such balance of payment is received from the market administrator.

§ 946.81 *Producer butterfat differential.* In making payment to producers pursuant to § 946.80, each handler shall add to the uniform price not less than, or subtract from the uniform price not more than, as the case may be, for each one-tenth of 1 percent that the average butterfat content of the milk received from the producer is above or below 3.8 percent, the amount set forth in the following schedule for the price range in which falls the Chicago butter price for the month during which such milk was received.

Butter price range (cents):	*Butterfat differential (cents)*
17.499 or less	2
17.50–22.499	2½
22.50–27.499	3
27.50–32.499	3½
32.50–37.499	4
37.50–42.499	4½
42.50–47.499	5
47.50–52.499	5½
52.50–57.499	6
57.50–62.499	6½
62.50–67.499	7
67.50–72.499	7½
72.50–77.499	8
77.50–82.499	8½
82.50–87.499	9
87.50–92.499	9½
92.50 and over	10

§ 946.82 *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 946.61, 946.83, and 946.85 and out of

which he shall make all payments pursuant to §§ 946.84 and 946.85: *Provided*, That payments due any handler shall be offset by payments due from such handler.

§ 946.83 *Payments to the producer-settlement fund.* On or before the 13th day after the end of each month, each handler shall pay to the market administrator any amount by which the net obligation of such handler for the month is greater than an amount computed by multiplying the hundredweight of milk received by him from producers during the month by the uniform price adjusted for the producer butterfat differential.

§ 946.84 *Payments out of the producer-settlement fund.* (a) On or before the 14th day after the end of each month, the market administrator shall pay to each handler for payment to producers any amount by which the net obligation of such handler for the month is less than an amount computed by multiplying the hundredweight of milk received by him from producers during the month by the uniform price adjusted for the producer butterfat differential: *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available.

(b) On or before the 14th day after the end of each of the months of September, October, November, and December, the market administrator shall pay out of the producer-settlement fund to each producer from whom milk was received by all handlers during the month an amount computed as follows: Divide one-fourth of the aggregate amount held pursuant to § 946.71 (c) by the hundredweight of milk received from producers by all handlers during the month and multiply the resulting amount (computed to the nearest cent per hundredweight) by the milk received from such producers during the month: *Provided*, That payment under this paragraph to any producer who has given authority to a cooperative association to receive payment for his milk shall be distributed to such cooperative association if the cooperative association requests receipt of such payments.

§ 946.85 *Adjustment of accounts.* Whenever verification by the market administrator of payments by any handler discloses errors made in payments to the producer-settlement fund, the market administrator shall promptly bill such handler for any unpaid amount and such handler shall, within 15 days, make payment to the market administrator of the amount so billed. Whenever such verification discloses that payment is due from the market administrator to any handler, pursuant to § 946.84, the market administrator shall, within 15 days, make such payment to such handler. Whenever verification by the market administrator of the payment by a handler to any producer for milk received by such handler discloses payment of less than is required by § 946.80, the handler shall pay any amount so due not later than the time of making payment to producers next following such disclosure.

§ 946.86 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers pursuant to § 946.80, shall deduct 5 cents per hundredweight, or such amount not in excess thereof as the Secretary may prescribe, with respect to all milk received by such handler from producers (other than such handler's own farm production) during the month and shall pay such deductions to the market administrator on or before the 15th day after the end of such month. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received from such producers and to provide such producers with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of producers for whom the Secretary determines a cooperative association is actually performing the services set forth in paragraph (a) of this section, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made directly to such producers pursuant to § 946.80 as are authorized by such producers, and, on or before the 15th day after the end of each month, pay such deductions to the cooperative association rendering such services.

§ 946.87 *Expense of administration.* As his pro rata share of the expense of administration hereof, each handler shall pay to the market administrator, on or before the 15th day after the end of the month, 2.5 cents per hundredweight, or such amount to be not in excess thereof as the Secretary may prescribe, with respect to all receipts by such handler during the month of (a) milk from producers (including such handler's own farm production), and (b) other source milk classified as Class I milk pursuant to § 946.46. Each cooperative association which is a handler shall pay such pro rata share of expense on only that milk of producers caused to be diverted by such cooperative association to a nonpool plant and milk received from producers at a pool plant of such cooperative association.

§ 946.88 *Termination of obligations.* The provisions of this section shall apply to any obligation under this subpart for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producer(s) or cooperative association, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 946.90 *Effective time.* The provisions of this subpart, or any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

§ 946.91 *Suspension and termination.* Any or all provisions of this subpart, or any amendment to this subpart, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 946.92 *Continuing power and duty.* (a) If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations arising hereunder the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(b) The market administrator, or such other person as the Secretary may designate, shall (1) continue in such capacity until discharged, (2) from time to time account for all receipts and disbursements and, if so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person as the Secretary shall direct, and (3) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant to this subpart.

§ 946.93 *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions of this subpart, except §§ 946.34, 946.88, 946.91 through 946.93, the market administrator, or such person as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this subpart, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 946.100 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 946.101 *Separability of provisions.* If any provision of this subpart, or its application to any person, or circumstances, is held invalid, the application of such provision and of the remaining provisions of this subpart to other persons or circumstances shall not be affected thereby.

Issued at Washington, D. C., this 20th day of August 1951, to be effective on and after September 1, 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-10146; Filed, Aug. 23, 1951; 8:46 a. m.]

[Docket No. AO-166-A14]

PART 965—HANDLING OF MILK IN THE CINCINNATI, OHIO, MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Cincinnati, Ohio, on June 12, 1951, pursuant to notice thereof which was issued on June 4, 1951 (16 F. R. 5445).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on August 3, 1951, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision and opportunity to file written exceptions thereto which was published in the FEDERAL REGISTER on August 8, 1951 (16 F. R. 7772).

The material issues of record related to:

1. The classification of concentrated milk,

2. Establishment of provisions to adjust automatically Class I and Class II prices in response to changes in the relationship between market supply and demand, and

3. The level of the Class III price during the months of October through February.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof.

1. Milk used in the manufacture of concentrated milk should be classified in Class I.

During recent months a product generally referred to as "concentrated milk" has been introduced in a number of markets. While its distribution has not yet been undertaken in the marketing area, it is anticipated that it may be introduced in the market in the near future. This product is not sterilized and is disposed of to consumers for consumption in fluid form by the addition of water, or it may be used in the concentrated form as a cream substitute in coffee or on cereals. While the local health authorities have not made a formal ruling as to the requirements for milk to be concentrated, the record indicates the necessity for the product to be made from milk meeting the same requirements as are applicable to fluid whole milk. Accordingly it is concluded that concentrated milk should properly be classified as Class I milk.

2. Provision should be made for automatically adjusting Class I and Class II prices in response to changes in the relationship between market supply and demand.

Although the present provisions for establishing Class I and Class II prices have usually resulted in appropriate prices, conditions have arisen in the past which necessitated hearings to amend such provisions in order to keep supply in proper alignment with demand. Such a procedure is time consuming and it is expected that the proposed amendment will tend toward the need for fewer hearings because of more prompt and timely automatic adjustments in these prices.

It is difficult to predict with accuracy whether the market will be adequately supplied with milk in the forthcoming fall and winter. If the market is adequately supplied, the proposed amendment will have little or no effect on Class I and Class II prices, but if the supply is short the proposed amendment will increase Class I and Class II prices and be an incentive for a larger supply. Assurance to producers that prices will be changed promptly in response to any change in the relationship between market supply and demand for milk should encourage them to continue to supply milk to the market.

It is concluded that the measure of the current relationship between market supply and market demand should be based on the ratio of gross Class I utilization to total receipts from producers in a two month period comprising the second and third months preceding the month for which a price is being computed. Many factors affect market supply and demand, but gross Class I utilization and total receipts from producers reflect the net effect of all these factors. Extension of recent changes appears to be the most accurate means of estimating current and prospective supply and demand conditions. Class II volume should not be used in conjunction with Class I as a measure of market demand because present Class II volume is not comparable with Class II volume prior to September 1950.

Use of a two month period is desirable in order to reflect quickly any changes in supply or demand. However, an adjustment based on a short period of this kind may to some extent reflect random changes in utilization which are not indicative of actual trends. It is necessary, therefore, to provide for some method of stabilizing this adjustment and of limiting it as to total magnitude. This has been accomplished by grouping the utilization percentages and setting limits on the amount of the adjustment. The percentage groups are in such intervals that no utilization adjustment occurs until utilization is 3 or 4 percentage points above or below the base period utilization. The next percentage group applies to utilization differences of 6 or 7 percent. In the case of any utilization difference falling between groups, the adjustment amount is determined by the adjacent group which is the same as or nearest to the percentage group used in the previous month. For example, a utilization difference of 5 percent from the base would call for use of the group which includes 3 or 4 percent if the adjustment during the previous month had been determined by that group or a lower one. On the other hand, a 5 percent utilization difference would call for an adjustment based on 6 or 7 percent

if the adjustment during the previous month had been determined by the 6 and 7 percent group or a higher one. The maximum adjustments provided for are 25 cents, 38 cents and 50 cents per hundredweight.

Use of the second and third preceding months will permit announcement each month of the effect on Class I and Class II prices of these provisions prior to the beginning of the month. Thus handlers will know in advance how much prices will be changed each month by these provisions.

The provisions for adjusting Class I and Class II prices should be constructed in such a manner that no price adjustment results when market supply and demand are in proper balance—that is, when the market is adequately supplied. Review of market statistics indicates that such a balance existed during 1949. During that year receipts from producers were adequate to supply fully all of the requirements of the market for milk except in January when a negligible amount of milk (less than 0.1 percent of the total market supply from other sources was used.

The ratio of gross Class I utilization to total receipts from producers during each two month period of 1949 is as follows:

Two month periods of 1949	Ratio (percent)	Month during which such ratio would be used in computing prices
January and February	70	April.
February and March	63	May.
March and April	56	June.
April and May	47	July.
May and June	44	August.
June and July	45	September.
July and August	48	October.
August and September	54	November.
September and October	64	December.
October and November	73	January.
November and December	75	February.
December and January	74	March.

If the comparable ratio in the second and third months preceding the month for which prices are being computed varies from those shown above, the price should be adjusted in the same direction—upward if the current ratio exceeds the one shown above, and downward if the reverse is true. For each percentage point of variation, the Class I and Class II prices should change as follows: 2 cents upward and 4 cents downward during each of the months of April through July; 3 cents during each of the months of August, September, January, February and March; and 4 cents upward and 2 cents downward during each of the months of October through December. Analysis of Classes I and II prices and the ratio of gross Class I utilization to total receipts from producers shows that in recent years the proposed adjustment would have resulted in reasonable prices. It should continue to do so. Seasonally varying adjustments should give additional incentive toward reducing the seasonal variation in receipts from producers. In order to prevent the occurrence of a "counter-seasonal" variation in the adjusted Class I differential it should be provided that the adjusted Class I differential for the month of July shall not be more than the adjusted differential for the immediately preceding month of June and the adjusted Class I differential for each of the months of August and September shall not be more than the adjusted differential for the immediately preceding month of June plus 30 cents; and the adjusted Class I differential for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November. The adjusted Class I differential for September 1951 shall not be more than the adjusted differential for the immediately preceding month of June plus 30 cents had this amendment then been in effect.

3. No change should be made in the Class III pricing provisions. Handlers proposed that the differential of 30 cents per hundredweight which is added in the computation of the Class III price in each of the months of October through February be removed. Provision for this seasonally higher price in the fall and winter months was contained in an amendment to the order which became effective April 1, 1951. The extent to which such provisions will serve the purposes for which they were intended cannot yet be determined.

This seasonally higher Class III price in the October to February period was designed primarily to discourage handlers from using producer milk in Class III when outlets are available in a higher class. The record does not show that the need for such provisions has ceased to exist.

It is therefore concluded that no change should be made in the Class III pricing provisions.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in marketing agreement upon which a hearing has been held.

Rulings. Exceptions were filed on behalf of interested parties. In arriving at the findings, conclusions and regulatory provisions of this decision, such exceptions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

Determination of representative period. The month of June 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an amendment to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area in the manner set forth below is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in the aforesaid order, as amended.

MARKETING AGREEMENT AND ORDER

Annexed hereto and made a part hereof, are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area" and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Cincinnati, Ohio, Marketing Area" which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 21st day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] Amending the Order, As Amended, Regulating the Handling of Milk In the Cincinnati, Ohio, Marketing Area

§ 965.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of milk in the Cincinnati, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 965.41 (a) to read as follows:

(a) Class I milk shall be (1) all milk and skim milk disposed of in the form of milk and milk drinks; (2) all milk and skim milk used to produce concentrated milk (excluding those products commonly known as evaporated milk and condensed milk) for fluid consumption; (3) all milk and skim milk disposed of in the form of any product containing less than 8.0 percent of butterfat not specified in Class II milk, Class III milk, or Class IV milk; or (4) all shrinkage of butterfat in receipts of butterfat from producers and emergency milk in excess of 2.5 percent of such receipts.

2. Amend § 965.51 (a) and (b) to read as follows:

(a) The price for Class I milk shall be the basic formula price, plus $1.05 for the months of April through July and $1.35 for the months of August through March, plus or minus "a supply-demand adjustment" computed as follows:

(1) Divide the total gross volume of Class I milk (less interhandler transfers) in the second and third months preceding by total receipts of producer milk for the same months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the Class I utilization percentage.

(2) Compute a "net utilization percentage" by subtracting from the utilization percentage as computed in subparagraph (1) of this paragraph, the Class I utilization percentage shown below:

Month for which the price is being computed:	*Class I utilization percentage*
January	73
February	75
March	74
April	70
May	63
June	56
July	47
August	44
September	45
October	47
November	54
December	64

(3) Determine the amount of the supply-demand adjustment as follows:

If net utilization percentage is—	Supply-demand adjustment for specified months is—		
	Jan., Feb., Mar., Aug., and Sept.	April, May, June, July	Oct., Nov., and Dec.
	Cents	*Cents*	*Cents*
+12 or over	+38	+25	+50
+9 or +10	+28	+19	+38
+6 or +7	+20	+13	+26
+3 or +4	+10	+7	+14
+1 or −1	0	0	0
−3 or −4	−10	−14	−7
−6 or −7	−20	−26	−13
−9 or −10	−28	−38	−19
−12 or −13	−38	−50	−25
−15 or −16	−38	−50	−31
−18 or −19	−38	−50	−37
−21 or −22	−38	−50	−43
−24 or under	−38	−50	−50

When the difference from the base period Class I utilization percentage does not fall within the tabulated brackets the adjustment shall be determined by the adjacent bracket which is the same as or nearest to the bracket used in the previous month: *Provided*, That the Class I differential adjusted pursuant to this subparagraph for the month of July shall not be more than such adjusted differential for the immediately preceding month of June and for each of the months of August and September the Class I differential adjusted pursuant to this subparagraph shall not be more than such adjusted differential for the immediately preceding month of June plus 30 cents; and the Class I differential adjusted pursuant to this subparagraph for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November.

(b) The price for Class II milk shall be the price for Class I milk minus $0.45.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

[F. R. Doc. 51-10206; Filed, Aug. 23, 1951; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 2]

PART 610—MINIMUM EN ROUTE INSTRUMENT ALTITUDES

MINIMUM EN ROUTE INSTRUMENT ALTITUDE ALTERATIONS

The minimum en route instrument altitude alterations appearing hereinafter are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of Section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 610 is amended as follows:

1. Section 610.12 Green Civil Airway No. 2 is amended to read in part:

From—	To—	Minimum altitude
Syracuse, N. Y. (LFR)	Albany, N. Y. (LFR)	3,000
Int. E crs. Clear Creek, Ontario, Canada (LFR).	Buffalo, N. Y. (VOR) via 241° direct radial.	2,000

2. Section 610.12 *Green Civil Airway No. 2* is amended by adding:

From—	To—	Minimum altitude
Miles City, Mont. (VOR) via direct or 15° N alt. rad.	Golva, N. Dak. (VOR) via direct or 15° N alt. rad.	4,300
Golva, N. Dak. (VOR) via direct or 15° N alt. rad.	Dickinson, N. Dak. (VOR) via direct or 15° N alt. rad.	4,400
Dickinson, N. Dak. (VOR) via direct or 15° N alt. rad.	Bismarck, N. Dak. (VOR) via direct or 15° N alt. rad.	3,800
Minneapolis, Minn. (VOR) via radial 105 or 120.	Int. Minneapolis, Minn. (VOR) radial 105 or 120 and Rochester, Minn. (VOR) radial 356.	2,400
Int. Minneapolis, Minn. (VOR) radial 105 or 120 and Rochester, Minn. (VOR) radial 356 via Minneapolis, Minn. (VOR) radial 105 or 120.	La Crosse, Wis. (VOR) via radial 303 or 318.	2,600
Lone Rock, Wis. (VOR) via direct or 15° N alt. rad.	Milwaukee, Wis. (VOR) via direct or 15° N alt. rad.	2,500
Lansing, Mich. (VOR) via radial 102.	Int. Lansing, Mich. (VOR) radial 102 and Detroit, Mich. (VOR) radial 347 (Whitelake Int.)	2,300
Milwaukee, Wis. (VOR) via direct or 15° N alt. rad.	Muskegon, Mich. (VOR) via direct or 15° N alt. rad.	1,900

3. Section 610.13 *Green Civil Airway No. 3* is amended by adding:

From—	To—	Minimum altitude
Moline, Ill. (VOR)[1] via direct radial.	Naperville, Ill. (VOR) via direct radial.	2,100

[1] MEA not authorized for 15° N altitude radial.

4. Section 610.101 *Amber Civil Airway No. 1* is amended to read in part:

From—	To—	Minimum altitude
Skwenta, Alaska [1]	Farewell, Alaska [2]	11,500

[1] 9,000'—miuimum crossing altitude at Skwenta, westbound.
[2] 11,000'—minimum crossing altitude at Farewell, southeastbound.

5. Section 610.102 *Amber Civil Airway No. 2* is amended to read in part:

From—	To—	Minimum altitude
Big Delta, Alaska (LFR).	Chena (INT), Alaska.	5,000

6. Section 610.104 *Amber Civil Airway No. 4* is amended by adding:

From—	To—	Minimum altitude
Aberdeen, S. Dak. (VOR) via direct or 15° SW alt. rad.	Bismarck, N. Dak. (VOR) via direct or 15° SW alt. rad.	[1] 3,500
Bismarck, N. Dak. (VOR) via direct radial.	Minot, N. Dak. (VOR) via direct radial.	3,400

[1] 4,200'—minimum continuous VOR reception altitude.

7. Section 610.105 *Amber Civil Airway No. 5* is amended by adding:

From—	To—	Minimum altitude
Memphis, Tenn. (VOR) via radial 340 or 355.	Malden, Mo. (VOR) via radial 175 or 190.	2,000

8. Section 610.107 *Amber Civil Airway No. 7* is amended to read in part:

From—	To—	Minimum altitude
Augusta, Maine (LFR).	Millinocket, Maine (LFR).	2,500
Presque Isle, Maine (LFR).	U. S.-Canadian Boundary.	3,500

9. Section 610.107 *Amber Civil Airway No. 7* is amended to eliminate:

From—	To—	Minimum altitude
Augusta, Maine	Waterville (INT), Maine.	1,600
Waterville (INT), Maine.	Dixmont (INT), Maine.	2,300
Dixmont (INT), Maine.	Bangor, Maine	2,300
Bangor, Maine	East Corinth (INT), Maine.	1,700
East Corinth (INT), Maine.	Millinocket, Maine	2,300

10. Section 610.205 *Red Civil Airway No. 5* is amended to read in part:

From—	To—	Minimum altitude
Sioux Falls, S. Dak.	Jeffers (INT), Minn.	3,000
Jeffers (INT), Minn.	Minneapolis, Minn.	2,200

11. Section 610.205 *Red Civil Airway No. 5* is amended by adding:

From—	To—	Minimum altitude
Redwood Falls, Minn. (VOR) via direct or 15° S alt. rad.	Minneapolis, Minn. (VOR) via direct or 15° S alt. rad.	2,200

12. Section 610.212 *Red Civil Airway No. 12* is amended by adding:

From—	To—	Minimum altitude
Burlington, Iowa (VOR) via direct or 15° N alt. rad.	Bradford, Ill. (VOR) via direct or 15° N alt. rad.	2,000
Bradford, Ill. (VOR) via direct or 15° S alt rad.	Naperville, Ill. (VOR) via direct or 15° S alt. rad.	2,000

13. Section 610.218 *Red Civil Airway No. 18* is amended by adding:

From—	To—	Minimum altitude
Front Royal, Va. (VOR) via dir. rad. 103.	Int. NW ers. Arcola, Va. (LFR).	4,000
Int. Front Royal, Va. (VOR) direct radial 103 and NW ers. Arcola, Va. (LFR).	Herndon, Va. (VOR) via direct radial 283.	3,000

14. Section 610.219 *Red Civil Airway No. 19* is amended by adding:

From—	To—	Minimum altitude
Dayton, Ohio (VOR) via direct or 15° SW alt. rad.	Fort Wayne, Ind. (VOR) via direct or 15° SW alt. rad.	2,200
Fort Wayne, Ind. (VOR) via direct radial.	Millersburg, Ind. (VOR) via direct radial.	2,300

15. Section 610.220 *Red Civil Airway No. 20* is amended by adding:

From—	To—	Minimum altitude
Lansing, Mich. (VOR) via radial 73.	Flint, Mich. (RBN)	2,300

16. Section 610.222 *Red Civil Airway No. 22* is amended by adding:

From—	To—	Minimum altitude
Syracuse, N. Y. (LFR).	Utica, N. Y. (LFR)	1,900
Utica, N. Y. (LFR)	Starkville (INT), N. Y.	3,000

17. Section 610.227 *Red Civil Airway No. 27* is amended by adding:

From—	To—	Minimum altitude
Dayton, Ohio (VOR) via direct or 15° W alt. rad.	Findlay, Ohio (VOR) via direct or 15° W alt. rad.	2,200
Toledo, Ohio (VOR) via direct or 15° W alt. rad.	Detroit, Mich. (VOR) via direct or 15° W alt. rad.	2,100

18. Section 610.228 *Red Civil Airway No. 28* is amended by adding:

From—	To—	Minimum altitude
Janesville, Wis. (VOR) via radial 115.	Int. Janesville, Wis. (VOR) radial 115 and Chicago Heights, Ill. (VOR) radial 342.	2,500
Lansing, Mich. (VOR) via direct or 15° N alt. rad.	Detroit, Mich. (VOR) via direct or 15° N alt. rad.	2,500

19. Section 610.234 *Red Civil Airway No. 34* is amended to read in part:

From—	To—	Minimum altitude
Pulaski, Va. (LFR)	Charleston, W. Va. (LFR).	6,000

20. Section 610.236 *Red Civil Airway No. 36* is amended by adding:

From—	To—	Minimum altitude
Rochester, Minn. (VOR) via direct or 15° W alt. rad.	Minneapolis, Minn. (VOR) via direct or 15° W alt. rad.	2,400
Rochester, Minn. (VOR) via direct or 15° S alt. rad.	La Crosse, Wis. (VOR) via direct or 15° S alt. rad.	2,400

21. Section 610.237 *Red Civil Airway No. 37* is amended to read in part:

From—	To—	Minimum altitude
Roanoke, Va. (LFR)	Charleston, W. Va. (LFR).	6,000

22. Section 610.255 *Red Civil Airway No. 55* is amended by adding:

From—	To—	Minimum altitude
Pontiac, Ill. (VOR) via direct or 15° SE alt. rad.	Ghicago Heights, Ill. (VOR) via direct or 15° SE alt. rad.	2,000

23. Section 610.257 *Red Civil Airway No. 57* is amended by adding:

From—	To—	Minimum altitude
Moline, Ill. (VOR) via direct or 15° NW alt. rad.	Janesville, Wis. (VOR) via direct or 15° NW alt. rad.	2,200
Janesville, Wis. (VOR) via direct or 15° N alt. rad.	Milwaukee, Wis. (VOR) via direct or 15° N alt. rad.	2,100
Litchfield, Mich. (VOR) via direct radial.	Toledo, Ohio (VOR) via direct radial.	2,200

24. Section 610.262 *Red Civil Airway No. 62* is amended by adding:

From—	To—	Minimum altitude
Cleveland, Ohio (VOR) via direct radial.	Bergholz, Ohio (RBN).	2,600

25. Section 610.285 *Red Civil Airway No. 85* is amended by adding:

From—	To—	Minimum altitude
Dayton, Ohio (VOR) via direct or 15° NW alt. rad.	Mansfield, Ohio (VOR) via direct or 15° NW alt. rad.	2,500

26. Section 610.302 *Red Civil Airway No. 102* is amended by adding:

From—	To—	Minimum altitude
Cincinnati, Ohio (VOR) via direct or 15° N or S alt. rad.	Indianapolis, Ind. (VOR) via direct or 15° N or S alt. rad.	2,300

27. Section 610.304 *Red Civil Airway No. 104* is added to read:

From—	To—	Minimum altitude
Erie, Pa. (LFR).....	Bradford, Pa. (RBN)..	4,000

28. Section 610.307 *Red Civil Airway No. 107* is amended by adding:

From—	To—	Minimum altitude
Huron, S. Dak. (VOR) via direct or 15° S alt. rad.	Redwood Falls, Minn. (VOR) via direct or 15° S alt. rad.	[1] 3,000

[1] 3,900′—minimum continuous VOR reception altitude.

29. Section 610.308 *Red Civil Airway No. 108* is amended by adding:

From—	To—	Minimum altitude
Watertown, S. Dak. (VOR) via direct or 15° N alt. rad.	Redwood Falls, Minn. (VOR) via direct or 15° N alt. rad.	8,100

30. Section 610.602 *Blue Civil Airway No. 2* is amended by adding:

From—	To—	Minimum altitude
Elkins, W. Va. (VOR) via direct radial.	Morgantown, W. Va. (LFR).	5,300
Pittsburgh, Pa. (VOR) via direct radial.	Erie, Pa. (VOR) via direct radial.	[1] 3,000

[1] 4,000′—minimum continuous VOR reception altitude.

31. Section 610.609 *Blue Civil Airway No. 9* is amended to read in part:

From—	To—	Minimum altitude
Minneapolis, Minn. (LFR).	Duluth, Minn. (LFR)..	2,500

32. Section 610.609 *Blue Civil Airway No. 9* is amended by adding:

From—	To—	Minimum altitude
Minneapolis, Minn. (VOR) via direct radial.	Grantsburg, Wis. (VOR) via direct radial.	2,500
Grantsburg, Wis. (VOR) via direct radial.	Duluth, Minn. (VOR) via direct radial.	2,400

33. Section 610.610 *Blue Civil Airway No. 10* is amended to read in part:

From—	To—	Minimum altitude
Los Banos, Calif.[1]	Morgan Hill, Calif. (FM).	6,000
Morgan Hill, Calif. (FM).	Evergreen, Calif. (RBN).	5,000
Evergreen, Calif. (RBN).	Oakland, Calif. (LFR).	6,000

[1] 6,000′—minimum crossing altitude at Los Banos, northwestbound.

34. Section 610.611 *Blue Civil Airway No. 11* is amended by adding:

From—	To—	Minimum altitude
Cleveland, Ohio (VOR) via radial 69.	Perry (INT), Ohio....	2,500
Perry (INT), Ohio via Cleveland, Ohio and Erie, Pa. (VOR) radial 69 or 251.	Kingsville (INT), Ohio.	2,000
Kingsville (INT), Ohio.	Erie, Pa. (VOR) via radial 251.	2,200
Erie, Pa. (VOR) via direct radial 57.	Int. E crs. Clear Creek, Ontario, Canada (LFR).	2,500

35. Section 610.631 *Blue Civil Airway No. 31* is amended by adding:

From—	To—	Minimum altitude
Burlington, Iowa (VOR) via direct or 15° W alt. rad.	Moline, Ill. (VOR) via direct or 15° W alt. rad.	1,900

36. Section 610.647 *Blue Civil Airway No. 47* is amended by adding:

From—	To—	Minimum altitude
Philipsburg, Pa. (VOR) via direct radial.	Bradford, Pa. (RBN)..	4,000

37. Section 610.650 *Blue Civil Airway No. 50* is amended by adding:

From—	To—	Minimum altitude
Augusta, Maine (LFR)..	Bangor, Maine (LFR)..	2,300

38. Section 610.662 *Blue Civil Airway No. 62* is amended by adding:

From—	To—	Minimum altitude
Detroit, Mich. (VOR) via direct radial.	Flint, Mich. (RBN)..	2,300

39. Section 610.673 *Blue Civil Airway No. 73* is amended by adding:

From—	To—	Minimum altitude
Bradford, Pa. (RBN)..	Buffalo, N. Y. (VOR) via direct radial.	4,500

40. Section 610.681 *Blue Civil Airway No. 81* is added to read:

From—	To—	Minimum altitude
Int. N crs. Charleston, W. Va. (LFR) & SW crs. Parkersburg, W. Va. (VAR).	Zanesville, Ohio (RBN).	2,200
Zanesville, Ohio (RBN)	Akron, Ohio (LFR)..	2,400
Akron, Ohio (LFR)....	U. S.-Canadian Boundary.	2,600

41. Section 610.683 *Blue Civil Airway No. 83* is amended by adding:

From—	To—	Minimum altitude
Janesville, Wis. (VOR) via direct radial.	Madison, Wis. (LOM)	2,100

42. Section 610.684 *Blue Civil Airway No. 84* is amended by adding:

From—	To—	Minimum altitude
Bangor, Maine (LFR)..	Millinocket, Maine (LFR).	2,300

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective September 3, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-10194; Filed, Aug. 23, 1951; 8:51 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. 70] [1]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT

MISCELLANEOUS AMENDMENTS

1. Section 373.16 *Special provisions for certain comodities; evidence of availability* is amended in the following particulars:

Paragraph (b) *Commodities* is amended by adding at the end thereof the following:

Crude asbestos and spinning fibers, unmanufactured, of the following grades only: Amosite standard commercial grades B–1, B–3, D–3, and D3/MI; chrysotile standard commercial grades C & G1, C & GP1, C & G2, and C & GP2; chrysotile, Arizona Crude 1 and Crude 2, or the equivalent of any of the above grades: Schedule B No. 545110.[2]

This part of the amendment shall become effective as of August 31, 1951.

2. Part 373 *Licensing policies and related special provisions* is amended by adding thereto a new section (§ 373.26) to read as follows:

§ 373.26 *Special provisions for applications covering commodities for which supply assistance is requested.* Special provisions for certain license applications covering commodities for which supply assistance is requested at the same time the license application is filed with the Office of International Trade, are set forth in Part 398 of this chapter.

This part of the amendment shall become effective as of August 16, 1951.

3. Section 398.5 *Assignment of DO ratings by OIT for Controlled Materials Plan materials* is amended to read as follows:

§ 398.5 *CMP; export allocations and procedures*—(a) *Controlled Materials Plan as applied to exports*—(1) *Controlled Materials Plan.* A Controlled Materials Plan (CMP) governing the distribution of certain metals has been established by the National Production Authority, effective July 1, 1951. This Plan operates under a series of NPA regulations identified as "CMP Regulations" (numbered serially as "CMP Regulation 1," "CMP Regulation 2," etc.).

(2) *Materials covered by CMP.* The Controlled Materials Plan at present covers copper, steel, and aluminum in the shapes and forms described in Schedule I of CMP Regulation 1.

(3) *Applicability of CMP to exports.* CMP regulations govern the distribution of controlled materials to all consumers, i. e., exporters as well as domestic U. S. producers using controlled materials. This section sets forth the supplementary rules and procedures which will be followed by the Office of International Trade and exporters in connection with exports of controlled materials (including controlled materials for the manufacture of CMP Class A Products as defined in paragraph (b) (3) of this section) to all destinations except Canada.

(b) *Export quotas and allotment symbols for controlled materials*—(1) *Assignment of allotment symbols for controlled materials.* Under delegation of authority from the National Production Authority, the Office of International Trade assigns to exporters the right to apply allotment numbers and symbols, as required, for the procurement of controlled materials, and for the production of CMP Class A Products within quota limits. Paragraph (d) of this section shows all Schedule B numbers falling under the category of controlled materials.

(2) *Assignment of allotment symbols.* On all licenses approved for commodities designated as controlled materials under the NPA Controlled Materials Plan, the Office of International Trade assigns to the applicant the right to apply a specified allotment number and symbol to procure the material covered by the license. In the case of Class A Products, this right is assigned on Form CMP–10 to the manufacturer who signed the Form CMP–4A. The CMP allotment symbols designated by the National Production Authority for export are as follows:

CMP Allotment Symbol	*Claimant agency*
W–2	OIT
W–4	ECA

The allotment symbol will be assigned by the Office of International Trade by endorsing the validated license (or other appropriate document) with the following or similar legend:

By authority of the NPA, the exporter herein named is assigned the right to apply the symbol (e. g. W–2–4Q51) to procure the above described materials.

In the case of Class A Products, the allotment symbol authorizing procurement of the controlled material needed to manufacture the Class A Product will be assigned to the manufacturer directly on CMP Form 10 or other appropriate document by means of a legend similar to that set out above. In addition, the manufacturer will be given the right to apply a DO rating to secure production materials other than controlled materials, needed in the manufacture of the Class A Product, in accordance with section 21 of CMP Regulation 1. The legend in this case would be similar to the following:

By authority of the NPA, the manufacturer herein named is assigned the right to apply the rating (e. g. DO–W–2) for the procurement of other production materials and components including chemicals and containers, required for the manufacture of the A Product referred to herein.

(3) *CMP A Products.* As noted above, in addition to the controlled materials listed in Schedule I to CMP Regulation 1, the OIT quota also includes controlled materials for the manufacture of CMP A Products for export. Usually "A" products are products of special use or special design sold to one or relatively few customers; they are tied closely to specific production programs, usually defense programs; they include such items as tanks, planes, freight cars, ships, and guns. "B" products, on the other hand, are those products of non-specialized design which are manufactured for use in a large number of different kinds of products and sold to many outlets—such as nuts and bolts, jigs, compressors, cranes, etc. Class A Products are defined officially by the National Production Authority as all products containing steel, copper, and aluminum and not appearing as Class B Products in the NPA "Product Assignment Directory and Official CMP Class B Products List".[3]

License applications for Class A Products must be accompanied by four copies of CMP Form 4A[4] signed by the manufacturer in accordance with the NPA "Instructions for Preparing Form CMP–4A" with these changes:

(i) Item 2—Show name of customer (normally, this will be the applicant for the accompanying export license).

(ii) Item 3—Show customer's purchase order number.

(iii) Item 4—Name and address of manufacturer (whether or not he is also the exporter).

(iv) Section 1—Show proposed production schedule only for the order covered by the license application.

(v) In column (b) of section III, insert the appropriate OIT Reference Code to CMP Commodities explained in paragraph (c) of this section.[5]

In the event an exporter requires supply assistance for a Class A Product for which a validated license is not required for export to the proposed foreign country of destination, the CMP Form 4A should be filed in accordance with the instructions outlined above, accompanied by a letter of transmittal from the exporter, but without an export license application.

(4) *Requests for conversion of CMP allotments.* If a licensee holding a validated license for controlled materials is unable to place his order during the

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[1] This amendment was published in Current Export Bulletin No. 634, dated August 16, 1951.

[2] Effective August 31, 1951.

[3] The "Class B Product List" is issued by the NPA, and is subject to change from time to time. It is suggested that exporters may wish to become acquainted with this document; copies may be secured for 15¢ each from the Department of Commerce Field Offices and from the Distribution Office, National Production Authority, Department of Commerce, New GAO Building, Fourth & G Streets, NW., Washington 25, D. C.

[4] CMP Form 4A may be obtained free from the same sources mentioned in footnote 3.

[5] Attention of exporters is called to the fact that item numbers printed on CMP Form 4A itself are different from OIT Reference Code to CMP Commodities mentioned in § 398.5 (c).

quarter specified on the face of the license, he may request conversion of his CMP allotment symbol to a symbol valid for a subsequent quarter (reallotment), by submitting to OIT, Washington 25, D. C., Form IT-763, "Request for and Notice of Amendment Action" in accordance with the provisions of § 380.2.

NOTE: In the case of Project Licenses, Form IT-375, "SP (Special) License Application Materials Requirements List" will be submitted with the request.

In addition to the information required on Form IT-763 (or Form IT-375), each request for conversion of the allotment symbol shall include:

(i) The statement "CMP Re-Allotment for _____ Quarter".

(ii) The amount of material for which conversion of allotment symbol is requested.

(iii) The amended expiration date of the export license requested, if necessary.

(iv) For licenses covering materials marked with a star in the list set forth in paragraph (d) of this section, a description of the material in sufficient detail to permit its identification under Schedule I of CMP Regulation 1. Include OIT Reference Code to CMP Commodities described in paragraph (c) of this section.

NOTE: Quantities of controlled materials covered by these re-allotment requests which are approved by OIT must be charged against current quotas. A reserve may be held by OIT for consideration of these requests, but no assurance can be given that all such requests will be approved. Such re-allotment requests as the licensee must file should be submitted to OIT as soon as it becomes evident that the order cannot be scheduled in the quarter originally authorized.

(5) *Controlled materials used as MRO.* The procedure granting supply assistance for the export of maintenance, repair and operating supplies (§ 398.3) based upon NPA Order M-79 specifically excludes controlled materials. License applications for any controlled materials listed in Schedule I of CMP Regulation 1, or for CMP Class A Products, shall be filed in accordance with the provisions of this section, whether intended for use abroad as MRO or for other purposes. However, in the case of controlled materials or Class A Products destined for MRO use in foreign commercial aircraft, application should be filed in accordance with § 398.1 of the Comprehensive Export Schedule.

(6) *CMP Class B Products.* CMP Class B Products do not fall under the provisions of this section. Manufacturers of Class B Products secure their allotment symbols, priority ratings, and authorized production schedule (both domestic and export) through their quarterly applications to the National Production Authority on CMP Form 4B. Manufacturers should be advised to include their materials requirements to fill both domestic and export orders on their form CMP-4B.

(c) *Additional information required on license applications.* Effective immediately, on license applications covering CMP materials (steel, copper, and aluminum as such) exporters must include in Item 9 (c) of the export license application Form IT-419, or on Form IT-375 in case of project license applications (in addition to the standard requirements for Schedule B number, commodity description, processing code etc.) the appropriate OIT Reference Code to CMP Commodities. Inclusion of this CMP code reference is required in order to identify the commodity fully, and to permit maintenance of proper accounting records as required by the NPA. Paragraph (d) of this section sets forth the CMP materials to which this paragraph applies. In paragraph (d) of this section the CMP materials are listed in their Schedule B order with a column showing the OIT Reference Code to CMP Commodities.

(d) *Controlled Materials Plan Commodities.*

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to CMP commodities
	Steel mill products (See Special Provisions, §§ 373.2, 373.16)	
600700	Pig iron, all grades	----------
	Iron and steel scrap:	
601020	No. 1 heavy melting steel scrap (see § 373.1)	----------
01030	No. 2 melting steel scrap (see § 373.1)	----------
601040	Hydraulically compressed and baled sheet melting scrap (see § 373.1)	----------
601070	Cast and burnt iron scrap (see § 373.1)	----------
601090	Other (include heavy shoveling steel, selected rail scrap, machine-shop turnings, wire shorts (scrap only), etc. (see § 373.1)	----------
601100	Tinplate scrap, *except tin cans, old, crushed*	----------
601300	Tinplate circles, strips, cobbles, and scroll-shear butts	----------
601550	Rerolling rails	19
	Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included):	
	Carbon steel:	
601605	Steel ingots	7
601606	Steel billets, projectile and shell quality	8
601606	Other steel billets; and blooms and slabs	7
601609	Steel sheet bars, and tinplate bars	7
	Alloy steel (stainless included):	
601705	Steel ingots	24
601705	Steel ingots, stainless	40
601706	Steel billets, projectile and shell quality, alloy, except stainless	25
601706	Other steel billets; and blooms and slabs (rolled or forged)	24
601706	Other steel billets; and blooms and slabs, stainless	40
601709	Steel sheet bars, and tinplate bars, except stainless	24
601709	Steel sheet bars, stainless	40
	Tube rounds (carbon, alloy, and stainless):	
601800	Carbon	*
601800	Alloy, except stainless	24
601800	Stainless	40
	Iron and steel bars and rods (include bar size shapes):	
	Steel bars, cold-finished:	
602010	Die steel bars, carbon steel	9
602010	Other carbon steel bars	9
602050	Stainless	41
602090	Alloy, except stainless	26
602100	Iron bars	10
602200	Concrete reinforcement bars (deformed and twisted bars only)	10
	Steel mill products—Con.	
	Iron and steel bars and rods (include bar size shapes)—Continued.	
	Steel bars, cold-finished:—Continued.	
	Other steel bars and rods (hot-rolled):	
602300	Die steel bars, carbon steel	10
602300	Steel bars, projectile and shell quality	11
602300	Other carbon steel bars	10
602500	Stainless steel	42
602600	Alloy steel bars, hot-rolled, projectile and shell quality	28
602600	Other alloy steel bars, except stainless (report stainless in 602-500)	27
	Wire rods (for further manufacture):	
602900	Wire rods, carbon steel	21
602900	Wire rods, alloy steel, except stainless	37
602900	Wire rods, stainless	47
	Plates including boiler except fabricated: [1]	
	Carbon steel:	
603120	Hot-rolled	15
603130	Cold-rolled	15
	Stainless steel:	
603140	Hot-rolled	45
603160	Cold-rolled	45
	Alloy steel, except stainless:	
603170	Hot-rolled [1]	32
603180	Cold-rolled [1]	32
603200	Skelp iron and steel	7
	Iron and steel sheets, galvanized:	
603350	Galvanized iron culverts and sections	----------
603390	Galvanized iron sheets, including culvert sheets	17
603450	Galvanized steel culverts, and sections	17
603490	Galvanized steel sheets, including culvert sheets	----------
	Steel sheets, black, ungalvanized (include enameled, lacquered, or painted):	
	Carbon steel:	
603520	Hot-rolled	16
603530	Cold-rolled	16
	Stainless steel:	
603540	Hot-rolled	46
603560	Cold-rolled	46
	Alloy steel, except stainless:	
603570	Hot-rolled	34
603580	Cold-rolled	34
603595	Electrical (steel) sheet and strip, except transformer grades	34
603595	Electrical (steel) sheet and strip, transformer grades only	34
603600	Iron sheets, black (including enameled, lacquered, and painted)	16
	Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted:	
603710	Cold-rolled carbon steel, gilding metal clad	17
603710	Cold-rolled carbon steel, except gilding metal clad	16
603750	Cold-rolled stainless steel	46
603790	Cold-rolled alloy steel, except stainless	34
603810	Hot-rolled carbon steel, gilding metal clad	16
603810	Hot-rolled carbon steel, except gilding metal clad	16
603850	Hot-rolled stainless steel	46
603890	Hot-rolled alloy steel, except stainless	34
	Tinplate:	
604000	Waste-waste tinplate	----------
604110	Tinplate, hot-dipped	18
604150	Tinplate, electrolytic	18
604170	Tinplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, excluding lithographic misprints	18
604200	Ternplate (long ternes included)	18

[1] Armor plate, classified in Schedule B Nos. 603120, 603130, 603170, and 603180, requires export authorization from the Department of State (see § 370.5, Note 1).

Dept. of Commerce Schedule B No.	Commodity	OIT Ref. Code to CMP Commodities
	Steel mill products—Con.	
	Structural iron and steel:	
604300	Water, oil, gas, and other unlined storage tanks, complete and knockdown material, for temporary or permanent installation, n. e. s.	----------
	Structural shapes:	
	Plain, not fabricated (except bar mill size structurals):	
604500	Carbon steel	12
604500	Alloy steel, except stainless	29
604500	Stainless	43
604600	Fabricated	----------
604750	Penstock (include only sections of penstock fabricated from rolled steel plates used for conducting water)	----------
604790	Plates, fabricated, punched, or shaped, n. e. s.	----------
605000	Sheet piling	12
	Railway-track material, iron and steel:	
	Rails:	
605100	Over 60 pounds per yard, carbon steel	19
605100	Over 60 pounds per yard, alloy steel	35
605200	60 pounds per yard and under, carbon steel	19
605200	60 pounds per yard and under, alloy steel	35
605300	Relaying rails (report rerolling rails under 601550, and scrap rails under 601090)	----------
605410	Rail joints and splice bars	19
605450	Tie plates (including fish plates)	19
605490	Railway track accessories, n. e. s.	----------
605500	Switches, frogs, and crossings	----------
605800	Railroad spikes	19
605900	Bolts, nuts, washers, and nut locks for railway track construction and maintenance	----------
	Tubular products and fittings, iron and steel (except scrap):	
	Boiler tubes and other pressure tubing, seamless:	
606000	Carbon steel	14
606000	Alloy steel	31
	Boiler tubes and other pressure tubing, welded:	
606100	Carbon steel	14
606100	Alloy steel	31
	Casing and line pipe (see § 399.2):	
606250	Casing, seamless, carbon steel	13
606250	Casing, seamless, alloy steel	30
606290	Line pipe, seamless	13
606350	Casing, welded, carbon steel	13
606350	Casing, welded, alloy steel	30
606390	Line pipe, welded	13
606400	Seamless black pipe, except casing and oil-line	13
606400	Seamless black tubes, except boiler	14
606500	Malleable iron screwed pipe fittings	----------
606705	Cast-iron pressure pipe	----------
606798	Cast-iron pressure pipe fittings	----------
607000	Welded black pipe, steel	13
607000	Welded black tubes, steel	14
607100	Welded black pipe, wrought iron	13
607100	Welded black tubes, wrought iron	14
607200	Welded galvanized pipe, steel	13
607200	Welded galvanized tubes, steel	14
607300	Welded galvanized pipe, wrought iron	13
607300	Welded galvanized tubes, wrought iron	14
	Mechanical pipe and tubes:	
6074 0	Carbon steel	14
607400	Alloy steel	31
607500	Stainless steel pipe and tubes	44
607705	Iron and steel pipe, n. e. s.	13
607798	Iron and steel pipe fittings, n. e. s.	----------

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to CMP commodities
	Steel mill products—Con.	
	Wire and manufactures:	
	Iron and steel wire, uncoated:	
608100	Carbon steel	21
608100	Alloy steel	37
608100	Stainless steel	47
	Galvanized wire:	
608200	Tie wires for reinforcing bars	21
608200	Other galvanized wire	21
608300	Barbed wire	21
608500	Woven-wire fencing	21
608710	Wire cable and rope, except insulated	----------
608750	Wire strand	----------
608800	Electric welding rods and wire	----------
608900	Welding rods and wire, iron and steel, except electric	----------
609101	Wire bale ties	21
609109	Alloy steel wire, coated	37
609109	Stainless steel wire, coated	47
609109	Coated wire, iron and steel, n. e. s., except alloy and stainless	21
	Other wire and manufactures:	
609198	Coils, cold-finished; musical instrument wire; piano wire; spring wire, bright steel, piano grade	21
609198	Other iron and steel wire and manufactures, n. e. s.	----------
	Nails and bolts, iron and steel, n. e. s.	
609200	Wire nails, carbon steel (include shoe nails) (report shoe tacks in 609400)	21
609200	Other wire nails and staples, stainless	47
609500	Other nails and staples, carbon steel (except staples for paper fasteners or paper stapling machines)	----------
609900	Bolts, machine screws, nuts, rivets, and washers, n. e. s. (specify by name)	----------
	Castings and forgings, iron and steel:	
610410	Carbon steel castings	6
610490	Alloy steel castings	23
610490	Stainless steel castings	39
	Railway car and locomotive wheels, tires, and axles:	
610515	Railway car wheels, carbon steel	20
610515	Railway car wheels, alloy steel	36
610518	Railway car tires and locomotive wheels, carbon steel	20
610518	Railway car tires and locomotive wheels, alloy steel	36
610525	Railway car axles, without wheels, carbon steel	20
610525	Railway car axles, without wheels, alloy steel	36
610528	Railway locomotive axles, without wheels, carbon steel	20
610528	Railway locomotive axles, without wheels, alloy steel	36
610535	Railway car axles, fitted with wheels, carbon steel	20
610535	Railway car axles, fitted with wheels, alloy steel	36
610538	Railway locomotive axles, fitted with wheels, carbon steel	20
610538	Railway locomotive axles, fitted with wheels, alloy steel	36
	Iron and steel forgings, n.e.s.:	
610700	Carbon steel	----------
610800	Alloy steel (stainless included)	----------
	Iron and steel manufactures	
620933	Carbonyl iron powder, for use in the manufacture of magnetic cores for radio and other electrical equipment, and also in pyrotechnics (see § 373.2)	4
[2] 620998	Packing steel, stainless	42
620998	Steel shot; perforated steel sheets, alloy and stainless (see § 373.2)	----------
620998	Steel tubes for manufacturing of ball bearings	14

[2] The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c).

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to CMP commodities
	Iron and steel manufacturers—Con.	
620998	Angle plates, slotted, iron; circles, steel; castings, iron, machine-drilled; perforated terneplate; sheets, steel, black, printed and lithographed; tubular scaffolding; vitrified steel pipe; flexible tubing except electrical; perforated steel; poles, steel, electric line; and perforated steel sheets, carbon steel	----------
	Aluminum and manufactures	
629000	Bauxite and other aluminum ores	----------
629500	Bauxite concentrates, alumina included	----------
630000	Ingots, slabs, pigs and other crude forms	68
630110	Scraps; solids	----------
630150	Scrap; borings, turnings and dross	----------
630301	Sheets, plates and strip	65
630301	Corrugated sheet	----------
630305	Bars and rods, rolled	61
630305	Bars and rods, extruded	64
630400	Aluminum foil and leaf (less than .006 inch in thickness)	69
630500	Blanks, rectangles, circles	65
630500	Forgings, castings	64
630500	Extruded shapes	64
630500	Tubing and tubes	66
630500	Molding, unfabricated	64
630500	Mill shapes rolled	63
630600	Wire	62
630600	Cable, welding rods, and electrodes	----------
630600	Woven wire insect screen cloth	----------
630700	Table, kitchen and hospital utensils	----------
630850	Aluminum or aluminum bronze powders and paste (aluminum content)	67
630910	Materials for construction	----------
630998	Aluminum and aluminum-base alloy manufactures, n. e. s.	----------
630998	Matrix and matrix material	----------
	Copper and manufactures	
640100	Copper matte, unrefined copper, as blister, converter copper, or anodes (copper content)	----------
640100	Copper ore and concentrates (copper content)	----------
641200	Refined copper in cathodes, billets, ingots, wire bars or other forms (report copper bars except wire bars in 642400)	----------
641300	Copper scrap	----------
642200	Copper pipes and tubes	52
642300	Copper plates, sheet, and strips	51
642400	Copper rods and bars (report copperweld bars in 642500; and wire bars in 641200)	50
642500	Copper wire and cable, bare (except electrodes) (report insulated copper wire in 709810, 709830, and 709850)	50
642500	Copperweld electrodes and copper electrodes	----------
643998	Copper manufactures, n. e. s., (specify by name) (copper content):	
	Armored cable, sisal kraft (copper chief value)	50
	Powder	59
	Rolls	51
	Phosphor copper (if in the form of plates, sheet, flat and coiled strip)	55
	Rods, bars, wire	54
	Pipes and tubes	56
	Sisalkraft, copper-armored	50
643998	Other copper manufactures, n. e. s. (specify by name)	----------
	Copper base alloys and manufactures (includes brass and bronze)	
644000	Brass and bronze scrap and old	----------
644100	Brass and bronze ingots	----------
644900	Brass and bronze bars, rods and shapes (extruded, rolled and drawn)	54
645000	Brass and bronze plates, sheets, and strip (report window strip and shapes in 647998)	55

Dept. of Commerce Schedule B No.	Commodity	OIT ref. code to CMP commodities
	Copper base alloys and manufactures (includes brass and bronze)—Continued	
645300	Brass and bronze pipes and tubes (pipe coils included)	56
645430	Brass and bronze pipe fittings	----------
645600	Plumbers brass goods (specify by name)	----------
645700	Bare wire, phosphor bronze and bare wire, brass and bronze	54
645700	Wire, insulated, brass and bronze	57
645700	Welding rods and electrodes, brass and bronze	----------
646900	Hardware, brass and bronze, n. e. s. (specify by name)	----------
647901	Brass and bronze diestocks, shims, bearings and bushings	----------
647913	Brass and bronze castings and forgings	58
647998	Brass and bronze manufactures, n. e. s., in following forms (copper content) (specify by name):	
	Dutch Metal powder, Gilding powder, Gold bronze powder, Metallic powder, Powder	59
647998	Other brass and bronze manufactures, n. e. s. (specify by name)	----------
664905	Beryllium metals, alloys & scrap in the following forms (copper content) (specify by name):	
	Beryllium copper rods, bars, shapes, wire	54
	Beryllium copper strips, sheets, plates	55
	Beryllium powder	59
664905	Other beryllium metals, alloys & scrap	----------
669198	Metal & metal composition manufactures, n. e. s. in following forms (copper content) (specify by name):	
	Beryllium alloy castings	58
	Beryllium alloy tubes	56
	Phosphor copper powder	59
	Cupro-nickel strips	55
	Cupro-nickel wire	54
	Copper nickel wire	54
	Nickel silver wire	54
	Dumet wire—copper clad steel wire	57
	Thermocouple wire	57
	Wire, cuprous, copper & nickel, resistance	57
669198	Other metal & metal composition manufactures, n. e. s.	----------
661000	Nickel silver, or german silver in following forms (copper content) (specify by name):	
	Bars	54
	Rods	54
	Sheet	55
661000	Nickel silver, or german silver, crude or scrap	----------
709810	Building wire and cable	57
709830	Weatherproof and slow burning wire	57
709850	Insulated copper wire, n. e. s. (specify by name)	57

This part of the amendment shall become effective as of August 16, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33, 82d Cong.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-10138; Filed, Aug. 23, 1951; 8:46 a. m.]

[5th Gen. Rev. of Export Reg., Amdt. P. L. 58] [1]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Graphite, natural:				
547290	Other natural graphite [1]	Lb	MINL	100	RO
	Carbon or graphite products (natural and artifical):				
547800	Lighting carbons	No	FILM	25	RO

[1] Amorphous graphite and crystalline graphite are presently on the Positive List under Schedule B Nos. 547210 and 547220, respectively.

This part of the amendment shall become effective as of 12:01 a. m., August 21, 1951.

2. The following are changed from R to RO commodities:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Graphite, natural:				
547210	Amorphous	Lb	MINL	100	RO
547220	Crystalline flake, lump, or chip	Lb	MINL	100	RO
	Carbon or graphite products (natural and artificial):				
548050	Graphite retorts and stoppers	No	MINL	100	RO

This part of the amendment shall become effective as of 12:01 a. m., August 21, 1951.

3. The following revisions are made in commodity descriptions. These revisions include changes in validated license control.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Carbon or graphite products (natural and artificial):				
547300	Carbon or artificial graphite electrodes ¾ inch up to, but not including, 1 inch in cross-sectional dimension, for furnace or electrolytic work.[2]	Lb	MINL	25	RO
[1] 547300	Carbon electrodes, 1 inch and over in cross-sectional dimension, for furnace or electrolytic work.[1]	Lb	MINL	None	RO
[1] 547300	Artificial graphite electrodes, 1 inch and over in cross-sectional dimension, for furnace or elecrtolytic work.[1]	Lb	MINL	None	RO
548098	Carbon or artificial graphite electrodes, otber than for furnaces or electrolytic work, ¾ inch up to, but not including, 1 inch in cross-sectional dimension (report electrodes for furnaces or electrolytic work in 547300).[3]	Lb	MINL	25	RO
[1] 548098	Carbon electrodes, other than for furnace or electrolytic work, 1 inch and over in cross-sectional dimension (report electrodes for furnace or electrolytic work in 547300).[3]	Lb	MINL	None	RO
[1] 548098	Artificial graphite electrodes, other than for furnace or electrolytic work, 1 inch and over in cross-sectional dimension (report electrodes for furnace or electrolytic work in 547300).[3]	Lb	MINL	None	RO
[1] 548098	Carbon products n. e. s. (specify by name)[4]	Lb	MINL	100	RO
[1] 548098	Graphite products, (including artificial) n. e. s. (specify by name).[4]	Lb	MINL	None	RO

[1] The commodities described in this Positive List entry are excepted from the provisions of General In-Transit License GIT. See § 371.9 (c).

[2] The above 3 entries are substituted for the present 2 entries on the Positive List under Schedule B No. 547300. The effect of these amendments is: To change from R to RO control electrodes ¾ inch up to, but not including, 2 inches in cross-sectional dimension; to reduce the GLV dollar-value limit for electrodes 1 inch up to 2 inches in cross-sectional dimension from $25 to none; and to add electrodes 1 inch up to 2 inches in cross-sectional dimension to the commodities excepted from the provisions of General In-Transit License GIT.

[3] The above 3 entries are substituted for the last 2 entries presently on the Positive List under Schedule B No. 548098. The effect of these amendments is: To change from R to RO control electrodes ¾ inch up to, but not including, 2 inches in cross-sectional dimension; to reduce the GLV dollar-value limit for electrodes 1 inch up to 2 inches in cross-sectional dimension from $25 to none; and to add electrodes 1 inch up to 2 inches in cross-sectional dimension to the commodities excepted from the provisions of General In-Transit License GIT.

[4] The above 2 entries are substituted for the third entry presently on the Positive List under Schedule B No. 548098. The effect of these amendments is: To extend the Positive List coverage which presently covers carbon or artificial graphite plates to include carbon or graphite (including artificial) products, n. e. s.; increase the GLV dollar-value limit for carbon blocks, bricks and plates from $25 to $100; to reduce the GLV dollar-value limit for artificial graphite blocks, bricks and plates from $25 to none; to add to the list of commodities excepted from the provisions of General In-Transit License GIT graphite (including artificial) and carbon products, n. e. s. which are not presently on the excepted list.

[1] This amendment was published in Current Export Bulletin No. 634, dated August 16, 1951.

This part of the amendment shall become effective as of 12:01 a. m., August 21, 1951.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations, or whose GLV dollar-value limits were reduced, as a result of changes set forth in Parts 1, 2, and 3 of this amendment which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., August 21, 1951, may be exported under the previous general license provisions up to and including September 15, 1951. Any such shipment not laden aboard the exporting carrier on or before September 15, 1951, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.; Pub. Law 33, 82d Cong.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51-10137; Filed, Aug. 23, 1951; 8:46 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Housing Rent Reg., Amdt. 395]

[Controlled Rooms in Rooming Houses and other Establishments Rent Reg., Amdt. 389]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

ILLINOIS, MICHIGAN, AND PENNSYLVANIA

Amendment 395 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 389 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 83, is amended to describe the counties in the Defense-Rental Area as follows:

Cook County, except the Cities of Blue Island, Calumet City, Chicago Heights, Des Plaines, Park Ridge, and that portion of the City of Elgin located therein, and the Villages of Arlington Heights, Brookfield, Burnham, Flossmoor, Glenview, Homewood, Kenilworth, La Grange, Lansing, Mt. Prospect, Oak Forest, Palatine, Riverdale, River Forest, South Holand, Westchester, Wheeling, Wilmette, Winnetka, and those portions of the Villages of Barrington and Steger located therein, Du Page County, except the Cities of West Chicago and Wheaton, and the Village of Glen Ellyn; Kane County, except that portion of the City of Elgin located therein; and Lake County, except the City of Lake Forest, the Village of Deerfield, and that portion of the Village of Barrington located therein.

This decontrols the Village of Homewood in Cook County, Illinois, a portion of the Chicago, Illinois, Defense-Rental Area.

2. Schedule A, Item 86, is amended to describe the counties in the Defense-Rental Area as follows:

Will County, except the Village of Crete, and that portion of the Village of Steger located therein.

This decontrols the Village of Crete in Will County, Illinois, a portion of the Joliet, Illinois, Defense-Rental Area.

3. Schedule A, Item 149, is amended to describe the counties in the Defense-Rental Area as follows:

Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Groveland, Highland, Holly, Independence, Milford, Novi, Oakland, Orion, Oxford, Pontiac, Rose, Springfield, Troy, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Berkley, Birmingham, Bloomfield Hills, Farmington, Ferndals, Hazel Park, Pleasant Ridge, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Belleville, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Lincoln Park and Plymouth, (ii) the Villages of Grosse Pointe Shores, Trenton and Wayne, (iii) that portion of the Village of Northville located in Wayne County, and (iv) the Townships of Canton and Grosse Ile; and Macomb County, except the City of Mount Clemens, the Village of Fraser, and the Townships of Armada, Bruce, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

This decontrols the Township of Grosse Ile in Wayne County, Michigan, a portion of the Detroit, Michigan, Defense-Rental Area.

4. Schedule A, Item 267, is amended to describe the counties in the Defense-Rental Area as follows:

Allegheny County, except the Boroughs of Bethel, Elizabeth and Rosslyn Farms, and the Townships of Crescent, Mount Lebanon and Ohio; Armstrong County; Beaver County; Lawrence County, except the Borough of New Wilmington; Westmoreland County; in Butler County, the City of Butler; Fayette County, except the Townships of Henry Clay, Stewart and Wharton; in Greene County, the Townships of Cumberland, Dunkard, Franklin, Jefferson, Monongahela and Morgan; and Washington County, except the Townships of East Finley, Morris, South Franklin and West Finley.

This decontrols the Township of Ohio in Allegheny County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area.

All decontrols effected by this amendment are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall be effective August 24, 1951.

Issued this 21st day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-10168; Filed, Aug. 23, 1951; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XVI—Selective Service System

[Amdt. 23]

PART 1670—RECORDS ADMINISTRATION IN FEDERAL RECORD DEPOTS

SUPPLYING INFORMATION FROM RECORDS

The Selective Service Regulations are hereby amended as follows:

1. Section 1670.1 is amended to read as follows:

§ 1670.1 *Establishment.* The provisions of the regulations in this part shall govern the administration, preservation, custody, use, and availability of all records which are now in or may hereafter be placed in Federal record depots and shall include (a) all such records obtained under the Selective Training and Service Act of 1940, as amended, (b) all such records obtained under Public Law 26, 80th Congress, and (c) any such records obtained under title I of the Universal Military Training and Service Act, as amended, as are designated by the Director of Selective Service.

2. Section 1670.5 is amended to read as follows:

§ 1670.5 *Confidential records.* All records obtained under the Selective Training and Service Act of 1940, as amended, Public Law 26, 80th Congress, and title I of the Universal Military Training and Service Act, as amended, which are in Federal record depots of the several State Headquarters for Selective Service and the information contained in such records shall be confidential, and shall not be available in any manner or used for any purpose except as provided by the regulations in this part.

3. Paragraph (a) of § 1670.6 is amended to read as follows:

§ 1670.6 *"Registrant" and "registrant's file" defined.* (a) When used in the regulations in this part, the term "registrant" shall be deemed to mean a person who registered under the provisions of the Selective Training and Service Act of 1940, as amended, or title I of the Universal Military Training and Service Act of 1940, as amended, or title I of the Universal Military Training and Service Act, as amended, whose cover sheet is in a Federal record depot.

4. Subparagraphs (1) and (3) of paragraph (a) of § 1670.8 are amended to read as follows:

§ 1670.8 *Availability and use of confidential records and information.* (a) * * *

(1) The registrant, or any person having written authority signed by the registrant.

* * * * *

(3) All personnel of the Selective Service System while engaged in the administration of title I of the Universal Military Training and Service Act, as amended, or Public Law 26, 80th Congress.

5. Paragraph (a) of § 1670.17 is amended to read as follows:

§ 1670.17 *Subpena of records.* (a) In the prosecution of a registrant or any other person for a violation of the Selective Training and Service Act of 1940, as amended, or of Public Law 26, 80th Congress, or of title I of the Universal Military Training and Service Act, as amended, or any regulations issued under any of said laws, or any orders or directions made pursuant to any such laws or regulations, or in any Federal court proceeding arising out of the Selective Training and Service Act of 1940, as amended, or Public Law 26, 80th Congress, or title I of the Universal Military Training and Service Act, as amended, all records of the registrant may be produced in response to the subpena or summons of the court in which such prosecution or proceeding is pending.

6. Amend subparagraphs (11) and (19) and add new subparagraphs (21) and (22) to paragraph (b) of § 1670.31 to read as follows:

§ 1670.31 *Supplying information to Federal agencies and officials.* * * *

(b) * * *

(11) *Treasury Department.* The Treasury Department may obtain such information upon the request of (i) the Secretary of the Treasury, (ii) the Commissioner of Customs, (iii) the Chief, United States Secret Service, (iv) the Chief, a Special Agent in Charge, or a Special Agent, Intelligence Unit, Bureau of Internal Revenue, (v) the Commissioner, Bureau of Narcotics, (vi) the Deputy Commissioner, Alcohol Tax Unit, (vii) a Supervising Customs Agent, (viii) a Special Agent, Secret Service, (ix) a District Supervisor, Bureau of Narcotics, (x) a District Supervisor, Alcohol Tax Unit, Bureau of Internal Revenue, (xi) an Internal Revenue Agent in Charge, (xii) a Collector of Internal Revenue, (xiii) a Deputy Collector of Internal Revenue, or (xiv) a Special Representative of the Office of the Chief Coordinator, Treasury Enforcement Agencies.

* * * * *

(19) *Department of the Air Force.* The Department of the Air Force may obtain such information upon the request of (i) the Administrative Assistant to the Secretary of the Air Force, (ii) the Air Adjutant General, (iii) the Chief of the Personnel Records Service, Office of the Air Adjutant General, (iv) the Director, Procurement and Industrial Planning, Office of Deputy Chief of Staff, Matériel, (v) the Air Provost Marshal, the Chief of the Office of Special Investigations, or the District Commander of an Office of Special Investigations District Office, Office of the Inspector General, (vi) the Judge Advocate General, United States Air Force, (vii) the Chief of Air Force Chaplains, (viii) the Chief of the Professional Division or the Chief of the Medical Personnel Division, Office of the Air Surgeon, (ix) the Director of Military Personnel, Office of Deputy Chief of Staff, Personnel, (x) the Director, Procurement and Industrial Planning, Headquarters, Air Matériel Command, (xi) the Commanding General or the Director of Personnel, Continental Air Command, (xii) the Commanding General, Air Training Command, (xiii) the Commanding General, First Air Force, (xiv) the Commanding General, Fourth Air Force, (xv) the Commanding General, Tenth Air Force, or (xvi) the Commanding General, Fourteenth Air Force.

* * * * *

(21) *Economic Stabilization Agency.* The Economic Stabilization Agency may obtain such information upon the request of (i) the Administrator, (ii) a Security Officer, (iii) an Assistant Security Officer, or (iv) an Investigator.

(22) *Office of Price Stabilization.* The Office of Price Stabilization may obtain such information upon the request of (i) the Administrator, (ii) the Director of Enforcement, or (iii) a District Enforcement Officer.

7. Subparagraphs (30), (33), and (48) of paragraph (b) of § 1670.32 are amended to read as follows:

§ 1670.32 *Supplying information to officials and agencies of States, the District of Columbia, Territories and possessions of the United States.* * * *

(b) * * *

(30) *State of New Hampshire.* The officials of the State of New Hampshire authorized to obtain such information are (i) the Adjutant General, (ii) the Director, Division of Employment Security, (iii) the Commissioner, State Department of Public Welfare, (iv) the Health Officer, State Department of Health, (v) the Superintendent, State Department of Hospitals, (vi) the Director of Probation, State Department of Probation, (vii) the Director, State Veterans' Council, (viii) the Chairman, the Secretary, and the Commissioners, State Tax Commission, and (ix) the Superintendent of State Police.

* * * * *

(33) *State of New York.* The officials of the State of New York and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) the Executive Officer of the Adjutant General's Office, (iv) the Executive Director and the Chief Investigator, Division of Placement and Unemployment Insurance, (v) the Commissioner and the Parole District Supervisors, Division of Parole, (vi) the State Director, the Deputy State Director, the Director of Research Training, the Counsel to the Division, the Special Counsel, New York City, the Area Veteran Director, Albany, the Area Veteran Director, Buffalo, and the Area Veteran Director, New York City, Division of Veterans' Affairs, (vii) the Director, Bureau of Research, Division of Housing, (viii) the Chief Inspector, Division of State Police, (ix) the Deputy Commissioner in Charge of the Division of the Treasury and the Bonus Claims Administrative Supervisor, Division of the Treasury, Department of Taxation and Finance, (x) the Deputy Commissioner for Welfare and Medical Care, Department of Social Welfare, (xi) the Assistant Commissioner, Department of Mental Hygiene, (xii) the First Deputy Industrial Commissioner and the Associate Personnel Administrator, Department of Labor, (xiii) the Senior Civil Service Investigator, State Civil Service Commission, (xiv) a County Commissioner of Welfare or a Deputy County Commissioner of Welfare, Department of Public Welfare, (xv) a Commissioner or an Investigator, New York State Crime Commission, (xvi) the District Attorney, New York County, (xvii) the Chief Investigator and the Investigators, Office of the District Attorney, New York County, (xviii) the District Attorney and the Chief Assistant to the District Attorney, Queens County, (xix) the Investigator, Abandonment Bureau, Office of the District Attorney, Queens County, (xx) the District Attorney, the Assistant District Attorney in Charge of the Homicide Division, and the Assistant District Attorney in Charge of Abandonments, Kings County, (xxi) the Acting Chief Clerk, Office of the District Attorney, Kings County, (xxii) the District Attorney, Bronx County, (xxiii) the District Attorney, Richmond County, (xxiv) the Director of the Manhattan Borough Office, the Director of the Bronx-Queens Borough, Office, the Director of the Brooklyn-Richmond Borough Office, the Director of Children's Placement Services, and the Director of the Day Care Program, New York City Department of Welfare, (xxv) the Commissioner, New York City Department of Hospitals, (xxvi) the Corporation Counsel, the Acting Corporation Counsel, and the Chief Clerk, New York City Department of Law, (xxvii) the Special Assistant Corporation Counsel, In Charge, and the Chief Examiner of the City of New York Law Department, Torts-Trial Division, New York City Transit System, (xxviii) the Chief, Bureau of Investigation, New York City Civil Service Commission, (xxix) the Chief Inspector, the Chief of Detectives, and the Commanding Officer of the Police Academy, New York City Police Department, (xxx) the Executive Director of Veterans' Activities, Manhattan, and the Executive Director of Veterans' Activities, Brooklyn, New York City Veterans' Service Centers, and (xxxi) the Chief of Personnel, New York City Housing Authority.

* * * * *

(43) *State of Virginia.* The officials of the State of Virginia and its subdivisions authorized to obtain such information are (i) the Adjutant General, (ii) the Assistant Adjutant General, (iii) a Commissioner, Unemployment Compensation Commission, (iv) the Superintendent of the Division of Inspection, Alcoholic Beverage Control Board, (v) the Superintendent of Public Instruction, Department of Education, (vi) the Chief of the Bureau of Investigation and Records and a Division Commander, Virginia State Police, (vii) the Director, World War II History Division, Virginia State Library, (viii) the Chairman, Veterans' Reemployment Rights Committee, and (ix) the Chief of Police, City of Richmond.

(Secs. 6, 7, 61 Stat. 32; sec. 10, 62 Stat. 618, as amended; 50 U. S. C. App. Sup. 326, 327, 460)

The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

AUGUST 21, 1951.

[F. R. Doc. 51-10136; Filed, Aug. 23, 1951; 8:46 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter C—Miscellaneous Excise Taxes

[Regulations 21]

PART 191 — IMPORTATION OF DISTILLED SPIRITS, WINES, AND FERMENTED LIQUORS

Preamble. 1. These regulations, "Regulations 21, Importation of Distilled Spirits, Wines, and Fermented Liquors" (26 CFR Part 191) are a republication of Regulations 21, 1940 edition (26 CFR Part 191, 5 F. R. 4123) and all amendments and modifications thereof through November 30, 1950.

2. These regulations consist only of previously approved material but the text has been rearranged and renumbered to conform to the Federal Register Regulations (13 F. R. 5929).

3. These regulations shall, on and after December 1, 1950, supersede Regulations 21 (26 CFR Part 191, 5 F. R. 4123); Treasury Decision 5106 (7 F. R. 179); Treasury Decision 5321 (9 F. R. 253); Treasury Decision 5628 (13 F. R. 3606); Treasury Decision 5640 (13 F. R. 3733); Treasury Decision 5647 (13 F. R. 4479); Treasury Decision 5694 (14 F. R. 1490); Treasury Decision 5724 (14 F. R. 4903); and Treasury Decision 5783 (15 F. R. 1841).

4. These regulations shall not affect or limit any act done or any liability incurred under any regulations superseded hereby, or any suit, action, or proceeding had or commenced in any civil, administrative, or criminal cause and proceeding prior to the effective date of these regulations, nor shall these regulations release, acquit, affect, or limit any offense committed in violation of previously existing regulations, or any penalty, liability or forfeiture incurred prior to such date.

5. It is found that compliance with the notice and public rule-making procedure and effective date limitations of the Administrative Procedure Act (5 U. S. C. 1001, et seq.) is unnecessary in connection with the issuance of the regulations in this part for the reason that the changes made are of a technical and clarifying nature and do not adversely affect the legitimate industry.

LAWS OF MORE COMMON APPLICATION PERTAINING TO THE IMPORTATION OF DISTILLED SPIRITS, WINES, AND FERMENTED LIQUORS

5 U. S. C. 22 Departmental Regulations.
26 U. S. C. 1650 War tax rates of certain miscellaneous taxes.
26 U. S. C. 2800 Tax [distilled spirits and perfumes]
26 U. S. C. 2803 Stamps for containers of distilled spirits.
26 U. S. C. 2806 Penalties and forfeitures.
26 U. S. C. 2857 Books of rectifiers and wholesale dealers.
26 U. S. C. 2858 Exemption of States from provisions of section 2857.
26 U. S. C. 2866 Effacement of stamps and brands on emptied packages.
26 U. S. C. 2871 Regulation of traffic in containers of distilled spirits.
26 U. S. C. 3030 Tax [wines, liqueurs, cordials, etc.].
26 U. S. C. 3150 Tax [fermented liquors].
26 U. S. C. 3170 Transfer and delegation of powers.
26 U. S. C. 3171 Records, statements, and returns.
26 U. S. C. 3176 Rules and regulations.
26 U. S. C. 3250 Tax [special (occupational)].
26 U. S. C. 3254 Definitions [liquor dealers].
26 U. S. C. 3270 Registration.
26 U. S. C. 3271 Payment of tax.
26 U. S. C. 3272 Returns.
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AUTHORITY: §§ 191.1 to 191.166 issued under 53 Stat. 375, 467; 26 U. S. C. 3176, 3791, Statutory provisions interpreted or applied are cited to the text in parentheses.

DERIVATION: §§ 191.1 to 191.166 contained in Regulations 21, 1940 edition (26 CFR Part 191; 5 F. R. 4123) except as noted following sections affected.

CROSS REFERENCE: For regulations with respect to distilled spirits, wines, and fermented liquors arriving in the United States from Puerto Rico and the Virgin Islands see Regulations 24 (26 CFR Part 180).

LAWS OF MORE COMMON APPLICATION PERTAINING TO THE IMPORTATION OF DISTILLED SPIRITS, WINES, AND FERMENTED LIQUORS [1]

5 U. S. C. 22 DEPARTMENTAL REGULATIONS. The head of each department is authorized to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers and property appertaining to it.

26 U. S. C. 1650 WAR TAX RATES OF CERTAIN MISCELLANEOUS TAXES. In lieu of the rates of tax specified in such of the sections of this title as are set forth in the following table, the rates applicable with respect to the period beginning with the effective date of title III of the Revenue Act of 1943 shall be the rates set forth under the heading "War Tax Rate":

Section	Description of tax	Old rate	War tax rate
*	* *	* *	* *
2800 (a) (1)	Distilled spirits	$6 per gallon	$9 per gallon.
2800 (a) (3)	Imported perfumes containing distilled spirits.	do	Do.
3030 (a) (1)	Still wines:		
	(1) Not over 14 percent of alcohol.	10 cents per gallon	15 cents per gallon.
	(2) Over 14 percent and not over 21 percent of alcohol.	40 cents per gallon	60 cents per gallon.
	(3) Over 21 percent and not over 24 percent of alcohol.	$1 per gallon	$2 per gallon.
3030 (a) (2)	Sparkling wines, liqueurs, and cordials:		
	(1) Champagne or sparkling wine.	10 cents per half-pint or fraction thereof.	15 cents per half-pint or fraction thereof.
	(2) Artificially carbonated wine.	5 cents per half-pint or fraction thereof.	10 cents per half-pint or fraction thereof.
	(3) Liqueurs, cordials, etc.	do	Do.
3150	Fermented malt liquors	$7 per barrel	$8 per barrel.
*	* *	* *	*

26 U. S. C. 2800 TAX [DISTILLED SPIRITS AND PERFUMES].

(a) *Rate*—(1) *Distilled spirits generally.* There shall be levied and collected on all distilled spirits in bond or produced in or imported into the United States an internal revenue tax at the rate of $6.00 on each proof gallon or wine gallon when below proof and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon, to be paid by the distiller or importer when withdrawn from bond.

(A) *Payment of tax as to domestic spirits.* The tax on distilled spirits produced in the United States, to be paid upon withdrawal from bond, and the tax on rectified spirits produced in the United States, shall be paid by stamp, under such rules and regulations, permits, bonds, records, and returns, and with the use of such tax-stamp machines or other devices and apparatus, including but not limited to storage, gaging, and bottling tanks and pipe lines, as the Commissioner with the approval of the Secretary shall prescribe.

(B) *Penalties.* Whoever manufactures, procures, posseses, uses, or tampers with a tax-stamp machine which may be required under this section with intent to evade the internal-revenue tax imposed upon distilled spirits and rectified spirits, and whoever, with intent to defraud, makes, alters, simulates, or counterfeits any stamp of the character imprinted by such stamp machines, or who procures, possesses, uses, or sells any forged, altered, counterfeited, or simulated tax stamp, or any plate, die, or device intended for use in forging, altering, counterfeiting, or simulating any such stamps, or who otherwise violates the provisions of this section, or the regulations issued pursuant thereto, shall pay a penalty of $5,000 and shall be fined not more than $10,000 or be imprisoned not more than five years, or both, and any machine, device, equipment, or materials used in violation of this section shall be forfeited to the United States and after condemnation shall be destroyed. But this provision shall not exclude any other penalty or forfeiture provided by law.

(2) *Products of distillation containing distilled spirits.* All products of distillation, by whatever name known, which contain distilled spirits or alcohol, on which the tax imposed by law has not been paid, shall be considered and taxed as distilled spirits.

(3) *Imported perfumes containing distilled spirits.* There shall be levied and collected upon all perfumes imported into the United States containing distilled spirits, a tax of $6.00 per wine gallon, and a proportionate tax at a like rate on all fractional parts of such wine gallon. Such tax shall be collected by the collector of customs and deposited as internal revenue collections, under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe.

* * * * *

(6) *Wines containing more than 24 percent of absolute alcohol.* For taxation as distilled spirits of wines containing more than 24 per centum of absolute alcohol by volume, see section 3030 (a) (1).

(7) *Special taxes.* For special taxes, see section 3250.

(8) *Transfer of duties.* For transfer of powers and duties of Commissioner and his agents, see section 3170.

* * * * *

(f) *Collection of tax on imported distilled spirits.* The internal revenue tax imposed by paragraphs (1) and (2) of subsection (a) upon distilled spirits imported into the United States shall, under regulations prescribed by the Commissioner, with the approval of the Secretary, be collected and deposited in the same manner as other internal revenue taxes, except that such collection and depositing shall be by the collector of customs instead of by the collector of internal revenue. Such tax shall be in addition to any customs duty imposed under the Tariff Act of 1930, 46 Stat. 590, or any subsequent Act. Distilled spirits smuggled or brought into the United States unlawfully shall, for the purpose of this subsection and paragraphs (1) and (2) of subsection (a), be held to be imported into the United States. Section 2805 shall be applicable to the disposition of imported spirits.

* * * * *

26 U. S. C. 2803 STAMPS FOR CONTAINERS OF DISTILLED SPIRITS.

(a) *Requirement.* No person shall transport, possess, buy, sell, or transfer any distilled spirits, unless the immediate container thereof has affixed thereto a stamp denoting the quantity of distilled spirits contained therein and evidencing payment of all internal-revenue taxes imposed on such spirits. The provisions of this section shall not apply to—

(1) Distilled spirits placed in a container for immediate consumption on the premises or for preparation for such consumption;

(2) Distilled spirits in bond or in customs custody;

(3) Distilled spirits in immediate containers required to be stamped under existing law;

(4) Distilled spirits in actual process of rectification, blending, or bottling, or in actual use in processes of manufacture;

(5) Distilled spirits on which no internal-revenue tax is required to be paid;

(6) Distilled spirits not intended for sale or for use in the manufacture or production of any article intended for sale; or

(7) Any regularly established common carrier receiving, transporting, delivering, or holding for transportation or delivery distilled spirits in the ordinary course of its business as a common carrier.

(b) *Purchase and supply.* Any person placing or intending to place any distilled spirits upon which all internal-revenue taxes

[1] The sections of the United States Code are numbered identically with corresponding sections of the Internal Revenue Code.

have been paid into any container upon which a stamp is required by this section, or withdrawing or intending to withdraw any imported spirits in such containers from customs custody, shall be entitled to purchase sufficient stamps for stamping such containers. Such stamps shall be issued by the Commissioner to each Collector, upon his requisition, in such numbers as may be necessary in his district, and shall be sold by the Collectors to persons entitled thereto upon application therefor and compliance with regulations under this section, at a price of 1 cent for each stamp, except that in the case of stamps for containers of less than one half pint the price shall be one quarter of 1 cent for each stamp. When in his judgment there is no danger to the revenue, and upon the giving of such bonds or other security as he may deem necessary, the Commissioner may authorize the sale of such stamps to importers for stamping containers in the country from which imported.

(c) *Unused stamps; exchange, refund, etc.* The Commissioner of Internal Revenue, under regulations prescribed by him and approved by the Secretary of the Treasury, may redeem or make allowance for any unused stamps issued under section 203 of the Liquor Taxing Act of 1934 or subsection (b) of this section by exchanging them for other stamps of the same kind or by refunding moneys received therefor: *Provided*, That stamps may be exchanged or the value thereof refunded only in quantities of the value of $5 or more: *And provided further*, That no claim for the exchange of strip stamps or refund therefor shall be allowed unless presented within two years after the date on which such stamps were lawfully issued. There are hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this provision.

(d) *Regulations for issuing, affixing, and canceling stamps.* The Commissioner, with the approval of the Secretary, shall prescribe (a) regulations with respect to the time and manner of applying for, issuing, affixing, and destroying stamps required by this section, the form and denominations of such stamps, proof that applicants are entitled to such stamps, and the method of accounting for receipts from the sale of such stamps, and (b) such other regulations as he shall deem necessary for the enforcement of this section.

(e) *Destruction of stamps.* Every person emptying any container stamped under the provisions of this section shall at the time of emptying such container destroy the stamp thereon.

(f) *Forfeiture of spirits.* All distilled spirits found in any container required to bear a stamp by this section, which container is not stamped in compliance with this section and regulations issued thereunder, shall be forfeited to the United States.

(g) *Penalties.* Any person who violates any provision of this section, or who, with intent to defraud, falsely makes, forges, alters, or counterfeits any stamp made or used under this section, or who uses, sells, or has in his possession any such forged, altered, or counterfeited stamp, or any plate or die used or which may be used in the manufacture thereof, or any stamp required to be destroyed by this section, or who makes, uses, sells, or has in his possession any paper in imitation of the paper used in the manufacture of any such stamp, or who reuses any stamp required to be destroyed by this section, or who places any distilled spirits in any bottle which has been filled and stamped under this section without destroying the stamp previously affixed to such bottle, or who affixes any stamp issued under this section to any container of distilled spirits on which any tax due is unpaid, or who makes any false statement in any application for stamps under this section, or who has in his possession any such stamps obtained by him otherwise than as provided in subsection (b), shall on conviction be punished by a fine not exceeding $1,000, or by imprisonment at hard labor not exceeding five years, or by both. Any officer authorized to enforce any provisions of law relating to internal revenue stamps is authorized to enforce the provisions of this section and the provisions of section 2909 relating to the bottling of distilled spirits in bond.

(h) *Transfer of duties.* For transfer of duties and powers of the Commissioner and his agents, see section 3170.

26 U. S. C. 2806 PENALTIES AND FORFEITURES.

* * * * *

(d) *Forfeiture of distilled spirits in unstamped casks or packages.* All distilled spirits found in any cask or package containing five gallons or more, without having thereon each mark and stamp required therefor by law, shall be forfeited to the United States.

* * * * *

26 U. S. C. 2857 BOOKS OF RECTIFIERS AND WHOLESALE DEALERS.

(a) *Requirements.* Every rectifier and every wholesale liquor dealer who sells, or offers for sale, distilled spirits in quantities of five wine-gallons or more to the same person at the same time shall keep daily, at his place of business covered by his special tax stamp, a record of distilled spirits received and disposed of by him, and shall render under oath correct transcripts and summaries of such records: *Provided*, That the Commissioner may in his discretion require such record to be kept at the place where the spirits are actually received and sent out. The records shall be kept and the transcripts shall be rendered in such form, and under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe.

The records required to be kept under the provisions of this section and regulations issued pursuant thereto, shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

Every rectifier and wholesale liquor dealer who refuses or neglects to keep such records in the form prescribed by the Commissioner, with the approval of the Secretary, or to make entries therein, or cancels, alters, or obliterates any entry therein (except for the purpose of correcting errors) or destroys any part of such records, or any entry therein, or makes any false entry therein, or hinders or obstructs any internal revenue officer from inspecting such records or taking any abstracts therefrom, or neglects or refuses to preserve or produce such records as required by this chapter or by regulations issued pursuant thereto, shall pay a penalty of $100 and, on conviction, shall be fined not less than $100 nor more than $5,000, and be imprisoned not less than three months nor more than three years.

Every rectifier and wholesale liquor dealer who refuses or neglects to render transcripts or summaries in the form required by the Commissioner, with the approval of the Secretary, shall, upon conviction, be fined not more than $100 for each such neglect or refusal.

(b) *Transfer of Duties.* For transfer of powers and duties of Commissioner and his agents, see section 3170.

26 U. S. C. 2858 EXEMPTION OF STATES FROM PROVISIONS OF SECTION 2857. The provisions of section 2857 shall not apply to States and Commonwealths and liquor stores operated by such States and Commonwealths that maintain and make available to inspection by internal-revenue officers such records as will enable such officers to readily trace all distilled spirits received and disposed of by them: *Provided*, That such States and Commonwealths, and the liquor stores operated by them, shall, upon the request of the Commissioner, furnish to the Commissioner, such transcripts, summaries, and copies of their records as he shall require.

26 U. S. C. 2866 EFFACEMENT OF STAMPS AND BRANDS ON EMPTIED PACKAGES. Every person who empties or draws off, or causes to be emptied or drawn off, any distilled spirits from a cask or package bearing any mark, brand, or stamp, required by law, shall at the time of emptying such cask or package, efface and obliterate said mark, stamp, or brand. Every such cask or package from which said mark, brand, or stamp is not effaced and obliterated as herein required, shall be forfeited to the United States, and may be seized by any officer of internal revenue, wherever found. And every railroad company or other transportation company, or person who receives or transports, or has in possession with intent to transport, or with intent to cause or procure to be transported, any such empty cask or package, or any part thereof, having thereon any brand, mark, or stamp, required by law to be placed on any cask or package containing distilled spirits, shall forfeit $300 for each such cask or package, or any part thereof, so received or transported, or had in possession with the intent aforesaid; and every boat, railroad car, cart, dray, wagon, or other vehicle, and all horses and other animals used in carrying or transporting the same, shall be forfeited to the United States. Every person who fails to efface and obliterate said mark, stamp, or brand, at the time of emptying such cask or package, or who receives any such cask or package, or any part thereof, with the intent aforesaid, or who transports the same, or knowingly aids or assists therein, or who removes any stamp provided by law from any cask or package containing, or which had contained, distilled spirits, without defacing and destroying the same at the time of such removal, or who aids or assists therein, or who has in his possession any such stamp so removed as aforesaid, or has in his possession any canceled stamp, or any stamp which has been used, or which purports to have been used, upon any cask or package of distilled spirits, shall be deemed guilty of a felony, and shall be fined not less than $500 nor more than $10,000, and imprisoned not less than one year nor more than five years.

26 U. S. C. 2871 REGULATION OF TRAFFIC IN CONTAINERS OF DISTILLED SPIRITS. Whenever in his judgment such action is necessary to protect the revenue, the Secretary is authorized, by the regulation prescribed by him, and permits issued thereunder if required by him (1) to regulate the size, branding, marking, sale, resale, possession, use, and re-use of containers (of a capacity of less than five wine-gallons) designed or intended for use for the sale at retail of distilled spirits (within the meaning of such term as it is used in section 2803) for other than industrial use, and (2) to require, of persons manufacturing, dealing in, or using any such containers, the submission to such inspection, the keeping of such records, and the filing of such reports as may be deemed by him reasonably necessary in connection therewith. Whoever willfully violates the provisions of any regulation prescribed, or the terms or conditions of any permit issued, pursuant to the authorization contained in this section, and any officer, director, or agent of any corporation who knowingly participates in such violation, shall, upon conviction, be fined not more than $1,000 or be imprisoned for not more than two years, or both; and, notwithstanding any criminal conviction, the containers involved in such violation shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for forfeitures, seizures, and condemnations for violations of the internal-revenue laws, and any such containers so seized and condemned shall be destroyed and not sold. Any requirements imposed under this sec-

tion shall be in addition to any other requirements imposed by, or pursuant to, law, and shall apply as well to persons not liable for tax under the internal-revenue laws as to persons so liable.

26 U. S. C. 3030 TAX [WINE, LIQUEURS, CORDIALS, ETC.].

(a) *Rate*—(1) *Still wines*—(A) *Imposition.* Upon all still wines, including vermouth, and all artificial or imitation wines or compounds sold as still wine, produced in or imported into the United States after June 30, 1940, or which on July 1, 1940, were on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid taxes at rates as follows, when sold, or removed for consumption or sale:

On wines containing not more than 14 per centum of absolute alcohol, 10 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

On wines containing more than 14 per centum and not exceeding 21 per centum of absolute alcohol, 40 cents per wine-gallon;

On wines containing more than 21 per centum and not exceeding 24 per centum of absolute alcohol, $1.00 per wine-gallon;

All such wines containing more than 24 per centum of absolute alcohol by volume shall be classed as distilled spirits and shall pay tax accordingly.

Any such wines may, under such regulations as the Commissioner may prescribe, with the approval of the Secretary, be sold or removed tax free for the manufacture of vinegar, or for the production of dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume.

The taxes imposed by this subparagraph (A) of this paragraph shall not apply to dealcoholized wines containing less than one-half of 1 per centum of alcohol by volume; nor, subject to regulations prescribed by the Commissioner, with the approval of the Secretary, to wines produced for the family use of the duly registered producer thereof and not sold or otherwise removed from the place of manufacture and not exceeding in any case two hundred gallons per year.

(B) *Cross reference.* For transfer of powers and duties of Commissioner and his agents, see section 3170.

(2) *Sparkling wines, liqueurs, and cordials.* Upon the following articles which are produced in or imported into the United States, after June 30, 1940, or which on July 1, 1940 are on any winery premises or other bonded premises or in transit thereto or at any customhouse, there shall be levied, collected, and paid, in lieu of the internal-revenue taxes imposed thereon by law prior to such date, taxes at rates as follows, when sold, or removed for consumption or sale:

On each bottle or other container of champagne or sparkling wine, 10 cents on each one-half pint or fraction thereof;

On each bottle or other container of artificially carbonated wine, 5 cents on each one-half pint or fraction thereof;

On each bottle or other container of liqueurs, cordials, or similar compounds, by whatever name sold or offered for sale, containing sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, prune wine, plum wine, pear wine, pawpaw wines, papaya wines, pineapple wines, cantaloup wines, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, prune brandy, plum brandy, pear brandy, pawpaw brandy, papaya brandy, pineapple brandy, cantaloup brandy, or apple brandy, 5 cents on each one-half pint or fraction thereof;

Any of the foregoing articles containing more than 24 per centum of absolute alcohol by volume (except vermouth, liqueurs, cordials, and similar compounds made in rectifying plants and containing tax-paid sweet wine, citrus-fruit wine, peach wine, cherry wine, berry wine, apricot wine, prune wine, plum wine, pear wine, pawpaw wines, papaya wines, pineapple wines, cantaloup wines, or apple wine, fortified, respectively, with grape brandy, citrus-fruit brandy, peach brandy, cherry brandy, berry brandy, apricot brandy, prune brandy, plum brandy, pear brandy, pawpaw brandy, papaya brandy, pineapple brandy, cantaloup brandy, or apple brandy) shall be classed as distilled spirits and shall be taxed accordingly.

The Commissioner, subject to regulations prescribed by the Secretary, is authorized to remit, refund, and pay back the amount of all taxes on such liqueurs, cordials, and similar compounds paid by or assessed against rectifiers at the distilled spirits rate prior to June 26, 1936.

(3) *Cross references.* For tax on the following, see the sections enumerated below:

Rectified wines, section 2800 (a) (5);

Wine spirits or grape brandy used in fortifying, section 3031;

Withdrawal of wine spirits for fortification, section 3033.

(b) *Payment*—(1) *Stamp.* The taxes imposed by paragraphs (1) and (2) of subsection (a) shall be paid by stamp on removal of the wines from the customhouse, winery, or other bonded place of storage for consumption or sale.

The Commissioner may, under regulations prescribed by him with the approval of the Secretary, issue stamps for restamping packages of wines which have been duly stamped but from which the stamps have been lost or destroyed by unavoidable accident.

(2) *Assessment.* The collection of the tax on imported still wines, including vermouth, and sparkling wines, including champagne, and on imported liqueurs, cordials, and similar compounds, may be made within the discretion of the Commissioner, with the approval of the Secretary, by assessment instead of by stamps.

(3) *Transfer of duties.* For transfer of powers and duties of Commissioner and his agents, see section 3170.

26 U. S. C. 3150 TAX [FERMENTED LIQUORS].

(a) *Rate.* There shall be levied and collected on all beer, lager beer, ale, porter, and other similar fermented liquor, containing one-half of 1 per centum, or more, of alcohol brewed or manufactured and sold, or removed for consumption or sale, within the United States, or imported into the United States, by whatever name such liquors may be called, a tax of $7 for every barrel containing not more than thirty-one gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. Imported fermented malt liquors shall during the continuance of the war-tax rate on fermented malt liquors prescribed in section 1650, be subject to tax at such rate in lieu of the rate hereinbefore prescribed. In estimating and computing such tax, the fractional parts of a barrel shall be halves, thirds, quarters, sixths, and eighths; and any fractional part of a barrel, containing less than one-eighth, shall be accounted one-eighth; more than one-eighth, and not more than one-sixth, shall be accounted one-sixth; more than one-sixth, and not more than one-fourth, shall be accounted one-fourth; more than one-fourth, and not more than one-third, shall be accounted one-third; more than one-third, and not more than one-half, shall be accounted one-half; more than one-half, and not more than one barrel, shall be accounted one barrel; and more than one barrel, and not more than sixty-three gallons, shall be accounted two barrels, or a hogshead.

The provisions of this section requiring the accounting of hogsheads, barrels, and fractional parts of barrels at the next higher quantity shall not apply where the contents of such hogsheads, barrels, or fractional parts of barrels are within the limits of tolerance established by the Commissioner by regulations which he is hereby authorized to prescribe with the approval of the Secretary; and no assessment shall be made and no tax shall be collected for any excess in any case where the contents of the hogsheads, barrels, or fractional parts of barrels heretofore or hereafter used are within the limits of the tolerance so prescribed.

* * * * *

26 U. S. C. 3170 TRANSFER AND DELEGATION OF POWERS. The Secretary is authorized to confer and impose upon the Commissioner and any of his assistants, agents, or employees, and upon any other officer, employee, or agent of the Treasury Department, any of the rights, privileges, powers, duties, and protection conferred or imposed upon the Secretary, or any officer or employee of the Treasury Department, by any law now or hereafter in force relating to the taxation, exportation, transportation, manufacture, possession, or use of, or traffic in, distilled spirits, wine, fermented liquors, or denatured alcohol.

26 U. S. C. 3171 RECORDS, STATEMENTS, AND RETURNS.

(a) *Requirements.* Every person liable to any tax imposed by this chapter, or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Commissioner, with the approval of the Secretary, may from time to time prescribe.

(b) *Transfer of Duties.* For transfer of powers and duties of Commissioner and his agents, see section 3170.

26 U. S. C. 3176 RULES AND REGULATIONS.

(a) *Power of Commissioner.* The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this chapter.

(b) *Transfer of Duties.* For transfer of powers and duties of Commissioner and his agents, see section 3170.

26 U. S. C. 3250 TAX [SPECIAL (OCCUPATIONAL)].

(a) *Wholesale dealers in liquors*—(1) *In general.* Wholesale dealers in liquors shall pay a special tax of $110.

* * * * *

(3) *Retailers selling at wholesale.* Except as provided in section 3254 (c) (2), a qualified retail dealer in liquors may not sell distilled spirits, wines, or malt liquors in quantities of five wine-gallons or more to the same person at the same time without incurring liability to special tax as a wholesale dealer in liquors.

* * * * *

(b) *Retail dealers in liquors*—(1) *In general.* Except as provided in paragraph (3) of subsection (e), retail dealers in liquors shall pay a special tax of $27.50.

* * * * *

(4) *Wholesalers selling at retail.* A qualified wholesale dealer in liquors may not sell distilled spirits, wines, or malt liquors in quantities of less than five wine gallons without incurring liability to special tax as a retail dealer in liquors.

* * * * *

(d) *Wholesale dealers in malt liquors*—(1) *In general.* Wholesale dealers in malt liquors shall pay a special tax of $55. (As amended by Revenue Act of 1941, Public Law 250 (77th Cong.).)

(2) *Retailers selling at wholesale.* A qualified retail dealer in malt liquors may not sell such liquors in quantities of five gallons or more to the same person at the same time without incurring liability to special tax as a wholesale dealer in malt liquors. No retail dealer in malt liquors shall be held to be a wholesale dealer in malt liquors solely by reason of sales of five gallons or more to the same person at the same time if such sales are for immediate consumption on the premises where sold.

* * * * *

(e) *Retail dealers in malt liquors*—(1) *In general.* Retail dealers in malt liquors shall pay a special tax of $22. (As amended by Revenue Act of 1941, Public Law 250 (77th Cong.).)

(2) *Wholesalers selling at retail.* A qualified wholesale dealer in malt liquors may not sell such liquors in quantities of less than five gallons without incurring liability to special tax as a retail dealer in malt liquors.

* * * * *

26 U. S. C. 3254 DEFINITIONS [LIQUOR DEALERS].

* * * * *

(b) *Wholesale Dealer in Liquors.* Except as otherwise provided, every person who sells, or offers for sale, foreign or domestic distilled spirits, wines, or malt liquors in quantities of five wine-gallons or more to the same person at the same time, shall be regarded as a wholesale dealer in liquors: *Provided*, That the Commissioner may, by regulations, with the approval of the Secretary, provide for the issuance of a stamp denoting payment of such special tax as a "wholesale dealer in wines" or a "wholesale dealer in wines and malt liquors" if, as the case may be, wines only, or wines and malt liquors only, are sold by a wholesale dealer in liquors.

(c) *Retail dealer in liquors.*—Except as otherwise provided, (1) every person who sells, or offers for sale, foreign or domestic distilled spirits, wines, or malt liquors in less quantities than five wine-gallons to the same person at the same time, shall be regarded as a retail dealer in liquors: *Provided*, That the Commissioner may, by regulations, with the approval of the Secretary, provide for the issuance of a stamp denoting payment of such special tax as a "retail dealer in wines" or a "retail dealer in wines and malt liquors" if, as the case may be, wines only, or wines and malt liquors only, are sold by a retail dealer in liquors.

* * * * *

(e) *Wholesale dealer in malt liquors.*—Except as otherwise provided, every person who sells, or offers for sale, malt liquors in quantities of five gallons or more, to the same person at the same time, and who does not deal in distilled spirits or wines at wholesale, shall be regarded as a wholesale dealer in malt liquors.

(f) *Retail dealer in malt liquors.* Except as otherwise provided, every person who sells, or offers for sale, malt liquors in less quantities than five gallons to the same person at the same time, and does not deal in distilled spirits or wines, shall be regarded as a retail dealer in malt liquors.

* * * * *

26 U. S. C. 3270 REGISTRATION.

(a) *Requirements.* Every person engaged in any trade or business on which a special tax is imposed by law shall register with the collector of the district his name or style, place of residence, trade or business, and the place where such trade or business is to be carried on. In case of a firm or company, the names of the several persons constituting the same, and the places of residence, shall be so registered.

* * * * *

26 U. S. C. 3271 PAYMENT OF TAX.

(a) *Condition Precedent to Doing Business.* No person shall be engaged in or carry on any trade or business mentioned in this chapter until he has paid a special tax therefor in the manner provided in this chapter.

(b) *Due Date.* All special taxes shall become due on the 1st day of July in each year, or on commencing any trade or business on which such tax is imposed. In the former case the tax shall be reckoned for one year, and in the latter case it shall be reckoned proportionately, from the 1st day of the month in which the liability to a special tax commenced, to and including the 30th day of June following.

(c) *How Paid*—(1) *Stamp.* All special taxes imposed by law, including the tax on stills or worms, shall be paid by stamps denoting the tax.

(2) *Assessment.* For authority of Commissioner to make assessments where the special taxes have not been duly paid by stamp, at the time and in the manner provided by law, see section 3640.

26 U. S. C. 3272 RETURNS.

(a) *Time for filing.* It shall be the duty of the special taxpayers to render their returns with remittances to the collector at such times within the calendar month in which the special tax liability commenced as shall enable him to receive such returns, duly signed and verified, together with the remittances, not later than the last day of the month, except in cases of sickness or absence, as provided for in section 3634.

* * * * *

(c) *Penalties.* For penalties imposed for failure to file returns or for making false or fraudulent returns, see section 3612.

26 U. S. C. 3273 STAMPS.

(a) *Supply.* The Commissioner is required to procure appropriate stamps for the payment of all special taxes imposed by law, including the tax on stills or worms; and the provisions of section 2802 (a) and of sections 3300, 3301, and 3302, and all other provisions of law relating to the preparation and issue of stamps for distilled spirits, fermented liquors, tobacco, and cigars, shall, so far as applicable, extend to and include such stamps for special taxes; and the Commissioner shall have authority to make all needful regulations relative thereto.

(b) *Posting.* Every person engaged in any business, avocation, or employment, who is thereby made liable to a special tax, shall place and keep conspicuously in his establishment or place of business all stamps denoting the payment of said special tax.

* * * * *

26 U. S. C. 3274 PENALTIES RELATING TO POSTING OF SPECIAL TAX STAMP. Any person who shall, through negligence, fail to place and keep stamps denoting the payment of the special tax as provided in section 3273 (b) shall be liable to a penalty equal to the special tax for which his business rendered him liable, and the costs of prosecution; but in no case shall said penalty be less than $10. And where the failure to comply with the provisions of section 3273 (b) shall be through willful neglect or refusal, then the penalty shall be double the amount above prescribed: *Provided*, That nothing in this section shall in any way affect the liability of any person for exercising or carrying on any trade, business, or profession, or doing any act for the exercising, carrying on, or doing of which a special tax is imposed by law, without the payment thereof.

REGULATIONS GOVERNING THE IMPORTATION OF DISTILLED SPIRITS, WINES, AND FERMENTED LIQUORS

SUBPART A—SCOPE OF REGULATIONS

§ 191.1 *Imported distilled spirits, wines, and fermented liquors.* These regulations, "Regulations 21, Importation of Distilled Spirits, Wines and Fermented Liquors" (26 CFR Part 191), contain procedural and substantive requirements relative to the importation of distilled spirits, wines, and fermented liquors into the United States from foreign countries including special (occupational) and commodity taxes, permits, marking, branding, labeling, and stamping of containers and packages, and records and reports.

DERIVATION: T. D. 5647.

NOTE: Distilled spirits, wines, and fermented liquors arriving in the United States from Puerto Rico and the Virgin Islands are governed by the provisions of "Regulations 24, Liquors and Articles from Puerto Rico and the Virgin Islands" (26 CFR Part 180).

SUBPART B—DEFINITIONS

§ 191.5 *Meaning of terms.* As used in this part, unless the context otherwise requires, terms shall have the meanings ascribed in this subpart.

§ 191.6 *Bottler.* "Bottler" shall mean a distiller, rectifier, and proprietor of an internal revenue bonded warehouse, tax-paid bottling house, industrial alcohol plant, industrial alcohol bonded warehouse, or a class 8 bonded warehouse qualified under the customs laws, and an agency of the United States or any State or political subdivision thereof.

§ 191.7 *Commissioner.* "Commissioner" shall mean the Commissioner of Internal Revenue.

§ 191.8 *Container.* "Container" when used in connection with imported distilled spirits shall mean a liquor bottle or other authorized container of a capacity of one-half pint to 1 gallon, inclusive, conforming to Regulations 13 (26 CFR Part 175), and, in so far as red strip stamp and labeling requirements are concerned, also any container of less than one-half pint. "Container" when used in connection with imported wines shall mean any bottle, cask, or other closed receptacle, irrespective of size or of the material from which made.

§ 191.9 *Distilled spirits.* "Distilled spirits" shall mean (a) ethyl alcohol, hydrated oxide of ethyl, and spirits of wine, from whatever source derived or by whatever process produced, and (b) any alcoholic distillate fit for beverage purposes, such as whisky, brandy, gin, rum, liqueurs, cordials and bitters, and all compounds, by whatever name called, containing distilled spirits and fit for beverage purposes, but shall not include wine, as defined in § 191.20, containing 24 per centum or less of alcohol by volume.

§ 191.10 *District supervisor or supervisor.* "District supervisor" or "supervisor" shall mean the person having charge of a supervisory district of the Alcohol Tax Unit of the Bureau of Internal Revenue.

§ 191.11 *Fermented liquor.* "Fermented liquor" shall mean all beer, lager beer, ale, porter, and other similar fermented liquor, by whatever name such liquors may be called, containing one-half of 1 per centum, or more, of alcohol by volume, produced by the fermentation of malt, wholly or in part, or from any substitute therefor.

DERIVATION: T. D. 5647.

§ 191.12 *Importer.* "Importer" shall mean any person who imports distilled spirits, wines, or fermented liquor into the United States.

DERIVATION: T. D. 5647.

§ 191.13 *Including.* The term "including" shall not be deemed to exclude things other than those enumerated which are in the same general class.

§ 191.14 *Inclusive language.* Words in the plural form shall include the singular, and vice versa, and words in the masculine gender shall include females, associations, copartnerships, and corporations.

§ 191.15 *I. R. C.* "I. R. C." shall mean the Internal Revenue Code.

§ 191.16 *Person.* "Person" shall mean and include natural persons, associations, copartnerships, and corporations.

§ 191.17 *Red strip stamps.* "Red strip stamps" shall mean the stamps prescribed under authority of section 2803 (d), I. R. C.

§ 191.18 *United States.* "United States" includes only the States, the Territories of Alaska and Hawaii, and the District of Columbia.

§ 191.19 *U. S. C.* "U. S. C." shall mean the United States Code.

§ 191.20 *Wine.* "Wine" shall mean (a) still wine, including vermouth or other aperitif wine, artificial or imitation wines or compounds sold as still wine, champagne or sparkling wine, and artificially carbonated wine, and (b) flavored or sweetened fortified or unfortified wines, by whatever name sold or offered for sale, containing not over 24 per centum of alcohol by volume.

DERIVATION: T. D. 5106.

SUBPART C—SPECIAL (OCCUPATIONAL) TAXES

§ 191.30 *Liquor dealers' special taxes.* Every person engaged in business as an importer within the meaning of the term as defined in § 191.12, who sells, or offers for sale, distilled spirits, wines, or fermented liquors, must file Form 11 with the collector of internal revenue and pay special (occupational) taxes as wholesale dealer or retail dealer in liquor, or both, or, if malt liquors only are dealt in, as wholesale malt liquor dealer, or retail malt liquor dealer, or both, in accordance with the law and regulations governing the payment of such special taxes. (Regulations 20 (26 CFR Part 194).)

(53 Stat. 373, as amended, 388, as amended, 391, 394, 395; 26 U. S. C. 3170, 3250, 3254, 3270, 3271, 3272, 3273, 3274)

DERIVATION: T. D. 5647.

§ 191.31 *Warehouse receipts covering distilled spirits.* Since the sale of warehouse receipts for distilled spirits is equivalent to the sale of distilled spirits, every person engaged in business as an importer of distilled spirits, who sells, or offers for sale, warehouse receipts for distilled spirits stored in customs bonded warehouses, or elsewhere, incurs liability to special tax as a dealer in liquors at the place where the warehouse receipts are sold or offered for sale, and must file return and pay occupational tax as provided in § 191.30.

(53 Stat. 373, as amended, 388, as amended, 391, 394, 395; 26 U. S. C. 3170, 3250, 3254, 3270, 3271, 3272, 3273, 3274)

DERIVATION: T. D. 5640.

SUBPART D—TAX ON IMPORTED DISTILLED SPIRITS, WINES, FERMENTED LIQUORS, AND IMPORTED PERFUMES CONTAINING DISTILLED SPIRITS

DISTILLED SPIRITS AND PERFUMES

§ 191.40 *Distilled spirits.* Distilled spirits in customs bonded warehouse or imported into the United States are subject to an internal revenue tax, when withdrawn, at the rate of $9 per proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon.

(53 Stat. 298, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 2800, 3170, 1650)

DERIVATION: T. D. 5106.

§ 191.41 *Perfumes containing distilled spirits.* Imported perfumes containing distilled spirits are subject to an internal revenue tax, when withdrawn, at the rate of $9 per wine gallon and a proportionate tax at a like rate on all fractional parts of such wine gallon.

(53 Stat. 298, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 2800, 3170, 1650)

DERIVATION: T. D. 5106.

WINES

§ 191.42 *Still wines.* All still wines, including vermouth or other aperitif wine, and all artificial or imitation wines or compounds sold as still wine, in customs bonded warehouse or imported into the United States are subject to an internal revenue tax, when withdrawn from customs custody, as follows:

(a) On wines containing not more than 14 per centum of absolute alcohol, 15 cents per wine gallon, the per centum of alcohol under this section to be reckoned by volume and not by weight;

(b) On wines containing more than 14 per centum and not exceeding 21 per centum of absolute alcohol, 60 cents per wine gallon;

(c) On wines containing more than 21 per centum and not exceeding 24 per centum of absolute alcohol, $2 per wine gallon;

(d) All such wines containing more than 24 per centum of absolute alcohol by volume shall be classed as distilled spirits and shall be taxed accordingly.

(53 Stat. 298, as amended, 347, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 2800, 3030, 3170, 1650)

DERIVATION: T. D. 5106.

§ 191.43 *Sparkling wines.* All sparkling wines and artificially carbonated wines in customs bonded warehouse or imported into the United States are subject to an internal revenue tax, when withdrawn from customs custody, as follows:

(a) On each bottle or other container of champagne or sparkling wine, 15 cents on each one-half pint or fraction thereof;

(b) On each bottle or other container of artificially carbonated wine, 10 cents on each one-half pint or fraction thereof.

(53 Stat. 347, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 3030, 3170, 1650)

DERIVATION: T. D. 5106.

§ 191.44 *Wines containing over 24 per centum of alcohol.* Champagne and other sparkling wines, still wines, artificially carbonated wines, and vermouth or other aperitif wine, if containing over 24 per centum of alcohol by volume, in customs bonded warehouse or imported into the United States are subject to an internal revenue tax, when withdrawn, at the rate of $9 per proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon.

(53 Stat. 298, as amended, 347, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 2800, 3030, 3170, 1650)

DERIVATION: T. D. 5106.

LIQUEURS, CORDIALS, AND OTHER COMPOUNDS AND PREPARATIONS

§ 191.45 *Liqueurs, cordials, and similar compounds.* Liqueurs, cordials, and similar compounds, containing distilled spirits, in customs bonded warehouse or imported into the United States are subject to an internal revenue tax, when withdrawn, at the rate of $9 per proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon. Fortified or unfortified wines, containing not over 24 per centum of alcohol by volume, to which sweetening or flavoring materials, but no distilled spirits, have been added are not classified as liqueurs, cordials, or similar compounds, but are considered to be flavored wines only and are subject to internal revenue tax at the rates applicable to wines.

(53 Stat. 298, as amended, 347, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 2800, 3030, 3170, 1650)

DERIVATION: T. D. 5694.

§ 191.46 *Other compounds and preparations.* Compounds and preparations, other than those specified in § 191.45, containing distilled spirits, which are fit for beverage purposes, in customs bonded warehouse or imported into the United States are subject to internal revenue tax at the rate of $9 per proof gallon, or wine gallon when below proof, and a proportionate tax at a like rate on all fractional parts of such proof or wine gallon. Compounds and preparations, containing fortified or unfortified wine, but no distilled spirits, which are fit for beverage purposes and which are sold as wine, are subject to internal revenue tax at the rates applicable to wines.

(53 Stat. 298, as amended, 347, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 2800, 3030, 3170, 1650)

DERIVATION: T. D. 5694.

FERMENTED LIQUORS

§ 191.47 *Rate of tax.* All fermented liquor, as defined in § 191.11, imported into the United States, is subject to the internal revenue tax prescribed by section 3150 (a), Internal Revenue Code, for every barrel containing not more than 31 gallons, and at a like rate for any other quantity or for the fractional parts of a barrel authorized and defined by law. The tax on fermented liquor shall be

paid by the importer when the fermented liquor is entered, or withdrawn from warehouse for consumption, in accordance with customs requirements.

(53 Stat. 365, as amended, 373, as amended, 54 Stat. 522, as amended; 26 U. S. C. 3150, 3170, 1650)

DERIVATION: T. D. 5647.

§ 191.48 *Computation of tax.* In estimating and computing such tax, the fractional parts of a barrel shall be halves, thirds, quarters, sixths, and eighths; and, except as provided in § 191.49, any fractional part of a barrel, containing less than one-eighth, shall be accounted one-eighth; more than one-eighth, and not more than one-sixth, shall be accounted one-sixth; more than one-sixth, and not more than one-fourth, shall be accounted one-fourth; more than one-fourth, and not more than one-third, shall be accounted one-third; more than one-third, and not more than one-half, shall be accounted one-half; more than one-half, and not more than one barrel, shall be accounted one barrel; and more than one barrel, and not more than sixty-three gallons, shall be accounted two barrels, or a hogshead. The tax on any other quantity, as for example, bottled beer, will be computed on the basis of actual quantity at the rate prescribed by law.

(53 Stat. 365, as amended, 373, as amended; 26 U. S. C. 3150, 3170)

DERIVATION: T. D. 5647.

§ 191.49 *Tolerance for containers.* The provisions of § 191.48 requiring the accounting of barrels and fractional parts of barrels at the next higher quantity shall not apply where the contents of any wooden barrel containing more than 31 gallons do not exceed 31 gallons by more than one-half gallon, and a proportionate quantity as to fractional wooden containers; nor where the contents of any metal barrel containing more than 31 gallons do not exceed 31 gallons by more than one-quarter gallon, and a proportionate quantity as to fractional metal containers; and no tax shall be collected on any excess which is within the limits of such tolerance.

(53 Stat. 365, as amended, 373, as amended; 26 U. S. C. 3150, 3170)

DERIVATION: T. D. 5647.

COLLECTION OF INTERNAL REVENUE TAXES

§ 191.50 *Imported distilled spirits, wines, and fermented liquors.* Internal revenue taxes payable on imported distilled spirits, including perfumes containing distilled spirits, and on wines and fermented liquors, when entered, or withdrawn from warehouse, for consumption, are collected, accounted for, and deposited as internal revenue collections by collectors of customs in accordance with customs requirements.

DERIVATION: T. D. 5647.

SUBPART E—GENERAL REQUIREMENTS

PERMIT FOR IMPORTATION OF DISTILLED SPIRITS AND WINES

§ 191.60 *Federal Alcohol Administration Act permit.* Under the Federal Alcohol Administration Act and the regulations issued pursuant thereto (Regulations 1 (27 CFR Part 1)), any person except an agency of a State or political subdivision thereof, or any officer or employee of any such agency, intending to engage in the business of importing distilled spirits or wines for nonindustrial use is required to procure a permit (Form 1631) therefor.

(Sec. 3, 49 Stat 978, as amended; 27 U. S. C. 203)

MARKING AND STAMPING OF DISTILLED SPIRITS

§ 191.61 *Containers of 1 gallon or less.* Imported containers of distilled spirits of 1 gallon or less, and empty containers imported for the bottling of imported distilled spirits of 1 gallon or less, are required to be marked under customs regulations (19 CFR Parts 11 and 12) and containers of one-half pint to 1 gallon are required to be marked under Regulations 13 (26 CFR Part 175), and stamped in accordance with this part.

§ 191.62 *Containers in excess of 1 gallon.* Imported containers of distilled spirits in excess of 1 gallon are required to be marked and stamped under customs regulations (19 CFR Parts 11 and 12).

LABELING OF DISTILLED SPIRITS

§ 191.63 *Containers of 1 gallon or less.* Labels on imported containers of distilled spirits, and on containers of imported distilled spirits bottled in customs custody, for sale at retail, are required to be covered by a certificate of label approval (Form 1649) and an affidavit for release of distilled spirits, wines, or malt beverages (Form 1652) issued pursuant to the Federal Alcohol Administration Act and regulations promulgated thereunder (Regulations 5 (27 CFR Part 5)). Containers of imported distilled spirits bottled after taxpayment and withdrawal from customs custody are required to be covered by a certificate of label approval (Form 1649) or a certificate of exemption from label approval (Form 1650) issued pursuant to the Federal Alcohol Administration Act and regulations promulgated thereunder (Regulations 5 (27 CFR Part 5)). When distilled spirits are to be labeled under a certificate of exemption from label approval, the labels affixed to containers are required to conform to Regulations 13 (26 CFR Part 175).

§ 191.64 *Containers in excess of 1 gallon.* Imported containers of distilled spirits in excess of 1 gallon are required to be labeled under customs regulations (19 CFR Parts 11 and 12).

MARKING, STAMPING, AND LABELING OF WINES AND FERMENTED LIQUORS

§ 191.65 *Wines.* All imported wines containing not less than 7 per centum and not more than 24 per centum of alcohol by volume are required to be packaged, marked, branded, and labeled in conformity with the Federal Alcohol Administration Act and regulations promulgated thereunder (Regulations 4 (27 CFR Part 4)), prior to their removal from customs custody. Containers of imported wine bottled or packaged after taxpayment and withdrawal from customs custody are required to be covered by a certificate of label approval (Form 1649) or a certificate of exemption from label approval (Form 1650) issued pursuant to the Federal Alcohol Administration Act and regulations promulgated thereunder (Regulations 4 (27 CFR Part 4)). Imported containers of wine are required also to be marked, branded, labeled, and stamped in accordance with customs regulations (19 CFR Parts 11 and 12).

§ 191.66 *Fermented liquors.* All imported fermented liquors are required to be released from customs custody in conformity with the Federal Alcohol Administration Act and regulations thereunder. The attention of all concerned is directed, in this connection, to the provisions of Regulations 7 (27 CFR Part 7) relating to the labeling and advertising of malt beverages, issued under the Federal Alcohol Administration Act. Imported containers of fermented liquor are required to be marked, labeled, and stamped in accordance with customs regulations (19 CFR Parts 11 and 12).

DERIVATION: T. D. 5647.

RED STRIP STAMPS FOR CONTAINERS OF DISTILLED SPIRITS

§ 191.67 *Containers of distilled spirits to bear red strip stamps.* The immediate containers of imported distilled spirits are required to bear red strip stamps indicating the payment of all internal revenue taxes thereon, with the following exceptions:

(a) Distilled spirits in bond or in customs custody;

(b) Distilled spirits not intended for sale or for use in the manufacture or production of any article intended for sale; or

(c) Any regularly established common carrier receiving, transporting, delivering, or holding for transportation or delivery distilled spirits in the ordinary course of its business as a common carrier.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.68 *Persons authorized to affix red strip stamps.* Red strip stamps shall be affixed to imported containers of distilled spirits as follows: (a) By the bottler or exporter in a foreign country, as prescribed by Subpart F of this part; (b) under customs supervision, by the bottler in a foreign country, as prescribed by Subpart G of this part; or (c) by the importer or owner in a customs bonded warehouse, as prescribed by Subpart H of this part. The bottler of distilled spirits imported in bulk shall affix stamps to the containers, as prescribed by Subpart I of this part.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.69 *Denominations of red strip stamps.* Red strip stamps will be provided in the following denominations only: 1 gallon, ½ gallon, 1 quart, ⅘ quart, ¾ quart, 1 pint, ⅘ pint, ¾ pint, ½ pint, and less than ½ pint. When

containers for which standards of fill are not prescribed are of sizes for which no stamps are provided, the person required to affix the stamps shall use those of the denomination next under the actual quantity of spirits in the containers, as, for instance, a stamp of the ½ pint denomination for a container of more than ½ pint and less than ¾ pint, and shall block or strike out the original denomination and write or print on the stamps immediately above the blocked or stricken out denomination the exact quantity of spirits in the containers. Stamps of the denomination of "less than ½ pint" need not be changed to show the exact quantity in the containers. Stamps of the "less than ½ pint" denomination will be issued 50 in a sheet. Stamps of all other denominations will be issued 42 in a sheet. The price is 1 cent for each stamp, except that in the case of stamps for containers of less than one-half pint, the price is one-quarter of 1 cent for each stamp.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.70 *Requisition, Form 428.* Requisition for the purchase of red strip stamps shall be made by the importer, or his duly authorized agent, or by the subsequent purchaser of the distilled spirits as provided in this section, on Form 428, in triplicate. Where an importer has given a bottler or another agent power of attorney to sign Form 428, the importer's name must be given, followed by the signature of the person authorized and the words "Attorney in Fact." A copy of the power of attorney must be filed with the collector of customs. The local address of the importer, or his agent, must be given on Form 428 before approval by the collector of customs. The importer must present and file (if he has not already done so) with the collector of customs a certified or photostatic copy of his permit issued pursuant to the Federal Alcohol Administration Act and regulations promulgated thereunder at the time he presents his first Form 428 for approval. All Forms 428 shall be submitted to the collector of customs of the district in which the place of business of the importer, or his duly authorized agent, or the subsequent purchaser of the distilled spirits, as the case may be, is located.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.71 *Statement, Form 1627.* The importer, or his duly authorized agent, shall submit with Form 428 for stamps to be sent to a foreign country a sworn statement on Form 1627, that the stamps requisitioned on Form 428 are required to supply existing orders and/or anticipated requirements within 30 days from the date of the requisition and will be used for the quantity of distilled spirits to be imported through the designated port (or other port or ports to be designated subsequently on Form 1627A as provided by §§ 191.91 and 191.92) at which warehouse or consumption entries will be filed. All of the information indicated by the headings of the columns and lines and the instructions printed on the form, shall be entered thereon.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.72 *Approval of requisition.* The collector of customs will approve Form 428 if he is satisfied that the importer is the holder of an I permit issued pursuant to the Federal Alcohol Administration Act and regulations promulgated thereunder and that the red strip stamps are required for distilled spirits to be imported, or to be removed from customs custody, as prescribed in this part. The collector of customs will retain Form 1627 and one copy of Form 428 and return the original and remaining copy of Form 428 to the applicant for submission to the proper collector of internal revenue.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.73 *Purchase of red strip stamps.* Red strip stamps shall be purchased by the importer, or his duly authorized agent, or the subsequent purchaser of the distilled spirits, as the case may be, from the collector of internal revenue of the district in which the place of business of such applicant is located. The applicant shall forward to the collector of internal revenue the original and copy of the approved Form 428, together with remittance for the stamps. The collector of internal revenue may sell the exact number of stamps requisitioned thereon even though it is necessary to sell portions of sheets. (The remaining portion of the sheet should be returned to the Accounts and Collections Unit of the Bureau scheduled on Form 97, in triplicate, for credit and disposition.) The collector of internal revenue will enter the serial numbers of the stamps issued and stamp the date of sale on both copies of Form 428. He will retain the original copy and send the remaining copy to the proper district supervisor.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.74 *Overprinting of red strip stamps.* The importer, or his duly authorized agent, or the subsequent purchaser of the distilled spirits, as the case may be, shall have indelibly overprinted in plain and legible letters on each of the red strip stamps, at his expense, the name and address of the importer, which shall, for example, be as follows: "John Doe & Co., Baltimore, Md." He shall submit the stamps to the collector of customs, who will verify the overprinting and make an endorsement showing the verification on the retained original Form 1627 submitted with Form 428. The collector of customs will then (a) deliver the stamps to the importer, or his duly authorized agent, for transmission to the bottler or exporter abroad, as provided by Subpart F of this part; or (b) forward them to the officer assigned to the foreign bottler, as provided by Subpart G of this part; or (c) deliver them to the importer, or his duly authorized agent, or the subsequent purchaser of the distilled spirits, as the case may be, for affixing to the containers in customs bonded warehouse, as prescribed by Subparts H and I of this part. All strip stamps overprinted with the brand and kind of distilled spirits (in addition to the name and address of the importer), on hand on the effective date of this part, may be used (a) without change for affixing to the containers of distilled spirits for which they were originally purchased, or (b) with the words representing the brand and kind of distilled spirits blocked out or otherwise obliterated, for affixing to any brand or kind of distilled spirits. In the latter case, if the importer desires to transfer such stamps to another foreign country, he must first submit them to the collector of customs who approved the Form 428, for appropriate record. Prior to sending such stamps to another foreign country, he must submit Form 1627 as provided by § 191.71.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.75 *Manner of affixing red strip stamps.* The red strip stamps must be securely affixed to the containers with the use of a good adhesive. The adhesive used must be in proper liquid condition. Care must be taken to cover the entire back of the stamp with the adhesive, and to press it firmly against the surface of the container sufficiently long to cause the stamp to adhere securely to the container. The stamp must pass over the mouth of the container, extending an approximately equal distance on two sides of the container, and be so affixed that a portion of the stamp will remain attached to the container when it is opened.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.76 *Concealing or obscuring red strip stamps.* No part of the red strip stamp shall be concealed or obscured by any label or other covering, except that a cup may be placed over the opening of the container or the container may be placed in a carton, as provided in this section. Seals made of cellulose or other material which are shrunk or otherwise fitted over the necks of the containers and cover the stamps must be sufficiently transparent to permit the stamps to be plainly seen and the data thereon easily read. No cup or cap may be placed over the opening of a container and cover the stamp, unless such cup or cap is transparent or is so placed on the container that it may be readily removed at any time without injury to the stamp and the arrangement is such that the ends of the stamp will be plainly visible when the cap or cup is in place. Cartons or other coverings of containers of distilled spirits are permitted, if so made that they may be opened and closed without being torn or broken. Sealed cartons or other coverings may not be used unless transparent or unless openings therein permit the data on the stamp and the indicia and penalty clause required by Regulations 13 (26 CFR Part 175) on the container to be plainly seen and read.

(53 Stat. 303, as amended, 331, 373, as amended; 26 U. S. C. 2803, 2871, 3170)

§ 191.77 *Affixing red strip stamp over cup or cap.* The red strip stamp may be affixed over a cup or cap placed over the opening of the container, provided the arrangement is such that the stamp will be torn apart or destroyed when the cup or cap is unscrewed or removed or destroyed. Where it is desired to affix the stamp over a removable cup or cap, the cup or cap must be securely screwed or fastened over the opening of the container, and must be of such size and construction that the stamp will pass over the top and extend beyond the cup or cap for such length that each end of the stamp may be securely affixed to the surface of the container. The stamp must be securely affixed, with a strong adhesive, to both the cup or cap and the container. Where it is desired to affix the stamp over a cap or seal made of cellulose or other similar adhesive material which is so shrunk or otherwise fitted over the neck of the container as to be unremovable without being destroyed, and is of such size and construction that the stamp will not extend beyond such cap or seal to permit each end to be affixed to the surface of the container, it will not be necessary for the ends of the stamp to be affixed to the surface of the container, provided that the cap or seal is affixed to the container in such a manner that when the container is opened the stamp will be torn apart and a portion of the cap or seal and the stamp will remain attached to the container. In any case where there is doubt as to the propriety of the use of any cup or cap, the container and cup or cap should be submitted to the district supervisor for a ruling thereon.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.78 *Exportation of imported distilled spirits; red strip stamps.* Red strip stamps affixed to imported distilled spirits prior to arrival in the United States, which spirits are diverted by the importer for exportation purposes, shall be effectively destroyed by the exporter, under customs supervision, prior to exportation. Red strip stamps affixed to distilled spirits originating in the United States as evidence of taxpayment shall not be removed at or prior to the time of exportation.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

EXEMPTIONS

§ 191.79 *Exemption from stamping, marking, bottling, and labeling requirements.* The provisions of this part relating to the affixing of red strip stamps, the indicia requirements of containers prescribed by Regulations 13 (26 CFR Part 175), and the labeling of containers as prescribed by regulations promulgated under the Federal Alcohol Administration Act (Regulations 5 (27 CFR Part 5)) are not applicable to imported distilled spirits (a) not for sale or for any other commercial purpose whatever; (b) for use as ship stores; or (c) for personal use. Samples of distilled spirits imported for any purpose are not exempt from the stamping, marking, bottling, and labeling requirements. Exemptions from the requirement that imported distilled spirits, wines, and fermented liquors be marked to indicate the country of origin are set forth in customs regulations (19 CFR Part 11).

(53 Stat. 303, as amended, 331, 373, as amended; 26 U. S. C. 2803, 2871, 3170)

DERIVATION: T. D. 5106.

SUBPART F—RED STRIP STAMPS TO BE AFFIXED IN A FOREIGN COUNTRY

§ 191.85 *Conditions.* Red strip stamps to be affixed to containers of distilled spirits may, in accordance with the procedure prescribed in this subpart, be purchased by importers to be affixed to the containers by the bottler or exporter in a foreign country.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.86 *Requisition, Form 428.* The importer, or his duly authorized agent, shall make requisition on Form 428, in accordance with § 191.70, and submit a sworn statement on Form 1627, as prescribed by § 191.71, for red strip stamps to be sent to the foreign bottler or exporter.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.87 *Approval of requisition.* The collector of customs will approve Form 428 if he is satisfied that the importer is the holder of an importer's basic permit (Form 1631) issued pursuant to the Federal Alcohol Administration Act and regulations promulgated thereunder (Regulations 1 (27 CFR Part 1)) and that the red strip stamps are required for distilled spirits to be imported to supply existing orders and/or anticipated requirements within 30 days from the date of the requisition. He will dispose of Forms 428 and Form 1627 in accordance with § 191.72.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.88 *Sale and overprinting of red strip stamps.* The importer, or his duly authorized agent, shall purchase the red strip stamps from the collector of internal revenue as provided by § 191.73 and have them overprinted and verified as provided by § 191.74. After verification of the overprinting and the prescribed endorsement on Form 1627, the collector of customs will deliver the stamps to the importer, or his duly authorized agent, for transmission to the bottler or exporter abroad.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.89 *Marking of cases.* The foreign bottler or exporter will plainly and legibly mark the following legend on each case of containers of distilled spirits to which red strip stamps are attached:

The red strip stamps required by section 2803, I. R. C., are affixed to the containers of distilled spirits in this case, consisting of _____, bearing stamps of
(Number of containers)
_____ denomination.

_____
(Name of bottler or exporter)

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.90 *Endorsement of warehouse and consumption entries.* Upon arrival of the distilled spirits in this country, warehouse entries and consumption entries shall have endorsed thereon by the importer, or his duly authorized agent, the following legend:

Red strip stamps required by section 2803, I. R. C., were affixed abroad. These stamps were purchased by_____
(Name of purchaser)
requisition Form 428, Purchaser's No. _____, approved by the Collector of Customs at _____ on
(Port where Form 428 was approved)
_____.
(Date of approval of Form 428)

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.91 *Credit of red strip stamps against requisition on arrival of distilled spirits at specified port.* Where warehouse and consumption entries are filed at the port where the requisition was approved, the collector of customs who approved the requisition will credit the Form 428 described in the endorsement on the entry referred to in § 191.90 with the number and denomination of red strip stamps shown by the usual customs examination to have been attached to the container.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.92 *Credit of red strip stamps against requisition on diversion of spirits to other than specified port.* In the event of diversion of all or part of the spirits to a port or ports other than the port specified in Form 1627 filed with the Form 428, the importer shall submit a supplemental statement in duplicate on Form 1627A, for each such port. He shall submit them to the collector of customs who approved the Form 428, who will retain the copy and transmit the original to the collector of customs at the designated port. Where a warehouse or consumption entry is filed at a specified port other than the port where the requisition was approved, the collector of customs of the port at which the warehouse or consumption entry is filed will promptly notify, on Form 1627A, the collector of customs who approved the Form 428 of the number and denomination of stamps shown by the usual customs examination to have been attached to the containers. The collector of customs who approved the requisition will credit the Form 428 accordingly. He will stamp on the copy of Form 1627A "Strip stamps credited", and send the copy to the importer who filed the application. Such importer may then take credit for the stamps on Form 96. Such diverted spirits may not be released from customs custody until Form 1627A has been received at the port of diversion or the collector of customs who approved Form 428 has authorized such release.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

DERIVIATION: T. D. 5106.

§ 191.93 *Irregularities or discrepancies in shipments.* In case any irregularities or discrepancies are found, the collector of customs at the port of entry will make demand for redelivery of unexamined packages, and will not release examined or redelivered packages until

satisfactory explanation and/or proper corrections have been made.

(53 Stat. 303, as amended; 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.94 *Unused red strip stamps.* Unused red strip stamps returned to the importer by the bottler or exporter abroad, shall be submitted to the collector of customs who approved the original requisition Form 428, for noting such fact on the requisition. After proper notation has been made, the collector of customs will return the stamps to the importer (who will acknowledge receipt), and notify the proper district supervisor. If subsequently the importer desires to send such stamps to a bottler or exporter abroad, he must submit them with Form 1627 properly modified, in duplicate, to the collector of customs, who will note approval on the copy of Form 1627 and return it with the stamps to the importer. He will retain the original Form 1627. Where the distilled spirits are to be imported through more than one port, Form 1627A shall be submitted by the importer to such collector, for each port of entry, for certification and transmittal of a copy to the collector of customs at each of the ports at which warehouse or consumption entries will be filed. The importer shall make appropriate entries on his monthly report, Form 96, of the receipt and disposition of unused stamps covered by this section.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.95 *Credit for red strip stamps affixed to containers returned to a foreign bottler or exporter.* When for any reason containers of distilled spirits bearing red strip stamps are returned from customs custody to the foreign bottler or exporter, the importer may be given credit for such stamps, provided he obtains an affidavit from an excise official of the foreign government concerned to the effect that the stamps were removed from the containers and destroyed under his supervision. The importer shall submit such affidavit to the collector of customs who will credit the original requisition accordingly. The importer shall make appropriate entries on his monthly report, Form 96.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.96 *Credit for red strip stamps affixed to containers diverted by the importer for exportation.* The importer may be given credit for red strip stamps which were affixed to imported distilled spirits diverted by the importer for exportation purposes and which were effectively destroyed by the exporter under customs supervision, provided he obtains an affidavit from the customs officer to the effect that the stamps were removed from the containers and destroyed under his supervision. The importer shall submit such affidavit to the collector of customs who approved the original requisition for proper credit. The importer shall make appropriate entries on his monthly report, Form 96.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.97 *Breach of regulations, or failure to use red strip stamps.* Any serious breach of the provisions of this part, or failure to use the red strip stamps for the purpose for which they were procured within a period of six months, or within such additional extension of time as may be granted by the collector of customs, not satisfactorily explained to the collector of customs, will be grounds for denial of approval of further requisitions for purchase of stamps.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

Subpart G—Red Strip Stamps Affixed Under Customs Supervision by Bottler in a Foreign Country

§ 191.105 *Conditions.* Red strip stamps to be affixed to containers of distilled spirits may, in accordance with the procedure prescribed in Subpart F of this part, be purchased by an importer, or his duly authorized agent, to be affixed to the containers by the bottler in a foreign country, under the supervision of a customs officer.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.106 *Assignment of customs officer.* The collector of customs to whom the red strip stamps are delivered by the importer will assign an officer to the bottling plant in the foreign country to supervise the affixing of the stamps to the containers. The collector of customs after verification of the overprinting of the stamps will deliver them to the officer assigned to the foreign bottling plant.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.107 *Custody of red strip stamps.* The officer will retain the red strip stamps in his custody, keeping them locked in a secure place provided by the bottler, the key to which shall at all times be in possession of the officer. The officer will deliver to the bottler such stamps as may be required during bottling operations, and will personally assure himself that all stamps delivered to the bottler are affixed to the containers filled with distilled spirits for export to the United States.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.108 *Marking of cases.* The officer supervising the affixing of the red strip stamps to containers at the foreign bottling plant will stamp the following legend upon each case:

_____, 19__
(Month) (Day)

This is to certify that on this date the red strip stamps required by section 2803, I. R. C., were affixed, under my supervision, to the containers of distilled spirits in this case, consisting of _____,
(Number of containers)
bearing stamps of _____ denomination.

_____
(Name)

_____
(Official designation)

This legend, when stamped on the case and filled in by the officer, may be accepted by customs officers as evidence that the containers bear stamps.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.109 *Expenses of customs officer.* The actual and necessary expenses of transportation and subsistence of the customs officer assigned under authority of this part shall be collected from the importer by the collector of customs.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

Subpart H—Red Strip Stamps Affixed in Customs Bonded Warehouse

§ 191.115 *Conditions.* Distilled spirits in containers imported without having red strip stamps attached may not be released from customs custody until a stamp has been affixed to each container, under the supervision of a customs officer in a bonded warehouse. Stamps purchased for such containers but not affixed within 48 hours after entry shall be placed in the custody of the collector of customs of the district in which the bonded warehouse is located, until such time as they are to be affixed to containers prior to removal from customs custody. At ports where there is no customs bonded warehouse, no distilled spirits imported in containers without stamps affixed shall be released until the stamps have been affixed to the containers under the supervision of a customs officer.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.116 *Requisition, Form 428.* Requisition for red strip stamps shall be made by the original importer or his duly authorized agent: *Provided,* That if the importer has gone out of business the requisition shall be made by the person having title to the distilled spirits. The requisition shall be submitted in accordance with § 191.70. Subsequent procedure shall conform to applicable provisions of §§ 191.72, 191.73, and 191.74.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.117 *Expense of affixing red strip stamps.* Expenses of cartage, storage, repacking, handling, or other labor connected with the opening of cases and affixing of red strip stamps to the containers, shall be borne by the importer, or by the subsequent purchaser of the distilled spirits referred to in § 191.116, as the case may be.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.118 *Marking of cases.* There shall be indelibly stamped upon each case by the customs officer supervising the affixing of red strip stamps to containers, the following legend:

Port of _____, _____
(Month)
_____, 19__.
(Day)

This is to certify that on this date the red strip stamps required by Section 2803, I. R. C., were affixed, under my supervision, to the containers of distilled spirits in this case, consisting of _____, _____,
(Number of containers)
bearing stamps of _____ denomination.

_____
(Name)

_____
(Official designation)

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

SUBPART I—IMPORTATION OF DISTILLED SPIRITS IN BULK

§ 191.125 *Persons authorized to receive distilled spirits imported in bulk.* Distilled spirits imported in bulk (i. e., in containers having a capacity in excess of 1 gallon) may be entered into a class 8 customs bonded warehouse for bottling, or may be withdrawn from customs custody only if entered for exportation or if withdrawn by a person to whom it is lawful to sell or otherwise dispose of distilled spirits in bulk pursuant to the Federal Alcohol Administration Act (Sec. 6, 49 Stat. 985, as amended; 27 U. S. C., 206) and Regulations 3 (27 CFR Part 3). The importation and disposition of distilled spirits imported in bulk shall be reported as prescribed by § 191.139.

(53 Stat. 327, as amended, 328, 331, 373, as amended, 373; 26 U. S. C. 2857, 2858, 2871, 3170, 3171)

§ 191.126 *Containers.* Imported distilled spirits may be bottled in either domestic or imported containers conforming to the provisions of Regulations 13 (26 CFR, Part 175).

(53 Stat. 331, 373, as amended; 26 U. S. C. 2871, 3170)

§ 191.127 *Red strip stamps.* Red strip stamps overprinted with the name and address of the original importer as prescribed by § 191.74 or stamps without any overprinting prescribed for domestic use (Regulations 11 (26 CFR Part 189)), may be affixed to containers of imported distilled spirits bottled in a class 8 customs bonded warehouse. Stamps without any overprinting prescribed for domestic use (Regulations 11 (26 CFR Part 189)) shall be affixed by the bottler to containers of imported distilled spirits bottled after withdrawal from customs custody.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

SUBPART J—IMPORTER'S RECORDS AND REPORTS

RECORD AND REPORT OF RED STRIP STAMPS

§ 191.135 *Monthly record and report, Form 96.* Importers of distilled spirits shall keep records and render reports of red strip stamps on Form 96.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.136 *Monthly record, Part I, Form 96.* Importers shall keep a record of red strip stamps purchased and used daily on Part I of Form 96. A separate page in single copy is required for each denomination of stamps. Entries shall be made on Form 96 daily, as indicated by the headings of the various columns and lines, and in accordance with the instructions on the form. The record shall be kept in bound form on the premises at which the business is conducted, available for inspection by Government officers.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.137 *Monthly report, Parts II and III, Form 96.* At the close of the month, importers shall prepare Parts II and III of Form 96, in triplicate, reporting on Part II the red strip stamps purchased and used during the month, and on Part III the stamps shipped abroad to importer's agents. On or before the 10th day of the succeeding month, one copy shall be forwarded to the district supervisor, Alcohol Tax Unit, in charge of the district in which the business of the importer is conducted, and one copy to the collector of customs, who approved the importer's requisitions. The remaining copy shall be retained in bound form with the importer's copies of Part I, Form 96, for the same month, available for inspection by Government officers.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

DERIVATION: T. D. 5783.

§ 191.138 *Separate record for each place of business.* Where an importer has more than one place of business, a separate record on Part I of Form 96 shall be maintained on the premises of each place of business. A separate monthly report (Parts II and III) shall also be rendered for each place of business. Where an agent purchases stamps for several importers, the agent shall keep a separate record for each importer on Part I of Form 96 of all stamps sent abroad or retained on his premises for the account of the importer. Separate monthly reports (Parts II and III) shall be rendered by the agent in the name of each importer, to the supervisor of the district in which the stamps are purchased.

(53 Stat. 303, as amended, 373, as amended, 373; 26 U. S. C. 2803, 3170, 3171)

RECORD AND REPORT OF IMPORTED DISTILLED SPIRITS

§ 191.139 *Record and report, Form 52E.* Every importer who imports and sells distilled spirits in bulk shall keep at the place of business covered by his wholesale liquor dealer special tax stamp, Form 52E, of all distilled spirits, both bulk and bottled, imported and disposed of by him: *Provided,* That, if the importer so desires, he may keep Form 52E for bulk spirits only and Record 52 for bottled spirits only. If only bottled spirits are imported, he shall keep Record 52. The receipt of imported distilled spirits, both bulk and bottled, shall be entered on Part 1, of Form 52E or bottled distilled spirits on Record 52, as the case may be, as of the time of making the customs entry. The disposition of such distilled spirits shall be entered on Part 2 of Form 52E or Record 52, as the case may be, as of the time of their sale or their taxpayment and withdrawal from customs custody. If the importer enters the distilled spirits into a class 8 customs bonded warehouse for bottling, he shall note such temporary disposition of the distilled spirits in bulk on Part 2 of Form 52E and, upon completion of their bottling, enter the bottled distilled spirits on Part 1 of Form 52E or Record 52, as the case may be. He shall then report the disposition of the bottled distilled spirits on Part 2 of Form 52E or Record 52, as the case may be, at the time of their sale or their taxpayment and withdrawal from customs custody.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

§ 191.140 *Record of warehouse receipts to be kept by importer.* Every importer who sells, or offers for sale, distilled spirits by warehouse receipts shall keep a separate record, and render a monthly transcript, of all purchases and sales of warehouse receipts on Form 52F. There need not be entered on Form 52F transactions in warehouse receipts not involving the purchase or sale of distilled spirits, such as the receipt from a warehouseman of warehouse receipts covering the deposit or bottling of spirits in his warehouse or the surrender of warehouse receipts for the bottling of the spirits in bond or their transfer in bond to another warehouse. Entries on Form 52F shall be made as indicated by the headings of the columns and lines on the form and in accordance with the instructions printed thereon or issued in respect thereto, and as required by this part. The provisions of § 191.143 with respect to the time of making entries, and of § 191.149 with respect to forms to be provided by users, are hereby made applicable to Form 52F. The provisions of § 191.144 with respect to a separate record of serial numbers of cases are hereby made applicable to Form 52F with respect to serial numbers of packages and cases purchased or sold by warehouse receipts. The monthly transcript on Form 52F shall be forwarded to the district supervisor on or before the tenth day of the succeeding month. The importation of distilled spirits, and the disposition of such spirits from customs custody at the time of their sale or withdrawal therefrom, shall continue to be reported on Form 52E or Record 52, as the case may be, in accordance with the provisions of § 191.139. The physical receipt and disposition of distilled spirits at the importer's wholesale liquor dealer premises shall continue to be reported on Record 52 in accordance with the provisions of § 191.142.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5640.

§ 191.141 *Place where Form 52F shall be kept.* Every importer shall keep Form 52F at the place of business where warehouse receipts are sold or offered for sale.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5640.

§ 191.142 *Record 52.* Every importer who maintains wholesale liquor dealer premises where bottled distilled spirits are received and stored, shall keep Record 52 of all bottled distilled spirits received and disposed of thereat (including bottled spirits transferred from customs custody) in accordance with Regulations 20 (26 CFR, Part 194), in addition to a record on Form 52E or Record 52, as the case may be, as prescribed by § 191.139.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

§ 191.143 *Time of making entries.* Daily entries shall be made on Record 52 and Form 52E, as indicated by the head-

ings of the various columns, and in accordance with instructions printed thereon, before the close of the business day next succeeding the day on which the transactions occur. Where the importer defers the making of the entries to the next business day, as authorized in this section, he shall keep a separate record, such as invoices, of the removals of distilled spirits showing the removal data required to be entered on Record 52 and Form 52E, and appropriate memoranda of other transactions required to be entered on such records, for the purpose of making the entries correctly.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5724.

§ 191.144 *Separate record of serial numbers of cases.* Serial numbers of cases of distilled spirits disposed of need not be entered on Record 52 or Form 52E, provided the respective proprietor keeps in his place of business a separate record, approved by the district supervisor, showing such serial numbers, with necessary identifying data, including the date of removal and the name and address of the consignee. Such separate record may be kept in book form (including loose-leaf books) or may consist of commercial papers, such as invoices or bills. Such books, invoices, and bills shall be preserved for a period of four years and in such a manner that the required information may be ascertained readily therefrom, and during such period, shall be available during business hours for inspection and the taking of abstracts therefrom by internal revenue officers. Entries shall be made on such separate approved record before the close of the business day next succeeding the day on which the transactions occur. Where the making of the entries is deferred to the next business day, as authorized in this section, appropriate memoranda shall be maintained for the purpose of making the entries correctly. The importer, whose separate record has been approved by the district supervisor, shall note in the column for reporting serial numbers that, "Serial numbers shown on commercial records per authority, dated _____."

(53 Stat. 327, as amended, 328, 373, as amended, 373 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5724.

§ 191.145 *Reports.* Except as otherwise provided in this section, the importer shall file, daily, full and complete transcripts of Form 52E (Parts 1 and 2) or Record 52, as the case may be, on Forms 52E (Parts 1 and 2) or 52A and 52B with the district supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided,* That in any case in which the district supervisor shall direct, the transcripts shall be so filed with the investigator in charge instead of with the district supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to sign Form 52E or 338:

I hereby certify that these transcripts, consisting of _____ pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the district supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Form 52E and Record 52 in accordance with the provisions of § 191.143. Monthly summary reports on Form 52E (Part 3) and Form 338 (where Record 52 is kept) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the district supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Records kept on Form 52E and Record 52 shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5321.

ADDITIONAL REQUIREMENTS

§ 191.146 *Where importer ships direct to consignee.* The importer shall report, on Form 52E, Part 2, and when Record 52 is kept, on Part 2 and on transcript, Form 52B, the name and address of each consignee, in the column now designated "Name". In the column now designated "Address", there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5628.

§ 191.147 *Where importer ships to a consignee on the order of another wholesale liquor dealer.* Where the importer ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer, detailed records of the transactions shall be kept (a) on Form 52E by the importer making the shipment or delivery, (b) on Record 52 by the wholesale liquor dealer giving the order, and (c) on Record 52 by the consignee if he is a wholesale liquor dealer. For example, assuming that importer (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B), entries will be made on the prescribed forms as follows:

(a) Importer (A) will show in his Form 52E the name and address of wholesale dealer (B) who ordered the distilled spirits, as well as the name and address of consignee (C), the person to whom the distilled spirits are actually shipped or delivered;

(b) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from importer (A), giving both the name and address of (A), and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C) giving the name and address of (C); and

(c) Consignee (C), if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from importer (A), giving name and address of both. A copy of Form 52E and transcripts of Record 52 on Forms 52A and 52B, required to be filed with the district supervisor, will similarly show the details of such transactions.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5628.

§ 191.148 *Where importer keeps Record 52.* Where the importer keeps Record 52 and is a party to transactions similar to those described in § 191.147, he shall make similar entries of such transactions in Record 52; and the transcripts on Forms 52A and 52B required to be filed with the district supervisor, will likewise show the details of the transactions.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

DERIVATION: T. D. 5628.

§ 191.149 *Forms to be provided by users at own expense.* Form 52E, Record 52, and Forms 52A, 52B, 52F, and 338 shall be provided by importers at their own expense, but must be in the form prescribed by the Commissioner: *Provided,* That with the approval of the Commissioner, they may be modified to adapt their use to tabulating or other mechanical equipment: *Provided further,* That where the form is printed in book form, including loose-leaf books, the instructions may be printed on the cover or the fly leaf of the book instead of on the individual form.

(53 Stat. 327, as amended, 328, 373, as amended, 373, 391; 26 U. S. C. 2857, 2858, 3170, 3171, 3254)

SUBPART K—REPORTS OF COLLECTORS OF CUSTOMS

§ 191.160 *Semiannual reports of collectors of customs.* Collectors of customs will furnish the district supervisor as of June 30 and December 31 of each year a consolidated report showing the name of the importer, and the number and denomination of red strip stamps purchased on requisitions, Form 428, approved by them, and not credited against such requisitions.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

SUBPART L—EXCHANGE AND REDEMPTION OF RED STRIP STAMPS

§ 191.165 *Exchange and redemption of stamps.* Unused red strip stamps, in quantities of the value of $5 or more, issued under section 203 of the Liquor Taxing Act of 1934 or subsection (b) of section 2803, Internal Revenue Code, may be exchanged for other stamps of

the same kind and in any prescribed denomination, or the value thereof may be refunded, provided that a claim for such exchange or refund, establishing the lawful issuance and ownership of the stamps, is filed with the collector of internal revenue who issued the stamps within two years after the date on which such stamps were lawfully issued: *Provided, however,* That the value of unused stamps which have been destroyed may be refunded upon the filing of a claim as provided in this section with proof to the satisfaction of the Commissioner of the destruction of the stamps. Claims for exchange of stamps will be filed on Form 1579 and claims for refund of the value of stamps on Form 843, in accordance with procedure prescribed by the Commissioner.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

§ 191.166 *Disposition of strip stamps.* The importer who discontinues or sells his business shall recall from his agents abroad all unused stamps in their custody. He shall submit his entire stock of unused stamps, accompanied by a report of inventory, by denominations, serial numbers, and quantity, to the collector of customs for crediting of the respective Forms 428. The collector of customs will then return such stamps to the importer and take his receipt therefor, in triplicate. When delivering the stamps the collector of customs will advise the importer that the value of the stamps, if in quantities of the value of $5 or more, may be refunded provided that a claim for such refund on Form 843, establishing the lawful issuance and ownership of the stamps, is filed with the collector of internal revenue who issued the stamps within two years after the date on which such stamps were lawfully issued, or that such unused stamps may be destroyed in the presence of a Government officer and the importer thereby relieved from further accountability for the stamps. If the stamps are not surrendered to the collector of internal revenue for refund of their value or are not destroyed, the importer must account for the stamps each month by rendering Form 96 in accordance with § 191.137. The collector of customs shall make a notation on the receipt as to the disposition made or to be made of the stamps. One copy of the receipt will be delivered to the importer and the original will be delivered to the district supervisor.

(53 Stat. 303, as amended, 373, as amended; 26 U. S. C. 2803, 3170)

DERIVATION: T. D. 5783.

Effect. These regulations shall be effective as of December 1, 1950.

[SEAL] GEO J. SCHOENEMAN,
Commissioner of Internal Revenue.

D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: August 20, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10191; Filed, Aug. 23, 1951; 8:51 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 30, Amdt. 9]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

EXCLUSION OF COPPER AND COPPER BASE ALLOY WELDING ROD AND WELDING WIRE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 9 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

Commodities named in this amendment were included in the coverage of Ceiling Price Regulation 30 because of their close relationship to major products covered by that regulation. However, Ceiling Price Regulation 68 is being issued, establishing ceiling base prices for copper and copper base alloy welding rod and welding wire. The amendment, therefore, excludes these commodities from Ceiling Price Regulation 30 by making appropriate changes in Appendix A thereof.

AMENDATORY PROVISIONS

Appendix A of Ceiling Price Regulation 30 is amended in the following respects:

1. The item "Welding apparatus and supplies, electrical, including electrodes" is amended to read as follows:

"Welding apparatus and supplies, electrical, including electrodes (except hard facing welding electrodes and other hard facing materials containing tungsten and copper and copper base alloy welding rod and welding wire).

2. The item "Welding and cutting apparatus" is amended to read as follows:

"Welding and cutting apparatus and supplies, gas, including generators, welding rods and welding wire (except hard facing welding rods and other hard facing materials containing tungsten and copper and copper base alloy welding rod and welding wire).

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10303; Filed, Aug. 23, 1951; 11:08 a. m.]

[Ceiling Price Regulation 55, Amendment 3]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

EXTENDING TIME FOR FILING REPORTS, AND CHANGE IN THE EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Ceiling Price Regulation 55 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 55 extends the effective date of the regulation from August 20, 1951, to September 1, 1951, or such earlier date between July 31, 1951, and September 1, 1951, as a processor may select. The time for filing reports under the regulation is also extended to September 1, 1951, or 5 days after the item is offered for sale, whichever is later.

This action is taken because representations made to the Director of Price Stabilization by a substantial group of processors in different parts of the country make it plain that additional time is necessary to collect pertinent data. In view of the urgent character of this action, further consultation with representatives of the industry was deemed impractical.

AMENDATORY PROVISIONS

Ceiling Price Regulation 55 is amended in the following respects:

1. Section 19, paragraph (b) is amended by deleting the period at the end thereof and adding the following: "or by September 1, 1951, whichever date is the later".

2. The effective date section of this regulation is changed as follows:

Effective date. The effective date of this regulation is September 1, 1951, or such earlier date between July 31, 1951, and September 1, 1951, as you may select. If you select an earlier date, the regulation becomes effective as to you upon that date for all of your commodities covered by the regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10305; Filed, Aug. 23, 1951; 2:00 p. m.]

[Ceiling Price Regulation 68]

CPR 68—PRODUCERS OF BRASS MILL PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 68 is issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for all sales of brass mill products by producers. "Brass mill products" include any new plate, sheet, strip, rod, bar, tube, pipe, extrusion, anode, or other shape made from copper or copper base alloy. Non-electrical wire made from copper base alloy and welding rod made from copper or copper base alloy are also included.

The products covered by this regulation constitute the materials from which are manufactured many articles essential to the defense program and the civilian economy. Brass mill products are used in the fabrication of radio and radar parts; ammunition; automotive and airplane equipment; plumbing equipment and fixtures; industrial fasteners of all sorts; building and marine hardware; heating equipment; and countless other products. Brass mill products are widely used industrial raw materials and their prices are an important factor in the cost of the defense effort and in the cost of living. It is imperative, therefore, that such prices be established at levels which will prevent any undue increases and which will encourage needed output.

One of the principal elements in the cost of producing brass mill products is the cost of copper. Although about one-third of the copper consumed in the United States comes from foreign sources, some brass mills obtain about two-thirds or more of their supply of that metal from such sources. During the base period of the General Ceiling Price Regulation (December 19, 1950, to January 25, 1951, inclusive) both imported and domestic copper was selling generally at 24½ cents per pound, but metal of foreign origin cost domestic consumers an additional 2 cents per pound because of the duty levied thereon. Since the GCPR base period, however, the cost of foreign copper has increased materially. Although the duty was suspended, effective as of April 1, 1951, an agreement between the United States and Chile resulted in a price of 27½ cents per pound for foreign copper imported into the United States and domestic users, including brass mills, have been paying this amount since May 1951.

Although most brass mill products ordinarily are sold at uniform prices, there was a wide divergence in the prices which various producers were permitted to charge heretofore under the General Ceiling Price Regulation. During the base period of that regulation, one large producer using a substantial quantity of foreign copper, separately invoiced the duty it paid thereon and consequently its GCPR ceiling prices did not reflect any increase in the cost of copper above 24½ cents per pound. Other producers of brass mill products, however, had substantially higher ceiling prices arising, at least in part, out of the fact that they did not invoice the duty on copper separately but reflected it in price increases which they instituted between the outbreak of hostilities in Korea and the issuance of the GCPR on January 26, 1951. These prices ranged from .65 cents to 1.50 cents per pound of copper content above the ceiling prices of the large producer mentioned above.

"Brass mill products" is a generic term applied to an industrial raw material used in the fabrication of a wide range of commodities. This material is made from copper and various copper base alloys, shaped into relatively few forms and used sometimes interchangeably in the production of the end commodity. All brass mill products are manufactured by substantially the same processes and historically each producer has published a price-list covering a range of the copper base alloys and shapes that he makes. While these alloys are sold at different prices, the variations in price fundamentally reflect the difference in metal combinations and change ordinarily with changes in the prices for the primary metals of which the alloys are composed.

The ceiling price level established in this regulation is in general higher than the level of ceiling prices established by the General Ceiling Price Regulation. Although the price of one of the items (phosphor bronzes), which represents approximately 1 percent of the total production of brass mill products, has been adjusted downward to reflect the sharp reduction in the price of tin which has occurred since the issuance of the GCPR, the net effect of this regulation is to establish ceiling prices for 97 percent of the total output of brass mill products which will be equal to or above the prices prevailing during the period January 25 to February 24, 1951. Producers accounting for 40 to 45 percent of the total output will be able to increase their prices anywhere from .65 to 1.50 cents per pound of copper content. Prices of one producer accounting for 2 percent or less of the total output will be rolled back about 1.96 cents per pound of copper content, but this producer is benefiting coincidentally by the substantial rollback under Ceiling Price Regulations 46 and 47 of the copper and brass mill scrap which constitutes a major part of this producer's raw materials. The balance of the industry will find their prices raised for some items and lowered for some items.

The pricing technique embodied in this regulation follows the practice of the industry. Specific dollars-and-cents base prices are set forth for the various product forms made from copper and standard copper base alloys. The ceiling price for a particular item must be determined by adjusting the applicable base price to reflect the quantity differentials, extras and deductions, and allowances and discounts which each producer had in effect on December 31, 1950. Unlisted copper base alloys must be priced by reference to the base prices set forth for standard alloys and the use of the method or differentials which each producer had in effect on the base date. The regulation also permits the charging of premiums for deliveries made from points in the State of California, Oregon, and Washington if the producer had such premiums in effect on December 31, 1950.

In the judgment of the Director of Price Stabilization the provisions of this ceiling price regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability. In the judgment of the Director, the ceiling prices established in this regulation for brass mill products are not below the lower of the prices prevailing just before the issuance of this regulation or the prices prevailing during the period January 25, 1951, to February 24, 1951, inclusive.

In formulating this regulation, the Director consulted with industry representatives, including trade association representatives, and has given full consideration to their recommendations.

The provisions of this ceiling price regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may operate to compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

REGULATORY PROVISIONS

Sec.

1. Coverage of this regulation.
2. Prohibitions.
3. Ceiling prices for general brass mill products and welding rod.
4. Ceiling prices for condenser and heat exchanger tube.
5. Customary price differentials and terms of sale.
6. Applications for establishment of ceiling prices.
7. Definitions.
8. Transfers of business.
9. Excise, sales, and similar taxes.
10. Record-keeping and filing requirements.
11. Penalties.
12. Petitions for amendment.

AUTHORITY: Sections 1 to 12 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup.

SECTION 1. *Coverage of this regulation*—(a) *Products covered.* This regulation establishes ceiling prices for all brass mill products. The term "brass mill products" includes any new plate, sheet, strip, rod, bar, tube, pipe, extrusion, and anode or other shape made from copper or copper base alloy. It also includes any non-electrical wire made from copper base alloy and copper or copper base alloy welding rod. It does not include any fabricated product made from any of the foregoing products or any copper or copper base alloy product produced by a copper refiner or smelter.

(b) *Persons and transactions covered.* This regulation applies to all sales of brass mill products by a producer, regardless of whether delivery is made directly from a mill, from a mill depot, from a warehouse, or from consigned stocks. It also applies to any person who in the regular course of trade or business buys brass mill products from a producer.

(c) *Geographical applicability.* This regulation applies in the 48 States of the United States, its Territories and Possessions, and the District of Columbia.

SEC. 2. *Prohibition*—(a) *Against transactions above ceiling prices.* Regardless of any contract or other obligation, on and after the effective date of this regulation no person covered by this

regulation shall sell or deliver, or buy or receive in the regular course of trade or business, any brass mill product at a price in excess of the applicable ceiling price established in this regulation. No person shall offer, solicit, attempt, or agree to do any of the foregoing.

Lower prices than the ceiling prices set forth in this regulation may be charged, demanded, paid or offered.

(b) *Against tie-in transactions.* No person covered by this regulation shall sell any brass mill product on condition (1) that the buyer purchase from any person any commodity or service, or (2) that the buyer sell to any person any commodity or service. No person who in the regular course of trade or business buys any brass mill product from a person covered by this regulation shall participate in any such tie-in transaction.

(c) *Against evasion.* No person shall evade or circumvent the provisions of this regulation by direct or indirect methods in connection with the sale, purchase, delivery or transfer of any brass mill product alone or in conjunction with any other commodity, or by way of commission, service or transportation charges or discount, premium, or other privilege, or by up-grading, trade understanding, cross-selling, cross-purchasing or cross-servicing or otherwise.

SEC. 3. *Ceiling prices for general brass mill products and welding rod*—(a) *Ceiling prices.* Your ceiling price for any general brass mill product is the applicable base price set forth in paragraph (b) of this section, plus or minus applicable quantity differentials and extras and deductions determined in accordance with paragraphs (c) and (d) of this section. You must adjust the price so determined in accordance with section 5 of this regulation.

If it was your customary practice as of December 31, 1950, to price any copper base alloy tube as a condenser tube even though it was not produced as such, you must determine your ceiling price for such alloy tube in accordance with section 4 of this regulation. To determine your ceiling price for any product customarily sold on a foot or coil basis, including copper automotive tube, copper refrigeration service tube, copper water tube and S. P. S. Red Brass and copper pipe, you must apply to the applicable base price set forth in Table A the same formula you had in effect on December 31, 1950 for computing your prices for such products.

(b) *Base prices*—(1) *Listed products.* Tables A and B set forth base prices for general brass mill products and welding rod made of copper or specified copper base alloys. These prices apply to products in quantities, sizes, thicknesses, forms and quality classified by you as "base" in your published price list in effect on December 31, 1950.

TABLE A—GENERAL BRASS MILL PRODUCTS

[Cents per pound]

Trade or alloy name	Sheet	Wire	Rod	Tube	Drawn angles, channels, and open-seam tube	Extruded shapes
Yellow Brass	38.28	38.57	37.97	41.29	51.28	
Free-Cutting Brass			32.63			36.70
Best Quality Brass	39.15	39.44	38.84			
Low Brass, 80%	39.67	39.96	39.36	42.58	52.67	
Red Brass, 85%	40.14	40.43	39.83	43.05	53.14	
Commercial Bronze, 90%	41.13	41.42	40.82	43.79	54.13	
Gilding, 95%	41.61	41.90	41.30			
Admiralty (Plain/inhibited)	45.58	40.41	43.77	44.85		
Architectural Bronze						36.70
Hardware Bronze			40.50			
Leaded Copper		42.31	41.58			
Manganese Bronze	46.92	51.31	40.81			42.37
Muntz Metal	41.18		36.74			37.99
Naval Brass	43.20	50.00	37.26	46.46		38.52
Tobin Bronze (or Equivalent)	44.70	50.00	39.64			
Herculoy (or Equivalent)	46.16	45.95	45.10			
Copper Sheet, Hot-Rolled (Over 20 inches in width)	41.68					
Copper Strip (Incl. 20 inches and narrower in width)	39.71					
Spring and Brush Copper	42.71					
Copper, Anodes, Flat Rolled	38.34					
Copper, Anodes, Oval	37.84					
Copper			38.78	41.72	54.21	41.28
Hot-Rolled Copper, Left Black			37.53			
Commutator Copper			41.03			
Phosphor Bronze 5% (A)	61.07	61.32	61.32	62.82		
Phosphor Bronze 5% (B)	61.01	61.26	61.26	62.76		
Phosphor Bronze 8% (C)	65.10	65.35	65.35	66.85		
Phosphor Bronze 10% (D)	68.89	69.14	69.14	70.64		
Phosphor Bronze 2% (E)	54.94	55.19	55.19			
Cupro-Nickel 15%	53.79	58.54	58.54			
Cupro-Nickel 20%	55.08	62.63	62.63			
Cupro-Nickel 30%	61.55	69.12	69.12	75.05		
Plater Metal	55.69	62.99	63.88			
Optical Metal	63.74	70.84	72.49			
#444 Bronze	50.29	57.38	57.38			
Aluminum-Silicon Bronze			43.29			
Aluminum Brass				51.99		
90-10 Copper Nickel Alloy (1% Iron)	51.79		55.59	57.71		
Nickel Silver 5%	47.36	48.61	48.61			
" " 8%	48.58	50.39	50.39			
" " 10%	49.82	52.04	52.04			
" " 10% Leaded		53.68	53.68			
" " 12%	50.43	53.79	53.79			
" " 12% Leaded		55.08	55.08			
" " 15%	51.66	55.76	55.76			
" " 15% Leaded		57.31	57.31			
" " 18%	53.14	59.14	59.14			
" " 18% Leaded		60.51	60.51			
EXTRUDED Leaded Nickel Silver			55.73			58.92

TABLE B—WELDING ROD

	Cents per pound
Brass	41.87
Electrolytic Copper	41.12
Low Fuming Bronze (.95%)	45.52
Naval Brass (or equivalent alloy)	43.82
Tobin Bronze (or equivalent alloy)	44.01
Aluminum Bronze	58.62
Manganese Bronze	45.01
Silicon Bronze	49.25
Silicon Copper	45.62
Phosphor Deoxidized Copper	45.62
Phosphor Bronze Grade A	59.42
Phosphor Bronze Grade C	63.33
Phosphor Bronze Grade D	66.85
Phosphor Bronze Grade E	55.39
Phosphor Bronze Grade F	62.43
Ambrac (or equivalent alloy)	63.25
Nickel Silver	59.87
Super Nickel (or equivalent alloy)	69.75

(2) *Alloys not listed in Table A or B.* Your base price for a copper base alloy not listed in Table A or B is the base price determined in accordance with the method set forth in your published price list in effect on December 31, 1950. If you customarily priced an unlisted alloy by using your published base price for an alloy listed in Table A or B, you must use the applicable base price set forth in those tables. If you customarily priced an unlisted alloy by applying differentials to your published base price, you must use the differentials which you had in effect on December 31, 1950, and apply them to the base price determined in accordance with provisions of this paragraph.

(c) *Quantity differentials.* In computing your ceiling price for a general brass mill product or welding rod, you must deduct from, or add to, the applicable base price determined in accordance with paragraph (b) of this section the published quantity differentials which you had in effect on December 31, 1950, for pricing transactions involving quantities in excess of, or less than, the quantities you classified as "base" on that date.

(d) *Extras and deductions.* In computing your ceiling price for a general brass mill product or welding rod, you must add to, or deduct from, the applicable base price determined in accordance with paragraph (b) of this section, the extras or deductions which you had in effect on December 31, 1950, for size, shape, length, finish, temper, special tolerance, special handling, and similar factors. The extra used may not exceed nor may the deduction used be less than the dollar and cents amount which you had in effect on December 31, 1950, and you may not charge an extra for any special processing if you did not charge an extra therefor on that date.

SEC. 4. *Ceiling prices for condenser and heat exchanger tube*—(a) *Ceiling prices.* Your ceiling price for condenser or heat exchanger tube within the range of dimensions set forth in Table C is the applicable base price set forth in paragraph (b) of this section, plus or minus the applicable quantity differentials, and extras and deductions determined in accordance with paragraphs (c) and (d) of this section. You must adjust the price so determined in accordance with section 5 of this regulation.

All condenser and heat exchanger tube not falling within the range of dimensions set forth in Table C shall be priced

in accordance with the provisions of section 3 of this regulation.

If you used a condenser tube pricing schedule to determine your price for any alloy tube whose dimensions fall within the range set forth in Table C on December 31, 1950, you must determine your ceiling price for such tube in accordance with the provisions of this section regardless of the use for which the tube is produced.

(b) *Base prices.* (1) Table C sets forth the base prices, in cents per pound, for Admiralty (plain or inhibited) condenser tube and heat exchanger tube in any length from one foot to 30 feet, inclusive. Base prices for condenser and heat exchanger tubes made of other copper base alloys must be determined in accordance with subparagraph (2) of this paragraph.

TABLE C

Stubs gauge	Wall thickness—Decimal, in inches	Outside diameter, in inches					
		Incl. 5/8 to 3/4	Incl. 3/4 to 7/8	Incl. 7/8 to 1	Incl. 1 to 1 1/4	Incl. 1 1/4 to 1 1/2	Incl. 1 1/2 to 2 inc.
8	Under 0.180 to 0.165 incl	52.16	53.28	52.16	51.53	49.53	48.78
9	Under 0.165 to 0.148 incl	52.16	53.28	51.66	50.78	49.53	48.78
10	Under 0.148 to 0.134 incl	52.16	51.66	51.03	50.78	49.53	48.78
11	Under 0.134 to 0.120 incl	52.16	51.03	51.03	50.78	49.53	48.78
12	Under 0.120 to 0.109 incl	52.16	51.03	51.03	50.78	49.53	48.78
13	Under 0.109 to 0.095 incl	52.16	51.03	51.03	50.78	49.53	49.53
14	Under 0.095 to 0.083 incl	52.16	51.03	51.03	50.78	49.53	49.53
15	Under 0.083 to 0.072 incl	52.16	51.03	51.03	50.78	50.78	50.78
16	Under 0.072 to 0.065 incl	52.78	51.03	51.03	50.78	50.78	50.78
17	Under 0.065 to 0.058 incl	52.78	51.66	51.66	51.53	51.53	51.53
18	Under 0.058 to 0.049 incl	53.28	52.16	52.16	52.16	52.16	52.16
19	Under 0.049 to 0.042 incl	53.91	52.78	52.16	52.91	52.16	52.16

(2) The base price for condenser and heat exchanger tube other than Admiralty tube is the applicable price set forth in Table C above plus or minus the applicable differential set forth in Table D.

TABLE D

Alloy	Differential (cents per pound)
Cartridge Brass 70 percent	None
Red Brass 85 percent	None
2/1 Alloy	−1.00
Muntz Metal	−1.00
Arsenical Copper	+1.40
Aluminum Brass	+6.96
Aluminum Bronze	+15.85
Superloy (or equivalent alloy)	+7.51
Cupro-Nickel 10 percent	+10.19
Cupro-Nickel 20 percent	+15.11
Cupro-Nickel 30 percent	+21.11
Ambrac 20 percent (or equivalent alloy)	+15.40

(c) *Quantity differentials.* In computing your ceiling price for a product covered by this section, you must deduct from, or add to, the applicable base price determined in accordance with paragraph (b) of this section, the published quantity differentials which you had in effect on December 31, 1950, for pricing transactions involving quantities in excess of, or less than, the quantities you classified as "base" on that date.

(d) *Extras and deductions.* In computing your ceiling price for any product covered by this section, you must add to, or deduct from, the applicable base price determined in accordance with paragraph (b) of this section, the extras or deductions which you had in effect for such products on December 31, 1950, for length, finish, temper, special tolerance, special handling, and similar factors. The extra used may not exceed nor may the deduction used be less than the dollar and cents amount which you had in effect on December 31, 1950, and you may not charge an extra for any special processing if you did not charge such an extra on that date.

SEC. 5. *Customary price differentials and terms of sale*—(a) *Class of purchaser differentials.* You must adjust the ceiling prices determined in accordance with section 3 or 4 of this regulation to reflect all distributor and intermill preferentials, special customer discounts, and other class of purchaser differentials which you had in effect on December 31, 1950.

(b) *Transportation charges.* You must adjust the ceiling prices determined in accordance with section 3 or 4 of this regulation to reflect all transportation allowances which you had in effect on December 31, 1950. You must not require a purchaser to pay a larger proportion of the transportation costs involved in the shipment of brass mill products than he would have been required to pay in connection with a similar purchase on December 31, 1950.

(c) *Terms of sale.* You must adjust the ceiling prices determined in accordance with section 3 or 4 of this regulation to reflect all cash discounts which you had in effect on December 31, 1950, and such prices must carry all guarantees, servicing terms and other applicable conditions of sale which you had in effect on that date. You may make a charge for the extension of credit to a purchaser if you customarily made a charge therefor on December 31, 1950, but the amount of such charge must not be greater than that which you had in effect on that date.

(d) *Geographical differentials.* If on December 31, 1950, you customarily charged a premium for brass mill products delivered from a point in the State of California, Oregon, or Washington, you may charge such a premium for deliveries made from any such point. Such premium may not exceed the cents per pound amount of the premium which you had in effect on December 31, 1950.

SEC. 6. *Applications for establishment of ceiling prices.* (a) If for any reason you are unable to determine a ceiling price for a brass mill product under the provisions of this regulation, you must apply to the Office of Price Stabilization, Washington 25, D. C. for the establishment of a ceiling price.

(1) Any application pursuant to this paragraph must be made by registered mail and must contain the following information: your name and address; the location of your brass mill; a description of the product for which a ceiling price is to be established; the name and metallic analysis of the alloy from which it is to be made; a statement of the reasons why you are unable to determine a ceiling price under the provisions of this regulation; and a proposed ceiling price.

(2) Any ceiling price established by the Office of Price Stabilization pursuant to this section will be in line with the ceiling prices otherwise established in this regulation.

(3) After receipt of an application pursuant to this section, the Office of Price Stabilization may approve or disapprove your proposed ceiling price, establish a different ceiling price, or request additional information. Pending any such action, you may sell the product covered by your application at your proposed ceiling price provided that you agree with the purchaser to refund the amount, if any, by which such price exceeds the ceiling price established by the Office of Price Stabilization. If the Office of Price Stabilization has not acted upon your application within 30 days of the receipt thereof, your proposed ceiling price shall be deemed to be established for all deliveries made between the date of filing of your application and the date of any order issued by the Office of Price Stabilization disposing of your application.

(b) If you are required to file an application pursuant to paragraph (a) of this section, and do not do so, the Office of Price Stabilization may issue an order establishing ceiling prices for you. Any ceiling price set forth in any such order will be in line with the ceiling prices otherwise established in this regulation and will apply to all deliveries for which a ceiling price was not otherwise established by this regulation, including deliveries completed prior to the date of the order. The issuance of such an order will not relieve you of your obligation to comply with the requirements of this regulation or of the various penalties for your failure to do so.

SEC. 7. *Definitions.* When used in the regulation, the term:

(a) "Copper base alloy" means any alloy in which the percentage of copper by weight is 40 percent or more of the total weight of the alloy.

(b) "Copper refiner or smelter" means any person who produces, by a process of electrolysis or fire refining, copper and copper base alloy in any refinery shape.

(c) "Person" includes an individual corporation, partnership, association, or any other organized group of persons, or legal successors or representative of any of the foregoing, the United States or any agency thereof, or any other government or any of its political subdivision or any agency of the foregoing.

(d) "Producer" means any person who manufactures sheet, strip, rod, bar, tube, pipe, extrusion, anode or other shape made from copper or copper base alloy or any nonelectrical wire made from

copper base alloy. It includes primary mills who partially or completely manufacture such products from the casting to the finished state, and secondary rerolling or redrawing mills who purchase semifinished material from a primary mill and complete the manufacture of such products.

(e) "Purchaser of the same class" refers to your practice of charging different prices for sales to different purchasers or kinds of purchasers. Such practice may be based on the characteristics or distributive level of the buyer (for instance, distributor, manufacturer, wholesaler, jobber, individual retail store, retail chain, mail order house, government agency, public institution or individual consumer) or on the location of the purchaser, the quantity purchased by him, or whether he purchased for cash or on credit. If you have followed the practice of giving an individual customer a price differing from that charged others, that customer constitutes a separate class of purchaser.

(f) "You" means any producer of brass mill products.

SEC. 8. *Transfers of business or stock in trade.* If the business, assets or stock in trade of a producer of brass mill products are sold or otherwise transferred after the issuance of this regulation, and the transferee carries on the business, or continues to deal in the same products, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject, if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 9. *Excise, sales, and similar taxes.* Any person may collect, in addition to the ceiling price established by this regulation, any excise, sales, or similar tax imposed upon him by reason of his sale of a product covered by this regulation if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 10. *Record-keeping and filing requirements*—(a) *Record keeping.* (1) You must keep for inspection by the Office of Price Stabilization, for a period of two years, complete and accurate records of each sale of any brass mill product showing: The date thereof, your name and address and the name and address of the purchaser; a complete description of the products sold including the quantity of each item, the alloy from which it was made, the size, length, finish, quality or other factor affecting the price; the amount of any extras or deductions; the amount of any preferentials, differentials, discounts, or freight allowances; and the amount of any other factor pertinent to a determination of your ceiling price.

(2) If you charge an unpublished extra in accordance with the provisions of this regulation you must keep complete and accurate records of such extras for inspection by the Office of Price Stabilization for a period of two years.

(b) *Filing requirements.* You must file with the Office of Price Stabilization, Washington 25, D. C. within thirty days of the date of issuance of this regulation all published lists showing the quantity differentials, extras, adjustments to extras and any discounts in effect on December 31, 1950 which you are required to use in determining ceiling prices in accordance with the provisions of this regulation.

SEC. 11. *Penalties.* Persons violating any of the provisions of this regulation shall be subject to the criminal penalties, civil enforcement action, and suits for damages provided for by the Defense Production Act of 1950.

SEC. 12. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Revised.

Effective date. This regulation shall become effective August 23, 1951.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10304; Filed, Aug. 23, 1951; 11:09 a. m.]

[Ceiling Price Regulation 56, Amendment 3]

CPR 56—CEILING PRICES FOR CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

EXTENDING TIME FOR FILING REPORTS, AND CHANGE IN THE EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 3 to Ceiling Price Regulation 56 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 56 extends the effective date of the regulation from August 20, 1951, to September 1, 1951, or such earlier date between July 31, 1951, and September 1, 1951, as a processor may select. The time for filing reports under the regulation is also extended to September 1, 1951 or 5 days after the item is offered for sale, whichever is later.

This action is taken because representations made to the Director of Price Stabilization by a substantial group of processors in different parts of the country make it plain that additional time is necessary to collect pertinent data. In view of the urgent character of this action, further consultation with representatives of the industry was deemed impractical.

AMENDATORY PROVISIONS

Ceiling Price Regulation 56 is amended in the following respects:

1. Section 19, paragraph (b) is amended by deleting the period at the end thereof and adding the following: "or by September 1, 1951, whichever date is the later".

2. The effective date section of this regulation is changed as follows:

Effective date. The effective date of this regulation is September 1, 1951, or such earlier date between July 31, 1951, and September 1, 1951, as you may select. If you select an earlier date, the regulation becomes effective as to you upon that date for all of your commodities covered by the regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10306; Filed, Aug. 23, 1951; 2:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 50]

GCPR, SR 50—SODIUM SILICOFLUORIDE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation No. 50 to the General Ceiling Price Regulation (16 F. R. 809) is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation permits manufacturers of sodium silicofluoride to increase their ceiling price on sales of this commodity to 7 cents per pound, when sold in 100 pound paper bags, in carload lots, and to 7.5 cents per pound, when sold in less than carload lots, if their present ceiling prices are below these levels. A provision is made for a differential when sodium silicofluoride is sold in barrels or drums. Manufacturers whose ceiling prices are above these levels may continue to sell at their present ceiling prices and are unaffected by this supplementary regulation. The major producers will, however, be permitted to increase their ceiling prices as a result of this supplementary regulation. The ceiling prices of the major producers under the General Ceiling Price Regulation ranged between 5 and 6 cents per pound, in carload lots, of 100 pound paper bags.

Sodium silicofluoride has gained in importance recently because of the large growth in water fluoridation programs embarked upon by public authorities. Water fluoridation as a method of arresting decay of teeth is approved and promoted by the United States Public Health Service and is recommended by the American Dental Association. So-

dium silicofluoride is the preferred and most economical chemical for water fluoridation purposes, and the increase in water fluoridation programs has made an increase in production essential. Information received from the United States Public Health Service shows that the failure to expand production of sodium silicofluoride is a deterrent to the expansion of the water fluoridation programs.

Experience in recent years has shown that the volume of production of sodium silicofluoride is closely related to price. Sodium silicofluoride is recovered from a by-product in the acidulation of phosphate rock. Price declines in recent years have made fewer producers interested in recovering and selling sodium silicofluoride. The price of sodium silicofluoride reached its lowest point in the pre-Korean period, but had begun to recover in the freeze period of the General Ceiling Price Regulation. Even the prices in the latter period failed to reflect the impact of the new demand for the product and the new market conditions now being created.

The application of Ceiling Price Regulation 22 to sodium silicofluoride would have resulted in a rollback in prices and a possible diminution in the already inadequate production. The General Ceiling Price Regulation was, therefore, allowed to remain applicable to the commodity. Both the National Production Authority and the United States Public Health Service have advised the Director of Price Stabilization that a further increase in ceiling prices is necessary to bring forth the needed increase in production and to induce potential producers to enter the market. Consultation was had with representatives of the industry, both present producers and potential producers, and the recommendations and information received have been given careful consideration by the Director. On the basis of all the facts, it was concluded that the prices established by this regulation are necessary to bring about the needed increases in production of sodium silicofluoride.

The increase in the price of sodium silicofluoride is not expected to have a substantial effect on the costs of the few products into which that commodity enters.

In the judgment of the Director of Price Stabilization the ceiling prices established by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Ceiling prices on sales of sodium silicofluoride by certain manufacturers.
3. Applicability of the General Ceiling Price Regulation.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, September 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation permits certain manufacturers of sodium silicofluoride to increase their present ceiling prices on sales of that commodity. It also establishes ceiling prices for manufacturers who do not now have ceiling prices established for that commodity under the General Ceiling Price Regulation. However, if on the effective date of this supplementary regulation your ceiling prices under the General Ceiling Price Regulation for sodium silicofluoride are higher than those established by this supplementary regulation, you may retain the higher ceiling prices, and you are not affected by this supplementary regulation.

SEC. 2. *Ceiling prices on sales of sodium silicofluoride by certain manufacturers.* (a) If you are a manufacturer of sodium silicofluoride and your ceiling prices on sales of sodium silicofluoride are lower than the prices specified in paragraph (b) of this section, you may increase your ceiling prices to the prices set forth in paragraph (b) of this section. If you are a manufacturer of sodium silicofluoride, but do not have ceiling prices for this commodity established under the General Ceiling Price Regulation, your ceiling prices shall be the prices set forth in paragraph (b) of this section.

(b) The ceiling prices on sales of sodium silicofluoride by manufacturers coming within paragraph (a) of this section are as follows:

Quantity	Ceiling price per pound		
	100 pound paper bags	Barrels of approximately 350 pounds	Drums of approximately 125 pounds
In carload or truckload lots, f. o. b. plant	$0.07	$0.074	$0.084
In l. c. l. or l. t. l. lots, f. o. b. plant	.075	.079	.089

SEC. 3. *Applicability of the General Ceiling Price Regulation.* Except to the extent modified by this supplementary regulation, the provisions of the General Ceiling Price Regulation remain applicable to sellers of sodium silicofluoride.

Effective date. This supplementary regulation to the General Ceiling Price Regulation shall become effective August 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51–10302; Filed, Aug. 23, 1951; 11:08 a. m.]

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Wage Regulation 5, Revised, Amdt. 2]

GWR 5—ADJUSTMENTS FOR INDIVIDUAL EMPLOYEES

MISCELLANEOUS AMENDMENTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.; Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 5, Revised, is amended as follows:

1. Section 2 (b) is amended to read as follows:

SEC. 2. *Merit or length of service increases.* * * *

(b) *Personal or random rate method of payment.* (1) It is recognized that in some establishments some jobs do not have formal rate ranges contained in written schedules in effect on January 25, 1951 but on that date (i) a diversity of rates was paid to incumbents or (ii) all the incumbents happened to be paid the same rates although there was a practice in effect of granting merit or length of service increases; or (iii) there was only one employee in a job classification in which it has been the practice to make merit or length of service increases; or (iv) wage rate schedules were in existence which set forth minimum job rates above which merit or length of service increases have been granted.

(2) Groups or establishments with such personal or random rate method of payment may make merit or length of service increases without prior approval of the Wage Stabilization Board within the following limitations: (i) The total amount of all merit and length of service increases combined that may be granted in the current calendar year to employees in a group, expressed as a percentage of the total of the straight-time rates, shall not exceed the corresponding percentage so granted in 1950 or six (6) per cent, and (ii) the maximum increases granted to any individual employee shall not exceed ten (10) per cent provided, however, that the maximum amount granted to the individual at the top of the group of random rates shall not exceed five (5) per cent in the calendar year and that no employee in the group may be raised to a wage rate in excess of the top compensated employee.

(3) Groups or establishments with personal or random rate method of payment which wish to establish a rate range or who desire approval of merit and length of service increases not covered by the above shall be required to make application to the Wage Stabilization Board.

2. Section 3 (a) is amended by adding the following subparagraph (4):

SEC. 3. *Promotions or transfers to higher-paying jobs.* (a) * * *

(4) Employees in groups with the personal or random rate method of pay-

ment promoted or transferred to higher-paid jobs may not be raised to a rate higher than the rate paid to any employee performing similar work as established by relevant payroll records.

3. Section 5 is amended by redesignating paragraphs (d) and (e) as paragraphs (e) and (f), respectively, and by adding the following new paragraph (d):

SEC. 5. *Hiring rates.* * * *

(d) Employees hired into groups with the personal or random rate method of payment may not be hired at a rate higher than the rate paid to any employee performing similar work for which the employee is hired as established by relevant payroll records.

4. Redesignated section 5 (f) is amended by substituting the phrase "in paragraphs (a), (d), or (e) above" for the phrase "in paragraphs (a) or (d) of this section."

(Sec. 70, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Adopted by the Board on August 17, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-10261; Filed, Aug. 22, 1951; 1:41 p. m.]

[Regulation 1, Amdt. 1]

REG. 1—CONSTRUCTION INDUSTRY STABILIZATION COMMISSION

PREAPPROVED WAGE AND SALARY PAYMENTS

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), and General Wage Regulation 12 (16 F. R. 6640), Construction Industry Stabilization Commission Regulation No. 1 is amended by adding new paragraphs (f) and (g) to section 4 to read as follows:

(f) *Apprentices.* An employer may, without further approval, advance an apprentice and increase his wage rate in conformity with the apprenticeship program established in the area and for his particular craft on July 26, 1951. When an area rate for journeymen of a particular craft is increased, an employer may, without further approval, increase the corresponding rates for apprentices so as to maintain the same percentage or cents-per-hour relationship to the journeyman's rate as existed under the apprenticeship program established in the area and for the craft on July 26, 1951. No change may be made in the established relationship between the journeymen's rates and the apprentices' rates without prior approval by the Commission.

As used in this paragraph the term "apprentice" means a person registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Federal Committee on Apprenticeship, U. S. Department of Labor; or if no such recognized agency exists in a State, it shall mean a program registered with the Bureau of Apprenticeship, U. S. Department of Labor.

(g) *Foremen rates.* An employer may, without further approval, increase the wage rate for any foreman engaged on a project in accordance with a recognized collective bargaining agreement in effect, or the practice established for the craft in the area prior to July 26, 1951, provided the rate as adjusted maintains the differential which was established without violation of wage stabilization regulations in the particular area prior to July 26, 1951, or which was subsequently approved by the Board for such area, between the foremen's rate and the authorized rate for the proper related job classification.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Adopted by the Construction Industry Stabilization Commission: August 16, 1951.

ARCHIBALD COX,
THOMAS J. KALIS,
Co-Chairmen.

Approved by the Wage Stabilization Board: August 16, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-10260; Filed, Aug. 22, 1951; 1:41 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[Amendment 3 to CMP Regulation No. 1]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

This amendment is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amendment, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the amendment affects many different industries.

This amendment affects CMP Regulation No. 1 as follows:

Paragraphs (d) and (e) of section 17 are amended to read as follows:

(d) If it develops, after a consumer has received delivery of controlled materials or Class A products, that he cannot use them for a purpose permitted under paragraph (b) of this section, he shall either (1) notwithstanding the provisions of CMP Regulation No. 2 or any other applicable regulation or order of NPA prescribing inventory limitations, hold the controlled materials or Class A products in his inventory for use in connection with future authorized production schedules, or (2) request instructions from the appropriate Claimant Agency or Industry Division as to the use or other disposition of such controlled materials or Class A products. Under no circumstances shall a consumer sell or otherwise transfer title to such controlled materials or Class A products except pursuant to instructions from the appropriate Claimant Agency or Industry Division.

(e) When a consumer receives instructions from NPA as to disposition or use of controlled materials or Class A products, he must comply with such instructions. Also, he must comply with any instructions he receives from a Claimant Agency with respect to his use of controlled materials or Class A products which he obtained by use of an allotment from that Claimant Agency, in any program of the same Claimant Agency, or with respect to their sale to any other person for use in a program of the same Claimant Agency, subject always to whatever rights he may have to reimbursement.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Supp. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

This amendment shall take effect on August 22, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10266; Filed, Aug. 22, 1951; 4:47 p. m.]

[CMP Regulation No. 1, Direction 6]

CMP REG. 1—BASIC RULES OF THE CONTROLLED MATERIALS PLAN

DIR. 6—RIGHT TO SPECIFY ALLOTMENT QUARTER

This direction under CMP Regulation No. 1 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

SECTION 1. A manufacturer of a Class A product may request an allotment from his customer for the calendar quarter in which he needs it to obtain delivery of the controlled material for the manufacture of the Class A product or, if he is asking for an allotment to replace in inventory controlled materials he will use in producing the product, he may ask for an allotment for the calendar quarter in which the order is placed by the customer or for any of the next three calendar quarters. Such a manufacturer does not have to accept an order for the Class A product he makes unless his request for an allotment, within the above time limit, is complied with by the customer.

SEC. 2. A manufacturer of a Class A product must not ask for an allotment for a calendar quarter in which he cannot accept delivery of the controlled material under the provisions of CMP Regulation No. 2, which limits inventories of controlled materials.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

This direction shall take effect on August 22, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10267; Filed, Aug. 22, 1951; 4:47 p. m.]

[CMP Regulation No. 6, Direction 1 as Amended August 22, 1951]

CMP REG. NO. 6—CONSTRUCTION UNDER THE CONTROLLED MATERIALS PLAN

DIR. 1—PROCEDURE FOR OBTAINING SMALL QUANTITIES OF MATERIALS FOR USE IN CONSTRUCTION PROJECTS

This amended Direction 1 to CMP Regulation No. 6 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all industries affected in advance of the issuance of this direction has been rendered impracticable because the direction affects many different industries.

Direction 1 to CMP Regulation No. 6 has been amended to the extent of adding the words "for delivery" in paragraphs (a), (b), and (c) of section 3 and by correcting an error in Schedule I. As so amended, Direction 1 to CMP Regulation No. 6 reads as follows:

Sec.
1. What this direction does.
2. Definitions.
3. Rules for continuing or commencing construction and use of self-authorization procedure.
4. Use of allotment symbols to obtain controlled materials.
5. Use of ratings to obtain materials other than controlled materials.
6. Certification.
7. Construction not affected by this direction.

AUTHORITY: Sections 1 to 7 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction constitutes a determination by the National Production Authority that persons desiring to continue or commence certain types of construction may do so without submitting applications on Form CMP-4C, if their total requirements of each controlled material do not exceed specified quantities. It also establishes a procedure whereby such persons may place authorized controlled material orders and DO rated orders for such construction. Such persons shall be subject to all NPA regulations and orders.

SEC. 2. *Definitions.* As used in this direction:

(a) "Project" means a construction plan contemplated for execution, irrespective of the time when it is to be carried into effect in full or in part, involving all or portions of a single building or structure, or involving two or more buildings or structures, or portions thereof, which are physically contiguous, or are parts of an integrated design or plan, so that each is an element of a single operation. In addition, a project also means a type of construction which is not a building or structure, but which requires a construction operation for its completion, such as a freight yard or a golf course. A project shall not be subdivided for the purpose of coming within the self-authorization provisions of this direction.

(b) "Residential structure" means any structure in which at least 50 percent of the floor space (excluding floor space devoted to stairways, halls, and other common space) is used or designed for permanent year-round dwelling purposes.

(c) "Multiunit residential structure" means any residential structure, such as an elevator-type apartment house, a garden-type housing project, or a dormitory (other than college), which includes more than four dwelling units (except that houses connected by common walls and commonly known as "row" houses shall be considered separate structures).

(d) "Construction" has the meaning as given in NPA Order M-4A.

(e) "Commence construction" has the meaning as given in NPA Order M-4A.

SEC. 3. *Rules for continuing or commencing construction and use of self-authorization procedure.* (a) A prime contractor may continue construction that has been commenced or commence construction, and use the self-authorization procedure provided in this direction to obtain priority assistance for delivery of materials and products after September 30, 1951, for use in construction (subject to the provisions of NPA Order M-4A dealing with limitations on use of materials and products in construction), without submitting an application on Form CMP-4C, if his total requirements for delivery after September 30, 1951, for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein.

(b) Prior to October 1, 1951, a prime contractor may commence construction of any building, structure, or project, other than the types listed in Table I of NPA Order M-4A and multi unit residential structures, without submitting an application on Form CMP-4C, if his total requirements for delivery after September 30, 1951, for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein.

(c) Prior to October 1, 1951, a prime contractor may continue construction that has been commenced, of any building, structure, or project, other than the types listed in Table I of NPA Order M-4A and multi-unit residential structures (1) without submitting an application on Form CMP-4C, if his total requirements for delivery after September 30, 1951, for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein, or (2) by submitting an application on Form CMP-4C for authorization to continue construction after September 30, 1951, and an allotment of controlled materials, if his total requirements for delivery after September 30, 1951, for completion of such construction, including material for Class A products, of any kind of controlled material exceed the amounts specified in Schedule I of this direction for the appropriate type of construction indicated therein.

(d) After August 3, 1951, a prime contractor shall not commence construction, and after September 30, 1951, a prime contractor shall not continue construction that has been commenced, of a building, structure, or project of a type listed in Table I of NPA Order M-4A without receiving authorization pursuant to applications submitted on both Form CMP-4C and Form NPAF-24A to the appropriate Government Agency specified in NPA Order M-4A, unless his total requirements for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified below:

Carbon steel	2 tons.
Alloy steel and stainless steel	None.
Copper and copper-base alloys	200 pounds.
Aluminum	None.

(e) After September 30, 1951, a prime contractor shall not continue construction that has been commenced or commence construction of a multi-unit residential structure without receiving authorization pursuant to an application submitted on Form CMP-4C to the appropriate field office of the Housing and Home Finance Agency (as indicated on the instruction sheet of that form). A prime contractor may, however, continue construction that has been commenced or commence construction of a multi-unit residential structure prior to October 1, 1951, without receiving such authorization if his total requirements for completion of such construction, including material for Class A products, of each kind of controlled material do not exceed the amounts specified below:

Carbon steel	25 tons.
Alloy steel and stainless steel	None.
Copper and copper-base alloys	2000 pounds.
Aluminum	None.

A prime contractor who desires to continue construction that has been commenced, or to commence construction of a multi-unit residential structure, prior to October 1, 1951, requiring more than

the amounts of controlled materials specified above may request authorization to do so by submitting an application on Form CMP–4C to the Housing and Home Finance Agency, Washington 25, D. C.

(f) The self-authorization procedure provided in this direction may be used only in placing orders calling for delivery of materials and products after September 30, 1951, for use in construction other than the types listed in Table I of NPA Order M–4A and multi-unit residential structures.

SEC. 4. *Use of allotment symbols to obtain controlled materials.* Any person who may self-authorize delivery orders for controlled materials for use in construction by reason of this direction is authorized to use the following allotment symbols on orders calling for delivery after September 30, 1951, of controlled materials within the limits set forth in section 3 of this direction:

U–6 for industrial plants, factories, or facilities.

U–7 for residential structures other than multiunit residential structures.

U–8 for all other types of buildings, structures, or projects except those listed in Table I of NPA Order M–4A and multiunit residential structures.

A delivery order designated as provided in this section when certified as provided in section 6 of this direction, shall constitute an authorized controlled material order. Such construction project or projects as may be erected with controlled materials obtained with the use of the allotment symbols provided for in this section plus controlled materials properly contained in inventory (pursuant to the provisions of CMP Regulation No. 2) shall constitute an authorized construction schedule for the purpose of all CMP regulations.

SEC. 5. *Use of ratings to obtain materials other than controlled materials.* Any person who may self-authorize delivery orders for controlled materials for use in construction by reason of this direction is authorized to use the rating DO with the appropriate allotment symbol provided for in section 4 of this direction on orders calling for delivery after September 30, 1951, of products and materials other than controlled materials required for such construction, except any items of construction machinery as defined in NPA Order M–43, and any items of metalworking machines as defined in NPA Order M–41. Delivery orders bearing such DO ratings shall be certified as provided in section 6 of this direction. The use of such DO rating shall be in accordance with the provisions of section 6 of CMP Regulation No. 6.

SEC. 6. *Certification.* Every delivery order placed by a contractor under the provisions of this direction shall contain a certification in the following form:

Certified under CMP Regulation No. 6

which shall be signed as provided in NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an order under the provisions of this direction to obtain the products or materials covered by the delivery order.

SEC. 7. *Construction not affected by this direction.* The provisions of this direction do not apply to the types of construction which are subject to the provisions of NPA Order M–46B (Petroleum and Gas Industries), NPA Order M–50 (Electric Utilities), and NPA Order M–77 (Communications).

This direction shall take effect on August 22, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I

TYPES OF CONSTRUCTION AND QUANTITIES OF CONTROLLED MATERIALS FOR WHICH THE SELF-AUTHORIZATION PROCEDURE MAY BE USED

Type of construction	Carbon steel excluding structural steel	Structural steel	Alloy steel and stainless steel	Copper and copper-base alloys	Aluminum
	Pounds	*Pounds*	*Pounds*	*Pounds*	*Pounds*
Industrial plants, factories or facilities, per project, per calendar quarter	(1)	(1)	(1)	2,000	1,000
Residential structures (using steel pipe water distribution systems) containing one dwelling unit, per structure [2]	1,800	None	None	35	None
Residential structures (using copper pipe water distribution systems) containing one dwelling unit, per structure [2]	1,450	None	None	160	None
Residential structures (using steel pipe water distribution systems) containing two dwelling units, per structure [2]	3,500	None	None	65	None
Residential structures (using copper pipe water distribution systems) containing two dwelling units, per structure [2]	2,750	None	None	300	None
Residential structures (using steel pipe water distribution systems) containing three dwelling units, per structure [2]	5,100	None	None	100	None
Residential structures (using copper pipe water distribution systems) containing three dwelling units, per structure [2]	4,100	None	None	450	None
Residential structures (using steel pipe water distribution systems) containing four dwelling units, per structure [2]	6,500	None	None	125	None
Residential structures (using copper pipe water distribution systems) containing four dwelling units, per structure [2]	5,200	None	None	575	None
All other types of buildings, structures, or projects, except those listed in Table I of NPA Order M–4A and multiunit residential structures, per project, per calendar quarter	(3)	(3)	None	200	None
Buildings, structures, or projects of the types listed in Table I of NPA Order M–4A	None	None	None	None	None
Multiunit residential structures	None	None	None	None	None

[1] 25 tons of carbon and alloy steel, including structural steel (not to include more than 2½ tons of alloy steel and no stainless steel).

[2] Only one-half the quantities permitted under the self-authorization procedure may be used for an addition, extension, or alteration to or of an existing residential structure other than a multiunit residential structure.

[3] 2 tons of carbon steel, including structural steel.

[F. R. Doc. 51–10268; Filed, Aug. 22, 1951; 4:47 p. m.]

[NPA Order M–80, Schedule A]

M–80—IRON AND STEEL—ALLOYING MATERIALS AND ALLOY PRODUCTS

SCHEDULE A—NICKEL-BEARING STAINLESS STEEL, HIGH NICKEL ALLOY, AND NICKEL SILVER; CORRECTION

Schedule A to NPA Order M–80, as published in the FEDERAL REGISTER for August 17, 1951 (16 F. R. 8174), is hereby corrected as follows:

1. In the twenty-first line of section 2, the comma following the reference to subheading A–III shall be deleted and a period substituted therefor; the words "unless prohibited by subheading B–III" shall be deleted.

2. In the third line of section 3 (b) the word "and" shall be substituted for the comma following B–I.

3. In the fourth line of section 3 (b) following the reference B–II, the comma and the words "and B–III" shall be deleted.

[F. R. Doc. 51–10269; Filed, Aug. 22, 1951; 4:50 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

GULF OF MEXICO OFF MATAGORDA PENINSULA AND MATAGORDA ISLAND, TEX.

Correction

In F. R. Doc. 51–9713 appearing on page 8113 in the issue for Thursday, August 16, 1951, the fifteenth line of § 204.162 should read as follows: "latitude 28°16', longitude 96°08'; and".

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 968]

[Docket No. AO-173-A5]

HANDLING OF MILK IN WICHITA, KANS., MARKETING AREA

DECISION WITH RESPECT TO A PROPOSED MARKETING AGREEMENT AND A PROPOSED ORDER AMENDING THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Wichita, Kansas, on August 9, 1951, pursuant to notice thereof which was issued on July 31, 1951 (16 F. R. 7627).

Proposed amendments were submitted by the Wichita Milk Producers Association and by certain handlers subject to the order. The material issues of record related to the level of class prices, the classification of concentrated milk, provisions applicable to handlers under other Federal orders who distribute milk in the Wichita marketing area, changes in certain definitions of the order, the classification of milk transferred to unapproved plants, and the emergency character of marketing conditions.

This decision will consider only the issues with respect to:

(1) Prices for Class I and Class II milk to apply during the delivery periods for the remainder of the year 1951; and

(2) The emergency character of marketing conditions and the need for immediate change in the order provisions.

Decision with respect to all other issues is reserved for later consideration.

Rulings on proposed findings and conclusions. Rulings on proposed findings and conclusions are not necessary to this decision since neither briefs nor proposed findings and conclusions have been filed by interested parties with respect to the issues herein decided.

Findings and conclusions. The findings and conclusions with respect to the aforementioned material issues to be considered in this decision, all of which are based on the evidence introduced at the hearing and the record thereof, are as follows:

(1) For the months of September, October, November and December 1951 the price differentials added to the basic formula price in determining the prices of Class I milk and Class II milk should be increased by 35 cents.

Conditions in the Wichita market are such as to indicate an acute shortage of milk during the coming fall and early winter months. Fluid milk sales have increased regularly during the past several years. The rate of such increase has accelerated during this period. The volume of fluid milk in 1950 exceeded the 1949 volume by more than 15 percent. Sales have continued to expand in 1951 and the July 1951 volume of Class I and II milk exceeded that for July 1950 by 19.5 percent.

The increased sales are the result in large measure of an expansion in population in the Wichita market. Critical defense industries, particularly aircraft manufacturing plants, are located within this area. As a consequence the demand for milk has expanded along with the enlarged armament production program of the government. More recent increases in milk sales can be attributed also to an increase in consumer incomes. There is every reason to believe that both population and incomes will continue at the present high levels or increase during the remainder of the year.

Milk production on the other hand has not kept pace. Increases in costs of production, coupled with very attractive returns from other farm enterprises have interfered with the acquisition of adequate milk supplies by handlers. Receipts of producer milk were only 1 percent greater and 4.8 percent less, respectively, in June and July than they were a year earlier.

As a result of increased sales and lagging milk production, supply and demand have been thrown out of balance to a marked degree. Only 11 percent of producer receipts were disposed of in Class III during July 1951 compared to 29 percent in July 1950.

Even though the seasonal variation in production of milk in the Wichita milkshed is less than in many milksheds, a production volume 12–14 percent less than that of July may be expected during the late fall months. Seasonal decreases in 1951 may well exceed the normal decrease. Pasture conditions as reported by milkshed producers appear excellent. However, prospects for feed crops which will be used this fall and early winter are rather poor. Excessive rainfall has interfered with the planting, cultivation and harvesting of these crops.

Handler and producer representatives both testified that considerable supplemental milk will need to be imported during the next few months. Arrangements already were completed at the time of the hearing to bring in supplemental supplies for use during the week following the hearing. Such milk is available to Wichita handlers only at a cost in excess of the prices presently paid by handlers and also above those contemplated by the amendment herein provided.

An immediate increase in prices for Class I and Class II milk appears to be the only means by which the threatened shortage in the Wichita market may be averted or alleviated. There must be additional incentive for new producers to come to the market and for producers now on the market to increase their production. Proposals were before the hearing for amendments which would increase the differentials now added to basic formula prices in determining Class I and Class II milk prices, and eliminate the seasonal variation in such differentials. Adequate consideration of the evidence on such proposals will require analysis of many factors that are not involved in the pricing problem for the coming fall months. In order that some action may be taken to meet the immediate situation and permit analysis of the evidence concerning long range pricing problems of the market, it is concluded that a temporary increase in price differentials for the months of September through December 1951 should be provided.

The assurance of an increase of 35 cents in Class I and Class II prices will provide an incentive for producers to join the market at this time and likewise encourage producers now supplying the market to increase their production.

Higher prices than those provided herein might well disturb the price and supply relationships between Wichita and surrounding markets.

(2) The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the opportunity for exceptions thereto, on the above issue.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the attached order effective would defeat the purpose of such amendment and the acute shortage of supply now in prospect could not be averted. Accordingly, the time necessarily involved in the preparation, filing and publication of a recommended decision, and exceptions thereto, would make such relief ineffective. The propriety of omitting the recommended decision and opportunity of filing exceptions thereto with respect to the issues here considered was indicated on the record.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended,

will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of July 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Wichita, Kansas, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Wichita, Kansas, Marketing Area", and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Wichita, Kansas, Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 21st day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order [1] Amending the Order, as Amended, Regulating the Handling of Milk in the Wichita, Kansas, Marketing Area

§ 968.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demad for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of milk in the Wichita, Kansas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Replace the period (.) with a colon (:) at the end of § 968.50 (a) and add the following: *"Provided,* That for September through December 1951, inclusive, the Class I price shall be that determined pursuant to § 968.51 plus $1.80."

2. Replace the period (.) with a colon (:) at the end of § 968.50 (b) and add the following: *"Provided,* That for September through December 1951, inclusive, the Class II price shall be that determined pursuant to § 968.51 plus $1.55."

[F. R. Doc. 51-10207; Filed, Aug. 23, 1951; 8:53 a. m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

[7 CFR Part 986]

HANDLING OF HOPS GROWN IN OREGON, CALIFORNIA, WASHINGTON, AND IDAHO, AND OF HOP PRODUCTS PRODUCED THEREFROM IN THESE STATES

INCREASE IN SUPPLEMENTARY ALLOTMENTS OF 1951 CROP

Notice is hereby given that the Department is considering the issuance of a proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 107 and Order No. 86, regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States (7 CFR Part 986), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such administrative rule consideration will be given to data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the fifteenth day after publication of this notice in the FEDERAL REGISTER.

The Hop Control Board, established pursuant to the provisions of the aforesaid marketing agreement and order, at a duly called meeting in Yakima, Washington, on July 20, 1951, took action pursuant to the provisions of § 986.6 (c) (2) of said agreement and order, in respect to authorizing increases in supplementary salable allotments of hops issued to growers. It adopted by unanimous vote a resolution requesting in effect that the Secretary approve issuance of supplementary salable allotments of hops to growers upon request, not in excess of 80 percent of the respective growers' probable final salable allotments of 1951 crop hops, except that in case complete information in respect to any grower's 1951 hop crop production is available to the Growers Allocation Committee, such grower may be issued upon request, a supplementary salable allotment not in excess of 90 percent of his probable final salable allotment of 1951 crop hops.

Final salable allotments will probably not be issued to growers until late fall of this year, and after the production of hops by each grower and the total aggregate of hops by all growers have been determined by the Secretary. In the meantime the Hop Control Board considered it desirable to permit hops to be moved to domestic and foreign markets within growers' probable salable allotments with as little interference as is practicable. The Control Board believes that the issuance of a supplementary allotment not in excess of 90 percent of the probable final salable allotment of any grower, computed after complete production information is available for such grower, would be well within the grower's final salable allotment.

Similar administrative rules authorizing issuance of supplementary allotments up to 90 percent of growers' probable final salable allotments have been issued near the beginning of the last two marketing seasons.

The proposed rule is as follows:

§ 986.403 *Supplementary allotments for 1951 crop hops.* The supplemen-

tary allotment to any grower for hops produced during the marketing season beginning August 1, 1951, shall be such as will not exceed 80 percent of such grower's probable salable allotment for 1951 crop hops, as provided in § 986.6 (c) (2) (ii) (*b*): *Provided*, That, when complete information on the 1951 hop crop production of any grower is available to the Growers Allocation Committee, a supplementary allotment such as will not exceed 90 percent of that grower's probable salable allotment of 1951 crop hops shall be issued, upon application, to such grower.

Issued at Washington, D. C., this 20th day of August 1951.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51–10205; Filed, Aug. 23, 1951; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[465.232]

TARIFF CLASSIFICATION

NOTICE OF PROSPECTIVE CLASSIFICATION OF COLORED BALLS RESEMBLING TABLE-TENNIS BALLS AS PARTS OF TOYS

AUGUST 21, 1951.

It appears probable that a correct interpretation of paragraph 1513, Tariff Act of 1930, requires that colored balls having a construction similar to that of ping pong or table-tennis balls be classified thereunder at a rate of duty higher than that heretofore assessed on such articles under an established and uniform practice.

Pursuant to § 16.10a (d), Customs regulations of 1943 (19 CFR 16.10a (d)), notice is hereby given that the existing uniform practice of classifying such articles under paragraph 1502, Tariff Act of 1930, as modified, as table-tennis balls is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct tariff classification of colored balls such as those described which are submitted in writing to the Bureau of Customs, Washington 25, D. C. To assure consideration of such communications, they must be received in the Bureau not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 51–10190; Filed, Aug. 23, 1951; 8:50 a. m.]

United States Coast Guard

[CGFR 51–36]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and in compliance with the authorities cited below, the following approvals of equipment are prescribed and shall be effective for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority:

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE)

Approval No. 160.002/38/0, Model 2 adult kapok life preserver, U. S. C. G. Specification Subpart 160.002, manufactured by The Safeguard Corp., Box 66, Station B, Cincinnati, Ohio.

Approval No. 160.002/39/0, Model 6 child kapok life preserver, U. S. C. G. Specification 160.002, manufactured by The Safegard Corp., Box 66, Station B, Cincinnati, Ohio.

(R. S. 4405, 4417a, 4426, 4488, 4491, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 481, 489, 490, 526e, 526p, 1333, 50 U. S. C. 1275; 46 CFR 160.002)

BUOYS, LIFE, RING, CORK OR BALSA WOOD

Approval No. 160.009/37/0, 30-inch balsa wood ring life buoy, Dwg. No. 5–10–51, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 2, N. Y.

(R. S. 4405, 4417a, 4426, 4482, 4488, 4491, sec. 11, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 475, 481, 489, 526e, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.4–1, 33.01–5, 59.56, 60.49, 76.53, 94.53, 113.46, 160.009)

CONTAINERS, EMERGENCY PROVISIONS AND WATER

Approval No. 160.026/12/2, container for emergency provisions, Dwg. No. 203–P, dated July 3, 1951, and Specification 203–S–1, dated July 5, 1951, manufactured by Globe Equipment Corp., 30–32 Gold Street, Brooklyn 1, N. Y. (Supersedes Approval No. 160.026/12/1, published in the FEDERAL REGISTER of June 1, 1951.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 489, 1333, 50 U. S. C. 1275; 46 CFR 33.15–1, 59.11)

LIFEBOATS

Approval No. 160.035/89/1, 16.0′ x 5.7′ x 2.3′ steel oar-propelled lifeboat, 12-person capacity, identified by general arrangement and construction Dwg. No. 49R–1612, dated August 27, 1950, and revised November 8, 1950, manufactured by Lane Lifeboat and Davit Corp., 8920 Twenty-sixth Avenue, Brooklyn 14, N. Y. (Supersedes Approval No. 160.035/89/0, published in the FEDERAL REGISTER dated July 31, 1947.)

Approval No. 160.035/174/1, 22′ x 7.5′ x 3.17′ steel, motor-propelled lifeboat without radio cabin, 28-person capacity, identified by construction and arrangement Dwg. No. 22–2B, dated September 18, 1947, and revised May 18, 1951, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.035/174/0, published in the FEDERAL REGISTER December 2, 1948.)

Approval No. 160.035/204/1, 20.0′ x 6.0′ x 2.5′ steel, oar-propelled lifeboat, 18-person capacity, identified by construction and arrangement Dwg. No. 20–1, dated October 29, 1947, and revised June 4, 1951, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Supersedes Approval No. 160.035/204/0, published in the FEDERAL REGISTER April 1, 1948.)

(R. S. 4405, 4417a, 4426, 4481, 4488, 4491, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 396, 404, 474, 481, 489, 490, 1333, 50 U. S. C. 1275; 46 CFR 33.01–5, 59.13, 76.16, 94.15, 113.10, 160.035)

BOILERS, HEATING

Approval No. 162.003/116/0. Model M–500 heating boiler for steam or hot water service, all welded plate construction, Dwg. No. DAB–24912, dated June 20, 1951, and revised July 11, 1951, approved for a maximum design pressure of 30 p. s. i., 184,000 B. t. u. per hour or 184 pounds per hour. Approval limited to bare boiler. Manufactured by York-Shipley, Inc., York, Pa.

(R. S. 4405, 4417a, 4418, 4426, 4433, 4434, 4491, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 392, 404, 411, 412, 489, 1333, 50 U. S. C. 1275; 46 CFR Part 52)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Approval No. 162.005/18/1, Model 5AKS Swivel Type CD General Quick Aid Sno Fog Fire Guard 5-pound carbon-dioxide type hand portable fire extinguisher, Assembly Dwg. No. AC–205–X dated July 22, 1947, no revision, Nameplate Dwg. No. BC–205–2, dated February 4, 1947, Rev. October 22, 1948, manufactured by The General Detroit Corp., 2272 East Jefferson Avenue, Detroit 7, Mich. (Supersedes Approval No. 160.005/18/0, published in the FEDERAL REGISTER February 12, 1948).

Approval No. 162.005/21/0, Model 5AKS Swivel Type CD General Quick Aid Sno Fog Fire Guard 5-pound carbon-dioxide type hand portable fire extinguisher, Assembly Dwg. No. BC–205–X, dated July 22, 1947, no revision, Nameplate Dwg. No. BC–205–2 dated February 4, 1947, Rev. October 22, 1948, manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif.

Approval No. 162.005/22/0, Model 10AK Lever Type CD General Quick Aid Sno Fog Fire Guard 10-pound carbon dioxide type hand portable fire extin-

guisher, Assembly Dwg. No. BC–210–X, dated September 4, 1946, Rev. A dated September 6, 1946, Nameplate Dwg. No. CC–210–1G, dated March 6, 1950, Rev. 2 dated March 16, 1950, manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif.

Approval No. 162.005/23/0, Model 15AK Lever Type CD General Quick Aid Sno Fog Fire Guard 15-pound carbon dioxide type hand portable fire extinguisher, Assembly Dwg. No. BC–215–X, dated August 4, 1944, no revision, Nameplate Dwg. No. CC–215–1G, dated March 6, 1950, Rev. 2 dated March 16, 1950, manufactured by The General Pacific Corp., 1501 East Washington Boulevard, Los Angeles 21, Calif.

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 490, 526g, 526p, 1333, 50 U. S. C. 1275; 46 CFR 25.5–1, 26.3–1, 27.3–1, 34.25–1, 61.13, 77.13, 95.13, 114.15)

FIRE EXTINGUISHERS, PORTABLE, HAND, DRY CHEMICAL TYPE

Approval No. 162.010/1/1, Ansul 20–B dry chemical carbon-dioxide cartridge type hand portable fire extinguisher, Assembly Dwg. No. DV–1270, dated September 21, 1949, no revision, Nameplate Dwg. No. DV–1266 dated September 19, 1949, Rev. 1 dated December 12, 1949, manufactured by Ansul Chemical Company, Marinette, Wis. (Supersedes Approval No. 162.010/1/0, published in the FEDERAL REGISTER February 12, 1948.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1023, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. 1275, 46 CFR 25.5–1, 26.3–1, 27.3–1, 28.3–5, 34.25–1, 61.13, 77.13, 95.13, 114.15)

VALVES, PRESSURE-VACUUM RELIEF AND SPILL

Approval No. 162.017/63/0, Morrison Fig. 153B pressure-vacuum relief valve, atmospheric pattern, weight-loaded pressure and vacuum poppets, all brass construction, Dwg. No. B4584, dated February 27, 1951, and revised March 12, 1951, and Dwg. No. B4585 dated March 6, 1951. Approved for size 2½". Manufactured by Morrison Bros. Co., Dubuque, Iowa.

(R. S. 4405, 4417a, 4491, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 489, 50 U. S. C. 1275; 46 CFR 162.017)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009.10/1, "Fiberglas Insulation Type TW–MC," glass wool insulation type Incombustible Material identical to that described in National Bureau of Standards Test Report No. TG3610–1493, FP 2569, dated November 10, 1947, and modified by Owens-Corning Fiberglas Corporation letter, dated July 11, 1951, approved in a 3 pounds per cubic foot density. (Supersedes Approval No. 164.009/10/0, published in the FEDERAL REGISTER February 12, 1948.)

(R. S. 4405, 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 1028, sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 375, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR 164.009)

FIRE INDICATING AND ALARM SYSTEMS

Smoke Detecting System, Audible, Type R, combined with carbon dioxide fire extinguishing systems; 110 and 220 volts direct current; 24, 32, and 40 line cabinets maximum; Drawing No. 157066 Rev. B dated February 13, 1951, and conversion of existing Combined Rich and Richaudio Smoke Detecting and carbon dioxide extinguishing systems to Type R system, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J. (Supersedes approval of Combined Rich and Richaudio System published in 1934.)

Smoke Detecting System, Audible, Type R; 110 and 220 volts direct current; 24, 32, and 40 line cabinets maximum; Drawing No. 157066 Rev. B dated February 13, 1951, and conversion of existing Richaudio Smoke Detecting Systems to Type R System, manufactured by Walter Kidde & Co., Inc., 675 Main Street, Belleville 9, N. J. (Supersedes approval of Richaudio System published in 1934.)

(R. S. 4405, 4471, 4491, 59 Stat. 1544, sec. 2, 54 Stat. 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 463, 463a, 489, 50 U. S. C. 1275; 46 CFR 61.16, 61.17, 77.16, 77.17, 95.15, 95.16, 114.16, 114.17)

Dated: August 20, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51–10188; Filed, Aug. 23, 1951; 8:50 a. m.]

[CGFR 51–38]

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and in compliance with the authorities cited below, the following approvals of equipment are terminated because the items of equipment covered are no longer being manufactured or are being replaced by new designs:

FIRE EXTINGUISHERS, PORTABLE, HAND, DRY CHEMICAL TYPE

Termination of Approval No. 162.010/2/0, Ansul 30, dry chemical carbon-dioxide cartridge type fire extinguisher, Assembly Dwg. No. DV–663 dated September 12, 1946, Rev. 3 dated December 3, 1946, Nameplate Dwg. No. DV–570 dated June 6, 1946, Rev. 2 dated July 5, 1946, manufactured by Ansul Chemical Co., Marinette, Wis. (Approved in FEDERAL REGISTER dated Feb. 12, 1948.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 489, 490, 526g, 526p, 1333, 50 U. S. C. 1275, 46 CFR 25.5–1, 26.3–1, 27.3–1, 28.3–5, 34.25–1, 61.13, 77.13, 95.13, 114.15)

VALVES, PRESSURE VACUUM RELIEF

Termination of Approval No. 162.017/16/0, Morrison Fig. 148 pressure vacuum relief valve, weight loaded, atmospheric pattern, cast iron body, brass poppets, outlets fitted with monel flame screen, Dwg. No. M–2500, dated September 25, 1941, approved for 3" vent, for use with inflammable or combustible liquids of Grade B or lower in direct atmospheric venting system, manufactured by Morrison Bros. Co., Dubuque, Iowa. (Approved in FEDERAL REGISTER of July 31, 1947.)

Termination of Approval No. 162.017/17/0, Morrison Fig. 149 pressure vacuum relief valve, weight loaded, atmospheric pattern, brass body, durable composition discs, pressure vent, Dwg. No. B–1231 dated December 18, 1936, approved for 3" diameter vents, for use with inflammable or combustible liquids of Grade B or lower in direct atmospheric venting system, manufactured by Morrison Bros. Co., Dubuque, Iowa. (Approved in FEDERAL REGISTER of July 31, 1947.)

Termination of Approval No. 162.017/18/0, Morrison Fig. 153–A pressure vacuum relief valve, atmospheric pattern, outlet fitted with monel flame screen, weight or spring loaded pressure poppet, cast iron body, brass poppets, Dwg. No. M–2498, dated September 23, 1941, approved for sizes 3", 4", and 6" for use with combustible or inflammable liquids of Grade A or lower, manufactured by Morrison Bros. Co., Dubuque, Iowa. (Approved in FEDERAL REGISTER of July 31, 1947.)

(R. S. 4405, 4417a, 4491, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 375, 391a, 489, 50 U. S. C. 1275; 46 CFR 162.017)

CONDITIONS OF TERMINATION OF APPROVALS

The termination of approvals of equipment made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment manufactured before the effective date of termination of approval may be used on merchant vessels so long as it is in good and serviceable condition.

Dated: August 20, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51–10189; Filed, Aug. 23, 1951; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

LIST OF STATE AND INSULAR AREA OFFICES

The listing of the State Offices and Insular Area Offices of the Production and Marketing Administration set forth in the September 24, 1948 daily issue of the FEDERAL REGISTER, 13 F. R. 5555 (formerly contained in 7 CFR 2300.3 (a) is hereby revised to reflect the current location of such offices.

Alabama: Old Post Office Building, Montgomery.

Arizona: Union Investment Company Building, 415 South First Street, Phoenix.

Arkansas: 108½ West Third Street, P. O. Box 2781, Little Rock.

California: 2288 Fulton Street, Berkeley 4.

Colorado: 948 Broadway, Denver 3.

Connecticut: 500 Capitol Avenue, Hartford 6.
Delaware: Courtney and Academy Streets, Newark.
Florida: Seagle Building, Gainesville.
Georgia: Old Post Office Building, Athens.
Idaho: P. O. Box 4068, 1524 Vista Street, Boise.
Illinois: Standard Office Building, 124–132 South Water Street, Decatur 12.
Indiana: Fifth Floor, Illinois Street Postal Building, Indianapolis 9.
Iowa: Tenth and Mulberry Streets, Onthank Building, Des Moines 7.
Kansas: 1122 Moro Street, Manhattan.
Kentucky: Mill and Maxwell Streets, Lexington 29.
Louisiana: P. O. Box 8597, University Station, Baton Rouge.
Maine: University of Maine, Orono.
Maryland: P. O. Box 38, University of Maryland, College Park.
Massachusetts: University of Massachusetts, Amherst.
Michigan: Cahill Building, 200 North Capitol Avenue, Lansing 4.
Minnesota: 210 Main Post Office Building, St. Paul 1.
Mississippi: P. O. Box 1251, Masonic Building, 1130 West Capitol Street, Jackson 5.
Missouri: I. O. O. F. Building, Tenth and Walnut Streets, Columbia.
Montana: P. O. Box 149, 211 North Grand Street, Bozeman.
Nebraska: Third Floor, Trust Building, Lincoln 1.
Nevada: 818 South Virginia Street, Reno.
New Hampshire: 29 Main Street, Durham.
New Jersey: College Farm, New Brunswick.
New Mexico: State College.
New York: Byrne Building 236 West Genesee Street, Syracuse 2.
North Carolina: State College Station, Raleigh.
North Dakota: 304 de Lendrecie Building P. O. Box 2017, Fargo.
Ohio: 202 Old Federal Building, Columbus 15.
Oklahoma: Etherton Building, Sixth and Main Streets, Stillwater.
Oregon: 515 South West Tenth Avenue, Portland 5.
Pennsylvania: 928 North Third Street, Harrisburg.
Rhode Island: 71 Jackson Street, Providence 3.
South Carolina: P. O. Box 660, 1615 Hampton Street, Columbia 33.
South Dakota: 56 Third Street SE., Huron.
Tennessee: 129 Eighth Avenue, North Nashville 3.
Texas: AAA Building, College Station.
Utah: 222 Southwest Temple Street Old Terminal Building, Salt Lake City 1.
Vermont: 102 Adams Street, Burlington 14.
Virginia: 609 East Main Street, Richmond 19.
Washington: Room 301, Hutton Building South 9, Washington Street, Spokane 8.
West Virginia: 144 Pleasant Street, Morgantown.
Wisconsin: 117 Monona Avenue, Madison 3.
Wyoming: P. O. Box 1211, 345 East Second Street, Casper.
Alaska: University of Alaska, College, Alaska.
Hawaii: Hawaiian Area Office 303 Dillingham Building, Honolulu 16, T. H.
Puerto Rico and Virgin Islands: Caribbean Area Office P. O. Box 4349, San Juan 21, P. R.

Done at Washington, D. C., this 20th day of August 1951.

[SEAL] HAROLD K. HILL,
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 51–10145; Filed, Aug. 23, 1951; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2594, Amdt. 1]

SOUTHWESTERN POWER ADMINISTRATION

AMENDMENT TO OFFICIAL ORGANIZATION HANDBOOK

Paragraphs A12.04, A12.05, and A12.20 of section 2 of Order No. 2594 (15 F. R. 7276) are amended to read as follows:

SEC. 2. *Amendment to Official Organization Handbook.* * * *

A12.04 *Division of Engineering.* The Division of Engineering formulates and executes policies and programs pertaining to system planning, engineering design, construction, and power production of the Administration's facilities. Coordinates its program and facilities with associated and interconnected generations and systems.

A12.04a The Planning Branch conducts system engineering and cost studies; prepares engineering recommendations for system additions, customers' facilities, system interconnection and construction programs.

A12.04b The Design and Production Branch designs system, drafts plans and specifications and conducts studies, tests and experiments relative to power, relays, protective equipment and communication systems. Conducts studies of power potentialities and power production in relation to utilization of water and power resources.

A12.04c The Construction and Survey Branch conducts land and location surveys, prepares maps and profiles, and is responsible for construction of all transmission lines, substations and related facilities. Prepares contract documents, administers contracts and is responsible for their fulfillment to final acceptance.

A12.05 *Division of Operations.* The Division of Operations formulates and executes policies and programs pertaining to the operation and maintenance of the Administration's power facilities.

A12.05a The System Operation Branch at Tulsa operates all power facilities of the Administration; administers contractual operation requirements; and operates and maintains metering, relaying, and laboratory facilities.

A12.05b The Maintenance Branch at Muskogee maintains all transmission lines, substations, and associated power facilities; operates and maintains communication facilities; and maintains and builds access roads, and maintains rights-of-way.

A12.05c The Administrative Branch at Muskogee develops Divisional annual budgets, coordinates Branch budget administration and control; develops and administers the Divisional supply program and schedules; administers Divisional personnel and office services program, maintains and controls transportation services; and operates and maintains garage and shop facilities.

A12.20 *Field Operations Center.* The Field Operations Center, under the Division of Operations, is located at Muskogee, Oklahoma, with maintenance units located at Denison, Texas, Clarksville, Arkansas, and West Plains, Missouri. The Center includes the Maintenance Branch and the Administrative Branch. Patrol stations are established at Holdenville and Sallisew, Oklahoma, and at Yellville and Marshall, Arkansas. Additional maintenance units and patrol stations will be established as required.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 20, 1951.

[F. R. Doc. 51–10132; Filed, Aug. 23, 1951; 8:45 a. m.]

Petroleum Administration for Defense

NOTICE OF CERTIFICATION WITH RESPECT TO RESTRICTING USE OF NATURAL GAS IN VIRGINIA

AUGUST 22, 1951.

Take notice that the State Corporation Commission of the Commonwealth of Virginia has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to section 704 Defense Production Act of 1950, as amended, the restrictions imposed by section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the Commonwealth of Virginia.

A. P. FRAME,
Acting Deputy Administrator, Petroleum Administration for Defense.

[F. R. Doc. 51–10301; Filed, Aug. 23, 1951; 10:36 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5043]

COMPAGNIE NATIONALE AIR FRANCE, PERMIT CASE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Compagnie Nationale Air France, for a foreign air carrier permit and revision of a permit pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended, and the Air Transport Services Agreement between the United States and France, March 27, 1946, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned to be held on August 28, 1951, is indefinitely postponed.

Dated at Washington, D. C. August 17, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51–10147; Filed, Aug. 23, 1951; 8:46 a. m.]

DEFENSE TRANSPORT ADMINISTRATION

[Organization Order DTA 3]

ORGANIZATION AND FUNCTIONS; SUBMITTALS AND REQUESTS

Pursuant to the provisions of section 709 of the Defense Production Act of 1950, as amended, section 3 of the Administrative Procedure Act, Executive Order 10161, and Executive Order 10219, a description of the organization and functions of the Defense Transport Administration is hereby issued.

Sec.
1. Creation and authority.
2. Functions.
3. Staff Officials.
4. Operating Divisions.
5. Delegations of Authority.
6. Field offices.
7. Information, submittals, and requests.
8. Opinions and orders; inspection of public records.
9. Addresses.

AUTHORITY: Sections 1 through 9 issued under Sec. 10, Pub. Law 774, 81st Cong.; Sec. 8, 60 Stat. 238. Interprets or applies Title VII, Pub. Law 774, 81st Cong., as amended by Pub. Law 96, 82d Cong.; Sec. 3, 60 Stat. 238; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; E. O. 10219, Feb. 28, 1951, 16 F. R. 1983.

SECTION 1. *Creation and authority.* By Executive Order 10161 (15 F. R. 6105), the President conferred upon that Commissioner of the Interstate Commerce Commission who is responsible for the supervision of the Bureau of Service of the Commission, among other things, certain functions vested in the President by Titles I, III, and VII of the Defense Production Act of 1950, as amended, with respect to domestic transportation, storage, and port facilities, as defined in said order, but excluding pipe lines, air transport, coastwise, intercoastal, and overseas shipping. For the purpose of carrying out the responsibilities conferred by Executive Order 10161, and in accordance with authority delegated in that Executive Order, the Commissioner described established on October 4, 1950, a Defense Transport Administration (Organization Order DTA 1, 15 F. R. 6728, as amended 16 F. R. 1677), at the head of which organization is an Administrator. The authority of the Defense Transport Administration has since been affected by the issuance of Executive Order 10193 (15 F. R. 9031); Executive Order 10200 (16 F. R. 61); Defense Production Administration Delegation 1, as amended (16 F. R. 738; 4594); and Executive Order 10219 (16 F. R. 1983).

SEC. 2. *Functions.* The general functions and responsibilities of the Defense Transport Administration with respect to domestic transportation, storage and port facilities are to:

(a) Assemble and analyze data with respect to requirements to be imposed on domestic transportation, port and storage systems and facilities and with respect to the ability of such systems and facilities to satisfy such requirements.

(b) Formulate such plans and programs, and take such actions, as may be desirable to meet requirements for domestic transportation, port facilities and storage, including, among other things, programs and measures for increasing the efficiency and obtaining maximum utilization of domestic transportation, port and storage systems and facilities and for providing additional transportation, port and storage facilities.

(c) Coordinate and direct the domestic movement of passenger and freight traffic in cooperation with the Interstate Commerce Commission and private transportation organizations and agencies.

(d) Allocate the use of domestic transportation, port and storage facilities by operators thereof, and allocate domestic transportation, port and storage services to the users thereof.

(e) Administer such priorities as may be necessary to insure the movement of essential traffic or the storage of essential commodities, subject to such policies and orders as the Defense Production Administrator may prescribe.

(f) Act as claimant for materials and manpower for the construction, operation, maintenance, and repair of domestic transportation, port and storage systems and facilities, and pursuant to National Production Authority Delegation 14, as amended (16 F. R. 7628), act upon applications filed under National Production Authority Order M-4A and CMP Regulation 6, as amended.

(g) Cooperate with the Secretary of Commerce, the Secretary of Defense and the Secretary of the Interior to achieve the effective coordination of inland and ocean transportation and the efficient operation of all port facilities to meet military and civilian requirements.

(h) Cooperate with the Secretary of Defense and the Administrator of General Services to achieve the effective coordination and utilization of storage facilities.

(i) Utilize the services of the Interstate Commerce Commission and of such other Federal, State, and local agencies as the Administrator deems desirable in the performance of his functions.

(j) Make recommendations with respect to domestic transportation, storage and port facilities to the Defense Production Administrator for the issuance of certificates by that Administrator for defense loans for expansion of facilities under sections 302 and 303 of the Defense Production Act of 1950, as amended, (loans, purchases, commitments, etc.) as specified in paragraph 2 (b) of section 2 of Executive Order 10200, and in sections 303 and 304 of Executive Order 10161, as amended.

(k) Make recommendations with respect to domestic transportation, storage and port facilities to the Defense Production Administrator for the issuance of certificates for accelerated amortization for income tax purposes under subsection (e) of section 124A of the Internal Revenue Code, as added by section 216 of the Revenue Act of 1950.

(l) Carry out the consultations referred to in section 708 (a) of the Defense Production Act of 1950, as amended, and make recommendations to the Defense Production Administrator for the approval of voluntary agreements and programs as provided in section 708 of that act.

(m) Perform such other functions with respect to domestic transportation, storage and port facilities as may be assigned or delegated from time to time by the President or other agency of government.

SEC. 3. *Staff Officials.* The duties and responsibilities of the principal staff officials of the Defense Transport Administration are:

(a) *Administrator.* The Commissioner of the Interstate Commerce Commission who is responsible for the supervision of the Bureau of Service of the Commission is ex officio the Administrator, and is responsible for the execution of the duties and responsibilities described in section 2 of this Organization Order DTA 3.

(b) *Deputy Administrator.* The Deputy Administrator serves as Acting Administrator during the absence of the Administrator from duty at his official headquarters in Washington, D. C., coordinates the functions performed by the operating divisions of Defense Transport Administration, and represents the Administrator in liaison with other agencies of Government at the highest levels, including the Bureau of Service and other units of the Interstate Commerce Commission.

(c) *Executive Assistant.* The Executive Assistant serves as Acting Administrator in the absence of both the Administrator and Deputy Administrator from official headquarters in Washington, D. C., provides advice, consultation, and assistance as to policies, programs, operational procedures, use of advisory bodies, planning studies, liaison with other agencies, and reports of agency activities. Serves as Executive Secretary of Defense Transport Administration's Interagency Advisory Committee on Domestic Transport, Storage, and Port Utilization. Performs such other special duties as may be assigned or required by the Administrator.

(d) *General Counsel.* The General Counsel serves as Acting Administrator in the absence of the Administrator, Deputy Administrator and Executive Assistant from official headquarters in Washington, D. C. Renders legal services to the Administrator, officers, and personnel with respect to the functions of the Defense Transport Administration, and represents the Administrator in liaison with other departments and agencies of the Government with reference to litigation and other matters involving questions of law.

(e) *Administrative Officer.* The Administrative Officer advises the Administrator on developing and prescribing overall agency administrative management policies, and directs and coordinates the administration of such policies, programs and procedures throughout the agency to provide personnel, budgetary planning and execution, fiscal, organization and procedural control, property, equipment, communications and other administrative services; maintains liaison with other Governmental agencies on overall administrative policies affecting the Defense Transport Administration.

(f) *Information Officer.* The Information Officer serves in a staff capacity to the Administrator, and is directly responsible for the information and public relations program of the Defense Transport Administration.

SEC. 4. *Operating Divisions.* Each operating division performs its duties subject to the control of the Administrator, and is in the immediate charge of a director, with functions as follows:

(a) *Railroad Transport Division.* (1) Except as provided in section 5, paragraph (a), of this Organization Order DTA 3, performs as to domestic railroad facilities and service the functions described in section 2, paragraphs (a) through (e), (g), (i), (l), and (m) of this Organization Order DTA 3, and cooperates with the Equipment and Materials Division and the Manpower Division as to the functions described in section 2, paragraph (f), and with the Tax Amortization and Defense Loan Branch as to those functions described in section 2, paragraphs (j) and (k), of this Organization Order DTA 3.

(2) The division consists of the Operations Branch, Roadway, Equipment and Manpower Branch, Research and Analysis Branch, and the field services unit.

(b) *Street and Highway Transport Division.* (1) Performs as to domestic street and highway transportation facilities (including for-hire carriers of property, private carriers of property, farm vehicles, intercity buses, urban transportation facilities, school transportation, taxicabs, hearses, ambulances, rental vehicles, and private passenger motor vehicles) the functions described in section 2, paragraphs (a) through (e), (g), (i), (l), and (m) of this Organization Order DTA 3, and cooperates with the Equipment and Materials Division and the Manpower Division as to the functions described in section 2, paragraph (f), and with the Tax Amortization and Defense Loan Branch as to those functions described in section 2, paragraphs (j) and (k) of this Organization Order DTA 3.

(2) The division consists of the Passenger Operations Branch, Property Operations Branch, Field Operations Branch, Equipment and Manpower Branch, and Management Branch.

(c) *Inland Water Transport Division.* (1) Performs as to inland water transport, including the operation of vessels on the Great Lakes and the inland waterway systems of the United States, the functions described in section 2, paragraphs (a) through (e), (g), (i), (l), and (m) of this Organization Order DTA 3, and cooperates with the Equipment and Materials Division and the Manpower Division as to the functions described in section 2, paragraph (f), and with the Tax Amortization and Defense Loan Branch as to those functions described in section 2, paragraphs (j) and (k) of this Organization Order DTA 3.

(2) The division consists of the Equipment and Manpower Branch, Allocations and Permits Branch, Field Operations Branch, and Research and Analysis Branch.

(d) *Warehousing and Storage Division.* (1) Performs as to domestic warehousing facilities, the functions described in section 2, paragraphs (a) through (e), (h), (i), (l), and (m), of this Organization Order DTA 3, and cooperates with the Equipment and Materials Division, and the Manpower Division as to the functions described in section 2, paragraph (f), and with the Tax Amortization and Defense Loan Branch as to those functions described in section 2, paragraphs (j) and (k) of this Organization Order DTA 3.

(2) The division consists of the Requirements and Facilities Branch, Refrigerated Branch, General Merchandise Branch, Bulk Commodities Branch, and field services unit.

(e) *Port Utilization Division.* (1) Performs as to domestic port facilities located on the Atlantic Coast, Pacific Coast, or Gulf of Mexico, those functions described in section 2, paragraphs (a) through (e), (g), (i), (l) and (m) of this Organization Order DTA 3, and cooperates with the Equipment and Materials Division and the Manpower Division as to the functions described in section 2, paragraph (f), and with the Tax Amortization and Defense Loan Branch as to those functions described in section 2, paragraphs (j) and (k) of this Organization Order DTA 3.

(2) The division consists of the Requirements and Facilities Branch, and Utilization and Traffic Control Branch.

(3) The Director of the division is Chairman of a Port Operations Committee, the members of which are the directors of the operating divisions and the Director, Bureau of Service, Interstate Commerce Commission.

(f) *Equipment and Materials Division.* (1) Performs as to the requirements of domestic transportation, storage and port facilities, the functions described in section 2, paragraphs (a), (b), (f), (i), (l) and (m) of this Organization Order DTA 3, and cooperates with all offices and divisions of the Defense Transport Administration in the performance of claimant agency functions relating to materials and equipment.

(2) The division consists of the Program Branch, Materials Branch, and Research and Analysis Branch.

(3) The Director of the division is Chairman of an Equipment and Materials Program Committee, the members of which are the program officers designated by the directors of the operating divisions.

(g) *Manpower Division.* (1) Performs as to the manpower problems of domestic transportation, port and storage facilities, the functions described in section 2, paragraphs (a), (b), (f), (i) and (m) of this Organization Order DTA 3, and cooperates with all offices and divisions of the Defense Transport Administration in the performance of claimant agency functions relating to manpower.

(2) The division consists of the Selective Service and Defense Department Specialist, Recruitment Specialist, Statistical Specialist, and Training and Utilization Specialist.

(3) The Director of the division is Chairman of a Manpower Program Committee, the members of which are the program officers designated by the directors of the operating divisions.

(h) *Tax Amortization and Defense Loan Branch.* Serves as the staff unit of the Defense Transport Administration in carrying out the functions described in section 2, paragraphs (j), (k) and (m) of this Organization Order DTA 3, and cooperates with all offices and divisions of the Defense Transport Administration in the performance of its functions.

SEC. 5. *Delegations of authority.* (a) By DTA Delegation 1 (15 F. R. 9004), authority has been delegated to the Director, Bureau of Service, Interstate Commerce Commission, to exercise the powers referred to in section 2, paragraph (d), of this Organization Order DTA 3, to allocate the use of railroad passenger-carrying equipment, subject to the general control and supervision of the Administrator of the Defense Transport Administration. The powers so delegated may be redelegated by the Director, Bureau of Service.

(b) By DTA Delegation 2 (16 F. R. 2046), the Director, Bureau of Motor Carriers, Interstate Commerce Commission, has been delegated authority with respect to street and highway transportation facilities to: (1) Conduct surveys and furnish reports to the Administrator on the adequacy of motor transportation and on the available supply and shortages in manpower, equipment, and parts for all street and highway transportation subject to the jurisdiction of the Defense Transport Administration; (2) organize and supervise industry program committees; (3) attend meetings involving street and highway transportation subjects and problems; (4) check individual applications made to the Defense Transport Administration by persons engaged in street and highway transportation; (5) make recommendations to the Administrator of Defense Transport Administration as to the issuance of appropriate emergency, temporary or special authorities to operators of street and highway transportation equipment or facilities, when such authority is required by general or special orders of the Defense Transport Administration; (6) obtain and report to the Defense Transport Administration such information respecting or affecting the operations, practices and business of any street or highway transport operator as may be required by any request, direction or order issued by the Defense Transport Administration; (7) supervise, regulate and control motor transportation subject to the jurisdiction of the Defense Transport Administration in accordance with any request, direction, general, special or specific order issued by the Defense Transport Administration. The exercise of such powers is subject to the general control and supervision of the Administrator and the Director, Street and Highway Transport Division. The powers so delegated may be redelegated by the Director, Bureau of Motor Carriers.

(c) In accordance with arrangements made between Defense Transport Administration and the Interstate Commerce

Commission, the field staffs of the Bureau of Motor Carriers and Bureau of Service of that Commission, and on behalf of Defense Transport Administration, gather information and perform such other functions specifically assigned or as may be delegated.

(d) By DTA Delegation 6 (16 F. R. 4149), the Administrator has delegated to the Administrator of the Petroleum Administration for Defense authority to perform the functions and exercise the powers conferred upon the Defense Transport Administration with respect to facilities required for bulk storage of petroleum and gas, subject to the reservations and conditions stated in DTA Delegation 6.

SEC. 6. *Field offices.* (a) The Defense Transport Administration has not established field offices, but has continuing representation in the field by the field organizations of the Bureau of Motor Carriers and the Bureau of Service, Interstate Commerce Commission, pursuant to the delegations referred to in section 5 of this Organization Order DTA 3.

(b) The locations of the field offices, Bureau of Motor Carriers, are as follows:

Alabama: District Supervisor, 208 Social Security Building, 2225 Third Avenue North, Birmingham.

Arizona: District Supervisor, 401 Security Building, Phoenix.

Arkansas: District Director, 515 East Second Street, Little Rock.

California: District Supervisor, 1519 U. S. Post Office and Courthouse, Los Angeles 12. District Director, 166 Federal Office Building, Fulton and Leavenworth Streets, San Francisco 2.

Colorado: District Director, 620 Central Savings Bank Building, Denver.

Connecticut: District Supervisor, 223 Federal Building, Hartford.

District of Columbia: District Supervisor, 1132 I. C. C. Building, Washington 25.

Florida: District Supervisor, 338 Post Office Building, P. O. Box 4946, Jacksonville 1. District Supervisor, 305 Tallahassee Administration Building, Tallahassee.

Georgia: District Director, 809 Standard Building, Atlanta 3.

Idaho: District Supervisor, 619 Idaho Building, Boise.

Illinois: District Director, 852 U. S. Customhouse Building, 610 South Canal Street, Chicago 7. District Supervisor, 602 First National Bank Building, Springfield.

Indiana: District Supervisor, 361 Federal Building, Fort Wayne 2. District Supervisor, 257 Federal Building, Indianapolis 4.

Iowa: District Supervisor, 904 Davenport Bank Building, Davenport. District Supervisor, 211 Federal Office Building, Des Moines 9. District Supervisor, 319 Post Office Building, Sioux City.

Kansas: District Supervisor, 407 Schweiter Building, Wichita 2. District Supervisor, 309 Federal Building, Topeka.

Kentucky: District Supervisor, 409 Post Office Building, Lexington. District Supervisor, 523 Post Office Building, Louisville 2.

Louisiana: District Supervisor, 634 Federal Building, New Orleans.

Maine: District Supervisor, 411 Clapp Memorial Building, Portland 3.

Maryland: District Supervisor, 204 Appraisers Store Building, Baltimore 2. District Supervisor, 206–B Post Office Building, Salisbury.

Massachusetts: District Director, 1220 North Station Office Building, 150 Causeway Street, Boston 14. District Supervisor, 420 Federal Building, Springfield 3.

Michigan: District Supervisor, 456 Federal Building, Detroit 26. District Supervisor, 1608 Olds Tower Building, Lansing 8.

Minnesota: District Director, 107 Federal Office Building, Minneapolis 1.

Missouri: District Director, 912 Baltimore Avenue, Kansas City 6. District Supervisor, 1006 U. S. Courthouse and Customs Building, St. Louis 2.

Montana: District Supervisor, 413 Electric Building, Billings.

Nebraska: District Supervisor, 318 U. S. Post Office and Courthouse, Lincoln 8. District Supervisor, 506 W. O. W. Building, Omaha 2.

New Hampshire: District Supervisor, 6 Campbell Street, Lebanon.

New Jersey: District Supervisor, 511 Industrial Office Building, 1060 Broad Street, Newark 2. District Supervisor, 410 Post Office Building, Trenton 9.

New Mexico: District Supervisor, 401 Sunshine Building, Albuquerque.

New York: District Supervisor, 417 Federal Building, Albany 1. District Supervisor, 906 Genesee Building, Buffalo 2. District Director, 641 Washington Street, New York 14. District Supervisor, 711 Press Building, Binghamton 60. District Supervisor, 910 Chimes Building, Syracuse 2.

North Carolina: District Director, 240 Post Office Building, Charlotte 2. District Supervisor, 315 Post Office Building, Raleigh.

North Dakota: District Supervisor, 15 Edwards Building, 20½ Broadway, Fargo.

Ohio: District Supervisor, 413 Federal Building, Cincinnati 2. District Supervisor, 519 Federal Building, Cleveland 14. District Director, 311 Old Post Office Building, Columbus 15. District Supervisor, 17 Old Post Office Building, Toledo 4.

Oklahoma: District Supervisor, 336 Oklahoma Natural Building, Oklahoma City 2. District Supervisor, 605 Ritz Building, Tulsa 3.

Oregon: District Director, 323 Pittock Block, Portland 5.

Pennsylvania: District Supervisor, 506 Dauphin Building, Harrisburg. District Director, 819 City Centre Building, 121 North Broad Street, Philadelphia 7. District Supervisor, 1025 New Federal Building, Pittsburgh 19. District Supervisor, 340 Post Office Building, Scranton 1.

Rhode Island: District Supervisor, 1017 Industrial Trust Building, Providence 3.

South Carolina: District Supervisor, 311 Methodist Center, 1420 Lady Street, Columbia 56.

South Dakota: District Supervisor, 201 Post Office Building, Pierre.

Tennessee: District Supervisor, 207 Post Office Building, Memphis 3. District Director, 630 Third National Bank Building, Nashville 3.

Texas: District Supervisor, 12 Post Office Building, Amarillo. District Supervisor, 432 Terminal Annex Building, P. O. Box 6095, Dallas 2. District Director, 627 Texas and Pacific Building, Fort Worth 2. District Supervisor, 614 Federal Office Building, Houston 14. District Supervisor, 583 Post Office Building, P. O. Box 36, San Antonio 6.

Utah: District Director, 420 Continental Bank Building, Salt Lake City 1.

Virginia: District Supervisor, 608 Parcel Post Building, Richmond 19. District Supervisor, 115 Carlton Terrace Apartment, 920 South Jefferson Street, Roanoke 11.

Washington: District Supervisor, 352 Federal Office Building, Seattle 4. District Supervisor, 206 Post Office Building, Spokane 8.

West Virginia: District Supervisor, 101 United States Courthouse, Charleston 1. District Supervisor, 526 Hawley Building, Wheeling.

Wisconsin: District Supervisor, 425 Union Trust Building, Madison 3. District Supervisor, 1106 First Wisconsin National Bank Building, 735 North Water Street, Milwaukee 2.

(c) The locations of the field offices, Bureau of Service are as follows:

Alabama: Service Agent, 443 United States Customs Building, Mobile.

Arizona: Service Agent, 401 Security Building, Phoenix.

California: Service Agent-Supervisor, 823 Federal Building, Los Angeles 12. Service Agent-Supervisor, 101 Federal Office Building, San Francisco 2.

Colorado: Service Agent, 536–A New Custom House, Denver 2.

District of Columbia: Chief Explosives Agent, 7109 ICC Building, Washington 25.

Florida: Service Agent-Supervisor, 338 Federal Building, P. O. Box 4932, Jacksonville 1.

Georgia: Service Agent, 509 Forsyth Building, Atlanta 3.

Idaho: Service Agent, Pocatello.

Illinois: Division Agent, 802 U. S. Courthouse, Chicago 4.

Iowa: Service Agent, 211 Federal Office Building, Des Moines.

Kentucky: Service Agent, 628 Post Office Building, Louisville 2.

Kansas: Service Agent, Room 408 Schweiter Building, 104 North Main Street, Wichita.

Louisiana: Service Agent-Supervisor, 410 Delta Building, New Orleans 12.

Maryland: Service Agent, 202 U. S. Appraisers Stores Building, 103 South Gay Street, Baltimore.

Massachusetts: Service Agent, 1701 Federal Building, Boston 9.

Michigan: Service Agent, 130 West Larned Street, Detroit 26.

Minnesota: Service Agent, 900 Metropolitan Building, Minneapolis 1.

Missouri: Service Agent, 938 New Federal Building, St. Louis 1. Service Agent, 838 U. S. Courthouse, Kansas City 6.

Montana: Service Agent, 231 Alderson Avenue, Billings.

Nebraska: Service Agent, 415–B U. S. Post Office, Omaha 2.

New Jersey: Service Agent, 312 Spingarn Arcade Building, 591 Summit Avenue, Jersey City 6.

New Mexico: Service Agent, 311 Federal Building, Albuquerque.

New York: Service Agent, 711 Press Building, Binghamton. Service Agent, 326 Post Office Building, Buffalo 3. Service Agent-Supervisor, 924 Federal Building, 641 Washington, Street, New York 14.

North Dakota: Service Agent, 700 Front Street, % Earle Hotel, Fargo.

Ohio: Service Agent, 786 Arcade Building, 401 Euclid Avenue, Cleveland. Service Agent, Room 311, Old Post Office Building, Columbus. Service Agent, 5427 Three Hundred and Third Street, Toledo 11.

Oregon: Service Agent, 211 United States Court House, Portland 5.

Pennsylvania: Service Agent, 806 United States Customhouse, Philadelphia 6. Service Agent, 1012 Fulton Building, 107 Sixth Street, Pittsburgh 22.

South Carolina: Service Agent, 287 Coming Street, P. O. Box 94, Charleston.

Tennessee: Service Agent, 207 Post Office Building, Memphis.

Texas: Service Agent, Room 12, Post Office Building, Amarillo. Service-Agent, 400 U. S. Terminal Annex, P. O. Box 5392, Dallas. Service Agent-Supervisor, 818 Milam Building, Houston.

Utah: Service Agent, 420 Continental Bank Building, Salt Lake City 1.

Virginia: Service Agent, 423 Post Office Building, Norfolk 1.

Washington: Service Agent, 324 Post Office Building, Spokane 8.

West Virginia: Service Agent, 517 Linden Road, Charleston.

Wisconsin: Service Agent, 3521 West Highland, Milwaukee.

SEC. 7. *Information, submittals, and requests.* (a) Except as otherwise stated herein, or provided in published

instructions, orders, or directions issued by Defense Transport Administration, and except to the extent that there is involved any function of the United States requiring secrecy in the public interest, or relating only to the internal management of the Administration, information regarding the Administration and matters within its jurisdiction may be obtained upon request from the Information Officer, Defense Transport Administration, Washington 25, D. C.

(b) Except to the extent that there is involved any function of the United States requiring secrecy in the public interest, or relating to the internal management of the Administration, information regarding the following matters may also be obtained at the offices described below:

(1) Railroad transport from the field offices of the Bureau of Service of the Interstate Commerce Commission located as set forth in section 6 (c).

(2) Street and highway transport from the field offices of the Bureau of Motor Carriers of the Interstate Commerce Commission located as set forth in section 6 (b).

(c) Submittals and requests are to be made to such officers or persons at such places and in such manner as may be prescribed by published instructions, orders, or directions issued by Defense Transport Administration from time to time. Any other submittal or request may be made to the Administration at its headquarters in Washington, D. C.

SEC. 8. *Opinions and orders; inspection of public records.* (a) All final opinions or orders in the adjudication of cases (except those required for good cause to be held confidential and not cited as precedents) shall be available for public inspection at the office of the Information Officer at the Administration's headquarters in Washington during usual office hours. Copies of such opinions or orders may be secured from the Information Officer upon payment of the cost of reproducing them when no extra copies are available.

(b) Save as otherwise required by statute, other matters of official record, except information held confidential for good cause found, will be made available by the Information Officer to persons properly and directly concerned at the Administration's headquarters in Washington during usual office hours, except during such times as inspection would unduly interfere with work in progress.

SEC. 9. *Addresses.* The headquarters of the Defense Transport Administration is located in the Interstate Commerce Commission Building, 12th and Constitution Avenues, NW., Washington, D. C., and the addresses of the appropriate field offices are set out in sections 6 of this Organization Order DTA 3.

Issued at Washington, D. C., this 21st day of August 1951.

HOMER C. KING,
Acting Administrator,
Defense Transport Administration.

[F. R. Doc. 51-10293; Filed, Aug. 23, 1951; 9:38 a. m.]

ECONOMIC STABILIZATION AGENCY

[General Order 10]

GO 10—POLICY AND ORGANIZATION FOR STABILIZATION COMPLIANCE

Sec.
1. Purpose.
2. Legal basis.
3. Decentralized operations.
4. Compliance policy.
5. Committee on compliance policy.
6. Effect on other orders.

SECTION 1. *Purpose.* .01 The purpose of this order is to outline the compliance policies and provide for coordination of the compliance activities of the Economic Stabilization Agency.

SEC. 2. *Legal basis.* .01 The basic authority for the establishment of a price, wage and salary stabilization compliance program is contained in Title IV and VII of the Defense Production Act of 1950 (Pub. Law 774, 81st Congress). This authority is implemented by the terms of Executive Order No. 10161 of September 9, 1950; Executive Order No. 10182 of November 21, 1950; Executive Order No. 10205 of January 3, 1951; and Executive Order No. 10233 of April 21, 1951.

.02 The Defense Production Act of 1950 (Pub. Law 774, 81st Congress) provides in section 403 that the Economic Stabilization Agency shall not delegate the enforcement of controls to any other agency or department. In sections 409 (b) and 706 (b) the act also provides that litigation shall be under the supervision and control of the Attorney General.

.03 The basic authority for the establishment of a rent stabilization compliance program is contained in the Housing and Rent Act of 1947, as amended (Public Law 129, 80th Congress, as amended by Public Laws 422 and 464, 80th Congress, Public Laws 31, 574, and 880, 81st Congress, and Public Laws 8 and 96, 82d Congress). This authority is implemented by the terms of Executive Order No. 10161 of September 9, 1950, and Executive Order No. 10276 of July 31, 1951 (16 F. R. 7535). The Housing and Rent Act of 1947, as amended, provides in section 206 (e) that attorneys appointed by the agency may, under such authority as may be granted by the Attorney General, appear for and represent the United States in any case arising under the act. A general delegation of such authority has been granted by the Attorney General (14 F. R. 6097).

.04 Executive Order No. 10161 of September 9, 1950 (15 F. R. 6105) authorizes the Economic Stabilization Administrator to define the internal organization of the Economic Stabilization Agency.

SEC. 3. *Decentralized Operations*—.01 *Delegation of authority.* The Administrator's policy is to decentralize operating authority to the fullest practicable extent consistent with his responsibility for the conduct of the Agency's activities in a reasonable, sound and efficient manner under general policies prescribed by him. Pursuant thereto, the heads of all constituent organizations of the Economic Stabilization Agency are hereby delegated authority to conduct such compliance and enforcement programs as may be necessary and appropriate within their respective organizations subject to program and policy clearance with the Administrator.

.02 *Policy coordination.* The Administrator's authority and responsibility for an effective program of compliance and enforcement throughout the Agency will be, insofar as the law allows, exercised with the aid of a Committee on Compliance Policy (see section 5), primarily through general program clearance and review, and through the establishment of appropriate general policies for the coordination and guidance of the constituent organizations. The heads of such organizations in turn will be responsible for the effective administration of appropriate compliance programs suited to the needs of their respective organizations, consistent with the broad policies outlined herein. Heads of constituent organizations may redelegate to their subordinates, subject to such additional conditions or limitations as they may see fit to prescribe, the authority delegated to them by this order.

.03 *Local authority.* Consistent with the necessity for reasonable program direction and coordination, enforcement and other forms of compliance responsibility shall be delegated insofar as practicable to field officials responsive to the needs of the local communities which they serve.

.04 *Policy liaison.* Responsibility for all liaison with the Department of Justice, Treasury Department, or other agencies of government on matters of compliance policy, as distinguished from routine liaison activities, is retained by the Administrator. For the purpose of providing the Administrator at all times with current information concerning the status and progress of the enforcement activities of the constituent agencies, copies of recommendations to the Department of Justice or other Federal agencies by the appropriate officers of the constituent agencies, calling for the application of criminal or civil sanctions under the act, shall be furnished to the Chairman of the Committee on Compliance if, in the judgment of such constituent enforcement official, either because of the intrinsic importance of the precedent involved, the sanctions requested or the identity of the defendant, the case should be considered a major one. Similarly a weekly list of all other recommendations of lesser importance shall be furnished to the Chairman. Upon a similar basis, copies of the replies of the Department of Justice in important cases, and a weekly list of the replies in other cases, shall be furnished. Liaison matters of a policy nature shall be referred to the Chairman of the Committee on Compliance Policy (see section 5) for appropriate action. Conversely, direct liaison is authorized between the constituent organizations and other Federal agencies on operational matters which do not involve significant new policies or cases of a policy-making nature.

.05 *Special Assistants to U. S. Attorneys.* The Department of Justice has agreed to designate an Office of Price Stabilization field attorney to serve as Special Assistant to each U. S. District Attorney, to assist that Department in the handling of price stabilization litigation matters, and the statutory control of the Department of Justice over litigation will be implemented through the control of the U. S. Attorneys over the actual conduct of litigation by these Special Assistants.

.06 *Office of Price Stabilization litigation.* Close relationship between the Department of Justice and the Office of Price Stabilization in the handling of criminal and civil matters arising under the Defense Production Act has been developed in the form of a mutual agreement between that Department and the Economic Stabilization Agency, subject to the review responsibility of the Committee on Compliance Policy under the terms outlined in this order.

.07 *Wage Stabilization Board enforcement.* The enforcement program of the Wage Stabilization Board is outlined in an enforcement resolution which the Board adopted on June 13, 1951 (16 F. R. 6028), and in an enforcement procedure resolution adopted June 28, 1951 (16 F. R. 7284), which program is hereby approved.

.08 *Salary stabilization.* The enforcement programs and procedures of the Office of Salary Stabilization will be outlined in regulations to be adopted with the approval of the Administrator, after clearance with the Committee on Compliance Policy.

.09 *Rent stabilization.* Within the framework of policy prescribed by the Economic Stabilization Administrator, and under the administrative direction of the Director, Office of Rent Stabilization, obtaining rent compliance will remain basically a function of the local area rent offices. In each case of a known violation, an attempt shall be made to bring the landlord into compliance. Generally, if there has been an overcharge, an attempt is made to obtain an adequate monetary settlement at a conference between the landlord and the tenant with an area office representative as negotiator. If compliance cannot be obtained, the case may be referred by the area office to one of the rent stabilization litigation offices for court action. These actions are brought and handled to conclusion by rent stabilization attorneys operating under a statutory delegation of authority, coordinated with the Attorney General.

SEC. 4. *Compliance policy*—.01 *General.* It is the policy of the Economic Stabilization Agency to achieve the greatest possible compliance with both the letter and the spirit of Title IV of the Defense Production Act and with all implementing regulations designed to achieve economic stabilization, primarily by the voluntary cooperation of all Americans.

.02 *Voluntary compliance.* Primary reliance in the compliance program shall be placed on the achievement of voluntary compliance through the development of a sympathetic public understanding of the need for economic stabilization activities and the reasons for the regulations designed and issued to meet such need. Concurrently, to facilitate voluntary compliance, continuing positive efforts shall be made in all constituent organizations: (1) To simplify stabilization regulations to the fullest practicable degree; (2) to distribute regulations quickly and economically to all concerned; (3) to publicize carefully and thoroughly the reasons for each regulation and its meaning in understandable terms; and (4) to minimize as much as possible, through simplified requirements, the burden of time and effort which compliance necessarily places on business, labor and the public.

.03 *Enforcement.* All constituent organizations shall conduct investigatory activities of a scope reasonably calculated to enable the detection of violations and an equitable and firm enforcement of the law. In cooperation with the Department of Justice and other Federal agencies, it shall be our policy vigorously to prosecute, and to seek and apply civil sanctions, for willful violation of stabilization regulations. Civil sanctions also will be sought in other cases where provided by applicable law, as in the case of rent overcharges.

.04 *Investigations.* Investigations for enforcement purposes shall be conducted with thoroughness and vigor, but also with scrupulous regard for the highest standards of individual rights under law, and due process of law.

SEC. 5. *Committee on Compliance Policy*—.01 *Establishment.* There is herewith established in the Office of the Administrator a Committee on Compliance Policy. The Committee shall consist of the General Counsel of the Agency, who shall serve as Chairman, and the following members:

Assistant Administrator (Operations),
Assistant to the Administrator for Public Information, and
One Representative from each Economic Stabilization Agency constituent organization.

Additional and associate members may be designated by the Administrator as necessary.

.02 *Functions.* The basic responsibility of the Committee on Compliance Policy shall be to advise and assist the Administrator on matters of compliance policy and also on the state of compliance activities throughout the Agency. The Committee shall consider such matters in their broadest sense, giving attention to general informational and operational considerations as well as enforcement and litigation aspects. These shall include, but not be limited to, the following:

1. The standards and criteria used in choosing and applying sanctions and otherwise handling violations;
2. Timing, priority, emphasis, scope and adequacy among particular compliance objectives and programs;
3. Agency-wide participation in compliance to which all staffs shall contribute;
4. Cooperative arrangements among constituent agencies and with other Government agencies in Washington and the field; and
5. Adequacy of compliance authority and delegations.

The Committee shall consider individual orders, cases, investigations, and interpretations only as they raise broad policy problems.

.03 *Meetings.* The Committee shall hold its regular meetings on the second Monday of each month, beginning in September, 1951. Special meetings may be called by the Chairman as he deems necessary.

.04 *Monthly reports.* The Committee shall be furnished, in addition to any other information requested by the Committee through its Chairman, a report by each constituent organization of the Economic Stabilization Agency at the beginning of each month concerning compliance activities for the preceding month and programs planned for the succeeding month. Each such report shall include, but not be limited to, information concerning the following: (1) The simplification and distribution of regulations and orders; (2) information activities relating to compliance; (3) investigative and enforcement activities; (4) litigation and sanctions, and (5) other measures to obtain public support, understanding and cooperation. The Committee also may request such special reports as it deems necessary. After each monthly meeting of the Committee, the Chairman in turn shall submit a summary monthly report to the Administrator outlining the status of compliance activities throughout the Agency, to include each of the five items mentioned above.

.05 *Secretariat services.* Secretariat services for the Committee will be provided by the Reports and Secretariat Section of the Office of the Administrator.

SEC. 6. *Effect on other orders.* .01 General Orders Nos. 2, 3, 8 and 9 are specifically superseded to the extent that they are inconsistent herewith. Any other orders or parts of orders the provisions of which are inconsistent with the provisions of this order are hereby superseded or amended accordingly.

Issued: Washington, D. C., August 21, 1951, 4:10 p. m.

ERIC JOHNSTON,
Administrator.

[F. R. Doc. 51–10270; Filed, Aug. 22, 1951; 5:02 p. m.]

Office of Price Stabilization

[Region I, Redelegation of Authority No. 4]

DIRECTORS OF DESIGNATED DISTRICT OFFICES, REGION I

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 14 (16 F. R. 7431) this redelegation of authority is hereby issued.

1. Authority to act under General Ceiling Price Regulation, SR 45. Authority is hereby redelegated to the Di-

rectors of the Boston, Massachusetts, Springfield, Massachusetts, Providence, Rhode Island, Manchester, New Hampshire, and Hartford, Connecticut District Offices of the Office of Price Stabilization to act on all applications for adjustment under the provisions of sections 1 through 6 inclusive, of General Ceiling Price Regulation, SR 45, as amended.

This redelegation of authority is effective as of August 20, 1951.

JOHN M. O'ROURKE,
Director Regional Office No. I.

AUGUST 22, 1951.

[F. R. Doc. 51-10252; Filed, Aug. 22, 1951; 11:53 a. m.]

[Region 1, Redelegation of Authority No. 5]

DIRECTOR OF HARTFORD, CONN., DISTRICT OFFICE, REGION I

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7, AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 5 (16 F. R. 3672) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Director of the Hartford, Connecticut, District Office of the Office of Price Stabilization to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the Director of the Hartford, Connecticut, District Office of the Office of Price Stabilization to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the cost of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the Director of the Hartford, Connecticut District Office of the Office of Price Stabilization to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective as of August 20, 1951.

JOHN M. O'ROURKE,
Director of Regional Office No. I.

AUGUST 22, 1951.

[F. R. Doc. 51-10253; Filed, Aug. 22, 1951; 11:53 a. m.]

[Region I, Redelegation of Authority No. 6]

DIRECTOR OF HARTFORD, CONN., DISTRICT OFFICE, REGION I

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 8 (16 F. R. 5659), as amended (16 F. R. 6640), this redelegation of authority is hereby issued.

1. Authority to act under sections 15 (c), 26a, 28a and 28b of CPR 14, sections 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16. Authority is hereby redelegated to the Director of the Hartford, Connecticut, District Office of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a and 28b of CPR 14, sections 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16.

2. Authority to act under section 21a of CPR 15. Authority is hereby redelegated to the Director of the Hartford, Connecticut, District Office of the Office of Price Stabilization to act on all applications, price actions and adjustments under the provisions of section 21a of CPR 15.

This redelegation of authority is effective as of August 20, 1951.

JOHN M. O'ROURKE,
Director of Regional Office No. I.

AUGUST 22, 1951.

[F. R. Doc. 51-10254; Filed, Aug. 22, 1951; 11:54 a. m.]

[Region I, Redelegation of Authority No. 7]

DIRECTOR OF HARTFORD, CONN., DISTRICT OFFICE, REGION I

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 13 (16 F. R. 6806) this redelegation of authority is hereby issued.

1. Authority to act under section 13 of CPR 11, as amended. Authority is hereby redelegated to the Director of the Hartford, Connecticut, District Office of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of section 13 of CPR 11, as amended.

This redelegation of authority is effective as of August 20, 1951.

JOHN M. O'ROURKE,
Director Regional Office No. I.

AUGUST 22, 1951.

[F. R. Doc. 51-10255; Filed, Aug. 22, 1951; 11:54 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9999, 10000]

WATERTOWN RADIO, INC. AND WILLIAM C. FORREST

ORDER AMENDING ISSUES

In re applications of Watertown Radio, Incorporated, Baraboo, Wisconsin, Docket No. 9999, File No. BP-7990; William C. Forrest, Reedsburg, Wisconsin, Docket No. 10000, File No. BP-8121; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 15th day of August 1951;

The Commission having under consideration the above-entitled application of William C. Forrest for a construction permit for a new standard broadcast station to be operated with the facilities 1400 kilocycles, 250 watts power, unlimited time at Reedsburg, Wisconsin;

It appearing, that the two above-entitled applications were designated for hearing in a consolidated proceeding by Commission order of July 5, 1951, but that on July 27, 1951, the above-entitled application of Watertown Radio, Incorporated was dismissed without prejudice;

It further appearing, that the remaining applicant, William C. Forrest is legally, technically, financially and otherwise qualified to operate the proposed station.

It is ordered, That upon the Commission's own motion, the Commission order of July 5, 1951, designating said application for hearing is amended to delete therefrom Issues No. 1, 3, and 8 and all reference to the application of Watertown Radio, Incorporated.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10164; Filed, Aug. 23, 1951; 8:47 a. m.]

[Docket Nos. 9833, 10035]

CUSTER COUNTY BROADCASTING CO. (KCNI) AND GRAND ISLAND BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Custer County Broadcasting Company (KCNI), Broken Bow, Nebraska, Docket No. 9833, File No. BP-7679; Robert L. Lester, Wilbur J. Bachman, Jake Grasmick, Walter E. Siebert, Samuel N. Wolbach and Wick M. Heath, d/b as Grand Island Broadcasting Company Grand Island, Nebraska, Docket No. 10035, File No. BP-8169, for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 15th day of August 1951;

The Commission having under consideration the above-entitled applica-

tions of the Custer County Broadcasting Company requesting a change in facilities of Station KCNI, Broken Bow, Nebraska, from 1490 kilocycles, 250 watts power, unlimited time to 1430 kilocycles, 1 kilowatt power, unlimited time and of the Grand Island Broadcasting Company requesting a construction permit for a new standard broadcast station to be operated on the frequency on 1430 kilocycles, 1 kilowatt power, unlimited time, using a directional antenna at night at Grand Island, Nebraska;

It appearing, that the above-entitled applications propose simultaneous cochannel operation in cities having a geographical separation of approximately 76 miles;

It further appearing, that, by order of November 14, 1950, the above-entitled application of Custer County Broadcasting Company was designated for hearing upon issues specified therein; and that said hearing is presently scheduled to commence August 23, 1951, at Washington, D. C.;

It is ordered, That, pursuant to § 309 (a) of the Communications Act of 1934, as amended, the above-entitled application of Grand Island Broadcasting Company is designated for hearing in consolidation with the hearing heretofore ordered on the above-entitled application of Custer County Broadcasting Company upon the following issues:

1. To determine the technical, financial, and other qualifications of the corporate applicant, its officers, directors, and stockholders to operate Station KCNI, as proposed and the legal, technical, financial and other qualifications of the applicant partnership and its partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the character of other broadcast service available to such areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station and of Station KCNI, as proposed, would involve objectionable interference with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station and of Station KCNI, as proposed, would involve objectionable interference each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine whether the antenna proposed by Grand Island Broadcasting Company would constitute a hazard to air navigation.

8. To determine the signal intensity which would be produced by the operation of the station proposed by Grand Island Broadcasting Company at the Commission's Monitoring Station at Grand Island, Nebraska, and whether such signal intensity would have an adverse effect upon the Commission's Monitoring Station.

9. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's order of November 14, 1950, designating the above-entitled application of Custer County Broadcasting Company for hearing is amended to include therein issues Nos. 1, 3, 4, 5, and 9, above.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10165; Filed, Aug. 23, 1951; 8:47 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1712]

MONTANA POWER CO.

ORDER POSTPONING AND CHANGING PLACE OF HEARING

AUGUST 6, 1951.

By order of the Commission issued July 26, 1951, and published in the FEDERAL REGISTER on July 31, 1951 (16 F. R. 7470), this proceeding was set for hearing to commence on August 20, 1951, at 10:00 a. m., e. d. s. t., in Washington, D. C.

On August 2, 1951, National Coal Association, United Mine Workers of America, and Railway Labor Executives Association, interveners herein, requested that the hearing be postponed to a date not earlier than September 15, 1951, and be set at a place in the State of Montana which the Commission deems best suited to the convenience of all parties concerned. Many local coal and railroad interests in the States of Montana, Wyoming, and Utah have informally urged that the Commission grant the request of the interveners.

The Commission finds: Good cause has been shown and it would be in the public interest to postpone such hearing to the date and place hereinafter ordered.

The Commission orders: That public hearing in this proceeding fixed by order of the Commission issued July 26, 1951, to commence on August 20, 1951, at 10:00 a. m., e. d. s. t., in Washington, D. C., be and the same hereby is postponed to commence on September 10, 1951, at 10:00 a. m., m. s. t., in U. S. District Courtroom, Post Office and Courthouse Building, Billings, Montana.

Date of issuance: August 20, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10133; Filed, Aug. 23, 1951; 8:45 a. m.]

[Docket No. G-1757]

NATURAL GAS STORAGE CO. OF ILLINOIS

NOTICE OF APPLICATION

AUGUST 20, 1951.

Take notice that Natural Gas Storage Company of Illinois (Applicant), a Delaware corporation, having its principal place of business at 20 North Wacker Drive, Chicago, Illinois, filed on August 7, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of a storage pool and appurtenant facilities as hereinafter described and as more fully described in the application.

Applicant proposes to acquire easements on approximately 30,880 acres of land in Kankakee and Iroquois Counties in Illinois, to drill wells, lay connecting pipelines, construct a dehydration plant and appurtenant facilities and to store natural gas in porous sandstone formations underlying the area.

Applicant proposes to operate the proposed project to store off-peak gas of Natural Gas Pipeline Company of America and Texas Illinois Natural Gas Pipeline Company, its affiliates, and to construct approximately 55 miles of 30 and 26-inch diameter pipeline to interconnect the proposed storage pool with the pipelines of those companies. Applicant proposes to commence construction not later than July 1, 1952, and to commence initial operation within one year thereafter.

The proposed storage pool will have a storage capacity, exclusive of cushion gas, of 90 billion cubic feet with a maximum daily withdrawal capacity of 1½ billion cubic feet.

The estimated overall cost of the proposed facilities when completed is $36,200,000.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 7th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10134; Filed, Aug. 23, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26338]

SAND FROM CAMDEN AND LEXINGTON, TENN.

APPLICATION FOR RELIEF

AUGUST 21, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provisions of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 998.

Commodities involved: Sand, carloads.

From: Camden and Lexington, Tenn.

To: Specified points in official (including Illinois) and western trunk-line territories.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 998, Supp. 178.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10148; Filed, Aug. 23, 1951; 8:47 a. m.]

[4th Sec. Application 26339]

SEWING MACHINE CABINETS, ETC., FROM SOUTH BEND, IND., TO ANDERSON, S. C.

APPLICATION FOR RELIEF

AUGUST 21, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4300, pursuant to fourth-section order No. 9800.

Commodities involved: Sewing machine cabinets, stools, tables, and carrying cases, carloads.

From: South Bend, Ind.

To: Anderson, S. C.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10149; Filed, Aug. 23, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2677]

ALABAMA POWER CO.

NOTICE OF FILING REGARDING THE ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING AND TRANSFER FROM EARNED SURPLUS TO COMMON STOCK ACCOUNT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of August 1951.

Notice is hereby given that an application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Alabama Power Company ("Alabama"), a subsidiary of The Southern Company ("Southern"), a registered holding company. The filing has designated sections 6 and 7 of the act and Rule U-50 promulgated thereunder as being applicable to the transactions described therein.

Notice is further given that any interested person may, not later than August 30, 1951, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter stating the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. At any time after said date, said application-declaration as filed, or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C.

All interested persons are referred to said application-declaration which is on file at the offices of this Commission, for a statement of the transactions therein proposed which are summarized as follows:

Alabama proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, promulgated under the act, $15,000,000 principal amount of its First Mortgage Bonds, __ percent series, due 1981, to be issued under and secured by Alabama's present indenture dated as of January 1, 1942, as heretofore supplemented on October 1, 1947, and December 1, 1948, and to be further supplemented by an indenture to be dated as of September 1, 1951.

The invitation for bids will provide that each bid is to specify the coupon rate for the new bonds, which must be a multiple of ⅛ percent, and the price to be paid Alabama, exclusive of accrued interest, which price must be not less than 100 percent nor more than 102¾ percent of the principal amount of said bonds. Accrued interest from September 1, 1951, to the date of payment and delivery is to be paid to Alabama by the purchaser or purchasers.

The filing states that the proceeds from the sale of these new bonds will provide a portion of the funds required for the construction or acquisition of permanent improvements, extensions, and additions to Alabama's property, or to reimburse its treasury, in part, for expenditures made for such purpose. According to the filing, Alabama contemplates expenditures for construction for the three years 1951 through 1953 of $100,500,000. The management of Alabama estimates that, based upon the present level of earnings and current expectations with respect to the progress of this construction program, it will be necessary to raise approximately $16,000,000 of new money before the end of 1952 and approximately $24,000,000 of additional new money before the end of 1953. It is now contemplated by the management that this will be done through the issuance of additional securities of types and in amounts not yet determined. The construction program is subject, according to the filing, to modification because of changes in availability of equipment, defense measures, including governmental controls, general economic conditions, or other factors.

The filing states that the issuance and sale of the proposed new bonds are subject to authorization by the Alabama Public Service Commission, the State commission of the State in which Alabama is organized and doing business.

The filing indicates that Alabama, beginning August 1, 1945, in accordance with orders of the Federal Power Commission and of the Alabama Public Service Commission, is amortizing the amount classified as electric plant acquisition adjustments at the rate of $48,766 a month. The order of the Federal Power Commission directed such charge to be made to income deductions whereas the order of the Alabama Public Service Commission permits such charge to be made to operating expenses. By letter dated August 20, 1951, Alabama Public Service Commission has directed Alabama to continue the practice of charging this amortization to operating expenses.

Alabama also proposes to increase that part of capital stock represented by the 4,046,252 shares of its outstanding common stock from $53,522,121 to $61,022,121 by transferring $7,500,000 from earned surplus account to common stock stated capital account. It is represented that the amount so transferred represents a portion of the earned surplus of Alabama accumulated subsequent to January 31, 1942, and prior to January 1, 1948, the date as of which Southern restated its investments in subsidiary companies to their underlying book value.

Alabama requests that any order of this Commission, permitting effectiveness to the declaration and granting the

application, become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-10135; Filed, Aug. 23, 1951; 8:45 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18316]

KARL BECKMANN

In re: Stock owned by Karl Beckmann. F-28-31594.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Beckmann, whose last known address is Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Three thousand (3$$$) shares of $1.00 par value capital stock of Reorganized Kewanas Mining Company, Goldfield, Nevada, a corporation organized under the laws of the State of Nevada, evidenced by certificates numbered 7733, 7734 and 7735 for one thousand (1000) shares each, registered in the name of J. F. Monahan, and presently in the custody of the Attorney General of the United States, together with all declared and unpaid dividends thereon, and

b. Four thousand (4000) shares of $.05 par value capital stock of Goldfield Deep Mines Company of Nevada, Goldfield, Nevada, a corporation organized under the laws of the State of Nevada, evidenced by a certificate numbered 53307, registered in the name of Carl W. Mueller, Administrator of the Estate of Marie Beckmann, Deceased, and presently in the custody of the Attorney General of the United States, together, with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Karl Beckmann, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10172; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18313]

ANNA ALTHAUS

In re: Rights of Anna Althaus under insurance contracts. Files Nos. F-28-31602-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Althaus, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 69504104 and 69504105 issued by The Prudential Insurance Company of America, Newark, New Jersey, to Anna Althaus, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to; held on behalf of or on account of, or owing to; or which is evidence of ownership or control by, Anna Althaus, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director.
Office of Alien Property.

[F. R. Doc. 51-10169; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18317]

MARTHA BRAUNS-FOREL

In re: Debts owing to the personal representatives, heirs, next of kin, legatees and distributees of Martha Brauns-Forel, deceased. F-28-31608.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Martha Brauns-Forel, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of Fahnestock & Company, 65 Broadway, New York 6, New York arising out of funds allocable to Martha Brauns-Forel, deceased, on deposit in a General Ruling No. 6 account in the name of Banque Galland & Cie., S. A., maintained with the aforesaid company, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of Fahnstock & Company, 65 Broadway, New York 6, New York arising out of funds allocable to Martha Brauns-Forel, deceased, on deposit in an account in the name of Banque Galland & Cie., S. A. (1-0417), maintained with the aforesaid company, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of the Guaranty Trust Company, New York, New York, arising out of funds allocable to Martha Brauns-Forel, deceased, on deposit in a General Ruling No. 17 account in the name of Banque Cantonale, Vaudoise, Switzerland, maintained with the aforesaid bank, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and

d. That certain debt or other obligation of the Swiss Bank Corporation, New York Agency, arising out of funds allocable to Martha Brauns-Forel, deceased, on deposit in an account in the name of Societe de Banque Suisse, Lausanne, Switzerland, maintained with the aforesaid agency, together with any and all accruals to the aforesaid debt or other

obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Martha Brauns-Forel, deceased, the aforesaid nationals of a designed enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Martha Brauns-Forel, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10173; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18314]

JULIE AMMON BERNSTORFF, ET AL.

In re: Trust Indenture of May 23, 1939; Julie Ammon Bernstorff, Settlor; Central Hanover Bank & Trust Company and Hans Bernstorff, Trustees. File No. D-66-349 G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Peter Clemens August Grauert, Hans Herbert Grauert, Dr. Hans Grauert, Else Bernstorff, Mrs. Dr. Elizabeth Buitkamp, Mrs. Carl Hosseus and Annemarie Hosseus, whose last known address is Germany, are residents of Germany, and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to and arising out of or under that certain trust indenture dated May 23, 1939, by and between Julie Ammon Bernstorff, settlor, and Central Hanover Bank and Trust Company and Hans Bernstorff, trustees, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10170; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18315]

PETER WILHELM LINDNER

In re: Rights of Peter Wilhelm Lindner under insurance contract. File No. F-28-24710-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Peter Wilhelm Lindner, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 206466 issued by the West Coast Life Insurance Company, San Francisco, California to Peter Wilhelm Lindner, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid West Coast Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Peter Wilhelm Lindner, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10171; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18318]

GENERAL ELECTRIC CO.

In re: Bond Redemption account owned by General Electric Company, also know as Allgemeine Elektricitaets Gesellschaft. F-28-4320.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That General Electric Company, also known as Allgemeine Elektricitaets Gesellschaft, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, in the amount of $4,200.00, as of June 14, 1941, arising out of a bond redemption account deposited prior to January 1, 1935, entitled The National City Bank of N. Y., Trustee under Trust Agreement dated 1/15/25 providing for Allgemeine Elektricitaets Gesellschaft 20 yr. Sinking Fund 7 percent Gold Debentures due 1/15/45, maintained at the aforesaid bank, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by the said The National City Bank of New

York, against the said account, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or an account of, or owing to, or which is evidence of ownership or control by, General Electric Company, also known as Allgemeine Elektricitaets Gesellschaft, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10174; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18319]

GENERAL ELECTRIC CO.

In re: Interest accounts owned by General Electric Company, also known as Allgemeine Elektricitaets Gesellschaft. F-28-4320.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That General Electric Company, also known as Allgemeine Elektricitaets Gesellschaft, the last known address of which is Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations of The National City Bank of New York, 55 Wall Street, New York, New York, arising out of the interest accounts deposited prior to January 1, 1935, entitled and in the amounts, as of June 14, 1941, as set forth in Exhibit A, set forth below and by reference made a part hereof, maintained at the aforesaid bank, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by the said The National City Bank of New York, against the said accounts, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, General Electric Company, also known as Allgemeine Elektricitaets Gesellschaft, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Title of account	*Amounts*
The National City Bank of New York, trustees under trust agreement dated 12/1/25 providing for Allgemeine Elektricitaets Gesellschaft 15-year 6½ Percent Gold Sinking Fund Debentures due 12/1/40	$227.00
The National City Bank of New York, trustee under trust agreement dated 1/15/25 providing for Allgemeine Elektricitaets Gesellschaft 20-year Sinking Fund 7 Percent Gold Debentures due 1/15/45	857.00
The National City Bank of New York, trustee under trust agreement dated as 5/1/28 providing for Allegemeine Elektricitaets Gesellschaft 20-year 6 Percent Gold Sinking Fund Debentures due 5/1/48	840.00

[F. R. Doc. 51-10175; Filed, Aug. 23, 1951; 8:48 a. m.]

[Vesting Order 18321]

ERNEST LUDWIG MARX

In re: Securities owned by and debt owing to Ernest Ludwig Marx, also known as Ernesto Lodovico Marx. F-28-27321-A-1; F-28-27876-A-1.

Under the authority of the Trading With the Enemy Act, as amended. Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernest Ludwig Marx, also known as Ernesto Lodovico Marx, whose last known address is Budenheim, On-the-Rhine, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Forty (40) shares of common stock of North American Company, 60 Broadway, New York, New York, evidenced by a certificate or certificates presently in the custody of J. P. Morgan & Co., Inc., 23 Wall Street, New York 8, New York, in an account entitled "Credit Suisse, Lugano, Switzerland, Identified Ella Marx, Swiss-German-Italian", together with all declared and unpaid dividends thereon,

b. Fourteen (14) shares of stock of Potomac Electric Power Company, Washington, D. C., evidenced by a certificate or certificates presently in the custody of J. P. Morgan & Co., 23 Wall Street, New York 8, New York, in an account entitled "Credit Suisse, Lugano, Switzerland, Identified Ella Marx, Swiss-German-Italian", together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation of J. P. Morgan & Co., 23 Wall Street, New York 6, New York, in the amount of $549.50 as of January 3, 1951, on deposit in a blocked account entitled "Credit-Suisse, Lugano, Switzerland, Identified Ella Marx, Swiss—German—Italian", maintained with the aforesaid company together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ernest Ludwig Marx, also known as Ernesto Lodovico Marx, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10177; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18320]

MASATO KAWASHIMA

In re: Debt owing to Masato Kawashima. F-39-7002.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Masato Kawashima, whose last known address is 1596 Koi-Machi, Hiroshima City, Hiroshima Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Masato Kawashima, by The Yokohama Specie Bank, Ltd., Los Angeles Office, Los Angeles, California, and/or Superintendent of Banks of the State of California and Liquidator of The Yokohama Specie Bank, Ltd., Los Angeles Office, c/o State Banking Department, 111 Sutter Street, San Francisco, California, arising out of a Fixed Deposit Certificate No. 68217, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10176; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18322]

CHOJIRO NISHIKAWA

In re Debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Chojiro Nishikawa, deceased. D-39-19388.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Chojiro Nishikawa, deceased, who there is reasonable cause to believe are residents of Japan are nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of the Anglo California National Bank of San Francisco, Fillmore Office, Fillmore and Geary Streets, San Francisco 15, California, arising out of a savings account, Account No. 13140 entitled Chojiro Nishikawa maintained with the aforesaid bank, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deleverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Chojiro Nishikawa, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Chojiro Nishikawa, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10178; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18323]

RHINE WESTPHALIA ELECTRIC POWER CORP.

In re: Interest accounts owned by Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G. F-28-5835.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G, the last known address of which is Essen, Germany, is a corporation, artnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Essen, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations of The National City Bank of New York, 55 Wall Street, New York, New York, arising out of the interest accounts deposited prior to January 1, 1935, entitled and in the amounts, as of June 14, 1941, as set forth below in Exhibit A and by reference made a part hereof, maintained at the aforesaid bank, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by the said The National City Bank of New York, against the said accounts, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having

been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Title of accounts	*Amounts*
The National City Bank of New York, trustee under Mortgage Trust Indenture dated as of 8/1/28 providing for Rheinisch-Westfalisches Elektrizitatswerk A/G Consolidated Mortgage Gold Bonds 6 percent Series of 1928 due 8/1/53, and 6 percent Series of 1930 due 4/1/55	$1,830.00
The National City Bank of New York, trustee under Indenture dated 11/1/25 providing for Rheinisch-Westfalisches Elektrizitatswerk A/G Direct Mortgage Gold Bonds 7 percent Series due 1950 and 6 percent Series due 1952	917.00
The National City Bank of New York, Trustee under Trust Agreement dated 2/2/31 providing for Rheinisch-Westfalisches Elektrizitatswerk A/G 7 percent Secured Gold Notes due 2/1/36, certain notes extended to 2/1/41, all payable 9/9/39	20,712.00

[F. R. Doc. 51-10179; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18324]

RHINE WESTPHALIA ELECTRIC POWER CORP.

In re: Bond redemption account owned by Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G. F-28-5835.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G, the last known address of which is Essen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Essen, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, in the amount of $31,121.00, as of June 14, 1941, arising out of a bond redemption account, entitled The National City Bank of New York, Trustee under Trust Agreement dated 2/2/31 providing for Rheinisch-Westfalisches Elektrizitatswerk A/G 7 percent Secured Gold Notes due 2/1/36, certain notes extended to 2/1/41, all payable 9/9/39, maintained at the aforesaid bank, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by said The National City Bank of New York, against the said account, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10180; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18325]

RHINE WESTPHALIA ELECTRIC POWER CORP.

In re: Special Reserve account owned by Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G. F-28-5835.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G, the last known address of which is Essen, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Essen, Germany and is a national of a designated emeny country (Germany);

2. That the property described as follows: That certain debt or other obligation of The National City Bank of New York, 55 Wall Street, New York, New York, in the amount of $351.00, as of June 14, 1941, arising out of a special reserve account, entitled The National City Bank of New York, Trustee under Indenture dated 11/1/25 providing for Rheinisch-Westfalisches Elektrizitatswerk A/G Direct Mortgage Gold Bonds 7 percent Series due 1950 and 6 percent Series due 1952, maintained at the aforesaid bank, and any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by said The National City Bank of New York, against the said account, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Rhine Westphalia Electric Power Corporation, also known as Rheinisch-Westfalisches Elektrizitatswerk A/G, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10181; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18326]

MARGARETE SAALFELDT

In re: Certificate of interest owned by Margarete Saalfeldt. F–28–31593.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margarete Saalfeldt, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: One (1) Certificate of Interest for one (1) unit Ridgeview and Annex Liquidation Trust, bearing the number 1526, registered in the name of Margarete Saalfeldt, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of on or account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all actions required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy county" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51–10182; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18328]

WILLIAM F. SCHMIDT ET AL.

In re: Securities owned by William F. Schmidt and others. F–28–31624.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibit A, set forth below and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibit A, set forth below and by reference made a part hereof, are corporations, partnerships, associations or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That William F. Schmidt, whose last known address is Goslar, Bismarckstr. 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Max Bischoff, whose last known address is Oelde, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Erich Milchzack, whose last known address is Schwanenwede 88, b. Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, together with all declared and unpaid dividends thereon,

b. All rights and interest in and under one (1) temporary certificate for 20 shares of $100 par value, Class A, preferred stock of Midland Utilities Company, said certificate numbered TCAO 2248 and owned by William F. Schmidt,

c. All rights and interest in and under one (1) Warrant for Bullion No. 1785, issued by Mines Operating Company, for 4¾ oz. Gold or $85.50, owned by Max Bischoff, and

d. One (1) German Certificate for 4 percent Missouri Pacific Railway Company 40-year gold loan bond of 1905 numbered 10294 of $500 face value, said German Certificate numbered 3523 and owned by Erich Milchzack, together with any and all rights in and under said certificate,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany).

and it is hereby determined:

7. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3, 4 and 5 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate No.	Number of shares	Owner
Midland Utilities Co	6 percent preferred class A.	$100.00	AC/O 2039	10	William F. Schmidt.
National Electric Power Co.	6 percent cumulative preferred.	100.00	CX1236, CX3109	35	Do.
Mines Co. of America	Capital	1.00	18357	100	Heinrich Alten.
Do	do	1.00	21918	100	Friedrich Eichmann.
Missouri Pacific Ry. Co	do	100.00	B9010	10	Erich Milchsack.
Montana Belle Oil & Gas Co.	do	1.00	564,565	250	Stadtsparkasse Bad Pyrmont.

[F. R. Doc. 51–10184; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18327]

SAXON STATE MORTGAGE INSTITUTION

In re: Interest accounts owned by Saxon State Mortgage Institution, also known as Sachsische Landespfandbriefanstalt. F–28–12028.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Saxon State Mortgage Institution, also known as Sachsische Landespfandbriefanstalt, the last known address of which is Dresden, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Dresden, Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other ob-

ligations of The National City Bank of New York, 55 Wall Street, New York, New York, arising out of the interest accounts deposited prior to January 1, 1935, entitled and in the amounts, as of June 14, 1941, as set forth below in Exhibit A and by reference made a part hereof, maintained at the aforesaid Bank, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, less all lawful charges, by the said The National City Bank of New York, against the said accounts, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Saxon State Mortgage Institution, also known as Sachsische Landespfandbriefanstalt, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest.

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Title of accounts	*Amounts*
The National City Bank of New York, trustee under Trust Indenture dated 12/1/26 providing for Sachsische Landespfandbriefanstalt Mortgage Collateral Sinking Fund 6½ Percent Guaranteed Gold Bonds due 12/1/46	$243.00
The National City Bank of New York, trustee under Trust Indenture dated 12/1/25 providing for Sachsische Landespfandbriefanstalt Mortgage Collateral Sinking Fund 7 Percent Guaranteed Gold Bonds due 12/1/45	455.00
The National City Bank of New York, trustee under Trust Indenture dated as of 9/15/27 providing for Sachsische Landespfandbriefanstalt Mortgage Collateral Sinking Fund 6 Percent Guaranteed Gold Bonds due 9/15/47	180.00

[F. R. Doc. 51-10183; Filed, Aug. 23, 1951; 8:49 a. m.]

[Vesting Order 18330]

JOSEPH WITTKOPP

In re: Stock owned by Joseph Wittkopp. F-28-25733-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Wittkopp, whose last known address is Nene Schulstr. 24, Hagen Westfalen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Twenty-five (25) shares of no par value common capital stock of Montgomery Ward & Co., Incorporated, 619 West Chicago Avenue, Chicago, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by certificate number NCO 16316, registered in the name of Joseph Wittkopp, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10186; Filed, Aug. 23, 1951; 8:50 a. m.]

[Vesting Order 18329]

FRANCES WEHMER-HULMANN ET AL.

In re: Securities owned by Frances Wehmer-Hulmann and others. F-28-81623.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibits A and B set forth below and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibits A and B set forth below and by reference made a part hereof, are corporations, partnerships, associations or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Frances Wehmer-Hulmann, whose last known address is Essen, Hagenaustr. 43 Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Elisabeth Gilessen, whose last known address is Duesseldorf, Dorotheenstr. 46, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Lilly Hayssen, whose last known address is Oldenburg, Philosophenweg 17, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That Anton Hütemann, whose last known address is Albaum Krs. Olpe, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That Wilhelm Kremer, whose last known address is Leverkusen-Schlebusch, Kurt Neubauerstr. 6, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

8. That Dr. Med Bruno Rosenhain & Frau Salla, each of whose last known address is Braunschweig, Brabantstr. 3, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

9. That Friedrich Schmidt, whose last known address is Wilhelmshaven, Dardanellenstr. 9, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

10. That Wilhelm Schulten, whose last known address is Haan, Hochdahlerstr., Germany, is a resident of Germany and a national of a designated enemy country (Germany);

11. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, together with all declared and unpaid dividends thereon,

b. Those certain debts or other obligations, matured or unmatured, evidenced by the bonds described in Exhibit B, owned by the persons identified therein as owners, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in and to said bonds,

c. All rights and interest in and under four (4) certificates for North American Trust shares, Distributors Group Incorporated as Depositary, said certificates issued in bearer form numbered X156221, X156222, X156700 and X156701, owned by Frances Wehmer-Hulmann.

d. All rights and interest in and under six (6) certificates for North American Trust Shares, 1956, Distributors Group Incorporated as Depositary, issued by City Bank Farmers Trust Company, in bearer form, numbered AA3266, AA15927, AA15995 and CC15521/3, owned by Elisabeth Gilessen,

e. All rights and interests in and under one (1) Pacific States Savings and Loan Company 6 percent Fidelity Participating Certificate, numbered 20074, of $175.00 face value, owned by Lilly Hayssen,

f. All rights and interests in and under one (1) certificate of beneficial interest for 3,098 units in the Park Shore Properties Liquidation Trust issued by Chicago City Bank and Trust Company under trust number 2050, said certificate numbered 849, and owned by Anton Hüttemann,

g. All rights and interests in and under one (1) certificate of beneficial interest for 80 units in the Park Shore Properties Liquidation Trust issued by Chicago City Bank and Trust Company under trust number 2050, said certificate numbered 850, and owned by Wilhelm Kremer,

h. All rights and interests in and under one (1) certificate of beneficial interest for 2,065 units in the Park Shore Properties Liquidation Trust, issued by Chicago City Bank and Trust Company under trust number 2050, said certificate numbered 741, and owned by Wilhelm Kremer,

i. All rights and interests in and under one (1) certificate of beneficial interest for 2 units in the Park Beach Hotel Liquidation Trust, issued by Chicago City Bank and Trust Company under trust number 2442, said certificate numbered 85, and owned by Wilhelm Kremer,

j. All rights and interests in and under two (2) Prudence-Bonds Corporation first mortgage collateral bond 15th Series, Receipts for Coupons, said receipts of $2.00 face value each, numbered 15 1963 and 15 1964, owned by Dr. Med Bruno Rosenhain and Frau Salla,

k. All rights and interests in and under one (1) Receipt representing interest in one-sixth of one share of no par value common stock of Radio Corporation of America, said receipt numbered 111191, and owned by Friedrich Schmidt,

l. One hundred fifteen (115) shares of Class B capital stock of Susquehanna Silk Mills, evidenced by certificates numbered B41 and BO 63 for 100 shares and fifteen shares, respectively, owned by Wilhelm Schulten,

m. All rights and interests in and under Scrip Certificates for voting trust certificates representing 79/100ths of a share of Class B capital stock of Susquehanna Silk Mills, said certificate numbered B68, and owned by Wilhelm Schulten,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

12. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and that the person named in subparagraphs 3, 4, 5, 6, 7, 8, 9 and 10 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including apropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of Issuer	Class of stock	Par value	Certificate No.	Number of shares	Owner
Northern Mining Corp	Capital	None	0254	100	Arthur von Hurter.
Do	do	None	0333, 0355, 0356	9,000	Dr. M. Oster.
Orfie Gasoline Production Co	Preferred	$100.00	785	4	Franz Beitz.
The Quray Mining & Milling Co.	Capital	.10	319	1,000	Otto Kötter.
Pacific Smelting & Mining Co	Common	5.00	500	100	Emma Auguste Zenker.
Paterson Brewing Co	Capital	1.00	040, 0356, 0384, 0459, 080, 0399, 0400, 0602.	100	Gertrud Bösehen.
Pelican Works-Gunther Wagner, Inc.	do	None	1, 2, 3	200	Gunther-Wagner.
Radio Corp. of America	Common	None	WO 111121	4	Friedrich Schmidt.
Richmond Laboratories, Inc	Capital	None	2	60	Walther Buehler.
Dr. Riegel Sanitarium Co	do	$10.00	18	1	Dorothea Deppe.
Do	7 percent cumulative preferred.	10.00	10	1	Do.
The Rock Island Co	Common	100.00	B46333	10	Johs. Steehmann.
Do	do	100.00	C45993, C47802 C48619, C49486 B148079.	450	Deutsche Bank.
Do	do	100.00	B128857/60, B132981.	50	Eduard Arnolds.
The Salt Dome Oil Corp	Capital	1.00	PO 7308, PC 9715.	160	Heinrich Beeker.
Sinclair Consolidated Oil Corp	Common	None	0319326	1	Pauline Vierlinger.
Spirit Lake Power & Mining Co.	Capital	$1.00	1009, 1216	3,000	Dresdener Bank.
Standard Oil Co	do	25.00	S-C 24788, S-C 41952.	13	Hans Dehnike.
Sterling Loan & Building Savings Association.	do	100.00	16876	5	Adele Grote.

EXHIBIT B

Description of issue	Face value	Bond No.	Owner
Northern Pacific Ry. Co. general lien railway and land grant 3 percent gold bonds, due Jan. 1, 2047.	[1] $1,000.00	M521, M1279, M4007, M10176, M10431, M27390.	Karl Bergeneser.
St. Louis-San Francisco Ry. Co. prior lien mortgage 4 percent gold bonds, series A, due July 1, 1950.	1,000.00 1,000.00 500.00	M76124 M7920 D6400	Hermann Pagel.

[1] Each.

[F. R. Doc. 51-10185; Filed, Aug. 23, 1951; 8:50 a. m.]

[Vesting Order 18190, Amdt.]

CERTAIN GERMAN NATIONALS

In re: Debts owing to German nationals whose names are unknown.

Vesting Order 18190, dated July 16, 1951, is hereby amended as follows and not otherwise:

By deleting subparagraph 1 from said Vesting Order 18190 and substituting therefor the following subparagraph:

1. That the property described in subparagraph 4 (b) hereof is being held by the American Express Company, 65 Broadway, New York 6, New York, for the account of the American Express Company, m. b. H., Berlin Office, 73 Unter den Linden, Berlin, Germany;

By deleting subparagraph 2 from said Vesting Order 18190 and substituting therefor the following subparagraph:

2. That the property described in subparagraphs 4 (a) and 4 (c) hereof are being held by the American Express Company, Inc., New York Agency, 65 Broadway, New York 6, New York, for the account of the American Express

Company, m. b. H., Berlin Office, 73 Unter den Linden, Berlin, Germany;

By deleting subparagraph 4 (a) from said Vesting Order 18190 and substituting therefor the following subparagraph:

4. a. That certain debt or other obligation of the American Express Company, Inc., New York Agency, 65 Broadway, New York 6, New York, arising out of so much of a demand account in the name of the American Express Company, m. b. H., Berlin Office, maintained with the aforesaid American Express Company, Inc., as exceeds the sum of $33,115.46, together with any and all rights to demand, enforce and collect the same,

All other provisions of said Vesting Order 18190 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 20, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10187; Filed, Aug. 23, 1951; 8:50 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET

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OF THE UNITED STATES 1934

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TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 396, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.503 (Lemon Regulation 396, 16 F. R. 8233) are hereby amended to read as follows:

(ii) District 2: 400 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 23d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-10356; Filed, Aug. 24, 1951; 8:57 a. m.]

[Lemon Reg. 397]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.504 *Lemon Regulation 397*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said

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FEDERAL REGISTER

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amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on August 22, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., August 26, 1951, and ending at 12:01 a. m., P. s. t., September 2, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 350 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 23d day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

DISTRICT NO. 2

[Storage date: August 19, 1951]

[12:01 a. m. Aug. 26, 1951, to 12:01 a. m. Sept. 9, 1951]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.203
American Fruit Growers, Inc., Fullerton	.711
American Fruit Growers, Inc., Upland	.243
Eadington Fruit Co	.311
Hazeltine Packing Co	.380
Ventura Coastal Lemon Co	1.656
Ventura Pacific Co	2.147
Glendora Lemon Growers Association	1.854
La Verne Lemon Association	.883
La Habra Citrus Association	1.850
Yorba Linda Citrus Association, The	1.015
Escondido Lemon Association	2.499
Alta Loma Heights Citrus Association	.562
Etiwanda Citrus Fruit Association	.427
Mountain View Fruit Association	.334
Old Baldy Citrus Association	.889
San Dimas Lemon Association	1.740
Upland Lemon Growers Association	5.522
Central Lemon Association	1.135
Irvine Citrus Association, The	1.028
Placentia Mutual Orange Association	.753
Corona Citrus Association	.286
Corona Foothill Lemon Co	1.668
Jameson Co	.712
Arlington Heights Citrus Co	.537
College Heights Orange & Lemon Association	3.169
Chula Vista Citrus Association, The	1.098
El Cajon Valley Citrus Association	.031
Escondido Co-operative Citrus Association	.195
Fallbrook Citrus Association	1.640
Lemon Grove Citrus Association	.429
Carpinteria Lemon Association	2.380
Carpinteria Mutual Citrus Association	3.060
Goleta Lemon Association	4.910
Johnston Fruit Co	5.901
North Whittier Heights Citrus Association	.793
San Fernando Lemon Association	.751
Sierra Madre-Lamanda Citrus Association	.833
Briggs Lemon Association	2.663
Culbertson Lemon Association	2.049
Fillmore Lemon Association	1.325
Oxnard-Citrus Association	5.559
Rancho Sespe	1.073
Santa Clara Lemon Association	8.533
Santa Paula Citrus Fruit Association	3.877
Saticoy Lemon Association	3.316
Seaboard Lemon Association	3.836
Somis Lemon Association	3.012
Ventura Citrus Association	1.068
Ventura County Citrus Association	.023
Limoneira Co	2.562
Teague-McKevett Association	.897
East Whittier Citrus Association	.631
Leffingwell Rancho Lemon Association	.960
Murphy Ranch Co	2.007
Chula Vista Mutual Lemon Association	.643
Index Mutual Association	.548
La Verne Cooperative Citrus Association	2.082
Orange Belt Fruit Distributors	.884
Ventura County Orange & Lemon Association	2.570
Whittier Mutual Orange & Lemon Association	0.110
Cappos Bros. Produce	.002
Evans Bros. Packing Co	.001
Latimer, Harold	.012
MacDonald Fruit Co	.002
Mazomenos, William	.000
Paramount Citrus Association, Inc.	.218
Uyeji, Kikuo	.002

[F. R. Doc. 51-10357; Filed, Aug. 24, 1951; 8:57 a. m.]

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

[Orange Reg. 386]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.532 *Orange Regulation 386*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on August 23, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, in-

cluding its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., August 26, 1951, and ending at 12:01 a. m., P. s. t., September 2, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: Unlimited movement; (*b*) Prorate District No. 2: 1,200 carloads; (*c*) Prorate District No. 3: Unlimited movement; (*d*) Prorate District No. 4: Unlimited movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: No movement; (*b*) Prorate District No. 2: No movement; (*c*) Prorate District No. 3: No movement; (*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C. this 24th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. (P. d. s. t.) Aug. 26, 1951, to 12:01 a. m. (P. d. s. t.) Sept. 2, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0734
A. F. G. Corona	.0281
A. F. G. Fullerton	1.1143
A. F. G. Orange	.4190
A. F. G. Riverside	.1255
A. F. G. San Juan Capistrano	.5739
A. F. G. Santa Paula	.3473

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Eadington Fruit Co., Inc	5.2996
Hazeltine Packing Co	.2263
Krinard Packing Co	.1399
Placentia Cooperative Orange Association	.6638
Placentia Pioneer Valencia Growers Association	.6789
Signal Fruit Association	.0965
Azusa Citrus Association	.4907
Covina Citrus Association	1.2605
Covina Orange Growers Association	.5377
Damerel-Allison Association	.6954
Glendora Citrus Association	.4159
Glendora Mutual Orange Association	.3405
Valencia Heights Orchard Association	.4589
Gold Buckle Association	.4371
La Verne Orange Association	.6265
Anaheim Valencia Orange Association	1.3078
Fullerton Mutual Orange Association	2.8449
La Habra Citrus Association	1.3132
Yorba Linda Citrus Association, The	1.0200
Escondido Orange Association	2.2522
Alta Loma Heights Citrus Association	.0578
Citrus Fruit Growers	.1376
Etiwanda Citrus Fruit Association	.0308
Old Baldy Citrus Association	.0911
Rialto Heights Orange Growers	.0542
Upland Citrus Association	.2246
Upland Heights Orange Association	.1253
Consolidated Orange Growers	2.0453
Frances Citrus Association	1.3635
Garden Grove Citrus Association	2.3451
Goldenwest Citrus Association	1.7352
Irvine Valencia Growers	3.4674
Olive Heights Citrus Association	2.4770
Santa Ana-Tustin Mutual Citrus Association	1.0386
Santiago Orange Growers Association	4.9252
Tustin Hills Citrus Association	2.1822
Villa Park Orchards Association	2.3504
Bradford Bros., Inc	.8831
Placentia Mutual Orange Association	3.7905
Placentia Orange Growers Association	3.2500
Yorba Orange Growers Association	1.1222
Call Ranch	.0581
Corona Citrus Association	.4595
Jameson Co	.0914
Orange Heights Orange Association	.5681
Crafton Orange Growers Association	.2549
East Highlands Citrus Association	.0582
Redlands Heights Groves	.1933
Redlands Orangedale Association	.1584
Rialto-Fontana Citrus Association	.1000
Break & Son, Allen	.0444
Bryn Mawr Fruit Growers Association	.1013
Mission Citrus Association	.1418
Redlands Cooperative Fruit Association	.2513
Redlands Orange Growers Association	.1437
Redlands Select Groves	.2153
Rialto Orange Co	.1919
Southern Citrus Association	.1143
United Citrus Growers	.2197
Zilen Citrus Co	.0191
Arlington Heights Citrus Co	.1165
Brown Estate, L. V. W	.1010
Gavilan Citrus Association	.0713

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Highgrove Fruit Association	0.0268
McDermont Fruit Co	.0911
Monte Vista Citrus Association	.0912
National Orange Co	.0180
Riverside Citrus Association	.0069
Riverside Heights Orange Growers Association, The	.0221
Sierra Vista Packing Association	.0286
Victoria Avenue Citrus Association	.1745
Claremont Citrus Association	.1110
College Heights Orange & Lemon Association	.2129
Indian Hill Citrus Association	.2152
Pomona Fruit Growers Exchange	.3172
Walnut Fruit Growers Association	.5341
West Ontario Citrus Association	.1821
El Cajon Valley Citrus Association	.0000
Escondido Cooperative Citrus Association	.2806
San Dimas Orange Growers Association	.2682
Canoga Citrus Association	.7506
North Whittier Heights Citrus Association	.8713
San Fernando Heights Orange Association	.6110
Sierra Madre-Lamanda Citrus Association	.3216
Camarillo Citrus Association	1.3220
Fillmore Citrus Association	2.2547
Mupu Citrus Association	1.8661
Ojai Orange Association	.5116
Piru Citrus Association	1.5977
Rancho Sespe	.6649
Santa Paula Orange Association	1.0192
Tapo Citrus Association	.7020
Ventura County Citrus Association	.4030
Limoneira Co	.5212
East Whittier Citrus Association	.4236
Murphy Ranch Co	.7801
Anaheim Cooperative Orange Association	2.2119
Bryn Mawr Mutual Orange Association	.1331
Chula Vista Mutual Lemon Association	.0000
Euclid Avenue Orange Association	.5001
Foothill Citrus Union, Inc	.1193
Fullerton Cooperative Orange Association	.4083
Garden Grove Orange Cooperative, Inc	1.3064
Golden Orange Groves, Inc	.1750
Highland Mutual Groves, Inc	.0088
Index Mutual Association	.5123
La Verne Cooperative Citrus Association	1.6643
Olive Hillside Groves, Inc	.7420
Orange Cooperative Citrus Association	1.9123
Redlands Foothill Groves	.4001
Redlands Mutual Orange Association	.1494
Ventura County Orange & Lemon Association	1.1797
Whittier Mutual Orange & Lemon Association	.2209
Babijuice Corp. of California	.8569
Banks, L. M	.7512
Becker, Samuel Eugene	.0092
Bennett Fruit Co	.0499
Borden Fruit Co	.6697
Cappos Bros. Produce	.0071
Cherokee Citrus Co., Inc	.1053
Chess Co., Meyer W	.3450
Dozier, Paul M	.0122
Dunning Ranch	.0000
Evans Bros. Packing Co	.4890
Gold Banner Association	.1695
Granada Hills Packing Co	.0321
Granada Packing House	.9870
Hill Packing Co., Fred A	.0609
Knapp Packing Co., John C	.5871

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	*Prorate base (percent)*
Bar S Ranch	0.0931
Lawson, William J	.0066
Lima & Sons, Joe	.1307
Orange Belt Fruit Distributors	1.4542
Orange Hill Groves	.0088
Otte, Arnold	.0646
Panno Fruit Co., Carlo	.4979
Paramount Citrus Association	.7417
Patitucci, Frank L	.0089
Placentia Orchard Co	.5349
Prescott, John A	.0186
Redlands Fruit Association, Inc	.0144
Ronald, P. W	.0205
San Antonio Orchard Co	.2760
Stephens, T. F	.2417
Summit Citrus Packers	.0168
Treesweet Products Co	.1733
Wall, E. T., Grower-Shipper	.0981
Western Fruit Growers, Inc	.4605

[F. R. Doc. 51-10380; Filed, Aug. 24, 1951; 11:29 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

DEFINITION OF CERTAIN TERMS

Statement of purpose. The Securities and Exchange Commission today adopted a new rule, designated as Rule 133, under the Securities Act of 1933, which in effect excludes the issuance of securities in connection with certain types of corporate reclassifications, mergers, consolidations and sales of assets from the operation of section 5 of the act.

The new rule codifies the administrative construction, going back at least to 1935, to the effect that, for purposes of registration, no "sale" to the stockholders of a corporation is deemed to be involved where, pursuant to applicable statutory or charter provisions, the vote of a specified majority of stockholders on a proposed reclassification of securities or merger or consolidation, or a proposed sale of assets in exchange for the stock of another corporation, will bind all stockholders except for the statutory appraisal rights of dissenters.

Substantially this rule was first promulgated by the Commission in September 1935 as a note to Rule 5 of Form E–1. Securities Act Release No. 493 (Class C). Form E–1 was the registration form for securities sold or modified in the course of a reorganization, as defined in Rule 5 of that form. In April 1947, the Commission rescinded Form E–1 as part of its general form simplification program. Securities Act Release No. 3211. Since then the Commission has continued to follow the so-called "no sale theory" administratively in applying section 5 of the Securities Act.

The Commission has never felt, however, that the "no sale theory" necessarily applies in other contexts either under the Securities Act or under any of the other statutes administered by the Commission. As the United States Court of Appeals for the Second Circuit has had occasion to emphasize, section 2 of the Securities Act provides that the defined term shall have the prescribed meanings "unless the context otherwise requires." Schillner v. H. Vaughan Clarke & Co., 134 F. 2d 875 (1943). Thus, the Commission has uniformly treated the issuance and sale of securities in mergers and analogous transactions as involving sales requiring its prior approval under the Public Utility Holding Company Act of 1935, e. g., Rochester Gas & Electric Corp., Holding Company Act Release No. 6340 (1945).

The new rule is specifically limited by its terms to section 5 of the Securities Act. Consequently, whether or not a sale is involved for any other purpose will depend upon the statutory context, and the question should in no sense be influenced by the rule. As a matter of statutory construction the Commission does not deem the "no sale theory" which is described in the rule as being applicable for purposes of any of the anti-fraud provisions of the Securities Act of 1933 and the Securities Exchange Act of 1934.

Statutory basis. The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly section 19 (a) thereof, and deeming such action necessary to carry out the provisions of that act, hereby adopts § 230.133 (Rule 133). Since the rule is an interpretative rule, the Commission finds that the preliminary notice and public procedure provided for in section 4 (a) and (b) of the Administrative Procedure Act are unnecessary and declares the rule effective immediately pursuant to Section 4 (c) of the act.

§ 230.133 *Definition, for purposes of section 5, of "sale", "offer to sell", and "offer for sale".* For purposes only of section 5 of the act, no "sale", "offer to sell", or "offer for sale" shall be deemed to be involved so far as the stockholders of a corporation are concerned where, pursuant to statutory provisions in the state of incorporation or provisions contained in the certificate of incorporation, there is submitted to the vote of such stockholders a plan or agreement for a statutory merger or consolidation or reclassification of securities, or a proposal for the transfer of assets of such corporation to another person in consideration of the issuance of securities of such other person, under such circumstances that the vote of a required favorable majority (a) will operate to authorize the proposed transaction so far as concerns the corporation whose stockholders are voting (except for the taking of action by the directors of the corporation involved and for compliance with such statutory provisions as the filing of the plan or agreement with the appropriate state authority), and (b) will bind all stockholders of such corporation except to the extent that dissenting stockholders may be entitled, under statutory provisions or provisions contained in the certificate of incorporation, to receive the appraised or fair value of their holdings.

The foregoing action shall become effective August 2, 1951.

(Sec. 19, 48 Stat. 85 as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 2, 1951.

[F. R. Doc. 51-10242; Filed, Aug. 24, 1951; 8:47 a. m.]

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

DEFINITION OF CERTAIN TERMS

Statement of purpose. The Securities and Exchange Commission today adopted a new rule, designated as Rule 154 under the Securities Act of 1933, which defines the term "solicitation" in connection with the exemption for unsolicited brokerage transactions in section 4 (2) of the act.

Section 4 (2) exempts from the registration and prospectus requirements of the act:

> Brokers' transactions, executed upon customers' orders on any exchange or in the open or counter market, but not the solicitation of such orders.

The interpretation of section 4 (2) has been the subject of considerable doubt. The purpose of the new rule is to settle some interpretative questions relating to the meaning of the word "solicitation" in that section.

Paragraph (a) of the rule provides that the term "solicitation of such orders" shall be deemed to include "the solicitation of an order to buy a security, but shall not be deemed to include the solicitation of an order to sell a security." For reasons set forth by the Commission in Brooklyn Manhattan Transit Corporation, 1 S. E. C. 147, 171–2 (1935), if the broker solicits the purchaser to buy the security, section 4 (2) does not provide an exemption either for the solicitation itself or for the resulting transaction. On the other hand, if the broker does not solicit the purchaser to buy, the mere fact that he may solicit the seller to sell will not destroy any exemption otherwise available to him under section 4 (2); this construction is based on the fact that the statute is designed primarily for the protection of buyers rather than for the protection of sellers.

While paragraph (a) of the rule makes it clear that there is no exemption for the solicitation of orders to buy, a question remains as to what constitutes "solicitation" where a broker for a seller approaches a dealer who is bidding for the security or soliciting others to sell it to him. Paragraph (b) of the rule provides that, where the dealer's bid or solicitation is in writing, the broker's inquiry about it is not a "solicitation" within the meaning of section 4 (2), so that it does not destroy any exemption otherwise available. Paragraph (b) recognizes also that, in the over-the-counter market, dealers interested in buying a particular security may not publish a quotation or indication of interest on it every day or every week. To some extent such quota-

tions are published in monthly services, and to allow for the delays incident to such publications the rule provides, in effect, that the broker can rely on bids or indications of buying interest originating as much as 60 days previously as indicating that a dealer is soliciting sell orders, so that the broker, in calling the dealer, would not be deemed to be soliciting him.

Rule 154 is a definition for purposes of section 4 (2) and is not intended to serve, for example, as a definition of the phrase "solicitation of an offer to buy" which appears in section 2 (3) of the act. Nor is it intended to affect the Commission's holding in Ira Haupt & Co., Securities Exchange Act Release No. 3845 (1946), regarding the applicability of section 4 (2) to transactions by underwriters. The rule supersedes those portions of Securities Act Release No. 2623 (11 F. R. 10964, 10965) designated as questions and answers 8 and 10.

Statutory basis. The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, particularly sections 4 (2) and 19 (a) thereof, and deeming such action necessary to carry out the provisions of that act, hereby adopts Rule 154. Since the rule is an interpretative rule, the Commission finds that the preliminary notice and public procedure provided for in section 4 (a) and (b) of the Administrative Procedure Act are unnecessary and declares the rule effective immediately pursuant to section 4 (c) of that act.

§ 230.154 *Definition of "solicitation of such orders" in section 4 (2) for certain purposes.* (a) The term "solicitation of such orders" in section 4 (2) of the act shall be deemed to include the solicitation of an order to buy a security, but shall not be deemed to include the solicitation of an order to sell a security.

(b) Where within the previous 60 days a dealer has made a written bid for a security or a written solicitation of offers to sell such security, the term "solicitation" in section 4 (2) shall not be deemed to include an inquiry regarding the dealer's bid or solicitation.

The foregoing action shall become effective immediately.

(Sec. 19, 48 Stat. 85 as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

AUGUST 2, 1951.

[F. R. Doc. 51-10241; Filed, Aug. 24, 1951; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52800]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

VESSELS PROCEEDING FOREIGN VIA DOMESTIC PORTS

Manifest filed at each intermediate port to cover only cargo laden at that port; manifest of all cargo on board required at final port of clearance from United States. Section 4.87, Customs Regulations of 1943, amended.

Section 4.87, Customs Regulations of 1943, is revised, in part, so as to require a vessel proceeding from port to port in the United States to lade cargo for export to file at each intermediate port a manifest covering cargo laden at that port, and to file a cumulative manifest of all outward foreign cargo on board with the collector at the final port of clearance from the United States.

Section 4.87, Customs Regulations of 1943, as amended (19 CFR 4.87), is amended as follows:

1. Paragraph (b) is amended to read as follows:

(b) When applying for a clearance upon the first and each succeeding port of lading, except the final port of departure from the United States, the master of the vessel shall present to the collector a manifest in duplicate on customs Form 1374 of all the cargo laden for export at that port. It shall indicate clearly all previous ports of lading.

2. Paragraph (f) is amended to read as follows:

(f) If a complete manifest or all required export declarations are not available for filing at any port, clearance on customs Form 1385 (Form 1378 at the last port) may be granted in accordance with § 4.74, subject to the limitation in paragraph (f) of that section. The incomplete manifest shall indicate clearly all previous ports of lading.

3. Paragraph (h) is amended to read as follows:

(h) When the procedure outlined in paragraph (f) of this section is followed at any port, the owner or agent of the vessel shall deliver to the collector at that port within 4 business days after the vessel's clearance from that port [118] a manifest in duplicate on customs Form 1374 and the missing export declarations to cover the cargo laden for export at that port. The collector shall certify one copy of such manifest and return it to the owner or agent, who shall thereupon deliver it to the collector at the final port of clearance of the vessel from the United States not later than 4 business days after the vessel's clearance from that port.

(R. S. 161, sec. 2, 23 Stat. 118, R. S. 4197, as amended, 4200, as amended, 4367, 4368, secs. 433, 435, 437, 624, 46 Stat. 711, 759; 5 U. S. C. 22, 19 U. S. C. 1433, 1435, 1437, 1624, 46 U. S. C. 2, 91, 92, 313, 314)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: August 20, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10265; Filed, Aug. 24, 1951; 8:48 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter W—Rights of Way

PART 256—RIGHTS OF WAY OVER INDIAN LANDS

Part 256 is amended so as to read as follows:

Sec.
256.1 Defintions.
256.2 Purpose and scope of regulations.
256.3 Consent of landowners.
256.4 Permission to survey.
256.5 Permission to commence construction.
256.6 Disposition of deposit.
256.7 Application for right-of-way.
256.8 Maps.
256.9 Field notes.
256.10 Public survey.
256.11 Connection with natural objects.
256.12 Township and section lines.
256.13 Affidavit and certificate.
256.14 Appraisal and schedule of damages.
256.15 Deposit of damages.
256.16 Action on application.
256.17 Affidavit of completion.
256.18 Change of location.
256.19 Tenure of approved right-of-way grants.
256.20 Renewal of right-of-way grants.
256.21 Service lines.
256.22 Condemnation suits involving individually owned restricted lands.
256.23 Railroads.
256.24 Railroads in Oklahoma.
256.25 Oil or gas pipe lines.
256.26 Telephone and telegraph lines.
256.27 Power projects.
256.28 Public highways.
256.29 Drainage projects in Oklahoma.
256.30 Withdrawal and restoration of Superintendent's authority.
256.31 Appeals.

AUTHORITY: §§ 256.1 to 256.31 issued under R. S. 161, sec. 1, 30 Stat. 941, sec. 1, 32 Stat. 266, sec. 1, 33 Stat. 359, sec. 4, 37 Stat. 194, sec. 6, 62 Stat. 18; 5 U. S. C. 22, 25 U. S. C. 328. Statutory provisions interpreted or applied are cited to text.

§ 256.1 *Definitions.* As used in this part:

(a) "Secretary" means Secretary of the Interior or his duly authorized representative.

(b) "Commissioner" means Commissioner of Indian Affairs or his duly authorized representative.

(c) "Area Director" means the officer in charge of an Area Office of the Bureau of Indian Affairs or his duly authorized representative.

(d) "Superintendent" means the superintendent or other officer in charge of an Indian Agency, School, Hospital, or other field unit of the Bureau of Indian Affairs.

(e) "Indians" include (1) Indians, (2) Eskimos, or (3) Aleuts.

(f) "Tribe" means a nation, tribe, band, pueblo, community, or other group of Indians residing on a reservation, rancheria, or other reserve within the continental United States or Alaska.

(g) "Tribal Council" means the official council, business committee, or other body, or the governor or other individual, authorized to represent a tribe in consenting to the granting of the rights-of-way provided for in this part.

(h) "Restricted lands" means (1) lands or interests in lands held by the

United States in trust for a tribe; (2) lands or interests in lands held by a tribe in restricted fee or Indian title, including Pueblo lands; (3) lands or interests in lands held by the United States in trust for individual Indians; (4) lands or interests in lands held by individual Indians subject to restrictions against alienation; or (5) other lands acquired or set aside by the United States for the use and benefit of Indians.

(i) "Damages" include the compensation, if any, due the landowner for a right-of-way.

§ 256.2 *Purpose and scope of regulations.* (a) Except as indicated in paragraph (b) of this section, the regulations in this part prescribe the procedures, terms, and conditions under which rights-of-way over and across restricted lands may be granted.

NOTE: For irrigation rights-of-way, see sec. 18, 26 Stat. 1101, as amended, 34 Stat. 375; 43 U. S. C. 946.

(b) The regulations in this part do not cover the granting of rights-of-way for primary hydroelectric transmission lines over and across tribal lands. Applications for such rights-of-way must be filed with the Federal Power Commission.

§ 256.3 *Consent of landowners.* (a) No right-of-way shall be granted over and across any restricted lands belonging to a tribe, nor shall any permission to survey or to commence construction be issued with respect to any such lands, without the prior written consent of the tribal council.

(b) Except as provided in paragraph (c) of this section, no right-of-way shall be granted over and across any individually owned restricted lands, nor shall any permission to survey or to commence construction be issued with respect to any such lands, without the prior written consent of the owner or owners of such lands and the approval of the Superintendent.

(c) The Superintendent may issue permission to survey or to commence construction with respect to, and he may grant rights-of-way over and across, restricted lands of individual Indians without the consent of the individual Indian owners when (1) the individual owner of the land or of an interest therein is a minor or a person non compos mentis, and the Superintendent finds that such grant will cause no substantial injury to the land or the owner, which cannot be adequately compensated for by monetary damages; (2) the land is owned by more than one person, and the owners or owner of a majority of the interests therein consent to the grant; (3) the whereabouts of the owner of the land or an interest therein are unknown, and the owners or owner of any interests therein whose whereabouts are known, or a majority thereof, consent to the grant; [1] (4) the heirs or devisees of a deceased owner of the land or an interest therein have not been determined, and the Superintendent finds that the grant will cause no substantial injury to the land or any owner thereof; (5) the owners of interests in the land are so numerous that the Superintendent finds it would be impracticable to obtain their consent, and also finds that the grant will cause no substantial injury to the land or any owner thereof.

§ 256.4 *Permission to survey.* Anyone desiring to obtain permission to survey a right-of-way upon and across restricted lands must file a written application therefor with the Superintendent. The application shall adequately describe the proposed project, and it shall be accompanied by the written consent of the landowners as required by § 256.3, by satisfactory evidence of the good faith and financial responsibility of the applicant, and by a check or money order of sufficient amount to cover double the estimated damages which may be sustained as a result of the survey. An application filed by a corporation must be accompanied by proof of corporate existence and of compliance with State laws entitling the applicant to operate in the State in which the restricted land is situated. An application filed by an unincorporated partnership or association must be accompanied by a certified copy of the articles of partnership or association, or, if there be none, this fact must be stated over the signature of each member of the partnership or association. If the applicant has previously filed with the Department an application accompanied by the evidence herein required, a reference to the date and place of such filing, accompanied by proof of current financial responsibility and good faith, will be sufficient. Upon receipt of an application made in compliance with the regulations of this part, the Superintendent may grant the applicant written permission to survey.

§ 256.5 *Permission to commence construction.* Subject to the provisions of § 256.3, permission to proceed with construction work on a right-of-way may be granted by the Superintendent at the same time or after permit to survey is issued and before full compliance is made with the regulations in this part, provided the applicant deposits with the Superintendent in advance such amount, in addition to that deposited in accordance with § 256.4, as will be sufficient to equal twice the estimated damages which may result from the survey and construction, and agrees in writing to comply promptly with the regulations in this part. The amount of the deposit, if the applicant is an agency of the Federal or of a State Government, will be a sum to cover only the estimated damages whenever it be shown to the satisfaction of the Superintendent that the funds of the applicant are not available for the deposit of the greater amount. Each deposit shall be held in a "special deposit" account until the actual damages have been determined and the application for the right-of-way has been approved.

§ 256.6 *Disposition of deposit.* Except as hereinafter provided, all that part of the deposit required by § 256.5 which is not required for the payment of damages due the landowners shall be refunded to the applicant upon satisfactory completion of the project and compliance with the requirements of § 256.5. Whenever by reason of unnecessary delay or otherwise the applicant fails to show good faith or to exercise due diligence in complying with the regulations of this part, the Superintendent shall, after giving the applicant fifteen days' written notice to show cause why the construction permit should not be rescinded and the application for right-of-way rejected, submit a full report on the matter to the Area Director. If it appears to the satisfaction of the Area Director that the applicant has failed to show good faith or to exercise due diligence in complying with the law and the regulations of this part, the Area Director may rescind the construction permit and reject the application, and notify the applicant of such action and that the entire amount of the applicant's deposit will be paid to the interested Indians as liquidated damages after 30 days from the receipt of such notice unless the applicant files a written notice of appeal from such action pursuant to § 256.31, in which event the deposit shall be held pending the final determination of the appeal.

§ 256.7 *Application for right-of-way.* After a survey has been authorized and completed, formal application, in duplicate, for the right-of-way, if desired, shall be filed promptly with the Superintendent. The application shall cite the statute or statutes under which it is filed and the width and length of the desired right-of-way, and shall be accompanied by a duly executed stipulation expressly agreeing to the following:

(a) To construct and maintain the right-of-way in a workmanlike manner.

(b) To pay promptly all damages, in addition to the deposit made pursuant to § 256.5, determined by the Superintendent to be due the landowners on account of the construction and maintenance of the right-of-way.

(c) To indemnify the landowners against any liability for damages to life or property arising from the occupancy or use of the lands by the applicant.

(d) To restore the lands as nearly as may be possible to their original condition upon the completion of construction.

(e) That the applicant will not interfere with the use of the lands by or under authority of the landowners for any purpose not inconsistent with the primary purpose for which the right-of-way was granted.

§ 256.8 *Maps.* (a) Each application for a right-of-way must be accompanied by a map of definite location on linen tracing in duplicate, and four blue-print copies thereof. Three linen tracings shall be filed if the applicant desires the return of a linen tracing showing the approved right-of-way. The field notes shall accompany the application, as provided for in § 256.9. The width of the right-of-way shall be clearly shown on the linen tracing.

(b) A separate map shall be filed for each section of 20 miles of right-of-way, but the map of the last section may include any excess of 10 miles or less.

(c) The scale of maps showing the line of route normally should be 2,000 feet to

[1] The language of this subdivision is taken from 25 U. S. C., 1946 ed., Supp. III, sec. 324.

an inch. The maps may, however, be drawn to a larger scale when necessary and when an increase in scale cannot be avoided through the use of separate field notes, but the scale must not be increased to such extent as to make the maps too cumbersome for convenient handling and filing.

(d) The map shall show the name of the allottee and the allotment number of each tract of allotted land, and shall clearly designate each tract of tribal land affected, together with the sections, townships, and ranges in which the lands crossed by the right-of-way are situated.

§ 256.9 *Field notes.* Field notes of the survey shall appear along the line indicating the right-of-way on the map, unless the map would be too crowded thereby to be easily legible, in which event the field notes may be filed separately on linen tracing in such form that they may be folded readily for filing. Where field notes are placed on separate linen tracing, it will be necessary to place on the map only a sufficient number of station numbers so as to make it convenient to follow the field notes. The field notes shall be typewritten. Whether endorsed on the map or filed separately, the field notes shall be sufficiently complete so as to permit the line indicating the right-of-way to be readily retraced on the ground from the notes. They shall show whether the line was run on true or magnetic bearings, and, in the latter case, the variation of the needle and date of determination must be stated. One or more bearings (or angular connections with public survey lines) must be given. The 10-mile sections must be indicated and numbered on all lines of road submitted.

§ 256.10 *Public survey.* (a) The termini of the line of route shall be fixed by reference of course and distance to the nearest existing corner of the public survey. The map, as well as the engineer's affidavit and the certificate, shall show these connections.

(b) When either terminal of the line of route is upon unsurveyed land, it must be connected by traverse with an established corner of the public survey, if not more than 6 miles distant from it, and the single bearing and distance from the terminal point to the corner computed and noted on the map, in the engineer's affidavit, and in the certificate. The notes and all data for the computation of the traverse must be given.

§ 256.11 *Connection with natural objects.* When the distance to an established corner of the public survey is more than 6 miles, this connection will be made with a natural object or a permanent monument which can be readily found and recognized, and which will fix and perpetuate the position of the terminal point. The map must show the position of such mark, and course and distance to the terminus. There must be given an accurate description of the mark and full data concerning the traverse, and the engineer's affidavit and the certificate on the map must state the connections.

§ 256.12 *Township and section lines.* Whenever the line of survey crosses a township or section line of the public survey, the distance to the nearest existing corner shall be noted. The map shall show these distances and the station numbers at the points of intersection. The field notes shall show these distances and station numbers.

§ 256.13 *Affidavit and certificate.* There shall be subscribed on the map of definite location an affidavit executed by the engineer who made the survey and a certificate executed by the applicant, both certifying to the accuracy of the survey and map and both designating by termini and length, in miles and decimals, the line of route for which the right-of-way application is made.

§ 256.14 *Appraisal and schedule of damages.* As soon as practicable after a right-of-way application has been filed as provided for in this part, or after the issuance of permission to survey or commence construction, the Superintendent shall cause an appraisal to be made of the damages due the landowners. Upon the basis of the appraisals thus made, the Superintendent shall prepare separate schedules for the individual lands and for the tribal lands traversed by the right-of-way described in the application. The individual land schedule shall identify thereon the allotment number and the name of the allottee of each forty-acre tract or part of each legal subdivision thereof, and shall set forth in separate columns the acreage taken from each subdivision, the value per acre, the damages to improvements or adjoining land or other property, and the total amount of damages due each land owner. Except for the allotment numbers and the names of the allottees whose lands are involved, the schedule for tribal lands shall contain like information. The Superintendent shall furnish the applicant a copy of the schedules, together with the latest known addresses of the owners.

§ 256.15 *Deposit of damages.* Upon receipt of the schedule of damages, the applicant must deposit with the Superintendent the total amount of damages as shown on the schedules, less any deposit previously made under §§ 256.4 and 256.5. The amount so deposited shall be held in a "special deposit" account for distribution, upon the approval of the application, to or for the account of the owners.

§ 256.16 *Action on application.* Upon satisfactory compliance with the regulations in this part, the Superintendent is authorized to approve the application by endorsing his approval on the map of definite location. Upon approval of the application, the Superintendent shall promptly notify the applicant, and thereafter the applicant may proceed with the construction work, if such permission has not been obtained under § 256.5. One copy of the approved linen tracing of the right-of-way map bearing the written signature of the Superintendent shall be transmitted to the Commissioner. One linen tracing and one blueprint copy of the map of definite location shall be filed with the Bureau of Land Management, except in the case of rights-of-way across lands in Oklahoma. One linen tracing of the map of definite location of the right-of-way across lands in Oklahoma shall be forwarded to the Bureau of Land Management, except that in the case of a right-of-way traversing lands in the Osage or the Five Civilized Tribes Reservations no copy of the map of definite location shall be furnished to the Bureau of Land Management. One copy of the linen tracing shall be forwarded to the applicant if, and only if, three linen tracings were filed as provided in § 256.8.

256.17 *Affidavit of completion.* Upon the completion of the construction of any right-of-way, the applicant shall promptly file with the Superintendent an affidavit of completion, in duplicate, executed by the engineer and certified by the applicant. The Superintendent shall transmit one copy of the affidavit to the Commissioner for filing.

§ 256.18 *Change of location.* If any change from the location shown upon the approved maps is found to be necessary on account of engineering difficulties or otherwise, amended maps and field notes of the new location shall be filed, and a right-of-way for such new route or location shall be subject to approval, the ascertainment of damages, and the payment thereof, in all respects as in the case of the original location, before construction work may proceed upon such new right-of-way, unless permission has been obtained in accordance with § 256.5.

§ 256.19 *Tenure of approved right-of-way grants.* All rights-of-way granted under the regulations in this part shall be in the nature of easements or permits for the periods stated therein. They are terminable upon abandonment or discontinuance of the use for which granted. Rights-of-way for railroads, telephone lines, telegraph lines, and public highways shall be without limitation as to term of years. Rights-of-way for oil or gas pipe lines, and for telephone, telegraph, and water lines incident to the operation of oil and gas pipe lines, shall be limited to 20 years and shall be subject to renewal for a like term upon compliance with the applicable regulations. Rights-of-way for all other purposes shall be for a period of not to exceed 50 years, as fixed by the Superintendent and stated in the grant, and shall be subject to renewal for a like term upon compliance with the applicable regulations.

§ 256.20 *Renewal of right-of-way grants.* On or before the termination date of any right-of-way heretofore or hereafter granted for a limited term of years, an application may be submitted for a renewal of the grant. If the renewal involves no change in the location or status of the original right-of-way grant, the applicant may file with his application a certificate under oath setting out this fact, and the Superintendent, with the consent of the Indians, may thereupon extend the grant for a like term of years, upon the payment of compensation in the amount fixed and determined by the Superintendent. If any change in the size, type, or location of the right-of-way is involved, the application for renewal shall be treated

and handled as in the case of an original application for a right-of-way.

§ 256.21 *Service lines.* Agreements for the construction and maintenance of service lines which are confined to individually owned restricted land and are for the sole purpose of supplying the individual owner or authorized occupant with electric power, telephone or telegraph service, water, gas, or like utilities for domestic purposes may be negotiated directly with the owner or authorized occupant of such land. The agreement shall be reduced to writing and shall include or have appended thereto a plat or sketch showing with reasonable particularity the location of the service line. A signed copy of the agreement shall be filed with the Superintendent within 30 days after its execution.

§ 256.22 *Condemnation suits involving individually owned restricted lands.* The facts relating to any condemnation action to obtain a right-of-way upon individually owned restricted land shall be reported immediately by the Superintendent to the Area Director and the Commissioner, in order that appropriate action may be taken to safeguard the interests of the Indians.

§ 256.23 *Railroads.* (a) Rights-of-way for railroads shall not exceed 50 feet in width on each side of the center line of the road, except where there are heavy cuts and fills, when they shall not exceed 100 feet in width on each side of the road. The right-of-way may include grounds adjacent to the line for station buildings, depots, machine shops, side tracks, turnouts, and water stations, not to exceed 200 feet in width by a length of 3,000 feet, with no more than one station to be located within any one continuous length of 10 miles of road.

(b) Short spurs and branch lines may be shown on the map of the main line, separately described by termini and length. Longer spurs and branch lines shall be shown on separate maps. Grounds desired for station purposes may be indicated on the map of definite location but separate plats must be filed for such grounds. The maps shall show any other line crossed, or with which connection is made. The station number shall be shown on the survey thereof at the point of intersection. All intersecting roads must be represented in ink of a different color from that used for the line for which application is made.

(c) Plats of railroad station grounds shall be drawn on a scale of 400 feet to an inch, and must be filed separately from the line of route. Such plats shall show enough of the line of route to indicate the position of the tract with reference thereto. Each station ground tract must be located with respect to the public survey as provided in § 256.10, and all buildings or other structures shall be platted on a scale sufficiently large to show clearly their dimensions and relative positions.

(d) If any proposed railroad is parallel to, and within 10 miles of, a railroad already built or in course of construction, it must be shown wherein the public interest will be promoted by the proposed road. Where the Interstate Commerce Commission has passed on this point, a certified copy of its findings must be filed with the application.

(e) The applicant must certify that the road is to be operated as a common carrier of passengers and freight.

(f) The applicant shall execute and file, in duplicate, a stipulation obligating the company to use all precautions possible to prevent forest fires and to suppress such fires when they occur, to construct and maintain passenger and freight stations for each Government townsite, and to permit the crossing, in a manner satisfactory to the Government official in charge, of the right-of-way by canals, ditches, and other projects.

(g) A railroad company may apply for sufficient land for ballast or material pits, reservoirs, or tree planting to aid in the construction or maintenance of the road. The authority to use any land for such purposes shall terminate upon abandonment or upon failure to use the land for such purposes for a continuous period of two years.

(Sec. 1, 18 Stat. 482, secs. 1, 2, 30 Stat. 990, as amended, 35 Stat. 781, as amended, secs. 1–5, 62 Stat. 17, 18; 43 U. S. C. 934, 25 U. S. C. 312, 313, 320, 323–327)

§ 256.24 *Railroads in Oklahoma.* (a) Railroad rights-of-way over and across restricted lands in Oklahoma may be acquired in accordance with the provisions of the act of February 28, 1902 (32 Stat. 43).

(b) One copy each on linen tracing of the map of definite location showing the line of route and all lands included within the right-of-way must be filed with the Commissioner and the Superintendent. When tribal lands are involved, a copy of the map must also be filed with the tribal council.

(c) Before any railroad may be constructed or any lands taken or condemned for any of the purposes set forth in section 13 of the act of February 28, 1902 (32 Stat. 43), full damages shall be paid to the Indian owners.

(d) After the maps have been filed, the matter of damages shall be negotiated by the company directly with the Indian owners. If an amicable settlement cannot be reached, the amount to be paid as compensation and damages shall be fixed and determined as provided in the statute. If court proceedings are instituted, the facts shall be reported immediately by the Superintendent to the Area Director and the Commissioner, so that appropriate action may be taken to safeguard the interests of the Indians.

(32 Stat. 43)

§ 256.25 *Oil or gas pipelines.* (a) All oil or gas pipelines, including connecting lines, shall be buried a sufficient depth below the surface of the land so as not to interfere with cultivation. Whenever the line is laid under a road or highway, the right-of-way for which has been granted under an approved application pursuant to an act of Congress, its construction shall be in compliance with the applicable Federal and State laws; during the period of construction, at least one-half the width of the road shall be kept open to travel; and, upon completion, the road or highway shall be restored to its original condition and all excavations shall be refilled. Whenever the line crosses a ravine, canyon, or waterway, it shall be laid below the bed thereof or upon such superstructure as will not interfere with the use of the surface.

(b) The size of the proposed pipeline must be shown in the application, on the map, and in the engineer's affidavit and applicant's certificate. The application and map shall specify whether the pipe is welded, screw-joint, dresser, or other type of coupling. Should the applicant of an approved right-of-way desire at any time to lay additional line or lines of pipe in the same trench, or to replace the original line with larger or smaller pipe, written permission must first be obtained from the Superintendent and all damages to be sustained by the owners must be paid in advance in the amount fixed and determined by the Superintendent.

(c) Applicants for oil or gas pipeline rights-of-way may apply for additional land for pumping stations or tank sites. The maps shall show clearly the location of all such structures and the location of all lines connecting with the main line. Applicants for lands for pumping stations or tank sites shall execute and file a stipulation agreeing as follows:

(1) Upon abandonment of the right-of-way to level all dikes, fire-guards, and excavations and to remove all concrete masonry foundations, bases, and structural works and to restore the land as nearly as may be possible to its original condition.

(2) That a grant for pumping station or tank site purposes shall be subservient to the owner's right to remove or authorize the removal of oil, gas, and other mineral deposits; and that the structures for pumping station or tank site will be removed or relocated if necessary to avoid interference with the exploration for or recovery of oil, gas, or other minerals.

(d) Purely lateral lines connecting with oil or gas wells on restricted lands may be constructed upon filing with the Superintendent a copy of the written consent of the Indian owners and a blueprint copy of a map showing the location of the lateral. Such lateral lines may be of any diameter or length, but must be limited to those used solely for the transportation of oil or gas from a single tract of restricted land to another lateral or to a branch of the main line.

(e) The applicant, by accepting a pipeline right-of-way, thereby agrees that the books and records of the applicant shall be open to inspection by the Secretary or his duly authorized representative at all reasonable times, in order to obtain information pertaining in any way to oil or gas produced from restricted lands or other lands under the jurisdiction of the Secretary.

(Secs. 1, 2, 33 Stat. 65, as amended, secs. 1–5, 6 Stat. 17, 18; 25 U. S. C. 321, 323–327)

§ 256.26 *Telephone and telegraph lines.* (a) The application and maps shall specify the width of the right-of-way desired. No right-of-way shall be granted for a width in excess of 50 feet on each side of the center line, unless

special requirements are clearly set forth in the application which fully justify a width in excess of 50 feet on each side of the center line.

(b) Applicants engaged in the general telephone and telegraph business may apply for additional land for office sites. The maps showing the location of proposed office sites shall be filed separately from those showing the line of route, and shall be drawn to a scale of 50 feet to an inch. Such maps shall show enough of the line of route to indicate the position of the tract with reference thereto. The tract shall be located with respect to the public survey as provided in § 256.10, and all buildings or other structures shall be platted on a scale sufficiently large to show clearly their dimensions and relative positions.

(Secs. 1, 2, 30 Stat. 990, as amended, sec. 3, 31 Stat. 1083, secs. 1–5, 62 Stat. 17, 18; 25 U. S. C. 312, 313, 319, 323–327)

§ 256.27 *Power projects.* (a) All applications for authority to survey, locate, or commence construction work on any project for the generation, transmission, or distribution of electric power involving lands other than tribal lands dealt with in the exception contained in § 256.2 shall be referred by the Superintendent through the Area Director to the Division of Water and Power in the Office of the Secretary or such other agency as it may designate for the area involved, for consideration of the relationship of the proposed project to the power development program of the United States. Where the proposed project will not conflict with the program of the United States, the Area Director, upon notification to that effect by the Division of Water and Power, or its designated representative, will so notify the Superintendent, who may then proceed to act upon the application. In the case of necessary changes respecting the proposed location, construction, or utilization of the project in order to eliminate conflicts with the power development program of the United States, the Superintendent shall obtain from the applicant written consent to or compliance with such requirements before taking further action on the application.

(b) The application and maps shall specify the width of the right-of-way desired. Rights-of-way for power lines will be limited to 50 feet on each side of the center line unless sufficient justification is furnished for a greater width.

(c) The applicant shall make provision, or bear the reasonable cost (as may be determined by the Secretary) of making provision, for avoiding inductive interference between any project transmission line or other project works constructed, operated, or maintained by it on the right-of-way authorized under the grant and any radio installation, telephone line, or other communication facilities now or hereafter constructed and operated by the United States or any agency thereof. This provision shall not relieve the applicant from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating inductive interference.

(d) An applicant for a right-of-way for a transmission line having a voltage of 33 kv. or more must, in addition to the stipulation required by § 256.7, execute and file with its application a stipulation agreeing to accept the right-of-way grant subject to the following conditions:

(1) The applicant agrees that, in the event it becomes necessary for the United States to acquire the applicant's transmission line or facilities constructed on or across such right-of-way, the United States reserves the right to acquire such line or facilities at a sum to be determined upon by a representative of the applicant, a representative of the Secretary of the Interior, and a third representative to be selected by the other two for the purpose of determining the value of such property thus to be acquired by the United States. No value, however, shall be allowed at any such determination for the right-of-way granted to the applicant under authority of the regulations of this part.

(2) To allow the Department of the Interior to utilize for the transmission of electrical power any surplus capacity of the line in excess of the capacity needed by the holder of the grant for the transmission of electrical power in connection with the applicant's operations, or to increase the capacity of the line at the Department's expense and to utilize the increased capacity for the transmission of electrical power. Utilization by the Department of surplus or increased capacity shall be subject to the following terms and conditions:

(i) When the Department desires to utilize surplus capacity thought to exist in a line, notification will be given to the applicant and the applicant shall furnish to the Department within 30 days a certificate stating whether the line has any surplus capacity not needed by the applicant for the transmission of electrical power in connection with the applicant's operations, and, if so, the extent of such surplus capacity.

(ii) In order to utilize any surplus capacity certified by the applicant to be available, or any increased capacity provided by the Department at its own expense, the Department may interconnect its transmission facilities with the applicant's line in a manner conformable to approved standards of practice for the interconnection of transmission circuits.

(iii) The expense of interconnection will be borne by the Department, and the Department will at all times provide and maintain adequate switching, relaying, and protective equipment so as to insure that the normal and efficient operation of the applicant's line will not be impaired.

(iv) After any interconnection is completed, the applicant shall operate and maintain its line in good condition; and, except in emergencies, shall maintain in a closed position all connections under the applicant's control between the applicant's line and the interconnecting facilities provided by the Department.

(v) The interconnected power systems of the Department and the applicant will be operated in parallel.

(vi) The transmission of electrical power by the Department over the applicant's line will be effected in such manner and quantity as will not interfere unreasonably with the applicant's use and operation of the line in accordance with the applicant's normal operating standards, except that the Department shall have the exclusive right to utilize any increased capacity of the line which has been provided at the Department's expense.

(vii) The applicant will not be obligated to allow the transmission over its line by the Department of electrical power to any person receiving service from the applicant on the date of the filing of the application for a grant, other than persons entitled to statutory preference in connection with the distribution and sale of electrical power by the Department.

(viii) The Department will pay to the applicant an equitable share of the total monthly cost of maintaining and operating the part of the applicant's line utilized by the Department for the transmission of electrical power, the payment to be an amount in dollars representing the same proportion of the total monthly operation and maintenance cost of such part of the line as the maximum amount in kilowatts of the power transmitted on a scheduled basis by the Department over the applicant's line during the month bears to the total capacity in kilowatts of that part of the line. The total monthly cost may include interest and amortization, in accordance with the system of accounts prescribed by the Federal Power Commission, on the applicant's net total investment (exclusive of any investment by the Department) in the part of the line utilized by the Department.

(ix) If, at any time subsequent to a certification by the applicant that surplus capacity is available for utilization by the Department, the applicant needs for the transmission of electrical power in connection with its operations the whole or any part of the capacity of the line theretofore certified as being surplus to its needs, the applicant may modify or revoke the previous certification by giving the Secretary of the Interior 30 months' notice, in advance, of the applicant's intention in this respect. After the revocation of a certificate, the Department's utilization of the particular line will be limited to the increased capacity, if any, provided by the Department at its expense.

(x) If, during the existence of the grant, the applicant desires reciprocal accommodations for the transmission of electrical power over the interconnecting system of the Department to its line, such reciprocal accommodations will be accorded under terms and conditions similar to those prescribed in this paragraph with respect to the transmission by the Department of electrical power over the applicant's line.

(xi) The terms and conditions prescribed in this paragraph may be modified at any time by means of a supplemental agreement negotiated between the applicant and the Secretary of the Interior or his designee.

(e) Applicants may apply for additional lands for generating plants and appurtenant structures. The lands desired for such purposes may be indicated

on the map showing the definite location of the right-of-way, but separate maps must be filed therefor. Such maps shall show enough of the line of route to indicate the position of the tract with respect to said line. The tract shall be located with respect to the public survey as provided in § 256.10, and all buildings or other structures shall be platted on a scale sufficiently large to show clearly their dimensions and relative positions.

(31 Stat. 790, as amended, 36 Stat. 1253, secs. 1–5, 62 Stat. 17, 18; 43 U. S. C. 959, 961, 25 U. S. C. 323–327)

§ 256.28 *Public highways.* (a) The appropriate State or local authorities may apply under the regulations in this part for authority to open public highways across restricted lands in accordance with State laws.

(b) In lieu of making application under the regulations in this part, the appropriate State or local authorities in Nebraska or Montana may, upon compliance with the requirements of the act of March 4, 1915 (38 Stat. 1188), lay out and open public highways in accordance with the respective laws of those States. Under the provisions of that act, the applicant must serve the Superintendent with notice of intention to open the proposed road and must submit a linen tracing of a map of definite location showing the width of the proposed road for the approval of the Superintendent prior to the laying out and opening of the road.

(c) Applications for public highway rights-of-way over and across roadless and wild areas shall be considered in accordance with the regulations contained in Part 281 of this chapter.

(Sec. 4, 31 Stat. 1084, 38 Stat. 1188, secs. 1–5, 62 Stat. 17, 18; 25 U. S. C. 311, 323–327)

§ 256.29 *Drainage projects in Oklahoma.* (a) Applications for rights-of-way for drainage purposes and applications for the approval of drainage assessments against individually owned restructed lands in Oklahoma may be filed under the regulations in this part by the County Commissioners of the county or counties in which a drainage district is located. The application shall show that the State laws governing the drainage of lands have been complied with, and the application must be accompanied by a certified copy of the viewer's report, including the viewer's schedule of assessments and damages.

(b) The Superintendent may approve drainage assessments against restricted lands whenever it appears to his satisfaction that the lands are being properly drained and are being assessed justly, in comparison with the assessments made against other lands in the drainage district.

(c) Neither the United States nor the land owner shall be obligated to pay any approved assessment, but the Superintendent may, upon the written request of the land owner, pay the approved assessment out of any funds held under the custody or control of the Department and belonging to the land owner. Unpaid assessments shall not constitute a lien against the restricted lands involved, and none of the laws of Oklahoma relating to the collection of unpaid assessments shall have any application to restricted lands.

(Sec. 4, 37 Stat. 194, 38 Stat. 310, as amended, 41 Stat. 1204)

§ 256.30 *Withdrawal and restoration of Superintendent's authority.* The Commissioner, or the Area Director with the approval of the Commissioner, may, upon written notice to a particular Superintendent, withdraw from such Superintendent the authority granted to Superintendents in the regulations of this part, and thereafter such authority withdrawn from such Superintendent shall be exercised by the Area Director or such other official as may be designated by the Area Director with the approval of the Commissioner. Any such authority withdrawn from a Superintendent may be restored to him by the Area Director with the approval of the Commissioner.

§ 256.31 *Appeals.* Action taken by a Superintendent shall be subject to the right of appeal to the Area Director. Action taken by an Area Director, including action taken on an appeal from a Superintendent, shall be subject to the right of appeal to the Commissioner. Action taken by the Commissioner shall be subject to appeal to the Secretary. An appeal must be filed in writing with the officer from whom the appeal is being taken, and must be filed within 30 days after the receipt of notice respecting the action to which objection is taken. An appeal filed with the Superintendent shall be promptly transmitted by him, with the record in the case, to the Area Director. An appeal filed with the Area Director shall be transmitted promptly by him, with the record in the case, to the Commissioner. An appeal filed with the Commissioner shall be transmitted promptly by the Commissioner, with the record, to the Secretary.

R. D. Searles,
Acting Secretary of the Interior.

August 10, 1951.

[F. R. Doc. 51–10295; Filed, Aug. 24, 1951; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Redelegations of Authority to Specified Classes of Employees

Editorial Note: For redelegations of authority affecting various portions of the regulations in this chapter, see redelegations of authority to specified classes of employees (6 documents), under Department of the Interior, Bureau of Land Management, Notices section, *infra.*

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 865, Amdt. 13]

Part 95—Car Service

Demurrage on Freight Cars

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of August A. D. 1951.

Upon further consideration of Service Order No. 865 (15 F. R. 6197, 6256, 6330, 6452, 7800; 16 F. R. 320, 819, 1131, 2040, 2894, 3619, 5175, 6184, 7359), and good cause appearing therefor: *It is ordered,* That:

Section 95.865 *Demurrage on freight cars* of Service Order No. 856, as amended, be and it is hereby further suspended until 7:00 a. m., October 1, 1951, only to the extent it applies on refrigerator cars.

It is further ordered, That this amendment shall become effective at 7:00 a. m., September 1, 1951, and a copy be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. Bartel,
Secretary.

[F. R. Doc. 51–10259; Filed, Aug. 24, 1951; 8:48 a. m.]

[S. O. 877, Amdt. 1]

Part 97—Routing

Rerouting of Traffic

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of August A. D. 1951.

Upon further consideration of the provisions of Service Order No. 877 (16 F. R. 4940), and good cause appearing therefor: *It is ordered,* That:

Section 97.877, Service Order No. 877, *Rerouting of traffic* be, and it is hereby, amended by substituting the following paragraph (g) hereof for paragraph (g) thereof:

(g) *Expiration date.* This section shall expire at 11:59 p. m., November 30, 1952, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, That this amendment shall become effective at 11:59

p. m., August 31, 1951, that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended, 49 U. S. C. 1, 15)

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10258; Filed, Aug. 24, 1951; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 1]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

LOW FREQUENCY RANGE PROCEDURES

The standard instrument approach procedure alterations appearing hereinafter are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LOW FREQUENCY RANGE PROCEDURES

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distance from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport		Field elevation (ft.)	Ceiling and visibility minimum					If visual contact not established over airport at authorized landing minimums or if landing not accomplished; remarks
					Magnetic bearings (deg.)	Dist. (mi.)			Day		Night		
									Ceiling (ft.)	Visibility (mi.)	Ceiling (ft.)	Visibility (mi.)	
BALTIMORE, MD. Harbor Field 257 kc; BAL; SBMRLZ-DTV	N—1,800′ (W crs Philadelphia) E—Minimum en route altitude S—1,500′ (SE crs Washington) S—800′ (Severna Park FM) (final) W—2,000′ (NE crs Arcola) W—1,500′ (NE crs Washington)	S	10 mi.—1,500′ W side S crs 15 mi.—1,500′ W side S crs 20 mi.—1,500′ W side S crs 25 mi.—1,500′ W side S crs	800	14	2.4	14	R (R) S* A T	600 600 600 800 300	1.5 1.0 1.0 2.0 1.0	600 600 600 800 400	1.5 1.5 1.5 2.0 1.5	Climb to 1,800′ on N crs. *Runway 36.
BURLINGTON, VT. Burlington Airport 323 kc; BTV; SBRAZ-DTV	N—3,500′ (E crs Montreal) SE—6,000′ SW crs Montpelier) SE—2,600′ (Huntington FM) S—4,500′ (Albany Range) S—2,000′ (Vergennes FM) NW—2,000′ (Montreal Range) NW—1,000′ (Grand Isle FM) (Final)	NW	10 mi.—1,500′ W side NW crs 15 mi.—1,500′ W side NW crs 20 mi.—2,500′ W side NW crs 25 mi.—2,500′ W side NW crs	1,000	151	2.7	334	R (R) S* A T	600 500 500 800 300	1.5 1.0 1.0 2.0 1.0	600 500 500 800 300	1.5 1.5 1.0 2.0 1.0	Turn right and climb to 4,500′ on S crs; or alternate procedure (when directed by ATC), turn right, climb to 2,000′ on NW crs. *Runway 15.
EDWARDS (Muroc), CALIF. Edwards AFB 396 kc; MUF; BMRL	N—Minimum en route altitude E—6,000′ (NE crs Palmdale) S—6,000′ (NE crs Palmdale) W—10,000′ (NW crs Palmdale)	W	10 mi.—4,500′ S side W crs 15 mi.—4,500′ S side W crs 20 mi.—4,500′ S side W crs 25 mi.—4,500′ S side W crs	3,700	64	2.2	2,285	R (R) S* A T	500 500 500 1,500 300	1.5 1.0 1.0 3.0 1.0	500 500 500 1,500 300	2.0 2.0 2.0 3.0 2.0	Climb to 6,000′ on E crs. SHUTTLE: On E crs to 6,000′ within 25 miles.
EGLIN (Valparaiso), FLA. Eglin AFB 209 kc; VPS; MRLWZ	N—1,500′ (SW crs Maxwell) E—1,200′ (NW crs Tyndall) S—1,200′ (SW crs Tyndall) W—1,300′ (NE crs Pensacola)	N	10 mi.—1,400′ W side N crs 15 mi.—1,400′ W side N crs 20 mi.—1,400′ W side N crs 25 mi.—1,500′ W side N crs	800	178	3.9	71	R (R) S* A T	500 500 500 800 300	1.5 1.0 1.5 2.0 1.0	500 500 500 800 300	1.5 1.0 1.5 2.0 1.0	Climb to 1,200′ on S crs. *Runway 19. CAUTION: Danger Area surrounds Crestview to Eglin corridor.
FORBES (Topeka), KANS. Forbes AFB 269 kc; TOE; MRAZ	NE—2,400′ (NW crs Kansas City) SE—2,400′ (SW crs Kansas City) SW—2,300′ (NW crs Lebo) NW—Minimum en route altitude	SW	10 mi.—2,300′ W side SW crs 15 mi.—2,300′ W side SW crs 20 mi.—2,300′ W side SW crs 25 mi.—2,300′ W side SW crs	1,800	32	3.5	1,078	R (R) S* A T	500 500 500 1,000 300	1.5 1.0 1.0 3.0 2.0	500 500 500 1,000 300	#1.5 #1.5 #1.5 #3.0 3.0	Climb to 2,400′ on NE crs; or alternate procedure (when directed by ATC), turn left to heading of 270°, climb to 2,400′ on NW crs within 25 mi; or turn right to heading of 180°, climb to 2,400′ on SE crs within 15 mi. #No runway lights on Rwy 3/21 NOTE: This facility should be used with caution—no standby transmitter available. *Runway 3.
INYOKERN, CALIF. Inyokern NAF	(PROCEDURE CANCELLED.)												
LOVELOCK, NEV. CAA Int. Field 209 kc; LOL; BMRLZ-DTV	NE—12,000′ (Battle Mountain Range) SE—Minimum en route altitude SW—11,000′ (Reno Range) SW—10,000′ (NW crs Fallon) NW—Minimum en route altitude	NE	10 mi.—9,500′ N side NE crs 15 mi.— NA 20 mi.— NA 25 mi.— NA	7,500	*247	24.0	3,906	R A T	3,500 3,500 3,500	3.0 3.0 3.0	4,500 4,500 4,500	8.0 8.0 5.0	If not contact over range, climb to 10,000′ on SW crs within 50 miles. *Final approach from range station at night shall be via SW crs until airport is visible from cockpit. SHUTTLE: SW crs.

LOW FREQUENCY RANGE PROCEDURES—Continued

Station; frequency; identification; class	Minimum initial approach altitude from the direction and radio fix indicated	Final approach range course	Procedure turn minimum at distances from radio range station	Minimum altitude over range—final approach (ft.)	Station to airport: Magnetic bearings (deg.)	Station to airport: Dist. (mi.)	Field elevation (ft.)		Ceiling and visibility minimum: Day Ceiling (ft.)	Day Visibility (mi.)	Night Ceiling (ft.)	Night Visibility (mi.)	If visual contact not established over airport at authorized landing minimums or if landing not accomplished; remarks
MORGANTOWN, W. VA. Morgantown Airport 269 kc; MGW; SBMRLZ-DTV	NE—3,600′ (SE crs Pittsburgh) SE—6,000′ (W crs Front Royal) SW—4,000′ (W crs Elkins) SW—2,600′ (N crs Elkins) NW—3,000′ (W crs Pittsburgh)	NW	10 mi.—2,600′ W side NW crs 15 mi.—2,600′ W side NW crs 20 mi.—2,600′ W side NW crs 25 mi.—2,600′ W side NW crs	*2,100	172	5.6	1,256	R A T	600 800 300	1.0 2.0 1.0	600 800 300	2.0 2.0 1.0	Climb to 4,000′ on SW crs within 25 miles. *2,295′ terrain, 4 miles SE of airport.
POPE (Fort Bragg), N. C. Grannis Arpt (Fayetteville) 338 kc; FTB; SBMRAZ	NE—1,900′ (S crs Raleigh) S—1,900′ (S crs Raleigh) SW—Minimum en route altitude N—Minimum en route altitude	S	10 mi.—1,500′ E side S crs 15 mi.—1,500′ E side S crs 20 mi.—1,500′ E side S crs 25 mi.—1,500′ E side S crs	*980	147	11.2	188	R A T	800 1,000 300	2.0 2.0 1.0	800 1,000 300	2.0 2.0 1.0	If not contact over range, climb to 2,000′ on N crs. *If unable to maintain contact at 980′ m. s. l., approach shall be discontinued and climb made to 2,000′ on N crs. NOTE: 502′ m. s. l. tower, 0.5 mi. SW of range.
PUEBLO, COLO. Pueblo Airport No. 1 302 kc; PUB; SBRAZ-DTV	N—8,000′ (Colorado Springs Range) N—7,000′ (Colorado Springs ILS LOM or Fountain FM) (south bound only) E—*6,000′ (LaJunta Range) S—7,500′ (Trinidad Range) S—5,800′ (St. Charles FM) (final) (north bound only) W—Minimum en route altitude	S	10 mi.—6,600′ E side S crs 15 mi.—7,500′ E side S crs 20 mi.—7,500′ E side S crs 25 mi.—7,500′ E side S crs	**5,800	328	1.8	4,853	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	2.0 2.0 2.0 1.0	Turn right and climb to 6,000′ on E crs; or alternate procedure (when directed by ATC), climb to 7,000′ on N crs within 25 mi. *If contact is not estab at 6,000′ prior to reaching range, climb to 6,600′ on S crs within 10 mi. for procedure turn. **If procedure turn is accomplished beyond 10 mi., the altitude on final approach is 6,100′.
SALT FLAT, TEX., CAA Int. Field 335 kc; SFL; BMRLPZ-DTV	N—Minimum en route altitude E—10,000′ (Wink Range) S—Minimum en route altitude W—8,000′ (El Paso Range)	N	10 mi.—5,000′ W side N crs 15 mi.—5,000′ W side N crs 20 mi.—NA 25 mi.—NA	4,500	162	2.7	3,727	R A T	500 800 300	1.5 2.0 1.0	500 800 300	2.0 2.0 2.0	Turn right and climb to 8,000′ on W crs. NOTE: Minima are for aircraft with stall speeds of 75 m. p. h. or less only. CAUTION: 4,030′ msl terrain approx 2.5 mi WSW of airport.
SEATTLE, WASH. Boeing Field (Procedure No. 2) 260 kc; SEA; SBRAZ-DTXPV	NE—*See Remarks E—*See Remarks S—*See Remarks NW—2,000′ (Port Gamble Int.)	NW	None	**2,000 (Over Rolling Bay Int.)	116 (From Rolling Bay Int.)	12.0	15	R A T	1,200 1,200 300	2.0 2.0 1.0	1,200 1,200 300	2.0 2.0 1.0	If visual contact not established upon reaching the authorized landing minimums, climb to initial approach altitude of 2,000′ and complete the Boeing Fld Procedure No. 1. *Aircraft approaching from the NE, E and S shall utilize Procedure No. 1. **Descent to 1,200′ shall not be started until 2 mi. SE of Rolling Bay Int.
Seattle-Tacoma International Airport	NE—Minimum en route altitude NE—3,000′ (E crs Everett) E—8,000′ (Ellensburg Range) E—7,000′ (Easton FM) E—5,000′ (Hobart FM) S—5,000′ (Toledo Range) S—3,000′ (McChord Range) S—1,500′ (Lakeview FM) NW—2,000′ (Port Gamble Int.)	NW	10 mi.—1,500′ W side NW crs 15 mi.—1,500′ W side NW crs 20 mi.—NA 25 mi.—NA	1,500	194	4.0	405	R (R) A T	500 500 800 300	1.5 1.0 2.0 1.0	500 500 800 300	2.0 1.0 2.0 1.0	Climb to 2,000′ on S crs within 15 miles of range

These procedures shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-10231; Filed, Aug. 24, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter II—Economic Stabilization Agency

[General Salary Stabilization Regulation 2]

GSSR 2—PROFIT-SHARING AND OTHER BONUSES

EDITORIAL NOTE: The original document designated F. R. Doc. 51-10086, appearing at page 8342 of the issue for Wednesday, August 22, 1951, has been corrected in the following respects:

1. Section 6 has been corrected as follows:

a. Paragraph (b) (i) should read:

(i) The average bonus paid or payable in or with respect to the base bonus period to the employees in the bonus group.

b. The proviso at the end of paragraph (b) should read:

Provided, however, That the average bonus paid to the employees in the bonus group shall not exceed the average bonus paid or payable in or with respect to the base bonus period to the employees in the bonus group.

c. Paragraph (c) (i) should read:

(i) The average bonus paid or payable in or with respect to the base bonus period to the employees in the bonus group.

2. In section 9 (c), the date reading "January 25, 1951" should read "January 26, 1951".

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 55, Amendment 4]

CPR 55—CEILING PRICES FOR CERTAIN PROCESSED VEGETABLES OF THE 1951 PACK

ADDITIONAL PRODUCTS COVERED, CLARIFICATION OF RAW MATERIAL ADJUSTMENT, AND MISCELLANEOUS CORRECTIONS

Pursuant to the Defense Product Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 4 to Ceiling Price Regulation 55, as amended, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to CPR 55 adds factors for cost increases other than raw material cost adjustments for many canned vegetables and canned vegetable juices and also provides a revised method for computation of the raw material adjustment.

Under the formula method used in this regulation the ceiling price is computed by first determining a base price and then by adjusting that base price, as defined in the regulation, by an allowance for cost increases other than raw material costs and then by an allowance for changes in raw material costs since the base period. Accordingly, although all principal vegetables were included in the regulation, as originally issued, with respect to the computation of raw material adjustments, it was necessary to accumulate sufficient data to determine the appropriate allowances for cost increases other than raw material. By this amendment, an adjustment factor is provided for a number of additional canned vegetables and vegetable juices so that the ceiling prices for those vegetables and vegetable juices can be computed under the regulation as amended. The resulting ceiling prices for each of the products will exceed generally the prices now prevailing or the prices prevailing during the period January 25, 1951–February 24, 1951.

It is expected that factors for other vegetables with appropriate accompanying changes in the regulation will be issued in the near future.

Another important amendment made by this regulation concerns the computation of the raw material adjustment. The principal feature of the changed provision is the revised method for calculating the cost adjustment for raw materials which are purchased on a graded basis by weighting on the basis of the actual grades purchased in 1950.

Other miscellaneous changes are made to correct typographical or similar errors in the original regulation.

The changes in CPR 55 by this amendment are, in large part, the result of informal suggestions from the industry affected. While formal consultations with representatives of the industry were not practicable, it is the judgment of the Director of Price Stabilization that these changes reflect the views of the industry.

AMENDATORY PROVISIONS

1. The list of products covered by this regulation in section 1 (a) is amended to read as follows:

Products:
Canned lima beans.
Canned snap beans.
Canned beets.
Canned carrots.
Canned sweet corn.
Canned field peas.
Canned fresh green peas.
Canned tomatoes.
Canned tomato juice.

2. Table I in section 2 (b) is amended to read as follows:

Product	Area No.	Area States included—	Adjustment factors
Canned fresh green peas	I	New England States, New York, and Pennsylvania.	1.09
	II	California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Ohio, Oregon, Utah, Washington, Wisconsin, and Wyoming.	1.075
	III	All other States	1.12
Canned field peas	I	Georgia	1.17
Canned sweet corn	I	New England and New York	1.075
	II	All other States	1.065
Canned snap beans	I	New England and New York	1.075
	II	Texas and Georgia	1.15
	III	All other States	1.065
Canned lima beans	I	California	1.055
	II	All other States	1.065
Canned beets	I	Texas	1.24
	II	All other States	1.11
Canned carrots	I	Texas	1.24
	II	All other States	1.11
Canned tomatoes	I	California, Colorado, Utah and Florida	1.095
	II	New Jersey, Maryland, Delaware, Pennsylvania, Virginia and West Virginia.	1.11
	III	Texas	1.17
	IV	All other States	1.08
Canned tomato juice	I	California, Colorado, Utah and Florida	1.105
	II	New Jersey, Maryland, Delaware, Pennsylvania, Virginia and West Virginia.	1.12
	III	Texas	1.17
	IV	All other States	1.09

3. Table II in section 2 (c) is amended as follows:

a. By deleting the entire paragraph in parentheses immediately following the heading of Table II.

b. With respect to sweet corn (unhusked basis), changing the area: "Counties in Maryland east of Chesapeake Bay and Susquehanna River," to read: "Counties in Maryland east of Chesapeake Bay and Susquehanna River, Delaware, and Virginia."

4. Section 2 (c) is amended to read as follows:

(c) *How to figure the raw material adjustment.* Next, you shall determine your raw material adjustment by the following procedure:

(1) Determine the difference between your 1948 and your 1950 weighted average raw material cost per ton (or other unit of purchase) as defined in section 26 of this regulation. If you purchase raw material on a graded raw material basis, you shall calculate your increase or decrease by weighting both 1948 and 1950 purchases on the basis of the actual grades purchased in 1950.

(2) Determine the difference between your 1950 and, up to the date of the computation of your ceiling prices, your 1951 weighted average raw material cost per ton (or other unit of purchase), de-

livered or contracted to be delivered, at your factory. If you purchase raw material on a graded raw material basis, you shall calculate your increase or decrease by weighting 1951 purchases on the basis of the actual grades purchased in 1950. However, if the amount by which your 1951 costs exceeds your 1950 costs is greater than the appropriate maximum permitted raw material increase for the area in which your factory is located, both in terms of dollars-and-cents and in terms of a percentage of your 1950 weighted average raw material cost, as provided in Table II below, then in the computation of the difference between 1950 and 1951 costs in making this determination use either of the increases provided in the table instead of your actual increase.

(3) You compute your weighted average raw material cost adjustment as follows:

(i) If both figures determined under subparagraphs (1) and (2) of this paragraph are plus figures, the total of the two is your upward average raw material adjustment.

(ii) If both figures determined under subparagraphs (1) and (2) of this paragraph are minus figures, the total of the two is the downward raw material adjustment by which you must reduce your price after completion of the computations in subparagraph (4) of this paragraph.

(iii) If one figure determined under subparagraphs (1) and (2) of this paragraph is a plus figure and the other is a minus figure, reduce the larger of the two figures by the smaller. If the remainder is a plus amount, it is your upward average raw material adjustment; if a minus amount, it is the downward raw material adjustment by which you must reduce your price after completion of the computations in subparagraph (4) of this paragraph.

5. Section 2 (c) (4) is amended by adding at the end thereof the following:

If it has not been your customary practice to distribute raw material costs to the various grades of finished product on a grade differential basis, you may continue to follow your usual practice of distribution or you may redistribute the above figure obtained by "dividing your average raw material cost adjustment per ton (or other unit of purchase) by the simple average of the yields for the years 1948, 1949 and 1950" in accordance with the following procedure (however, if you elect to redistribute in accordance with the following procedure, for any product, you must redistribute in the same manner for all products covered by this regulation):

(i) Determine the total sales value of the entire 1948 pack of the product at base period prices. For this purpose only, you may use your 1948 opening price for any item for which you cannot determine a base period price.

(ii) Determine the total number of tons (or other unit of purchase) of raw material used in producing the 1948 pack of the product.

(iii) Multiply the average raw material cost adjustment per ton (or other unit of purchase) as determined under subparagraph (3) of this paragraph by the total number of tons (or other unit of purchase) used in 1948.

(iv) Calculate the ratio secured by dividing subdivision of this subparagraph (iii) by subdivision (i) of this subparagraph.

(v) Then multiply each base price by the ratio obtained as a result of the computation under subdivision (iv) of this paragraph to obtain the upward or downward adjustment for raw material costs per dozen containers of the item.

6. The first sentence of section 19 (a) is amended by inserting the words "Fruit and Vegetable Branch", before the words "Office of Price Stabilization".

7. Section 26 (a) is amended to read as follows:

(a) "Base period" of a product means the sixty-day period beginning with and including the first day in 1948 that the processor processed any item of such product of a vegetable covered by this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective September 1, 1951, or such earlier date between August 23, 1951, and September 1, 1951, as you may select. If you select such earlier date, this amendment becomes effective as to you upon that date for all products added by this amendment. However, if you have offered for sale prior to the effective date of this amendment any item of canned green peas, the ceiling prices of which were calculated under the provisions of CPR 55, you need not recalculate such ceiling prices under the provisions of section 2 (c), as amended by this amendment.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10324; Filed, Aug. 23, 1951; 4:30 p. m.]

[Ceiling Price Regulation 56, Amendment 4]

CPR 56—CEILING PRICES FOR CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

ADDITIONAL PRODUCTS COVERED, CLARIFICATION OF RAW MATERIAL ADJUSTMENT, AND MISCELLANEOUS CORRECTIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Amendment 4 to Ceiling Price Regulation 56 is issued.

STATEMENT OF CONSIDERATIONS

This amendment to CPR 56 adds factors concerning cost increases other than raw material cost adjustments for many canned fruits and berries and also provides a revised method for computation of the raw material adjustment.

Under the formula method used in this regulation the ceiling price is computed by first determining a base price and then by adjusting that base price, as defined in the regulation, by an allowance for cost increases other than raw material costs and then by an allowance for changes in raw material costs since the base period. Accordingly, although all principal fruits were included in the regulation, as originally issued, with respect to the computation of raw material adjustments, it was necessary to accumulate sufficient data to determine the appropriate allowances for cost increases other than raw material. By this amendment, an adjustment factor is provided for a number of additional canned fruits and berries so that the ceiling prices for those fruits and berries can be computed under the regulation as amended. The resulting ceiling prices for each of the new products will exceed generally the prices now prevailing or the prices prevailing during the period January 25, 1951–February 24, 1951.

In determining these adjustment factors, consideration was given to the depressed conditions existing during the base period with respect to the "pie" pack of canned apricots. On the basis of data available to the Office of Price Stabilization the adjustment factor for this particular item of canned apricots has been computed.

It is expected that factors for other fruits with appropriate accompanying changes in the regulation will be issued in the near future for canned clingstone peaches, canned fruit cocktail and related items.

Another important amendment made by this regulation concerns the computation of the raw material adjustment. The principal feature of the changed provision is the revised method for calculating the cost adjustment for raw materials which are purchased on a graded basis by weighting on the basis of the actual grades purchased in 1948.

Other miscellaneous changes are made to correct typographical or similar errors in the original regulation, such as correction of the table for computation of sugar costs.

The changes effected in CPR 56 by this amendment are, in large part, the result of informal suggestions from the industry affected. While formal consultations with representatives of the industry were not practicable, it is the judgment of the Director of Price Stabilization that these changes reflect the views of the industry.

AMENDATORY PROVISIONS

Ceiling Price Regulation 56, as amended, is amended in the following respects:

1. Section 1 (a) is amended by revising the list of products covered to read as follows:

Product:
- Canned fruit or berry nectars.
- Canned apricots.
- Canned sweet cherries (all varieties).
- Canned R. S. P. cherries.
- Canned berries.
- Canned plums.
- Canned prunes (fresh).
- Canned figs.
- Canned grapes.
- Canned freestone peaches.
- Canned pears.

2. Section 1 (b) is amended by adding to the end thereof the following sentence: "Section 26 defines important words used in this regulation such as 'base period', 'item', 'product'."

3. Table I in section 2 (b) is amended to read as follows:

TABLE I—PERMITTED INCREASES OTHER THAN SUGAR AND RAW MATERIAL

Product	Area No.	Area States included—	Adjustment factors
Canned pear nectar	I	All States	1.075
Canned peach nectar	I	do	1.09
Canned apricot nectar	I	do	1.08
Other canned fruit and berry nectars	I	do	1.07
Canned apricots (No. 10, S. P. Pie)	I	do	1.37
Canned apricots	I	California	1.09
(All other items)	II	All other States	1.11
Canned sweet cherries	I	Oregon and Washington	1.04
(All varieties)	II	All other States	1.035
Canned R. S. P. Cherries	I	All States	1.04
Canned blueberries	I	do	1.07
Canned strawberries	I	do	1.04
Other canned berries	I	California, Oregon, and Washington	1.06
	II	All other States	1.07
Canned plums	I	California	1.065
	II	All other States	1.08
Canned prunes (fresh)	I	All States	1.085
Canned figs	I	do	1.08
Canned grapes	I	do	1.095
Canned Lovell peaches	I	California	1.09
Canned Elberta peaches	I	do	1.07
Canned freestone peaches	I	Oregon and Washington	1.065
	II	All States except California, Oregon, and Washington.	1.09
Canned pears	I	Oregon and Washington	1.05
	II	All States except California, Oregon, and Washington.	1.07

4. Table II in section 2 (c) is amended as follows:

a. With respect to cherries the words "Extra heavy (fancy) cut-out density of 25°–25°" are changed to read "Extra heavy (fancy) cut-out density of 25°–40° Brix".

b. With respect to fruit cocktail the words "Extra heavy (fancy) cut-out density of 22°–35° Brix" are changed to read "Extra heavy (fancy) cut-out density of 22°–35° Brix".

5. Section 2 (d) is amended by inserting between the first and second sentences of paragraph (1) thereof the following sentence: "If you purchase raw material on a graded raw material basis, you shall compute your increase or decrease by weighting both 1948 and 1951 purchases on the basis of the actual grades purchased in 1948."

6. Section 2 (d) (2) is amended by adding at the end thereof the following:

If it has not been your customary practice to distribute raw material costs to the various grades of finished product on a grade differential basis, you may continue to follow your usual practice of distribution or you may redistribute the above figure obtained by "dividing your average raw material cost adjustment per ton (or other unit of purchase) by the simple average of the yields for the years 1948, 1949, and 1950" in accordance with the following procedure (however, if you elect to redistribute in accordance with the following procedure, for any product, you must redistribute in the same manner for all products covered by this regulation):

(i) Determine the total sales value of the entire 1948 pack of the product at base period prices. For this purpose only, you may use your 1948 opening price for any item for which you cannot determine a base period price.

(ii) Determine the total number of tons (or other unit of purchase) of raw material used in producing the 1948 pack of the product.

(iii) Multiply the average raw material cost adjustment per ton (or other unit of purchase) as determined under paragraph (c) (3) of this section by the total number of tons (or other unit of purchase) used in 1948.

(iv) Calculate the ratio secured by dividing subdivision (iii) of this subparagraph by subdivision (i) of this subparagraph.

(v) Then multiply each base price by the ratio obtained as a result of the computation under subdivision (iv) of this subparagraph to obtain the upward or downward adjustment for raw material costs per dozen containers of the item.

7. Table III in section 2 (d) is amended by changing the permitted adjustment in dollars per unit for gooseberries from "+.029" to "+.044".

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is is effective September 1, 1951, or such earlier date between August 23 and September 1, 1951 as you may select. If you select such earlier date, this amendment becomes effective as to you upon that date for all products added by this amendment. However, if you have offered for sale prior to the effective date of this amendment any item of canned apricots, canned red sour pitted cherries and canned sweet cherries, the ceiling prices of which were calculated under the provisions of CPR 56, you need not recalculate such ceiling prices under the provisions of section 2 (d), as amended by this amendment.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10325; Filed, Aug. 23, 1951; 4:30 p. m.]

[Ceiling Price Regulation 6, Amendment 10]

CPR 6—FATS AND OILS

EXPORTS

Correction

Amendment 10 to CPR 6 was issued July 30, 1951, and through inadvertance referred to the system of section numbering in effect prior to the collation of CPR 6, dated July 2, 1951, instead of the revised section numbers contained in the collation. Accordingly, the amendatory provisions of Amendment 10 to CPR 6 are corrected to read as follows:

AMENDATORY PROVISIONS

Ceiling Price Regulation 6 is amended in the following respects:

1. A new paragraph is added to section 16, to be inserted after the paragraph defining "Fats and oils" and before the paragraph defining "hydrogenated shortening", to read as follows:

Fats and oils products in the finished form. The term "fats and oils products in the finished form" as used in this regulation means those products the whole or a substantial part of which are manufactured from fats and oils, which are sold for use or consumption without further processing and the manufacturing process of which includes more than filtering, refining, deodorizing, splitting, or dividing into component parts. Examples of such fats and oils products in the finished form are: shortening, margarine, salad dressing, and mayonnaise.

2. Section 27 is amended by deleting the present section 27 and substituting therefor a new section 27 to read as follows:

SEC. 27. *Ceiling prices for exports of fats and oils and fats and oils products in the finished form.* Ceiling Price Regulation 61 applies to sales for export of the "fats and oils" and "fats and oils products in the finished form" which are covered by this regulation.

(Sec. 704, Pub. Law 774, 81st Cong., as amended)

Effective date. This amendment shall become effective on August 26, 1951.

[Ceiling Price Regulation 24, Amdt. 5]

CPR 24—CEILING PRICES OF BEEF SOLD AT WHOLESALE

CHANGE IN EFFECTIVE DATE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with Respect to the Allocation of Meat (16 F. R. 1272), and Economic Stabilization Agency General Order 5 (16 F. R. 1272), and Economic Stabilization Agency General Order 5 (16 F. R. 1273), this Amendment 5 to Ceiling Price Regulation 24 is hereby issued.

STATEMENT OF CONSIDERATIONS

Amendment 4 to Ceiling Price Regulation 24 provides among other things that beef may not be imported into the 48 States or the District of Columbia at prices in excess of the ceiling prices established in CPR 24. Like the other portions of Amendment 4, the provision relating to importation of beef, which is contained in a new section 11 (c) of CPR 24, was made effective on August 1.

Since the issuance of Amendment 4 it has come to the attention of the Director of Price Stabilization that some American buyers entered into contracts prior to August 1 calling for delivery after that date. To avoid undue hardship to persons who had entered into such contracts it appears desirable to postpone the effective date of the import provision until August 31, 1951, insofar as it applies to beef delivered to a buyer located in the 48 States or the District of Columbia pursuant to a contract made prior to August 1.

In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended. In formulating this amendment, the Director of Price Stabilization has consulted with industry representatives as far as practicable and has given full consideration to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 24 is amended by adding at the end of section 11 (c) the following subparagraph:

(4) However nothing in this section 11 (c) shall prohibit the importation into the 48 States or the District of Columbia on or prior to August 31, 1951, of beef the delivery of which was contracted for prior to August 1, 1951.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51-10387; Filed, Aug. 24, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 52]

GCPR, SR 52—ADJUSTMENT OF CEILING RATES OF CONTRACT MOTOR CARRIERS OF LIQUID COMMODITIES HANDLED IN TANK TRUCKS (EXCEPT MILK)

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 52 to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the issuance on January 26, 1951, of the General Ceiling Price Regulation, which froze the rates of all motor carriers, other than common carriers, at the highest rate charged for the same or similar service during the period from December 19, 1950, to January 25, 1951, inclusive, it has become apparent that numerous contract motor carriers of liquid commodities in bulk in tank trucks are in need of relief in the form of increased rate adjustments as a result of increased operating costs which have arisen since the latter part of 1950. Many of these carriers are now operating under contracts which were entered into several years ago, and, in view of the provisions of the General Ceiling Price Regulation, are unable to adjust their contracts so that increases in costs of labor, materials, and equipment are reflected. Where carriers are operating without sufficient net return to continue to render service, a basis for adjustment of the rates of such carriers is necessary.

Recognition has also been given to the relationship between common and contract carrier rates. The transportation by tank truck of petroleum products as between common and contract carriers is analogous in that only one commodity is ordinarily handled in one vehicle and the amount of labor in handling is identical. The competition as to rates and service of common and contract carriers of petroleum products by tank truck is axiomatically recognized. This competitive situation also necessitates the establishment of a rate adjustment procedure.

Accordingly, it is the purpose of this supplementary regulation to afford a means for permitting necessary rate adjustments upon a showing that the ceiling rates established under the General Ceiling Price Regulation result in substantial financial hardship, or threaten the continuance of an essential transportation service for which there is no adequate substitute available to the shipper. Provision also has been made for the maintenance of the same percentage ratio between contract and common carrier rates, for transportation of petroleum products, whenever the rates of common carriers are revised, as was maintained prior to the issuance of the General Ceiling Price Regulation.

Finally the regulation requires the reporting by all carriers subject to this regulation of the maximum rates which they had in effect during the base period December 19, 1950, to January 25, 1951.

In the formulation of this supplementary regulation there has been consultation with the Industry Advisory Committee for Contract Petroleum Tank Carriers and with other industry representatives, and consideration has been given to their recommendations. In the judgment of the Director of Price Stabilization this regulation is fair and equitable and necessary to effectuate the purposes of the Defense Production Act of 1950.

REGULATORY PROVISIONS

Sec.
1. Applicability.
2. Adjustment of ceiling rates.
3. Where and how to apply for adjustments.
4. Reports.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6185, 3 CFR, 1950 Supp.

SECTION 1. *Applicability.* (a) This regulation applies to motor carriers, other than common carriers, engaged in the transportation of various liquid commodities in bulk in tank trucks, such as petroleum products, alcohol, molasses, vinegar, and the like, but not including milk. The transportation of the latter commodity is subject to the General Ceiling Price Regulation issued January 26, 1951 (16 F. R. 808), and Supplementary Regulation 39, effective July 30, 1951 (16 F. R. 7150).

(b) The provisions of this regulation are applicable to the 48 States of the United States and the District of Columbia.

(c) Except as provided herein, the carriers covered by this regulation shall remain subject to the applicable provisions of the General Ceiling Price Regulation.

SEC. 2. *Adjustment of ceiling rates—*(a) *Where hardship exists.* A carrier covered by this regulation may request adjustment of any present ceiling rates where it is shown that:

(1) The present ceiling rates result in substantial financial hardship; or

(2) The adjustment requested is necessary to permit the continuance of an essential transportation service for which there is no adequate substitute service available at a rate equal to, or lower than, the maximum rate requested.

(b) *Maintenance of price differential with competitive motor common carriers.* In those cases where carriers of petroleum products have in the past maintained rates which reflected a definite percentage ratio to the rates of competitive motor common carriers, an individual carrier, or a representative of a group of carriers, may apply for an adjustment in ceiling rates for the transportation of petroleum products whenever the rates of competitive motor common carriers are increased, provided that the adjustment requested would result in maintaining the same percentage ratio between the lowest rate of a competitive motor common carrier and that of the applicant, or applicants, as has existed in the past.

(c) Upon consideration of the facts presented in the application, the Director of Price Stabilization may, in his discretion:

(1) Grant the application in whole or in part, or

(2) Deny the application in its entirety.

Thirty days after the application has been received by the Office of Price Stabilization at Washington, D. C., or, in cases where additional information is requested, thirty days after such additional information has been received by the Office of Price Stabilization at Washington, D. C., the proposed rates shall become effective unless the application has been denied in whole or in part by the Director of Price Stabiliza-

tion. Failure by the Director of Price Stabilization to act within either of the thirty day periods provided above, shall not preclude future adjustment of the ceiling rate or rates when necessary and appropriate to carry out the policy declared in Section 2 of the Defense Production Act of 1950, as amended.

SEC. 3. *Where and how to apply for adjustments.* (a) Applications for adjustment in rates under this regulation shall be made by properly executing Office of Price Stabilization Public Form 59 (Rev. 8–51), and by attaching thereto appropriate shipper certificates properly executed on Office of Price Stabilization Public Form 67 (Rev. 8–51). For adjustments requested under paragraph (b) of section 2, there shall be included: (1) Information showing an established prior practice of maintaining definite ratios with the rates charged by competitive motor common carriers for the same or similar services; (2) the prices charged by the applicant and competitive motor common carriers from December 19, 1950, to January 25, 1951; (3) the increased rates charged or to be charged by competitive motor common carriers, and authority therefor; and (4) such other information as may be pertinent.

(b) Two copies of all applications together with the exhibits attached thereto shall be filed with, or shall be sent by registered mail with return receipt requested, to the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C. The date on the return receipt shall be the official date of filing. If the application is delivered in person at the Washington office, a receipt should be obtained from the docket clerk of the Transportation, Public Utilities and Fuels Division. Copies of the forms prescribed may be obtained from the Office of Price Stabilization, Washington 25, D. C., or any regional or district office thereof.

SEC. 4. *Reports.* Within thirty days after the effective date of this regulation each carrier subject thereto shall file with the Transportation, Public Utilities and Fuels Division, Office of Price Stabilization, Washington 25, D. C., copies of its schedule of rates in effect during the period from December 19, 1950, to January 25, 1951, and all rates established since January 26, 1951, together with information showing the manner in which such rates were established.

Effective date. This Supplementary Regulation 52 to the General Ceiling Price Regulation shall become effective August 29, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51–10385; Filed, Aug. 24, 1951; 11:49 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M–71 as amended August 23 1951]

M–71—PRIORITIES ASSISTANCE TO TECHNICAL AND SCIENTIFIC LABORATORIES

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this order as amended, consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action and because the order as amended affects a large number of different kinds of laboratories performing different functions and engaged in a wide variety of projects.

This amendment affects NPA Order M–71 as follows: It makes it clear that production control laboratories engaged in testing operations may obtain the priorities assistance provided by the order; that trial production runs of experimental models may not be made unless specifically authorized by NPA; and that the manufacture of experimental models is restricted under the provisions of section 7 (c) of the order. Other minor changes are made for the purpose of providing clarity in paragraphs (c) and (d) of section 8. This revision affects sections 2 (b), 7 (b), 7 (c), 8 (c), and 8 (d) of this order as amended.

SEC.

1. What this order does.
2. Definitions.
3. How a laboratory may obtain a small quantity of controlled materials.
4. Class A products.
5. Authorization of ratings for products and materials other than controlled materials.
6. Applications for quota assistance.
7. Restrictions on priorities assistance.
8. Relation to other regulations and orders.
9. Applications for adjustment or exception.
10. Communications.
11. Records.
12. Audit and inspection.
13. Reports.
14. Violations.

AUTHORITY: Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to provide assistance to technical and scientific laboratories in the procurement of needed supplies and materials. To accomplish this purpose, such laboratories, as defined in this order, are permitted to apply an allotment symbol and certification to obtain a small quantity of controlled materials and a rating and certification to obtain a small quantity of products and materials other than controlled materials. In the event that more than a small quantity of controlled materials, and products and materials other than controlled materials, is required, a mechanism is provided by section 6 of this order under which laboratories will be assigned a quota of such controlled materials, and products and materials other than controlled materials on a quarterly basis.

SEC. 2. *Definitions.* For the purposes of this order:

(a) "Person" means any individual, partnership, corporation, association, or other organized group, and includes any business enterprise, Government agency or institution. If in 1950, or in his last fiscal year ending prior to March 1, 1951, a person operated more than one laboratory, as defined in paragraph (b) of this section, and maintained for any such laboratory separate records showing expenditures therefor for material, as defined in paragraph (c) of this section, he may elect to treat any one or more of such laboratories as a separate person for the purposes of this order, or to treat his entire laboratory operation within the United States, its territories and possessions, as a person. In the absence of a contrary election, his entire laboratory operation within the United States, its territories and possessions, shall be treated as a person for the purposes of this order. Such election may not be changed without prior written approval of NPA.

(b) "Laboratory" means any person located in the United States, its territories or possessions, who carries on scientific or technological investigation, testing, or development or experimentation as his regular business or in the course of his business and who buys any materials especially for that purpose, even though he does not have a separate department or organization in his company or institution for these activities. The term "laboratory" includes, without limitation, research laboratories, production control laboratories, testing laboratories, analytical laboratories, clinical laboratories, and instructional laboratories. With the exception of production control laboratories which are engaged in testing operations for the purpose of controlling the quality of a product, it does not include any person to the extent that he buys materials for the manufacture of products for commercial sale or public distribution even though the place in which the products are manufactured may be called a laboratory.

(c) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind. The term includes, but is not limited to, maintenance, repair, and operating supplies for laboratories, equipment and instruments designed for use in laboratories, and other materials needed to carry on scientific or technological investigation, testing, or development or experimentation. The term also includes such items as hand tools and safety equipment purchased by a laboratory for sale to its employees for use only in the laboratory activities.

(d) "Delivery order" means any purchase order, contract, or shipping or any other instruction, calling for delivery of any material or product on a particular date or dates or within specified periods of time.

(e) "Controlled materials" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(f) "Small quantities of controlled materials" means not in excess of the amounts for each material for any one calendar quarter as specified in the list below:

Carbon steel (including wrought iron)	5 tons.
Alloy steel (except stainless steel)	½ ton.
Stainless steel	300 pounds.
Copper and copper-base alloy brass mill products, copper wire mill products, copper and copper-base alloy foundry products and powder	500 pounds.
Aluminum	500 pounds.

(g) "NPA" means the National Production Authority.

SEC. 3. *How a laboratory may obtain a small quantity of controlled materials.* On delivery orders calling for delivery after June 30, 1951, a laboratory may obtain controlled materials in small quantities (as defined by section 2 (f) of this order) which are needed for carrying on scientific or technological investigation, testing, or development or experimentation by placing on its delivery orders the allotment symbol X1 and a certification which shall read as follows:

Certified under NPA Order M-71

This certification shall be signed as provided in section 8 of NPA Reg. 2, and shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place a delivery order under the provisions of this order to obtain the products or materials covered by the delivery order. Such orders are authorized controlled material orders for the purpose of all CMP regulations, as provided by section 2 (q) of CMP Regulation No. 1.

SEC. 4. *Class A products.* (a) In order to obtain Class A products (as defined in section 2 (j) of CMP Regulation No. 1) needed for carrying on scientific or technological investigation, testing, or development or experimentation, a laboratory must ascertain from its supplier the quantity of controlled materials required in the manufacture of the said Class A products. In the event that the quantity of controlled materials required for the manufacture of the said Class A products for the calendar quarter in which it is desired to place such a delivery order, including the laboratory's own requirements for controlled materials for the same calendar quarter, does not exceed the small quantity of controlled materials, as defined in section 2 (f) of this order, the laboratory may make an allotment thereof to its supplier of Class A products in the same manner as prescribed in section 12 of CMP Regulation No. 1, on Form CMP-5 as set forth in Schedule II of CMP Regulation No. 1, which shall be attached to the delivery order.

(b) In cases where an order for Class A products for any one calendar quarter will cause a laboratory to exceed the small quantity limitations prescribed in sections 2 (f) and 3 of this order, a laboratory may obtain such products by applying for a quota under section 6 of this order and including in the application Form NPAF-109 the controlled materials requirements of its Class A product suppliers. After a quota is assigned, the laboratory may make an allotment within the limits thereof to its supplier of Class A products in the same manner as prescribed in paragraph (a) of this section.

(c) In every case covered by paragraphs (a) or (b) of this section the delivery order involved shall bear the rating DO-X1, the calendar quarter for which the allotment is valid (as prescribed by section 11 (b) of CMP Regulation No. 1), and the certification prescribed in section 5 of this order.

(d) The provisions of this section shall apply only to delivery orders calling for delivery after June 30, 1951.

SEC. 5. *Authorization of ratings for products and materials other than controlled materials.* On delivery orders calling for delivery after June 30, 1951, a laboratory is hereby authorized to apply the rating DO-X1 to obtain delivery of its requirements of products and materials other than controlled materials which are needed for carrying on scientific or technological investigations, testing, or development or experimentation: *Provided, however,* That the total purchase price for all such products and material shall not exceed $3,000 during any one quarter. In such case the delivery order shall bear the rating DO-X1 and a certification which shall read as follows:

Certified under NPA Order M-71

This certification shall be signed as provided in section 8 of NPA Reg. 2, and shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an order under the provisions of this order to obtain the products or materials covered by the delivery order.

SEC. 6. *Applications for quota assistance.* (a) A laboratory which estimates that its requirements of controlled materials (including the requirements thereof of its supplier of Class A products, as provided in section 4 of this order) for any one calendar quarter will exceed the small quantities of controlled materials as defined by section 2 (f) of this order, may apply to the National Production Authority, Washington 25, D. C., on Form NPAF-109, in triplicate, for a quota of such materials. NPA may assign a quota of controlled materials to such a laboratory by returning a copy of Form NPAF-109 to the laboratory with the allowable quota inserted in the appropriate space on the form.

(b) A laboratory which estimates that its requirements of products and materials other than controlled materials for any one calendar quarter will exceed the quantity allowed by section 5 of this order, may apply to the National Production Authority, Washington 25, D. C., on Form NPAF-109, in triplicate, for a quota of such products and materials. NPA may assign a quota of products and materials other than controlled materials to such laboratory by returning a copy of Form NPAF-109 to the laboratory with the allowable quota inserted in the appropriate space on the form.

(c) Where a laboratory is assigned a quota by NPA as provided by paragraphs (a) and (b) of this section, it is hereby authorized to place on its delivery orders the same allotment symbol and certification in the case of controlled materials as provided by section 3 of this order and to apply the same rating and certification in the case of products and materials other than controlled materials as provided by section 5 of this order: *Provided, however,* That in no case may such a laboratory exceed its authorized quota for any one calendar quarter without express permission in writing from NPA.

(d) Forms NPAF-109, applications for quota assistance, will be available at all regional offices of NPA and may be filed for the third calendar quarter at any time after the effective date of this order. Subsequent to the third calendar quarter of 1951, however, such application forms must be filed on or before the fifteentn day preceding the first day of the calendar quarter.

(e) Quotas under this section will be assigned only to laboratories which are engaged in scientific or technological investigation, testing, or development or experimentation, and then only in cases where NPA determines that the project or projects for which quotas are desired are highly essential to the national defense or affect the public health or safety.

SEC. 7. *Restrictions on priorities assistance.* (a) No person may use any of the materials or products obtained under the provisions of this order for use in activities other than scientific or technological investigation, testing, or development or experimentation.

(b) No person may make trial production runs of experimental models which are made with materials or products obtained under this order, unless specifically authorized by NPA on Form NPAF-109.

(c) No person may use any of the materials or products obtained under the provisions of this order for the manufacture of experimental models which are to be distributed for the purpose of promoting sales or creating a consumer demand for the article. However, the provisions of this order may be used to get materials or products for the production of experimental models which are intended to be used only for scientific or technological investigation,

testing, or development or experimentation. Such experimental models may be made only in the minimum number and the minimum size required to determine the suitability of the article for commercial production and use.

SEC. 8. *Relation to other regulations and orders.* (a) This order supplements NPA Reg. 2, as amended, which sets forth the basic rules of the priorities system, and provisions of that regulation govern the use of the DO rating herein assigned, except to the extent that the provisions of this order are inconsistent with that regulation.

(b) The provisions of this order do not authorize the use of any materials where such use is prohibited by any other applicable NPA order, but any laboratory which uses the DO rating herein assigned may use any materials or parts so obtained regardless of the limitations on the rate of use stated in any applicable NPA order, except insofar as such order may limit the specifications of a product as to material content. No provision of this order, however, shall supersede any requirement of any other applicable NPA order that any material or part may be obtained only by allocation; nor shall any provision of this order supersede any such provision of CMP regulations, except to the extent that the provisions of this order are inconsistent therewith.

(c) Within 30 calendar days of June 26, 1951 (being the date of original issue of this order), a laboratory must make an election either to continue to avail itself of the provisions of CMP Regulation No. 5 or to operate under the provisions of this order. Under no circumstances may it avail itself of the provisions of both CMP Regulation No. 5 and this order. In the event that a laboratory uses the provisions of this order for any purpose whatsoever, it will be considered to have made an election to operate under the provisions of this order, and such election may not thereafter be altered in any way without specific authorization in writing by NPA. A laboratory electing to continue to avail itself of the provisions of CMP Regulation No. 5 must notify NPA of such election within 30 calendar days of June 26, 1951 (being the date of original issue of this order), or it will be assumed that the laboratory has elected to operate under the provisions of this order.

(d) A laboratory electing to operate under the provisions of this order may use any of its provisions to obtain the chemicals described in item 1, Schedule I, of CMP Regulation No. 5, but may not use any of its provisions to obtain any other item appearing in Schedule I of CMP Regulation No. 5, as that schedule may be amended from time to time. This exemption, however, shall not be applicable to a laboratory, which elects to continue to operate under CMP Regulation No. 5. The limitations contained in Schedule II of CMP Regulation No. 5 and List A of NPA Reg. 2, as those regulations may be amended from time to time, with respect to certain items and materials which are subject to regulation by other Government agencies, or which are not subject to rating by NPA, shall continue to apply under this order.

(e) Notwithstanding any of the foregoing provisions of this section, this order shall not be construed as revoking or preventing the use of any authority delegated by NPA to any other Government agency to use any other rating that may have been assigned to it to obtain any of the products or materials for which such rating has been assigned.

SEC. 9. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 10. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-71.

SEC. 11. *Records.* Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 12. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

SEC. 13. *Reports.* Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

SEC. 14. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of receiving further deliveries of products or materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on August 23, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10330; Filed, Aug. 23, 1951; 4:32 p. m.]

[NPA Order M-25 as amended, August 23, 1951, (effective October 1, 1951)]

M-25-CANS

This amended order is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this amended order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected by the issuance of this amended order has been rendered impracticable by the fact that it affects a very substantial number of different trades and industries.

NPA Order M-25, as amended July 1, 1951, and Amendment No. 1 thereto in effect August 7, 1951, shall remain in full force and effect until this amended order (hereinafter referred to as "this order") becomes effective on October 1, 1951.

This order affects NPA Order M-25, as amended July 1, 1951, and Amendment No. 1 thereto, as follows: It establishes three separate groups of products, with new quotas of cans for the packing thereof which may be accepted and used by packers; it eliminates manufacturing and delivery preferences for cans except with respect to DO rated orders and any other orders under NPA directives; it eliminates restrictions on the use of cans and parts of cans made entirely of black plate rejects, tin plate waste, or terneplate waste; it includes new provisions stating that all adjustments or exceptions authorized with respect to 1951 not heretofore discontinued or terminated, including adjustments made pursuant to Direction 1, shall expire and terminate not later than December 31, 1951; and it makes provision for the fourth quarter of 1951, and for the first, second, and third quarters of 1952. This order includes all provisions affecting cans (as herein defined) except Direction 1 to NPA Order M-25, as amended May 1, 1951.

Sec.
1. What this order does.
2. Definitions.
3. Restrictions on use of cans.
4. Other restrictions.
5. Restrictions on amount of cans that may be accepted.
6. Restrictions on amount of cans that may be used for packing.
7. Certain adjustments and their termination.
8. Restrictions on can manufacturers.
9. Exceptions.
10. Certification of delivery of cans.
11. Applications for adjustment or exception.
12. Records and reports.
13. Communications.
14. Violations.

AUTHORITY: Sections 1 to 14 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071, sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Sup., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order places restrictions upon the acceptance of, the delivery of, and the uses of cans. Schedule I sets out required plate specifications which vary according to the products packed. NPA Order M–24 permits the use of tin plate and terneplate for cans in accordance with the terms of this order. NPA Order M–8 sets forth specifications for solder that may be used in the manufacture of cans. Under the Controlled Materials Plan (CMP), allotments of tin plate, terneplate, and black plate are made to can manufacturers for the production of cans.

SEC. 2. *Definitions.* As used in this order:

(a) "Can" means any unused container made in whole or in part of tin plate, terneplate, or black plate, which is suitable for packing any product. The term includes any container which has a closure or fitting, made in whole or in part of tin plate, terneplate, or black plate, but does not include a glass container having such a closure or fitting. The term does not include fluid milk shipping containers, nor crown closures for cone-topped cans.

(b) "Tin plate" means steel sheets coated with tin, and includes "primes," "seconds," and all other forms of tin plate, except waste and waste-waste.

(c) "Terneplate" means steel sheets coated with terne metal, and includes "primes" and "seconds." The term does not include terneplate waste, or terneplate waste-waste. "Terne metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead, recovered from secondary sources, which contains less than 1.5 percent residual tin.

(d) "SCMT" means special coated manufacturers' terneplate.

(e) "Waste" means scrap tin plate or scrap terneplate (including strips and circles) produced in the ordinary course of manufacturing cans, or tin plate strips or terneplate strips produced in the ordinary course of manufacturing tin plate or terneplate. The term also includes tin plate or terneplate parts recovered from used cans.

(f) "Waste-waste" means hot-dipped or electrolytic tin-coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(g) "Black plate" means steel sheets (other than tin plate or terneplate) 29-gage (128 pounds) or lighter. The term includes can manufacturing quality black plate (CMQ), "black plate rejects," chemically treated black plate (CTB), waste-waste, and waste.

(h) "Packer" means any person who either (1) purchases empty cans and fills such cans in packing any product or (2) purchases empty cans and has them filled for his account by another party, but who controls sale and distribution of the finished product after packing.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

SEC. 3. *Restrictions on use of cans.* Subject to the exceptions set forth in section 9 of this order, no packer shall purchase, accept delivery of, or use cans for any purpose other than for packing, in accordance with the groupings, the quota percentage limitations, and the can material specifications set out in Schedule I appearing at the end of this order, a product listed in Schedule I.

SEC. 4. *Other restrictions.* No person shall manufacture, sell, or deliver cans which he knows or has reason to believe will be accepted or used in violation of the terms of this order or any other order or regulation of the National Production Authority (hereinafter called "NPA"). No person shall sell or deliver cans which he knows or has reason to believe will be exported outside of the continental limits of the United States, its territories and possessions (unless such export is to Canada), except as permitted under paragraph (i) of section 9 of this order.

SEC. 5. *Restrictions on amount of cans that may be accepted.* No person shall accept delivery of any cans at a time when his inventory thereof exceeds, or by acceptance of such delivery would be made to exceed, a practicable minimum working inventory of cans required by him for packing products listed in Schedule I of this order in accordance with the provisions of said Schedule I. As used herein "practicable minimum working inventory" means the smallest quantity of cans with which a person can reasonably meet his deliveries or supply his services on the basis of his currently scheduled method and rate of operation.

SEC. 6. *Restrictions on amount of cans that may be used for packing.* (a) This order, by previous amendments, required a packer, commencing with the second quarter of 1951, to choose as his base year either the calendar year 1949 or the calendar year 1950. Such requirement continues to apply to all packers. Any packer who has so chosen his base year for computing his permissible can quotas for a calendar quarter, and any packer who has not heretofore chosen but hereafter chooses a base year for such purpose, must predicate on his base year so chosen all computations required by paragraph (b) of this section for the fourth calendar quarter of 1951 and for all succeeding quarters through the third calendar quarter of 1952.

(b) During the fourth calendar quarter of 1951 and each calendar quarter thereafter, to and including the third calendar quarter of 1952, no packer, unless or until otherwise authorized by NPA, may use cans for packing any particular product listed in Schedule I of this order in excess of an amount of cans determined by applying the percentage listed in Column (2) of Schedule I opposite a particular product to the amount of cans which he used for packing that particular product during the corresponding quarter of his selected base year. "The amount of cans," as the phrase is used in the preceding sentence and elsewhere in this order when applied to the corresponding quarter of his base year, means the total area or tonnage of tin plate, terneplate, and black plate (excluding the area or tonnage of tin plate waste, terneplate waste, and black plate rejects) used in the manufacture of such cans and parts of cans. Where the word "unlimited" appears in Column (2) of Schedule I opposite a particular product, a packer may use the specified cans in an unlimited quantity to pack that particular product, subject to the inventory restriction contained in section 5 of this order. If a packer used less than the limited amount of cans permitted for packing a particular product during the first, second, or third quarter of 1951, he may, unless otherwise directed by NPA, use the unused amount for packing that particular product at any time during the balance of the calendar year 1951. Commencing with the first calendar quarter of 1952, if a packer uses less than the limited amount of cans permitted for packing a particular product during either the first or second quarter of 1952, he may, unless otherwise directed by NPA, use the unused amount for packing that particular product during a later period but in no event after September 30, 1952. No packer may assign, transfer, or surrender, to or for the benefit of any other person, his permissible can quota for any calendar quarter or any part or parts of such quota.

(c) In certain instances Column (2) of Schedule I of this order authorizes one quota if a particular product is packed in cans of a larger size or sizes and a different quota if such product is packed in cans of smaller size or sizes. In such instances, the packer's base period usage for packing that product in cans of larger size or sizes determines his permitted base for packing such product in such larger size or sizes during the fourth quarter of 1951 and thereafter, and his base period usage for packing such product in cans of smaller size or sizes determines his permitted base for packing such product in such smaller size or sizes during the fourth quarter of 1951 and thereafter.

SEC. 7. *Certain adjustments and their termination.* In any case where, prior to December 31, 1951, the provisions of

section 6 of this order may be subject to adjustment because of any of the reasons set forth in Direction 1 to NPA Order M–25, as amended May 1, 1951, or as from time to time hereafter amended, determinations of adjustments effective until a date not later than December 31, 1951, may be made by the packer in accordance with the standards and subject to the conditions stated in said Direction 1: *Provided, however,* That all adjustments, exceptions, and grants authorized by NPA with respect to any portion of the calendar year 1951 which have not heretofore expired, terminated, or been discontinued, including any adjustments made pursuant to said Direction 1, whether as issued March 12, 1951, or as amended May 1, 1951, or as hereafter amended, shall expire, terminate, and be discontinued as of December 31, 1951, unless the same sooner expire or terminate by their own terms or are discontinued by appropriate action of NPA, and upon the expiration, termination, or discontinuance of any adjustment, exception, or grant, no packer shall rely upon, claim the benefit of, or use the same as a basis for his acceptance or use of cans: *Provided further,* That in any case where the provisions of section 6 of this order may be subject to adjustment with respect to the year 1952 because of any of the reasons set forth in Direction 1 to NPA Order M–25, as amended May 1, 1951, or as from time to time thereafter amended, determinations of adjustments may be made by the packer after January 1, 1952, in accordance with the standards and subject to the conditions stated in said Direction 1.

SEC. 8. *Restrictions on can manufacturers.* So far as practicable, every can manufacturer shall schedule his operations (including his ordering of tin plate, terneplate, and black plate) so as to permit delivery of cans in the quantities and at the times he reasonably anticipates will be required to bring about full deliveries as permitted in Schedule I of this order for packing products listed in each of the Groups, I, II, and III. In any event, he shall schedule his operations to insure delivery for all DO rated orders and any other orders under NPA directives.

SEC. 9. *Exceptions.* (a) The can material specifications set out in Schedule I of this order do not apply to the use of any cans which were in the inventory of a packer or in the inventory of a can manufacturer or in process of manufacture on January 27, 1951, or to tin plate or terneplate which was either in process at a tin mill, or in the inventory of a tin mill for the account of a can manufacturer, or in the inventory of a can manufacturer, on January 27, 1951. It is the intent of this paragraph that any tin plate or terneplate intended for use in the manufacture of cans in inventory or in process on January 27, 1951, as aforesaid, shall be used notwithstanding the can material specifications of this order. However, the restrictions of section 6 of this order are not excepted by this paragraph.

(b) The restrictions and limitations of this order do not apply to cans or parts of cans made entirely of tin plate waste or terneplate waste or black plate rejects, or entirely of any combination thereof.

(c) Any person who purchases cans for packing and not for resale and whose total use of cans for packing all products in any calendar year requires less than 250 base boxes of tin plate, terneplate, and black plate shall be exempt from the use limitations of section 6 of this order but not from the can material specifications of Schedule I of this order. This exemption does not apply to any person who buys empty cans or parts thereof and sells such cans or parts thereof to a packer.

(d) The use limitations of section 6 of this order and the can material specifications in Schedule I do not apply to cans used to pack any product in home canning, community canning, or institutional (meaning such institutions as prisons, reform schools, and insane asylums) canning where the product is not to be sold. This exemption also applies to cans for packing laboratory samples and control samples, but not to cans for packing samples distributed for the purpose of advertising or for promoting the sale of a product, nor to any cans used for packing products which are later repacked and sold.

(e) Orders having a DO rating are exempt from the restrictions in sections 5 and 6 of this order on the amount of cans that may be accepted and used.

(f) The use of cans for packing any product which is required to be packed in cans, set aside, and reserved for purchase by any authorized Government agency is exempt from the use limitations of this order, but not from the can material specifications in Schedule I of this order: *Provided, however,* That whenever the product so to be packed by a packer, set aside, and reserved for purchase by any authorized Government agency is any one of the following:

Beans, lima.	Spinach.
Beans, string.	Sweetpotatoes.
Carrots.	Tomatoes.
Catsup.	Tomato juice.
Corn.	Tomato paste.
Peas.	Tomato puree.

then all or any No. 10 cans or larger, or any part or parts thereof, which the packer uses for packing that product, whether all or less than all of his pack in No. 10 cans or larger of that product is so set aside and reserved, may be made of 0.50 electrolytic tin plate instead of 0.25 electrolytic tin plate in any respect for which 0.25 electrolytic tin plate is prescribed by the applicable can material specifications in Schedule I of this order.

(g) The can material specifications set out in Schedule I of this order shall not apply to orders having a DO rating requiring the packing of products in accordance with Military Specifications of the Department of Defense for use outside the 48 States of the United States and the District of Columbia by the Armed Forces of the United States, including the United States Coast Guard. The can material specifications set out in Schedule I shall apply, however, to all other orders having a DO rating.

(h) The restrictions of this order shall not apply to military requirements for cans of a special design or style not normally produced or used commercially, nor to cans for emergency rations and supplies for lifeboats.

(i) The provisions of this order shall not apply to the sale or delivery of cans where the person selling or delivering the same has received a validated export license therefor from the Office of International Trade, or has received from another person a certificate signed manually. This certificate shall be by letter in substantially the following form, the inapplicable words stricken therefrom, and shall be filed with each purchase order with the person selling or delivering to such other person cans for export:

To _____, Seller:
The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that (he has received a certification from another person that) the Office of International Trade has issued to (him) (such other person) validated export license No. _____ for export shipment of all of the items included in the attached purchase order, and that all purchases from you of items included in the said purchase order and the acceptance of the same will be in compliance with the said validated export license.

In cases of export to those countries where the Office of International Trade does not require an export license, no certificate shall be required until such time as an export license is required by the Office of International Trade.

SEC. 10. *Certification of delivery of cans.* No manufacturer, jobber, or distributor shall sell or deliver cans unless he has received from the purchaser a certificate signed manually. This certificate shall be by letter in substantially the following form and, once filed by a purchaser with a manufacturer, jobber, or distributor, covers all future deliveries of cans from the manufacturer, jobber, or distributor to that purchaser:

To _____, manufacturer, jobber, or distributor:
The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M–25 of the National Production Authority, and that all purchases from you of items regulated by that order, and the acceptance and use of the same by the undersigned, will be in compliance with said order, and any amendments thereto.

SEC. 11. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public

health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, submitted on Form NPAF-38 in triplicate, and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor. Form NPAF-38 must be executed as therein required.

SEC. 12. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or may maintain such microfilm or other photographic records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–13[illegible]F).

SEC. 13. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Containers and Packaging Division, Washington 25, D. C., Ref: M-25.

SEC. 14. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Schedule I is hereto attached and made a part of this order.

This order, issued August 23, 1951, shall take effect on October 1, 1951, at 12:01 a. m. Eastern Standard Time. Until such time, NPA Order M-25, as amended July 1, 1951 and Amendment No. 1 thereto in effect August 7, 1951, shall remain in full force and effect.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I—CAN SPECIFICATIONS

Columns (3) and (4) specify the weight of tin-coating per base box of tin plate or terneplate which may be used for the parts of cans for the products listed in Column (1). Any packer may also use for packing a listed product black plate cans or cans with a tin-coating lighter than that specified for that product. He may also use, without restriction or limitation, cans, or parts of cans, made entirely of tin plate waste or terneplate waste or black plate rejects, or entirely of any combination thereof. Wherever 0.25 pound electrolytic tin plate is specified, SCMT may be used. Tin plate menders arising in the production of electrolytic tin plate may be used only where hot-dipped tin plate is permitted in this schedule. When only a figure is given in Columns (3) and (4), this means that tin plate may be used for the part, and the figure given indicates the maximum weight of tin-coating on each base box of plate. Electrolytic 0.25 pound tin plate may be used in place of black plate in that part of a can which, after filling, is required to be hermetically closed by soldering, or in that part of a can to which a nozzle is required to be attached by soldering. Nozzles and fittings so attached may also be made of 0.25 pound electrolytic tin plate, except that 0.50 pound electrolytic tin plate may be used for drawn soldered fittings. However, the total area or tonnage of 0.25 pound or 0.50 pound electrolytic tin plate or both used in the parts described or specified in either or both the two preceding sentences is limited to not more than the permitted quota percent, as shown in Column (2) of Schedule I, of the total area or tonnage of plate used in such parts for packing a particular product during the corresponding period of 1949 or 1950.

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Fruit and fruit products	*Group I*	*Group II*	*Group III*		
1. Apples, all types, quarterd and sliced	Unlimited			1.25	0.50
2. Apple juices, all types, single strength		90			
Enameled cans				1.50	1.50
Plain bodies				1.25	.50
3. Apple cider			70		
Enameled cans				1.50	1.50
Plain bodies				1.25	.50
4. Apple sauce	Unlimited			1.25	.50
5. Apricots, whole or halves	Unlimited			1.25	.50
6. Bananas and banana pulp (except dehydrated)			70	1.25	.50
7. Berries:					
Blueberries and huckleberries	Unlimited				
Enameled cans				1.50	1.50
Plain bodies				1.50	.50
Cranberries, whole or sauce	115			1.50	1.50
Gooseberries	Unlimited			1.25	.50
All other berries	Unlimited			1.50	1.50
8. Cherries, dark sweet	Unlimited			1.50	1.50
9. Cherries, light sweet	Unlimited			1.25	.50
10. Cherries, maraschino			70	1.50	1.50
11. Cherries, red sour	Unlimited			1.50	1.50
12. Currants, including juice:					
No. 10 cans and larger	Unlimited				
Smaller than No. 10 cans			70		
Enameled cans				1.50	1.50
Plain bodies				1.25	.50
13. Figs	Unlimited			1.25	.50
14. Fruitade base concentrates	Unlimited				
Frozen				.25	.25
Processed				1.50	1.50
15. Fruitades, ready to drink			70		
Berryades				1.50	1.50
All others				1.25	1.25
16. Fruits, baked		90			
Enameled cans				1.50	1.50
Plain bodies				1.50	.50
17. Fruit cocktail and mixed fruits				1.25	.50
Direct pack (except that canned pineapple and canned maraschino cherries may be used)	Unlimited				
Repacked from metal cans where fruits other than canned pineapple and canned maraschino cherries are used			70		
18. Fruit butters					
No. 10 cans and larger		90			
Smaller than No. 10 cans			70		
Apple butter:					
Enameled cans				1.50	1.50
Plain bodies				1.50	.50
All other fruit butters				1.50	1.50
19. Fruit concentrate	Unlimited				
Apricots				1.50	.50
Other fruits				1.25	.50
20. Fruits, dehydrated or dried (except prunes)		90			
5 gallon square cans				.50	.50
Other can sizes				.25	.25
21. Fruits, frozen, all varieties	Unlimited			.25	.25
22. Fruit jams, jellies, marmalades and preserves:					
No. 10 cans and larger		90			
Smaller than No. 10 cans			70		
Light color				1.25	.50
Dark color				1.50	1.50
23. Fruit juices, concentrate	Unlimited				
Frozen, all varieties and blends				.25	.25
Processed, grapefruit and grapefruit juice blends				1.25	1.25
All other fruit juice concentrates, processed				1.50	1.50
24. Fruit juices, single strength (except apple):					
Citrus, pineapples, and blends	Unlimited				
Processed				1.25	1.25
Frozen				.25	.25

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Fruit and fruit products—Continued	*Group I*	*Group II*	*Group III*		
Grape juice:					
5 gallon cans and larger	Unlimited			1.25	1.25
Smaller than 5 gallon			70	1.25	1.25
Prune juice		90		1.50	1.50
All other single strength fruit juices		90		1.50	1.50
25. Fruit nectars:					
Direct pack		90			
Repacked from metal cans			70		
Light-colored fruits				1.25	.50
Dark-colored fruits				1.50	1.50
26. Fruit pulp and purees (except baby food)	100			Same as nonpurced fruits.	
27. Fruit salad				1.25	.50
Direct pack (except canned apricots, canned pineapple and canned marashino cherries may be used)	Unlimited				
Repacked from metal cans, where fruits other than canned apricots, canned pineapple, and canned maraschino cherries are used			70		
28. Fruits, spiced:					
Crab apples			70		
Enameled cans				1.50	1.50
Plain bodies				1.50	.50
All others			70	1.50	.50
29. Grapes, processed:					
Colored—all can sizes			70	1.50	1.50
Thompson, seedless				1.25	.50
No. 10 can and larger		90			
Smaller than No. 10 can			70		
Spiced, Thompson seedless			70	1.50	1.50
30. Grapefruit and orange segments	Unlimited			1.25	1.25
31. Grapefruit segments	Unlimited			1.25	1.25
32. Nectarines	Unlimited			1.25	.50
33. Olives, whole or chopped:					
Green ripe	Unlimited			1.25	1.25
Green			70	1.50	1.50
Ripe	Unlimited				
Enameled cans				1.50	1.50
Plain bodies				1.50	.50
34. Orange segments		90		1.25	1.25
35. Papayas and papaya products		90		1.25	1.25
36. Peaches, whole, halves, quarters, sliced and diced	Unlimited			1.25	.50
37. Pears, whole, halves, quarters, sliced and diced	Unlimited			1.25	.50
38. Pectin, liquid		90		1.50	1.50
39. Pie and pastry filler (fruit filling only):					
Direct pack (including frozen)		90			
Repack from metal cans (one or more components)			70		
Enameled cans				1.50	1.50
Plain bodies				1.25	.50
Other than fruit fillings			70	.25	.25
40. Pineapple	Unlimited			1.25	1.25
41. Plums	Unlimited				
Light-colored				1.25	.50
Dark-colored				1.50	1.50
42. Prunes, dehydrated or dried		90		1.25	.50
43. Prunes, dried in syrup		90		1.50	1.50
44. Prunes, fresh in syrup	Unlimited			1.50	1.50
Vegetable and vegetable products					
45. Asparagus	Unlimited			1.25	1.25
46. Beans, dry, soaked, all varieties		90			
With sweetened sauce (Boston style)				.25	.25
With chili sauce				.50	.50
With plain sauce or brine				.25	.25
With tomato sauce				1.25	.25
47. Beans, fresh shelled	Unlimited			.25	.25
48. Beans, green and wax	Unlimited			1.25	.25
49. Beets	Unlimited			1.25	1.25
50. Beet juice			70	1.25	1.25
51. Beets, pickled			70	1.50	1.50
52. Broccoli			70	1.25	.25
53. Brussell sprouts			70	1.25	.25
54. Carrots	Unlimited			1.25	.25
55. Carrots and peas				1.25	.25
Direct pack	Unlimited				
Repack (either component from metal cans)			70		
56. Carrot juice			70	1.25	.25
57. Cauliflower			70	1.25	.25
58. Celery		90		1.25	.25
59. Celery juice			70	1.25	1.25
60. Corn, cream style and whole grain	Unlimited			.25	.25
61. Green leafy vegetables	Unlimited				
Leafy or chopped				1.25	.25
Pureed				1.25	1.25
62. Lentils, dried, soaked		90		.25	.25
63. Mushrooms	Unlimited				
Whole, sliced, stems and pieces				1.25	.25
Broiled in butter				.25	.25
64. Okra, with or without tomatoes	Unlimited			1.25	.25
65. Onions			70	1.25	1.25
66. Peas, all varieties, dry soaked		90		.25	.25
67. Peas, fresh	Unlimited			.25	.25
68. Peppers and pimientos	Unlimited			1.25	.25
69. Pickles, pickled relishes, and chow-chow				1.50	1.50
No. 10 cans or larger		90			
Smaller than No. 10 cans			70		
70. Potato salad			70	1.25	1.25
71. Potatoes, sweet	Unlimited			1.25	.25
72. Potatoes, white			70	1.25	.25

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Vegetable and vegetable products—Continued	*Group I*	*Group II*	*Group III*		
73. Pumpkin and squash	Unlimited			1.25	1.25
74. Rhubarb			70	1.50	1.50
75. Rutabagas			70	1.25	.25
76. Sauerkraut	Unlimited			1.50	1.50
77. Sauerkraut juice and blends		90		1.50	1.50
78. Succotash				.25	.25
Direct pack	Unlimited				
Repack (one or more components from metal cans)			70		
79. Tomatoes	Unlimited			1.25	.2
80. Tomato products (from fresh tomatoes)	Unlimited				
Tomato catsup, chili sauce, and cocktail sauce:					
Enameled cans				1.25	1.25
Plain bodies				1.25	.25
Tomato juice, aspic, cocktail and juice blends, containing 70 percent or more tomato juice:					
Enameled cans				1.25	1.25
Plain bodies				1.25	.25
Tomato juice concentrate, frozen:					
5 gallon square cans				.50	.50
Other can sizes				.25	.25
Tomato sauce (including spaghettl), paste, pulp and puree.				1.25	.25
Tomato products (repacked from metal cans):					
Tomato aspic			70	1.25	.25
Catsup, chili sauce, and cocktail sauce		90			
Enameled cans				1.25	1.25
Plain bodies				1.25	.25
Tomato sauce (including spaghetti), paste, pulp and puree		90		1.25	.25
81. Turnips			70	1.25	.25
82. Vegetables, dehydrated	Unlimited				
5 gallon square cans				.50	CMQ
Other can sizes				CMQ	CMQ
83. Vegetables, frozen	Unlimited				
30-pound and larger				.25	.25
Smaller than 30-pound				.25	.25
Metal ends only					.25
84. Vegetables, mixed				1.25	.25
Containing 70 percent or more vegetables which are not limited to less than 100 percent quota:					
Direct pack from all fresh vegetables	Unlimited				
Repack (one or more components from metal cans)		90			
All other mixtures			70		
Fish and shellfish					
85. Caviar			70	.25	.25
86. Chowder, all varieties		90			
Inside enameled cans				.25	.25
Plain body cans				1.25	.25
87. Clam juice				.25	.25
1-gallon and larger cans		90			
Other sizes			70		
88. Clams, processed	100			.25	.25
89. Codfish, salted, dry			70	.25	.25
90. Crab and crabmeat				.25	.25
Deviled		90			
Processed	Unlimited				
91. Crawfish		90		.25	.25
92. Eels			70	.25	.25
93. Finnan haddie		90			
Round cans				.25	.25
Drawn cans				.50	.50
94. Fish and seafood, frozen or refrigerated	Unlimited			.25	.25
95. Fishballs and cakes		90		.25	.25
96. Fish flakes and ground fish for human consumption only, excluding tuna flakes	100			.25	.25
97. Fish frankfurters		90		.25	.25
98. Fish livers		90			
In reusable 5-gallon square cans				1.25	1.25
In noureusable 5-gallon square cans and smaller size cans				.50	.50
99. Fish oil		90		.50	.50
100. Fish paste		90		.25	.25
101. Fish, pickled			70	1.50	1.50
102. Fish roe	Unlimited				
In round double-seamed cans				.25	.25
In oval drawn cans				.50	.50
103. Halibut			70	.25	.25
104. Herring, in oil, or brine (including sea and river alewives, anchovies, mackerel, pilchards and sardines) (1.25 tin plate may be used for scored covers)	Unlimited				
Round cans				.25	.25
¼ drawn cans				.25	.25
¾ 3-piece cans				.50	.50
Oval or ohlong drawn (other than ¼ drawn)				.50	.50
105. Herring in tomato or mustard sauce (including sea and river alewives, anchovies, mackerel, pilchards and sardines in oval, round, ohlong or drawn cans) (1.25 tin plate may he used for scored covers)	Unlimited			.50	.50
106. Lobster, processed or Newberg			70	.25	.25
107. Menhaden			70	.25	.25
108. Mullet		90		.25	.25
109. Mussels, processed		90		.25	.25
110. Oysters, processed	100			.25	.25
111. Salmon	Unlimited				
In round double-seamed cans				1.25	.25
In oval or drawn cans				.50	.50
112. Scallops, processed		90		.25	.25

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Fish and shellfish—Continued	*Group I*	*Group II*	*Group III*		
113. Shad	Unlimited				
In round double-seamed cans				0.25	0.25
In oval or drawn caus				.50	.50
114. Shrimp, processed	Unlimited			.25	.25
115. Squid		90			
Enameled cans				.25	.25
Plain bodies				1.25	.25
116. Tuna, including tuna flakes	Unlimited			.25	.25
117. Turtle		90		.25	.25
Dairy products					
118. Butter and butter substitutes		90		.25	.25
119. Buttermilk, dry			70	CMQ	CMQ
120. Butter oil		90			
5-gallon square cans				.50	.50
Other cans				.25	.25
121. Cheese, cottage, grated, or processed		90			
Reusable containers				1.25	1.25
Single trip containers				.25	.25
122. Chocolate and other flavored milk liquids		90		.25	.25
123. Cream	Unlimited				
Fresh, frozen, or dry:					
5-gallon square cans				.50	.50
Other can sizes				.25	.25
Sterilized				.25	.25
124. Goat milk	Unlimited			.25	.25
125. Ice cream:					
All metal cans			70	.25	.25
Fiber body with metal trim	Unlimited				.25
126. Ice cream mix, wet or dry		90		.25	.25
127. Malted and other milk formulations, dry		90			
Domestic				CMQ	CMQ
Export				.25	.25
128. Milk, dry, non-fat solids:					
5-gallon, 50-pound and larger cans	Unlimited			.50	.50
Sizes smaller than 5-gallon			70		
Domestic (0.25 one end only, where solder tipping required)				CMQ	CMQ
Export				.25	.25
129. Milk, dry, whole, including milk sugar and deitary dried milk base products	Unlimited				
5-gallon, 50-pound and larger cans				.50	.50
Sizes smaller than 5-gallon				.25	.25
130. Milk, fresh, frozen, refrigerated, or processed	Unlimited				
5-gallon square cans				.50	.50
Other sizes				.25	.25
131. Milk, liquid, condensed, sweetened	Unlimited			.75	.75
132. Milk, liquid, evaporated, and modifications of evaporated milk	Unlimited				
14½-ounce or larger:					
Body				1.25	
Ends				.75	.75
Under 14½-ounce				.75	.75
Poultry and poultry products					
133. Chicken and noodles			70	.25	.25
134. Chicken broth			70	.50	.50
135. Chicken fricassee	110			.25	.25
136. Chicken or turkey a la king		90		.25	.25
137. Chicken or turkey, boned	110			.25	.25
138. Chicken or turkey spread			70	.25	.25
139. Chicken or turkey, whole, half, or disjoin'ed	110			.25	.25
140. Eggs:					
Frozen	Unlimited			.25	.25
Dry, powdered—for export only		90			
5-gallon square caus				.50	CMQ
Other can sizes				.25	CMQ
Meat (beef, veal, mutton, or pork)					
141. Bacon—export only			70		
All seams soldered				1.25	1.25
Side seams only soldered				.25	.25
142. Barbecued meat	110				
Enameled cans				.50	.50
Plain body				1.25	1.25
143. Beef and other gravies			70	.25	.25
144. Beef, dried			70	.25	.25
145. Beef, veal, mutton, or pork (boiled, broiled, braised, corned, roasted)	Unlimited				
All seams soldered				1.25	1.25
Side seams only soldered				.25	.25
146. Brains		90		.25	.25
147. Chili con carne				.50	.50
With beans		90			
Without beans	120				
148. Frankfurters in brine		90		.25	.25
149. Frankfurters with barbecue sauce		90		1.25	1.25
150. Frankfurters with beans and tomato sauce		90		1.25	.25
151. Frankfurters with sauerkraut		90		1.50	1.50
152. Ham, deviled	100			1.25	1.25
153. Ham, spiced or chopped (including luncheon meat)	Unlimited			1.25	.25
154. Hams, whole, halves, quarters, sections, and pork loins, boned and smoked	Unlimited				
Round can—side seam only soldered				1.25	.25
Oblong cans, 3 pounds and larger				1.25	.25
All seams soldered				1.25	1.25
155. Hamburger, including meat balls, with or without onions	100			.25	.25

Product (1)	Groupings and quota percentages (2)			Can materials	
				Soldered or welded parts (3)	Non-soldered parts (4)
Meat (beef, veal, mutton, or pork)—Continued	*Group I*	*Group II*	*Group III*		
156. Hash, meat (including corned beef hash)	110			0.25	0.25
157. Meat and beans with tomato sauce		90		1.25	.25
158. Meat and gravy (including goulash)	120			.25	.25
159. Meat in vinegar			70	1.50	1.50
160. Meat loaf	100			.25	.25
161. Meat, refrigerated (including fancy meats and/or edible organs)	100			.25	.25
162. Meat spreads, with or without liver		90		.25	.25
163. Potted meat	Unlimited			.25	.25
164. Sausage (including bulk, casings, in oil, pork or vienna)	120			.25	.25
165. Scrapple			70	.25	.25
166. Spareribs and sauerkraut		90		1.50	1.50
167. Stew, meat type (including beef, kidney and brunswick)	120			.50	.50
168. Tamales		90		.50	.50
169. Tongue		90		.25	.25
170. Tripe			70	1.25	1.25
Horsemeat					
171. Horsemeat, with or without gravy and/or vegetables, Federally inspected (for human consumption only).			70	.25	.25
Miscellaneous food products					
172. Acrosols for food		90		.50	.50
173. Almond and poppy seed paste			70	.25	.25
174. Animal and pet food			70	.25	.25
175. Baby food	Unlimited				
Fruit				1.50	1.50
Vegetables				1.25	1.25
Meat				.50	.50
Fish				.50	.50
Dry, powdered, carbohydrate				CMQ	CMQ
Milk base				.25	.25
Vegetables with meat				1.25	1.25
Cereal, pudding and custards with fruits				1.50	1.50
Cereal, pudding and custards without fruits				.50	.50
176. Baking mixes, dry			70	CMQ	CMQ
177. Baking powder		90		CMQ	CMQ
178. Bakery products, steamed in hermetically sealed cans:					
Pasteurized, over 15 percent moisture content		90		.25	.25
Less than 15 percent moisture content			70	.25	CMQ
179. Barbecue sauce			70	1.25	.25
180. Beer and ale			70	.25	.25
181. Bouillon cubes			70	CMQ	CMQ
182. Candied fruit			70	.50	.50
183. Candy and confectionery			70	CMQ	CMQ
184. Cereals and flour			70	CMQ	CMQ
185. Chinese food specialties		90		1.25	.25
Bamboo shoots.					
Bean sprouts.					
Chop suey.					
Chop suey vegetables.					
Chow mein.					
Egg foo yong.					
Mixed Chinese vegetables.					
Water chestnuts.					
186. Chocolate and cocoa		90		CMQ	CMQ
187. Chocolate pudding, dry			70	CMQ	CMQ
188. Chocolate syrup		90		.25	.25
189. Citrus peel, moist (5-gallon cans only)		90		1.25	1.25
190. Coconut, moist		90		.50	.50
191. Coffee, dry		90			
10-pound and larger cans				.50	CMQ
5-pound and smaller cans				CMQ	CMQ
192. Coffee, liquid concentrate, frozen			70	.25	.25
193. Coffee, soluble		90		CMQ	CMQ
194. Coffee, substitutes, dry			70	CMQ	CMQ
195. Corn meal mush			70	.25	.25
196. Dessert powder			70	CMQ	CMQ
197. Dietary foods, special formula		90			
Dry				CMQ	CMQ
Wet				.50	.50
198. Dry food specialties				CMQ	CMQ
Peanuts and other edible nut meats, all can sizes		90			
Other items, including but not limited to the following:					
Popped corn.					
Pop corn.					
Potato chips.					
Macaroni.					
Noodles.					
Pretzels:					
3-pound and larger reusable containers		90			
Smaller than 3-pound cans			70		
199. Enchiladas		90		.25	.25
200. Food colors, certified		90		.50	.50
201. Food stabilizers			70	CMQ	CMQ
202. Fountain fruits and syrups:					
Fruit and other acid syrups				1.25	1.25
Toppings, non-acid in character				.25	.25
Carbonated beverages, base syrups				1.50	1.50
No. 10 cans and larger		90			
Smaller than No. 10 cans			70		
203. Gelatin desserts, other than powder			70	1.25	.25
204. Hominy, processed, wet		90		.25	.25

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Miscellaneous food products—Continued	*Group I*	*Group II*	*Group III*		
205. Honey:					
All seams soldered				1.25	1.25
Side seams only soldered				.25	.25
5-pound and larger cans	Unlimited				
Smaller than 5-pound cans			70		
206. Lard and shortening		90			
5-gallon square cans				.50	.50
All other sizes				CMQ	CMQ
Only where can manufacturer is unable to supply satisfactory containers made wholly of black plate				.25	CMQ
207. Macaroni, noodles and spaghetti, wet pack		90		1.25	.25
208. Mayonnaise, (including salad dressing and other related products)				1.50	1.50
3-gallon cans and larger		90			
All other sizes			70		
209. Mincemeat				1.50	1.50
No. 10 cans		90			
Smaller than No. 10			70		
210. Mushroom sauce (from fresh mushrooms)			70	1.25	.25
211. Oils, edible:					
5-gallon square cans		90		.50	.50
No. 10, 1-gallon cans and up to 5-gallon cans		90		.25	.25
All other sizes			70	.25	.25
212. Onions, french fried			70	.25	CMQ
213. Peanut and other edible nut butters		00		.25	CMQ
214. Potatoes, french fried, shoestring, sticks			70	CMQ	CMQ
215. Puddings, fruit, including spiced pudding			70	1.25	1.25
216. Ravioli		90		1.25	.25
217. Rice, Spanish (including rice dinner)			70	1.25	.25
218. Sauces, including cream, Newburg and enchilada			70	.25	.25
219. Soups, dehydrated		90			
5-gallon square cans only				.50	CMQ
220. Soups, liquid:					
Seasonal from fresh vegetables only	Unlimited				
Tomato, vegetarian vegetable				1.25	.25
All other seasonal				.50	.50
Nonseasonal		00			
Black bean, bean with bacon and beef				1.25	.25
Chicken with noodles or rice				.50	.50
All other nonseasonal				.75	.50
221. Soy bean milk (liquid, or dry powdered)	Unlimited			.25	.25
222. Spices and condiments		90			
Prepared				1.50	1.50
Dry				CMQ	CMQ
Dredges and sifter top					.50
223. Steak sauce with mushrooms (from fresh mushrooms)			70	1.25	.25
224. Syrups (includes the following syrups and blends; cane, corn, molasses, malt, maple, and sorghum):					
All seams soldered (No. 10 cans and larger)		90		1.25	1.25
All seams soldered (smaller than No. 10 cans)			70	1.25	1.25
Double-seamed oblong (1-gallon and larger)		00		1.25	.25
Double-seamed oblong (smaller than 1-gallon)			70	1.25	.25
Double-seamed round (No. 10 cans and larger)		90		.25	.25
Double seamed round (smaller than No. 10 cans)			70	.25	.25
Irregular shaped			70	.25	.25
225. Spaghetti with meat balls		90		1.25	.25
226. Tea, dry			70	CMQ	CMQ
227. Tortillas		90		.25	.25
228. Welsh rarebit			70	.25	.25
229. Yeast, dry, edible				CMQ	CMQ
Nonactive		90			
Active			70		
230. All other nonprocessed foods			70	CMQ	CMQ
231. All other processed foods			70	.25	.25
Nonfood products					
232. Aerosol and other pressure-propelled nonfood products.	Same as specified for product involved				
Water-base products				.50	.50
Other products:					
Bodies				.25	
Bottoms					CMQ
Tops with soldered valves or with drawn cones or drawn fittings				.50	.50
233. Abrasives, grinding, and buffing componnds, not to be packed dry		90		.25	CMQ
234. Acid, nitro-hydrochloric (outer container)		90		CMQ	CMQ
235. Aircraft supplies for aircraft use only:					
Hydraulic oil		90		1.25	1.25
Hydraulic preservative oil		00		1.25	1.25
Compass fluid		90		.25	.25
Grease, low temperature		90		.25	.25
Antisieze compound for oxygen system		90		.25	.25
236. Aniline		90		1.25	1.25
237. Antifreeze (all types)		90		.25	.25
238. Artists and school supplies (including water color boxes, trays, pans, cups, chalk and crayon boxes, and all other)			70	CMQ	CMQ
239. Asphalt, pitch, and tar		90		CMQ	CMQ
240. Auto supplies:					
Liquid radiator antirust compounds		90		.50	.50
Radiator stop leaks		00		.50	.50
Hydraulic brake fluid		90		.25	.25
Shock absorber fluid		90		.25	.25
Tire preserver			70	.25	.25
Top dressing paste and liquid			70	.25	.25
Carbon removers		90		.25	.25
Gasoline additives		90		.25	.25
All others			70	CMQ	CMQ

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Nonfood products—Continued	*Group I*	*Group II*	*Group III*		
241. Bee feeder cans		90		0.25	0.25
242. Belt dressing		90		CMQ	CMQ
243. Benzol, toluene, naphtha, xylene, gasoline, and kerosene		90		.25	.25
244. Blood and blood plasma, including extenders and substitutes (outer container)	Unlimited			.25	.25
245. Cements:					
Water base linoleum		90		1.25	1.25
Rubber, latex type		90		1.25	1.25
Rubber, neoprene		90		1.25	1.25
Solvent base linoleum		90		.25	.25
Rubber base liquid and paste		90		.25	.25
All others			70	CMQ	CMQ
246. Chemicals, dry:					
Phenols		90		1.50	1.50
Phosphorus		90		1.25	1.25
Ammonium salts		90		1.25	1.25
Hypochlorite powders		90		.25	.25
Permanganates		90		.25	.25
Sodium and potassium metals		90		.25	CMQ
Vanadium, catalyst	100			.25	.25
Cyanides		90		1.25	1.25
All others		90		CMQ	CMQ
247. Chemicals, liquid:					
Alcohols, CP and USP	100			1.25	1.25
Aldehydes and halogenated hydrocarbons		90		.25	.25
Carbon disulfide		90		.25	.25
Carbon tetrachloride		90		.25 or SCMT	.25
Ketones, ethers, glycols		90		.25	.25
Sodium silicate		90		.25	.25
Alcohol, industrial		90		.25	.25
248. Cleaners:					
Window spray			70	1.25	1.25
Wall paper			70	1.25 or 8 lb. terne	1.25
Radiator, liquid		90		.50	.50
Cleaners, liquid or paste			70	.25	.25
Cleaning fluids, solvent type			70	.25	.25
All others, dry or powder			70	CMQ	CMQ
Cleaning and scouring powders, metal ends only		90			CMQ
249. Compounds:					
Boiler, liquid		90		.50	.50
Caulking or sealing		90		.25	CMQ
Soldering or welding		90		.25	CMQ
All others		90		CMQ	CMQ
250. Cosmetic and toiletry supplies:					
Brushless shaving cream			70	.75	.75
Hair dressings and pomades			70	.50	.50
Cold creams, lotions and hair wave preparations			70	.25	.25
Hair wave pads			70	.25	CMQ
All others, including personal and other powders		90		CMQ	CMQ
251. Dental supplies:					
Tooth powder, ammoniated		90		.25	.25
All other		90		CMQ	CMQ
252. Disinfectants and deodorizers:					
Household—Smaller than 1 gallon cans			70		
Industrial—1 gallon and larger cans		90			
Creosote				.25	.25
Fumigants				.50	.50
Liquid formulations				.50	.50
Pine oil				.25	.25
253. Drugs:					
Antiphlogistine		90		1.25	1.25
Chloroform and ether, USP and ether absolute ACS	100			1.25	1.25
Ointment and salves		90		.50	.50
Distilled water (outer container) for use in reactivating blood plasma, etc	Unlimited			.25	.25
Ampoules		90		.25	.25
Dry products		90		CMQ	CMQ
254. Dyes:					
Pastes and liquids		90		.50	.50
Dry		90		.25	CMQ
255. Essential oils		90		1.25	1.25
256. Exterminators, paste and powders			70	.25	.25
257. Film boxes		90		.50	.50
258. Fire extinguisher recharges		90		.25	.25
259. First aid cabinets and kits			70	CMQ	CMQ
260. Glues and adhesives:					
Paste and liquid			70	1.25	1.25
Dry			70	CMQ	CMQ
261. Glycerine:					
CP and USP	100			1.25	1.25
Industrial		90		.50	.50
262. Grain fumigant		90		.50	.50
263. Graphite:					
In oil		90		.25	CMQ
Dry		90		CMQ	CMQ
264. Inks		90			
Spirit aniline				.50	.50
Rotogravure				.50	.50
Printing and duplicating				.25	.25
265. Insecticides:					
Household—Smaller than 1 gallon cans			70		
Industrial—1 gallon and larger cans		90			
Nicotine sulphate				1.50	1.50
Water base				1.25	1.25
Emulsifiable concentrate				1.25	1.25
Oil base				.25	CMQ
Dry				CMQ	CMQ

Product	Groupings and quota percentages			Can materials	
				Soldered or welded parts	Non-soldered parts
(1)	(2)			(3)	(4)
Nonfood products—Continued	*Group I*	*Group II*	*Group III*		
266. Leather dressing and saddle soap			70	0.50	0.50
267. Lighter fluid			70	.25	CMQ
268. Lubricating grease		90		CMQ	CMQ
269. Lye, toilet bowl and drain cleaners		90		CMQ	CMQ
270. Maleic Anhydride		90		.50	.50
271. Oils (industrial):					
Animal, fish, or vegetable		90			
5-gallon square cans				.50	.50
All other sizes				.25	.25
Transformer		90		.50	.50
Soluble and cutting		90			
Water base				.25	.25
Oil base				.25	CMQ
Lubricating and motor		90			
5-gallon cans				SCMT	SCMT
1-quart and 5-quart round				CMQ	CMQ
All other sizes				.25 or SCMT	.2
272. Paint products		90			
Antifouling paints				1.50 or 12-pound terne	1.50
Water-base paints, including latex				.25 or SCMT	.25
Oil base paints				CMQ	CMQ
Lacquers and thinners				.50	.50
Shellac				8-pound terne	
Paint and varnish removers				.50	.50
Varnishes and oil stains				.25	CMQ
Shingle stains				.25	.25
Asphalt paints				CMQ	CMQ
Marine paints (ship storage)				.25	.25
Dry pigments, bronze powders				CMQ	CMQ
273. Plaster of paris		90		CMQ	CMQ
274. Polishes and waxes:					
Water-base			70	.50	.50
Solvent-base			70	.25	CMQ
Shoe liquid			70	8-pound terne	
Shoe paste			70	CMQ	CMQ
275. Putty		90		.25	CMQ
276. Recreational supplies:					
Vacuum or pressure packages			70	.25	CMQ
All other			70	CMQ	CMQ
277. Seeds			70	CMQ	CMQ
278. Seed inoculants, and seed disinfectants		90		.50	.50
279. Snuff:					
All-metal cans			70	.50	.50
Fiber body, metal tops only		90			.50
280. Soap and detergents:					
Liquid			70	1.25	1.25
Paste			70	.25	.25
Powders			70	CMQ	CMQ
281. Stock and poultry food:					
Containing 15 percent or more moisture			70	.25	.25
Containing less than 15 percent moisture			70	CMQ	CMQ
282. Stock, pet and poultry remedies:					
Liquids: worm killer, sheep and cattle dip, sheep and horse drench:					
For internal use		90		1.25	1.25
For external use		90		.25	.25
Roost paint		90		1.25	1.25
Dry products		90		CMQ	CMQ
283. Surgical dressings and hospital supplies, bandages, adhesive tape, mustard plasters, etc.		90		CMQ	CMQ
284. Tobacco:					
Cigars and cigarettes			70	.25	CMQ
Pipe:					
7-ounce and less		90		CMQ	CMQ
Larger than 7-ounce			70	CMQ	CMQ
285. Turpentine		90		.50	.50
286. Wood fillers		90		.25	CMQ
287. Miscellaneous items:					
Cremation boxes		90		.25	.25
Explosives		90		.25	.25
Cellulose wood filler		90		1.25	1.25
Weed killers			70	.50	.50
288. All other nonfood products			70	CMQ	CMQ

[F. R. Doc. 51-10329; Filed, Aug. 23, 1951; 4:31 p. m.]

[NPA Order M-6, Direction 3 as amended August 24, 1951]

M-6—Steel Distributors

DIR. 3—FLOOD DAMAGED AREA RELIEF

This direction, as amended, to NPA Order M-6 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as amended. In the formulation of this direction, as amended, consultation with industry representatives has been rendered impracticable due to the need for immediate action.

Sec.
1. What this direction does.
2. Allotments for certain steel distributors for August and September 1951 production.
3. Certification required.
4. Status of excess tonnages shipped.

Authority: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.

Section 1. *What this direction does.* This direction provides immediate relief for flood damaged areas by requiring steel producers to deliver special allotments of certain steel products to steel distributors located in flood damaged areas.

Sec. 2. *Allotments for certain steel distributors for August and September 1951 production.* Notwithstanding the lead times set forth in Table I of NPA Order M-1 as now or hereafter amended or of any provision of NPA Order M-6 as now amended, each steel producer (excluding converters) shall, for each of the months of August and September 1951 (unless otherwise noted in Schedule I), accept orders for and produce and ship to all steel distributors to whom the obligation to ship now exists, under section 4 of NPA Order M-6 and Direction 2 to Order M-6, who are located and doing business in the States of Missouri and Kansas, and that portion of the State of Oklahoma north of and including Oklahoma City, 130 percent of the average monthly tonnage of each steel mill product, listed in Schedule I of this direction, shipped to each such steel distributor during the base period. Maximum tonnages required to be shipped under this direction shall include allotments already established by steel producers for August and September 1951 deliveries to steel distributors under NPA Order M-6 and Direction 2 to Order M-6.

Sec. 3. *Certification required.* Each steel distributor receiving deliveries of steel products under the provisions of section 2 of this direction, shall reserve such tonnages which are in excess of his minimum Order M-6 and Direction 2 allotment, for sales only to purchasers who certify in writing, as follows:

The undersigned, subject to statutory penalties, certifies that the material included in his purchase order will be used exclusively for repairs or rehabilitation of flood damaged equipment or property.

This certificate constitutes a representation by the purchaser to the distributor and to the National Production Authority that delivery of such material may be accepted by the purchaser under this direction, and will not be used by the purchaser in violation of this direction.

Sec. 4. *Status of excess tonnages shipped.* Each steel producer accepting orders for steel products from a steel distributor pursuant to section 2 of this direction shall treat such orders which are in excess of regularly established allotments under NPA Order M-6 and Direction 2 to Order M-6, as an overload on order acceptances for August and September 1951.

This direction, as amended, shall take effect on August 24, 1951.

National Production Authority,
Manly Fleischmann,
Administrator.

SCHEDULE I

Merchant products:
Nails and staples.
Barbed wire.
Farm and poultry fence.
Fence posts.
Galvanized roof sheets.
Standard and line pipe (for September 1951 deliveries only).
All industrial steel products except manufactured wire, alloy steels, stainless steels, cold finished bars, and tool steel.

[F. R. Doc. 51-10388; Filed, Aug. 24, 1951; 5:00 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 905]

[Docket No. AO-209 A2 RO1]

HANDLING OF MILK IN OKLAHOMA CITY, OKLA., MARKETING AREA

NOTICE OF REOPENING OF HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the reopening of the public hearing held in Oklahoma City, Oklahoma, on July 11, 1951, for the purpose of receiving any additional evidence with respect to a proposal to expand the marketing area and to the findings and conclusions with respect to such proposal contained in the recommended decision of the Assistant Administrator, Production and Marketing Administration, issued August 8, 1951 (16 F. R. 7946). The reopened hearing will be held in Room 609, County Court House, 321 Northwest First Street, Oklahoma City, Oklahoma, beginnnig at 10:00 a. m., c. s. t., August 30, 1951.

The proposal to be considered at the reopened hearing is as follows:

Amendment proposed by the Central Oklahoma Milk Producers Association:

1. Delete § 905.6 and substitute therefor the following:

§ 905.6 *Oklahoma City, Oklahoma, marketing area.* Oklahoma City, Oklahoma, marketing area, hereinafter called the marketing area, means all of the territory within the boundaries of Oklahoma and Pottawatomie Counties, and the townships of Moore, Taylor, Case, Liberty, Norman and Noble in Cleveland County, all in the State of Oklahoma.

Copies of this notice of hearing may be procured from the Market Administrator, Room 202, 227 Northwest Twenty-third Street, Oklahoma City, Oklahoma, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

AUGUST 22, 1951.

[F. R. Doc. 51-10297; Filed, Aug. 24, 1951; 8:49 a. m.]

[7 CFR Part 978]

[Docket No. AO-184-A7]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER NOW IN EFFECT

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Nashville, Tennessee, during the period May 31-June 5, 1951, pursuant to notice thereof duly published in the FEDERAL REGISTER (16 F. R. 4983) upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, marketing area.

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on August 2, 1951, filed with the Hearing Clerk, United States Department of Agriculture his recommended decision and opportunity to file written exceptions thereto which was published in the FEDERAL REGISTER on August 7, 1951 (16 F. R. 7717; F. R. Doc. 51-9115).

Within the period reserved for exceptions the producers' association and handlers filed exceptions to certain of the findings, conclusions and actions recommended by the Assistant Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. In some instances comment has been made below. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

The material issues of record are concerned with the following:

1. Redefine Class I milk to include the products presently classified as Class II milk and all shrinkage and unaccounted for milk and redesignate Class III milk as Class II milk.

2. Reduce the class butterfat differentials.

3. Revise the basic formula prices used for determining Class I prices.

4. Change the list of plants for which prices are obtained for determining the price of milk for manufacturing purposes.

5. Provide floor prices for Class I milk supplemented by a supply-demand arrangement through March 1952.

6. Provide for reports to cooperative associations showing the percentage utilization in each class for each handler of milk received from producer members.

7. Eliminate the 85 mile mileage limitation as a factor in the classification of cream transferred or diverted to a nonfluid milk plant.

Findings and conclusions. The following findings and conclusions are based upon the evidence introduced at the hearing and the record thereof:

1. The provisions of the order relating to the classification of milk should be revised to provide for the classification in Class I milk of eggnog, cream, and other cream products required to be made from approved milk.

Heretofore, the order has provided for three classes of milk. Milk, skim milk, buttermilk, flavored milk, flavored milk drinks, yoghurt, and skim milk and butterfat, the utilization of which is not established as having been used or disposed of in other classes, have been in Class I milk. Eggnog, cream, and other cream products, required to be made from approved milk, have been included in Class II milk and milk used to produce manufactured products has been classified as Class III milk.

The recommended classification plan would result in milk and those products required by the Nashville Health Department to be made from approved milk being placed in Class I milk. Such products as butter, cottage cheese, cheese, condensed milk, ice cream, and other milk products which need not be made from graded milk and for which such milk usually is used only at times when a handler's supply of graded milk is in excess of his needs for such milk, would be placed in Class II milk.

The Nashville health ordinance requires that milk disposed of for consumption as milk, and milk used to produce skim milk, buttermilk, flavored milk, flavored milk drinks, cream, eggnog, and yoghurt be derived from milk produced in conformity with the sanitary standards of the city ordinance. In accordance with this ordinance, milk producers in the local supply area are inspected by the local health authorities, or in case of approximately 70 producers, by a reciprocal agreement with the Columbia, Tennessee health authorities. Only those producers who meet the standards are permitted to ship milk to the marketing area, except in periods of shortage, when importations of milk and skim milk from sources outside the local milk shed are allowed. Such importations must meet sanitary standards similar to those applying to milk produced in the local supply area. Non-fat milk solids and condensed milk may be used at all times to produce buttermilk, flavored milk drinks, and other reconstituted products, but they must be so labeled.

It is a major principle of milk classification systems that uses of milk with similar economic values be placed in the same class. The milk which must meet the standards of the local sanitary ordinances (even though upon occasions such milk and milk products may be im-

ported from outside graded sources or in the case of some products may be reconstituted from milk products) is produced at costs which, in so far as sanitary standards have any effect, are the same for all uses. It is the practice in this market to move to the marketing area, in whole milk fluid form, all milk received from producers needed in the marketing area for milk, cream, and other ordinance products. Products such as cream, and condensed skim milk, made from producer milk, for use in the marketing area, are not concentrated at country points. For these reasons, it is concluded that all milk from local producers used in milk, cream, and other ordinance products should be placed in Class I.

Handlers claimed that cream should not be included in Class I milk because this change would increase the cost of cream. It is concluded herein that the Class I butterfat differential should be reduced. This reduction will result in a slight reduction in handlers' product costs of cream and other relatively high butterfat content items. Handlers also contended that cream and other fluid cream products should not be classified as Class I milk because historically these items have been classified as Class II milk. In this connection, it is pointed out that if the Secretary were confined by the historical relationship existing in a market he could not carry out his responsibilities under the Agricultural Marketing Agreement Act.

Handlers excepted to the inclusion of eggnog in Class I on the basis that it is not required to be made from milk produced in accordance with the sanitary standards of the Nashville ordinance. Testimony at the hearing, however, indicated that eggnog marketed by Nashville handlers is made from Grade A milk, just as other products now designated as Class II milk. It should accordingly be considered as a Class I use.

The above conclusion that the products now designated as Class II uses should be included in Class I, obviates the need for the proviso at the end of § 978.4 (f) (1) (ii) which provides for the proration of other source milk between Class I and what is presently termed Class II. Accordingly the proviso should be deleted.

It was also proposed to classify shrinkage and all unaccounted for milk as Class I milk. Under the present order, actual shrinkage up to 3 percent of total receipts from producers may be classified as Class III milk and any shrinkage or unaccounted for milk in excess of 3 percent is classified as Class I milk. The classification procedures of the order permit the pricing of milk according to its utilization. The testimony fails to show a need for a change in these procedures insofar as shrinkage is concerned at this time. For this reason, shrinkage should continue to be classified in the lowest priced utilization—Class II milk as proposed herein.

2. The butterfat differentials applicable for pricing Class I milk should be reduced from 1.4 to 1.3 times the average price of 92-score butter on the Chicago market. Class I milk is priced on the basis of 4.0 percent butterfat content and the differential applies to any variation from 4.0 percent in the average butterfat content of the total skim milk and butterfat content of Class I utilization which is derived from producer milk. The monthly average test of all milk received from producers during 1950 ranged between 4.0 and 4.6 percent. Producer milk classified as Class I milk (as presently defined) ranged between 3.1 and 3.4 percent and Class II milk ranged between 5.8 and 23.9 percent. The weighted average butterfat test for both classes was 3.5 percent. The volume of butterfat contained in producer milk has exceeded the total utilization of butterfat in these uses in each month since early 1948 while at the same time it has been necessary to import other source milk (chiefly in the form of nonfat solids) in several months to supply uses for skim milk.

It has been concluded above that skim milk and butterfat utilized in products which are required to be made of approved milk should be classified in Class I milk. The market tends to be short of the non-fat component of milk and there is an excess of butterfat to supply these Class I requirements. The problem, therefore, is to find a method of facilitating the disposal of butterfat while at the same time providing appropriate returns to producers for milk. A reduction of the Class I butterfat differential will reduce the cost of butterfat and increase the value attributed to the skim milk component. The total cost for skim milk and butterfat used in cream and other relatively high testing Class I products will be slightly reduced. The net result will be to encourage a Class I utilization of skim milk and butterfat more nearly in accordance with the average test of producer milk. Since the average test of producer milk utilized in fluid milk, skim milk, and flavored milk and milk drinks is somewhat below 4.0 percent, the classification of all approved products in Class I milk and a reduction in the Class I butterfat differential factor from 1.4 to 1.3 during 1950 would have increased the handlers' cost between 2 and 3 cents per hundredweight of Class I milk. This increase was given consideration in reaching other conclusions herein for an increase in producer returns on Class I milk under present supply-demand relationships.

As a consequence of the need to facilitate the disposal of excess butterfat in this market, the present butterfat differential factor of 1.2 applying to milk devoted to manufactured products should also be reduced. Handlers dispose of excess butterfat chiefly to butter and ice cream manufacturers, in competition with butterfat from uninspected sources. Excess fat disposed of in the form of cream to local manufacturing outlets has yielded returns to handlers per pound of fat equivalent to 1.12 to 1.14 times the 92-score butter price.

A reduction in the butterfat differential will tend to bring about a more reasonable relation between the value assigned to skim milk and butterfat in manufacturing milk. During 25 of the 41 months that milk has been priced under the order, the manufacturing class price adjusted by a 1.2 butterfat differential factor resulted in a value of less than 10 cents per hundredweight for skim milk. In 9 months a minus value resulted.

It is concluded that the Class II butterfat differential factor of 1.2 should be reduced to 1.15. This will not change the cost of Class II milk containing 4.0 butterfat but excess butterfat will be priced more nearly in accordance with the price received for such butterfat. During 1950, this reduction in the butterfat differential would have lowered the cost to handlers of producer milk classified in the manufacturing class (which contained approximately 8 percent butterfat) approximately 12 cents per hundredweight. This was equivalent to between 1 and 2 cents per hundredweight on total receipts of producer milk.

3. The factors employed in computing the basic formula prices should not be changed from their present form, but the formula price for each month should be computed from prices reported during (or for) the previous month.

Several changes in the alternative formulas used in computing the basic formula price were proposed by producers. Specifically these proposals would accomplish the following:

(a) Adjust for butterfat content the prices paid by the 18 midwest condenseries named in the order, from 3.5 percent, as reported, to 4.0 percent by dividing by 3.5 and multiplying by 4, instead of adjusting the price by adding 5 times the producer butterfat differential;

(b) Change the nonfat dry milk solids price used in the butter-powder formula from the average for spray and roller process, f. o. b. Chicago area manufacturing plants, to the average carlot price for only spray process powder delivered at Chicago;

(c) Change the "yield factor" applicable to the nonfat dry milk solids price in the butter-powder formula from 7.5 to 8.5.

The factor "7.5" is not stated in the order but is implicit in the provision that the butter-powder formula price shall change 3¾ cents for each ½ cent change in the average powder price.

Proposals (a), (b), and (c) would each have the effect of increasing the formula price to which they apply, under current relationships of dairy product prices and paying prices of manufacturing plants. The effect of these changes on the Class I price would vary from time to time, depending on the changing price relationships, and on which of the alternative formulas yields the highest price.

A further result of the proposed changes in the manner of computing the basic formula price would be to give more weight to the skim milk value in the butter-powder formula. This would result from increasing the yield factor applied to the powder price, and changing to the spray process price at Chicago. Also, using the direct ratio method to adjust the condensery paying price to a 4.0 percent butterfat basis, imputes a skim milk value to the 5 points of butter-

fat between 3.5 percent and 4.0 percent. The testimony did not show, however, that appropriate weight is not already given to the skim milk value in the formulas as presently constructed, or that the proposed changes would result in more timely changes in the Class I price.

Testimony by the producer representative supporting these changes indicated that they were requested primarily for the purpose of increasing returns to producers. Such a result, in so far as it is necessary, may be attained more directly by increasing the Class I price differential. Also, any changes in manner of determining the basic formula price would need to be taken account of in establishing appropriate class price differentials, since the basic problem is to establish the proper level of the resulting class prices.

It was proposed by handlers in the market that the present basic formula price used to determine the Class I and Class II prices for each delivery period should be computed from dairy product prices or manufacturing plant paying prices reported for the immediately preceding delivery period. Inasmuch as the attached recommended order would include in Class I the products presently classified as Class II, this proposal would apply only to Class I.

At present the basic formula price for each delivery period is computed from dairy product prices or prices paid by manufacturing plants reported for or during the same delivery period. Consequently, the price for Class I milk has not been known to handlers or to producers until after the delivery period. Paying prices of condenseries and manufacturing plants for each month are not reported until a few days after the month, and accordingly the market administrator is not required to announce the class prices until the 6th day following the month to which the prices apply. Handlers testified that it would be of advantage in their operations to know the price they must pay for milk before they sell or distribute it. Producers, likewise, would know the Class I price in advance. No objection to such a change was made by producer representatives.

The change would result in lagging changes in the Class I price one month behind changes in the basic formula price, thereby increasing producer returns over the present method in months when the formula price declines and decreasing returns in months when the formula price increases. These effects, however, would tend to balance out in the long run.

The average condensery paying price is reported on the basis of 3.5 percent butterfat content, and in computing the basic formula price it is adjusted to a 4.0 percent butterfat price by adding 5 times the producer butterfat differential. To accomplish the purpose of the handlers' proposal, it would be necessary also to adjust the condensery price to a 4.0 percent butterfat basis using the butterfat differential based on prices reported in the month preceding the delivery period.

It is concluded that the basic formula price for each delivery period should be computed from prices reported during or for, the previous delivery period. Similarly, the Class I butterfat differential should be based on the average price of butter during the preceding delivery period.

In view of the fact that basic prices are not available until about the 6th day of the month and it has been decided herein that the Class I price should be subject to a supply-demand adjustment, the amount of which will not be known prior to the pool computation for the preceding month, it is concluded that the Class I price should be announced by the market administrator not later than the 10th day of the current delivery period to which such price will apply.

4. The present list of ten manufacturing plants whose paying prices are used to determine the Class II order price for producer milk should not be changed at this time.

A proposal by producers would remove four plants from the list of those manufacturing plants presently employed to determine the price for producer milk used for manufacturing purposes, and would substitute four others. The Class II price applies principally to producer milk used for manufactured products in handlers' plants as well as to any excess milk diverted or disposed of to other manufacturing outlets.

The average paying price of the four plants proposed to be deleted would have been, in each month since January, 1950, lower than the average price of the remaining six plants. The record does not show individual plant prices, however. The testimony indicates that the substitution of the four plants during 1950 would have increased the resulting average price for Class II milk. Because the testimony, with respect to the prices paid by these plants, both those proposed to be included and those to be excluded, was in terms of averages for each group, it is not possible to appraise the extent to which the inclusion or exclusion of a particular plant(s) would change the level of Class II prices over a period of time. Also, it is not possible to determine the relationship between such prices and actual selling prices for excess milk from the Nashville market.

Producers testified that the proposed plants were located in the Nashville supply area and thus offer a more logical outlet for excess milk than the plants to be excluded. It should be pointed out that two of the plants (located at Lafayette and Carthage, Tennessee) proposed to be retained are located outside the present supply area. It is concluded, therefore, that a more comprehensive study than is permitted from the present record of the relative locations of these and any other nearby plants, prices paid, and the movements of excess milk to such plants is necessary to evaluate the propriety of any change in the list of plants to reflect a more representative value of manufacturing milk for this market.

Producers also proposed that in establishing the price for Class II milk, 15 cents be added to the average price paid by the listed manufacturing plants during August through March of each year. In support of this position, producers argued that this premium is needed as an incentive to Nashville producers to maintain a reserve supply of Grade A milk to meet changing needs of handlers and to promote the proper allocation of milk among handlers. However, because of the relatively low proportion of surplus in this market the Class II price does not have a great effect upon producer returns. Proponents failed to show on the other hand that such surplus as does exist from time to time could be disposed of in an orderly manner and that general stability of marketing conditions could be retained in this market if the Class II price were increased to the extent proposed. For this reason the proposal cannot be adopted on the basis of this record. Moreover, this proposal is closely related to the problem of the appropriate level of Class II prices, discussed above, and on which it has been decided that no change should be made on the basis of this record.

For these reasons, except for the proposed change in the Class II butterfat differential (Issue No. 2), no change should be made at this time in the method of determining Class II prices.

5. A supply-demand arrangement should be incorporated in the order for adjusting the Class I price differential of $1.25 per hundredweight.

Producers propose that the order be amended to provide a floor price of $6.10 per hundredweight for Class I milk effective July 1951 through March 1952. This floor price was to be supplemented by a supply-demand arrangement which would increase or decrease the price each delivery period 3 cents per hundredweight for each full percentage point that producer receipts classified for manufacturing uses during the preceding 12 months were more or less respectively, than 25 percent of total producer receipts. Based upon the relationship prevailing during the 12 months preceding the hearing the proposal would result in a floor price of approximately $6.37 per hundredweight.

Under the present order, Class I prices are established by adding a differential of $1.25 per hundredweight to basic, or manufacturing milk, prices. Although this differential, as such, has not been changed since the pricing provision became effective in December 1947, somewhat higher prices for Class I milk than have resulted from this differential, have been paid producers during the fall and winter months of each year, either as a result of supplementary amendments to the order or negotiated premiums over order prices. These temporary adjustments resulted in average differences between Class I and basic prices for the months of September through March of each year as follows: 1948–49, $1.68; 1949–50, $1.59; and 1950–51, $1.26, and an average differential for the 41 months during which the order has been in effect of $1.38 per hundredweight.

During this 41 month period the number of producers supplying the Nashville market has increased from less than 600 to approximately 1,000. Production per farm has decreased, however, partly because the scale of production of new

producers, who have entered the market, is somewhat less than those already established. During the latter part of 1950 and early 1951, the downward trend appears to have been more rapid. Some producers are using milk cows to suckle calves and there was testimony that numerous producers are breeding their dairy cows to beef bulls. The rate of turnover among producers has increased substantially within the past year.

Total receipts of milk from producers during the 41 month period show a substantial upward trend and the rate of increase has exceeded somewhat the rate of increase in Class I sales. Even with this substantial increase, however, receipts were less than Class I sales during November 1950 through February 1951.

Producers testified that floor prices during the fall and spring of 1951–52 will be necessary to give producers assurance that milk prices will compensate for a continued upward trend in the cost of production, the favorable prices for products of alternative enterprises such as beef cattle, veal calves and hogs, as well as local unfavorable weather conditions and crop yields. A severe winter was experienced during 1950–51 and immediately preceding the hearing, a severe drought.

The prices established under the order are intended to assure the market of an adequate supply of milk. The adequacy of supply can be measured by the relationship of receipts from producers to the utilization of milk in those products which must be made from approved milk. An analysis of the changes in receipts and sales indicates that it is more logical to effectuate any adjustment in the Class I differential by relating such changes directly to changes in the "supply-demand" relationship in the market rather than by attempting to reflect this relationship in a short run fixed, or floor, price. Producers, in their testimony, also emphasized recent increases in population growth, expansion in construction projects, and other industrial activity which indicates a continued increasing demand for fluid milk. By relating adjustments in Class I price differential directly to changes in the supply-demand relationship, producers will be assured that changes in prices they receive will reflect changes not only in general economic conditions but also changes in local supply-demand factors. Such local factors are reflected in market receipts and their relationship to sales of approved milk and milk products. For these reasons the present formula method of establishing Class I prices should be supplemented by a supply-demand arrangement rather than by specific floor prices. It may be noted that Nashville producers, the same as dairy farmers, generally, now have the assurance of floor prices insofar as manufacturing or basic formula prices are concerned through the dairy product price support program of the Federal Government. This, coupled with the fact that Class I prices also will be changed promptly in response to changes in the relationship between the market supply and demand should offer producers the desired assurance for continuing production.

Although producers' proposal was for a temporary supplement to the present Class I pricing arrangement, the record indicates the long term aspects of the pricing problem. Other proposals were intended to accomplish somewhat higher Class I prices on a permanent basis by amending basic price formulas. These proposals are being denied (Issue No. 3) and it is concluded on the basis of the present record any adjustment in the level of Class I prices may be more directly and more appropriately reflected through adjustments in the Class I price differential.

The supply-demand arrangement proposed by producers to supplement floor prices would reflect receipts-sales relationships on the basis of the percentage of producer milk classified in the manufacturing class (presently Class III). Because the utilization of milk in fluid products exceeds producer receipts in some months, the use of the percentage of producer milk utilized in the manufacturing class is not a reliable indication of the fluid milk supply-demand relationship in all months. The ratio of producer receipts to total utilization of milk for fluid products (Class I as redefined herein) should be used.

The object of the supply-demand price adjustment is to bring about an automatic price increase when the supply of producer milk is at such a level in relation to fluid utilization that a shortage in the months of seasonally low production is indicated and a price decrease when the supply may be expected to be in excess of approved fluid milk needs. These changes should be made as soon as possible after an oversupply or shortage is indicated. An analysis of changes in receipts and sales shows that the use pattern of the two most recent months preceding the current delivery period is the most satisfactory for this purpose. The use of a supply-demand relationship for the preceding 2 months' period will permit the market administrator to announce the Class I price for the current delivery period not later than the 10th day of the month—the date on which he now announces the uniform price to be paid to producers for deliveries during the preceding month.

In order that the Class I price differential may be adjusted monthly, it is necessary to establish a representative relationship of producer receipts to Class I utilization by months. Monthly data of daily receipts of milk from producers and Class I utilization show distinct and fairly regular seasonal variations. Sales of fluid milk and fluid-milk products are relatively low during the summer months when receipts from producers are greatest. Analysis of these data indicates that the average seasonal relationship between receipts and sales during the most recent 2-year period (May 1949 through April 1951) is a satisfactory basis for developing a representative relationship. During this period, receipts in relation to Class I utilization were lowest during November and December, and averaged 97 percent (see table, Column 2).

BASE PERIOD SUPPLY-DEMAND INDEX

Period for determination (months)	Actual relationship 2 most recent months	Adjusted index	Month applicable
	Percent	*Percent*	
November–December	97	109	January.
December—January	100	111	February.
January–February	103	113	March.
February–March	110	119	April.
March–April	123	132	May.
April–May	136	145	June.
May–June	138	147	July.
June–July	135	144	August.
July–August	131	140	September.
August–September	118	128	October.
September–October	104	115	November.
October–November	98	109	December.

Handler testimony indicates that under present conditions a minimum level of receipts from producers of 5 or 6 percent in excess of Class I sales is necessary to provide adequate supplies of milk for Class I uses, because of daily and weekly variations in receipts and sales. If receipts from producers are at a level of 106 percent of Class I usage when production is lowest during the November-December period, receipts during the entire two-month period will normally average somewhat higher than 106 percent of Class I sales, because of seasonal variation in production. Market statistics show that handlers received in November-December periods of 1949 and 1950, from producer and other sources, an average of about 9 percent in excess of the volume of milk disposed of in Class I uses (as herein proposed to be defined), although producer receipts averaged only 97 percent of such disposition. It is concluded that receipts from producers averaging about 109 percent of Class I uses for the November-December period is appropriate as the minimum level needed to meet requirements of the market.

The 1949–51 supply-demand percentages should be adjusted, therefore, to reflect an index of 109 percent for the months of November through December (97+12=109). This index (109, column 3 of above table) will be used under the schedule each year for comparing with the percentage relationship of receipts to sales during the preceding November–December period, which in turn will determine any adjustment in the differential for the month of January. The average percentages calculated for each of the other 11 months based on the period May 1949–April 1951 should be adjusted by adding less than the 12 points, since the market is adequately supplied with producer milk during the spring and summer months, and emphasis is needed on the necessity of producing more milk for the fall and winter months. The adjustments added to arrive at the adjusted index in column 3 of the above table are, therefore, graduated from 12 percentage points for the November–December period, to 9 percentage points for the February–March and subsequent periods through the July–August period. Although the effect of this is incidental to the principal objective, a small degree of seasonal variation in the Class I differential may result. However, in order to assure that no

"counter-seasonal" variation in the differential will occur, it should be provided that the resulting Class I differential during the months of May, June, and July shall not be more than the adjusted differential for April; and that the Class I differential for November, December, and January shall not be less than the adjusted differential for October. This change from the recommended decision removes the limitation of the counter-seasonal provision on the August differential, because of the proximity to the fall production period. Substantial changes in the seasonal pattern of production or in Class I sales over a period of time, of course, may necessitate a revision of the representative seasonal index.

An analysis of market-wide statistics under the order shows a change of approximately 2 cents per point deviation from the representative or base period index should be used for adjusting the Class I price differential. An adjustment based on the supply-utilization ratio for as short a period as two months may reflect minor random changes in this ratio which are not indicative of actual trends. It is necessary, therefore, to provide for some method of stabilizing this adjustment and of limiting it as to total magnitude. This has been accomplished by grouping the percentage deviation, and setting limits on the amount of the adjustment (see § 978.5 (b) (1) (iii) of the order set forth below. The percentage groups are in such intervals that no adjustment occurs until the current ratio is 3 or 4 percentage points above or below the base-period index. The next percentage group applies to deviations of 6 or 7 percentage points. In the case of any deviation falling between groups, the adjustment amount is determined by the adjacent group which is the same as or nearest to the percentage group used in the previous month. For example, a deviation of 5 percentage points from the base would require the use of the group which includes 3 or 4 percent if the adjustment during the previous month had been determined by that group or a lower one. On the other hand, a 5 percent difference would provide for an adjustment based on the 6 or 7 percent group if the adjustment during the previous month had been determined by the latter or a higher group. In the first month in which the amending order providing this adjustment is effective, if the applicable deviation percentage falls between groups, the adjustment amount shall be determined by the group nearest to a deviation percentage calculated without rounding to the nearest whole number.

Actual prices received for Class I milk during 1949 resulted in increasing the average annual Class I differential from $1.25 to $1.56 per hundredweight over basic formula prices. The application of the proposed supply-demand arrangement to 1949 data results in an average differential of $1.53 per hundredweight. For 1950 the average differential was $1.29 while the proposed supply-demand arrangement would have yielded $1.40 per hundredweight. For the first 5 months in 1951, the Class I differential would have been $1.52, an increase of 27 cents per hundredweight. As long as receipts of producers' milk in relation to Class I utilization are less than corresponding indexes proposed herein, the Class I price differential should be increased in order to assure this market of an adequate supply of milk. A corresponding reduction in the Class I differential will result if receipts of milk from producers in relation to Class I utilization exceeds the representative schedule figure. Under such circumstances, this supply-demand adjustment factor, coupled with a flexible basic price, will assure producers of a Class I price which will reflect in a large measure local supply and demand conditions.

6. Reports should be furnished by the market administrator to cooperative associations showing the percentage utilization in each class of milk received by each handler from association members upon request from such association.

The producer cooperative association, whose members comprise a majority of the producers in this market, proposed that the market administrator be required to report to a cooperative association the percentage utilization of milk received monthly from producer members in each class for each handler. This association, through contracts with its members, has the authority over the sale of each member's milk and the transfer of producer receipts from one handler to another. The association testified that the proposed reports of utilization would aid the association in allocating milk among handlers in accordance with their needs to supply fluid milk and other approved milk products. Handlers testified that such information is presently confidential with the market administrator and there is no need to release reports to producers' associations.

In markets operating under an individual handler pooling arrangement, utilization patterns of individual handlers are indicated by each handler's uniform price which is announced publicly. Under a market-wide pooling arrangement, as used in the Nashville market, the producers' association has no means of determining whether or not milk is properly allocated among handlers. The allocation of milk to various handlers in accordance with their needs is as important an aspect of the supply problem as that of getting sufficient milk produced to meet the over-all market requirements. The desire of handlers to keep their respective receipts and sales volumes confidential is recognized by limiting reports to associations to percentage utilization figures by classes.

7. The limitation on the classification of cream shipped to outlets beyond 85 miles from the City Hall in Nashville, other than as Grade A cream, should be changed.

A handler proposed the elimination of the order provision which precludes the classification of cream in the manufacturing use class (Class II in the attached proposed order), when it is shipped beyond 85 miles from the City Hall in Nashville. Testimony in support of this proposal was based upon the necessity of disposing of excess butterfat resulting from the handler's fluid milk operations.

The problem of disposing of excess butterfat generally affects all handlers in the Nashville market, since the butterfat test of milk received from producers is considerably higher than the average test of fluid products apparently desired by consumers under present pricing arrangements. Sales in the marketing area of fluid cream and other high butterfat content products required to be made from approved milk are not sufficient to absorb this excess butterfat. Handlers must seek outlets for excess butterfat in other Grade A markets or in competition with ungraded butterfat in manufacturing outlets.

A large portion of the excess butterfat must be disposed of in the form of cream to manufacturing plants. Outlets, within the 85 mile area, at prices equivalent to the cost of cream components under the order have not been available to absorb the total volume of cream. Manufacturing plants located in this area and which are engaged in processing cheese, condensed and evaporated milk also generally have excess butterfat which is sold as ungraded cream for use in ice cream, aerated cream, butter, and other products not required to be made of approved milk. The testimony shows that excess butterfat disposed of by Nashville handlers, chiefly to local butter and ice cream manufacturers, is sold in competition with this ungraded butterfat at a price equivalent to approximately 15 percent over the Chicago 92-score butter price.

The proponent handler testified that outlets, even at this price, were not always available within the 85-mile radius of Nashville. This handler's plant is located aproximately 45 miles south of Nashville and a substantial portion of his cream has been disposed of to ice cream manufacturers outside the 85-mile radius of Nashville in eastern Tennessee, Georgia, Florida, and a few shipments to Virginia, Washington, D. C., and Pennsylvania. Because of the relatively small quantity of Grade A cream available at any given time, it is customary for the proponent handler to include cream from his Grade A and his ungraded plant in the same shipment.

The testimony indicates that ice cream manufacturers located in southern markets offer the principal outlet for the excess fat from this market. In most of these markets ungraded cream may be used in the manufacture of ice cream and in some cases for sale as fluid cream. It is appropriate, therefore, to price the skim milk and butterfat used for cream which is disposed of in such outlets at the competitive price for ungraded cream. Testimony by the handler, proposing elimination of the 85 mile limit, shows that net prices received f. o. b. at his plant for 15 shipments of cream, during 1950–51, to 9 different markets beyond the 85 mile distance averaged 76 cents per 40 quart can higher than the product cost of cream to the handler in the corresponding months if the Class II price recommended herein had been in effect. In this comparison, no allowance was made for receiving, processing, and handling costs.

Without a change in the transfer provisions of the order, the provisions recommended above would price such cream components at the Class I price with a butterfat differential factor of 1.30. It is concluded that more orderly marketing may be promoted by classifying cream disposed to outlets beyond the 85 mile area for ungraded uses as Class II milk. There is no reason, however, for pricing Nashville Grade A cream for disposal in more distant markets for uses requiring Grade A cream lower than for comparable uses under the order. Cream which is identified by tagging as Grade A or sold under a Grade A certificate of the local health authority to points beyond 85 miles from the marketing area should be priced at the Class I price. Cream not so identified should be priced at the Class II level. In order that the market administrator may verify the classification of cream disposed of beyond the 85 mile zone, a handler should be required to label "for manufacturing uses," all cream on which the Class II classification is to apply and notify the market administrator of the intention to make such disposal. In this manner, such shipments will be subject to a check by the market administrator at the time of shipment.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement upon which a hearing has been held.

Determination of representative period. The month of June 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Nashville, Tennessee, marketing area, in the manner set forth in the attached amending order is approved or favored by producers who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Nashville, Tennessee, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Nashville, Tennessee, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C,. this 22d of August 1951.

[SEAL] C. J. McCORMICK,
Acting Secretary of Agriculture.

Order[1] Amending the Order, as Amended, Regulating the Handling of Milk in the Nashville, Tennessee, Marketing Area

§ 978.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held May 31–June 5, 1951, at Nashville, Tennessee, upon proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Nashville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 978.2 (c) (10) and substitute the following:

(10) Publicly announce the prices and butterfat differentials determined for each delivery period as follows: (i) On or before the 6th day after the end of such delivery period, the prices and butterfat differentials for Class II milk computed pursuant to § 978.5; and (ii) on or before the 10th day after the end of such delivery period, the uniform price, computed pursuant to § 978.7 (b), the butterfat differential to be paid pursuant to § 978.8 (f) and the Class I price and the Class I butterfat differential for the next following delivery period pursuant to § 978.5.

2. Add as § 978.3 (d) the following:

(d) *Reports from the Market Administrator to cooperative associations.* On or before the 15th day after the end of each delivery period, the market administrator shall report to each cooperative association as described in § 978.10 (b), upon request by such association, the percentage of milk caused to be delivered by such association or by its members which was used in each class by each handler receiving any such milk. For the purpose of this report the milk so received shall be prorated to each class in the proportion that the total receipts of milk from producers by such handler were used in each class.

3. Delete § 978.4 and substitute the following:

§ 978.4 *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat contained in (1) milk, skim milk, cream, and milk products received at a fluid milk plant and (2) producer milk diverted pursuant to § 978.1 (j) (2) shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraphs (c), (d), (e), and (f) of this section, the classes of utilization shall be as follows:

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

(1) Class I milk shall be all skim milk and butterfat: (i) Disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, eggnog, yoghurt, and any other milk product which is required by the Nashville Health Department to be made from approved butterfat and skim milk, and (ii) not specifically accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat: (i) Used to produce any item other than those specified in subparagraph (1) of this paragraph; (ii) in inventory variations; (iii) disposed of for livestock feed; (iv) in actual plant shrinkage of skim milk and butterfat received in producer milk, but not in excess of 3 percent of such receipts of skim milk and butterfat, respectively, hereinafter known as allowable shrinkage; and (v) in actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided,* That if producer milk is utilized as milk, skim milk, or cream in conjunction with other source milk the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and other source milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

(c) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified in another class.

(2) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(d) *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(1) As Class I milk if transferred or diverted to a fluid milk plant of another handler (except a producer-handler), unless utilization in Class II milk is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred: *Provided,* That skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to paragraph (f) of this section, and any excess of such skim milk or butterfat respectively, shall be assigned to Class I milk.

(2) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section to a producer-handler.

(3) As Class I milk if transferred or diverted to a nonfluid milk plant located less than 85 miles from the City Hall at Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless (i) the handler claims Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the nonfluid milk plant and the handler on or before the 6th day after the end of the delivery period within which such transaction occurred, (ii) the operator of the nonfluid milk plant mantains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (iii) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided,* That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified as Class I milk.

(4) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section to a nonfluid milk plant located 85 miles or more from the City Hall in Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless in the case of bulk fluid cream only (i) the handler claims Class II utilization, (ii) such cream is disposed of other than as Grade A cream under a Grade A certification or label of the handler or the health authority(s) having jurisdiction over inspection of the handler's plant, (iii) the handler tags or otherwise labels such cream "for manufacturing uses" and (iv) the handler notifies the market administrator 24 hours in advance of his intention to make such Class II disposition.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

(f) *Allocation of skim milk and butterfat classified.* (1) The pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler:

(i) Subtract allowable shrinkage of skim milk from the total pounds of skim milk in Class II milk;

(ii) Subtract from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced available use, the pounds of skim milk in other source milk;

(iii) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section;

(iv) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced utilization.

(2) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in subparagraph (1) of this paragraph.

(3) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of this paragraph, and determine the percentage of butterfat in each class.

4. Delete § 978.5 and substitute the following:

§ 978.5 *Minimum prices*—(a) *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the price for Class I milk and pursuant to paragraph (b) of this section shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content computed pursuant to subparagraphs (1), (2), or (3) of this paragraph, or paragraph (b) (2) of this section, all for the preceding delivery period.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 10th day after the end of the delivery period by the companies listed below:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential computed pursuant to § 978.8 (f) by 5.

(2) The price per hundredweight computed as follows:

(i) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided,* That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(3) The price per hundredweight computed as follows:

Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 20 percent thereof, and add to such sum 3¾ cents for each full ½ cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed) spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by the Department of Agriculture during the delivery period, is above 5 cents: *Provided,* That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation, the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported weekly by the Department of Agriculture during the delivery period; and in the latter event the "5 cents" shall be increased by 1 cent.

(b) *Class prices.* Subject to the provisions of paragraph (c) of this section, each handler shall pay producers, at the time and in the manner set forth in § 978.8 not less than the prices per hundredweight computed as follows for the respective quantities of Class I milk and Class II milk computed pursuant to § 978.4 (f).

(1) *Class I milk.* The price for Class I milk shall be the basic formula price plus a differential of $1.25, plus or minus a supply-demand adjustment computed as follows:

(i) Divide the total receipts of producer milk in the first and second preceding delivery periods by the total gross volume of Class I milk (less interhandler transfers) for such period, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "current supply-demand relationship."

(ii) Compute a net deviation percentage by subtracting from the "current supply-demand relationship" computed pursuant to subdivision (i) of this subparagraph, the "base period supply-demand index" shown below:

Delivery period for which the Class I price is computed (month)	Delivery periods used to compute relationship (months)	Base period supply-demand index (percent)
January	November-December	109
February	December-January	111
March	January-February	113
April	February-March	119
May	March-April	132
June	April-May	145
July	May-June	147
August	June-July	144
September	July-August	140
October	August-September	128
November	September-October	115
December	October-November	109

(iii) Determine the amount of the supply-demand adjustment from the following schedule:

Net deviation (percentage points):	*Adjustment amount (cents)*
−24 or more	+49
−21 or −22	+43
−18 or −19	+37
−15 or −16	+31
−12 or −13	+25
− 9 or −10	+19
− 6 or − 7	+13
− 3 or − 4	+ 7
−1, 0, or +1	0
+ 3 or + 4	− 7
+ 6 or + 7	−13
+ 9 or +10	−19
+12 or +13	−25
+15 or +16	−31
+18 or +19	−37
+21 or +22	−43
+24 or more	−49

In case the net deviation percentage does not fall within the tabulated brackets, the adjustment amount shall be determined by the adjacent net deviation bracket which is the same as or nearest to the bracket used in the previous month. *Provided,* That the Class I differential adjusted pursuant to this subdivision for each of the months of May, June, and July shall not be more than such adjusted differential for the immediately preceding month of April; and that the Class I differential adjusted pursuant to this subdivision for each of the months of November, December, and January shall not be less than such adjusted differential for the month of October.

(2) *Class II milk.* The price per hundredweight for Class II milk shall be the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

Company and Location

Cudahy Packing Co., Lafayette, Tenn.
Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Borden Co., Fayetteville, Tenn.
Swift and Co., Lebanon, Tenn.
Borden Co., Lewisburg, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Lakeshire-Marty Cheese Co., Carthage, Tenn.
Swift & Co., Lawrenceburg, Tenn.
Wilson & Co., Murfreesboro, Tenn.

(c) *Butterfat differential to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 978.4 (f), is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such weighted average butterfat test is above or below, respectively, 4.0 percent, a butterfat differential (computed to the nearest 10th of a cent), calculated for each class of utilization as follows:

(1) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the preceding delivery period, and divide the result by 10.

(2) *Class II milk.* Multiply by 1.15 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

5. In § 978.9 delete the words "and Class II milk".

[F. R. Doc. 51–10296; Filed, Aug. 24, 1951; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order No. 100; Region I]

SPECIFIED CLASSES OF EMPLOYEES[1]

REDELEGATIONS OF AUTHORITY

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Sec.
1.1 Functions of specified classes of employees.
1.2 Limitations.
1.5 Redelegation.

[1] The word "employees" in this order means "officers and employees."

PART 2—AUTHORITY IN SPECIFIED MATTERS

GENERAL

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2.2 Bonds.
2.3 Cancellations or surrenders of contracts, leases, and permits.
2.4 Contributions and refunds.
2.5 Copies of records.
2.9 Government contests.
2.11 Repayment.
2.14 Surveys.
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CLASSIFICATION, WITHDRAWALS, AND RESTORATIONS

2.21 Classification of lands.

MINERAL

Sec.
2.31 Oil and gas leases.
2.32 Coal permits and licenses, and coal leases based on discoveries under permits.
2.45 Mining claims.

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2.51 Airports.
2.61 Cemetary sites.
2.62 Color-of-title claims.
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2.64 Homesteads.
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Sec.
2.67 Mineral or medicinal springs.
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2.79 Water wells.

RANGE MANAGEMENT

2.91 Grazing district administration.
2.92 Grazing leases, etc.
2.93 Appropriation of water.
2.94 Soil and moisture conservation.
2.95 Controlled brush burning.

TIMBER

2.121 Disposition of timber.
2.123 Cutting of timber on certain mining claims in Oregon.
2.124 Timber patents.

PART 3—APPEALS

3.1 Right of appeal.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

4.1 Revocations.

PART 1—AUTHORITY IN GENERAL

SECTION 1.1 *Functions of specified classes of employees.*[2] (a) Pursuant to the authority contained in Order No. 427 of August 16, 1950, of the Director, Bureau of Land Management, the classes of employees specified in Parts 1 and 2 of this order are hereby authorized to perform, in accordance with the existing policies, regulations and procedures of the Department of the Interior the functions of the Regional Administrator, as provided in such parts. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such employee affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

(b) The Assistant Regional Administrator, under the supervision of the Regional Administrator, may exercise all of the powers and authority of the Regional Administrator.

SEC. 1.2 *Limitations.* In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise.

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

No delegation of authority made by this order is to be construed as depriving the Regional Administrator of authority to act in any matter as to which authority has been delegated to him by the Secretary of the Interior or the Director of the Bureau of Land Management.

SEC. 1.5 *Redelegation.* (a) Any authority delegated by this order to the regional chief of a division may also be exercised by the asistant chief of such division, by the chief of any subdivision of such division, or other qualified employee of the division authorized in writing by the Regional Administrator to do so, in case of the death, resignation, absence, or sickness of such regional chief.

(b) The following designated classes of employees are authorized to perform the functions of the range manager in case of death, resignation, absence or sickness of the range manager, unless the Regional Administrator determines otherwise in a particular case: The assistant range manager, if any, and if there be no assistant range manager, the district clerk.

(c) The following designated classes of employees are authorized to perform the functions of the district forester in case of the death, resignation, absence or sickness of the district forester, unless the Regional Administrator determines otherwise in a particular case: The assistant district forester, if any, and if there be no assistant district forester, the employee in the office who is in the highest grade, and if there be more than one such employee in such grade, the employee in such grade who is senior in point of time of service in that grade.

(d) Each employee authorized to act under paragraphs (b) and (c) of this section shall sign all documents and other papers as "Acting Regional Chief, Division of _____", "Acting Range Manager" or "Acting District Forester" as the case may be. Each employee who serves in this capacity shall by memorandum advise the Regional Administrator of the beginning and of the termination of the period of service.

PART 2—AUTHORITY IN SPECIFIED MATTERS[3]

Subject to the provisions of Part 1 of this order, the classes of employees indicated below are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

GENERAL

SEC. 2.2 *Bonds.* All employees who are authorized to handle a particular type of matter may take all actions with respect to bonds required in connection therewith.

SEC. 2.3 *Cancellation or surrenders of contracts, leases, and permits.* All employees who are authorized to handle a particular type of contract, lease or permit may take all action with respect to partial or complete concellations or surrenders thereof, except cancellations or surrenders of licenses or permits under 43 CFR 161.11 (d).

SEC. 2.4 *Contributions and refunds.* The Regional Administrative Officer may accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315).

SEC. 2.5 *Copies of records.* The Regional Administrative Officer and the head of each other office in the region may furnish copies of official records, pursuant to 43 CFR Parts 2 and 240.

SEC. 2.9 *Government contests.* The Regional Chief, Division of Adjudication may initiate Government contests against claims asserted to public lands, and take all necessary actions involving such contests, except the presentation of the Government's case at the hearing, which will be handled by the Regional Counsel.

SEC. 2.11 *Repayment.* All employees who are authorized to make collections in a particular type of case may act on applications for repayment under 43 CFR Part 217, pertaining to that type of case.

SEC. 2.14 *Surveys.* (a) The Regional Chief, Division of Engineering will handle the appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with authority to execute mineral surveys within all States of the region in which appointed, and in adjoining States;[4] the preparation of supplemental plats for acceptance by the Director; and the initiation of action in all classes of surveys and resurveys of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys, and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The managers of the land offices[5] will handle the preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

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[2] For the authority of the Regional Administrator to designate an Acting Regional Administrator to act in the absencce of the Regional Administrator, and for the order of succession where the Regional Administrator has not designated an Acting Regional Administrator, see section 1.1 (c), (d) and (e) of the Director's Order No. 427.

[3] The numbering in Part 2 of this order corresponds with the numbering in the Director's Order No. 427.

[4] For redelegations in connection with the survey of mining claims, see section 2.45.

[5] All redelegations made by this order to the managers of land offices include the manager of a land and survey office.

SEC. 2.15 *Trespass.* The Regional Counsel will act on matters pertaining to the determination of liability and acceptance of payment of damages for trespass on the public lands, and the Chief of the Division in charge of the management of the resources involved may dispose of such resources recovered in trespass cases for not less than the appraised value thereof.

CLASSIFICATION, WITHDRAWALS, AND RESTORATIONS

SEC. 2.21 *Classification of lands.* The Regional Chief, Division of Land Planning, may classify public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

MINERAL

SEC. 2.31 *Oil and gas leases.* (a) The managers of land offices may act on matters relating to oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226, 229), as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) The managers of land offices may act on matters relating to oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351–359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

SEC. 2.32 *Coal permits and licenses, and coal leases based on discoveries under permits.* (a) The managers of land offices may act on matters relating to coal prospecting permits and licenses under the act of February 25, 1920 (30 U. S. C. 201, 202–208).

(b) The managers of land offices may act on matters relating to coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

SEC. 2.45 *Mining claims.* (a) The managers of land offices may act on mining-claim matters under 43 CFR Part 185 with the following exceptions:

(1) The approval of entries for patenting;

(2) Mineral contests, covered by section 2.9; and

(3) Mineral surveys.

(b) Mineral survey orders will be issued, and the mineral surveys will be approved by the Regional Chief, Division of Cadastral Engineering, the office cadastral engineer at the regional headquarters, or by the cadastral engineer (mineral) in a sub-office within the region.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

SEC. 2.51 *Airports.* The managers of land offices may act on matters relating to:

(a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211–214), and

(b) The Federal Airport Act (49 U. S. C. sec. 1101), up to the issuance of patents.

SEC. 2.61 *Cemetery sites.* The managers of land offices may act on matters relating to cemetery sites, pursuant to 43 CFR Part 253.

SEC. 2.62 *Color-of-title claims.* The managers of land offices may act on color-of-title claims, under 43 CFR Part 140, provided the Regional Counsel shall approve the title shown by the applicant.

SEC. 2.63 *Exchanges.* The managers of land offices, subject to a determination of public interest and value by the Regional Chief, Division of Land Planning, and to the approval of the title to the offered land by the Regional Counsel, may approve exchanges under 43 CFR Parts 146 and 115, where the value of the selected lands does not exceed $50,000.

SEC. 2.64 *Homesteads.* The managers of land offices may act on matters relating to homesteads, pursuant to 43 CFR Parts 166 to 168 inclusive, and Part 170.

SEC. 2.65 *Indian allotments.* The managers of land offices may act on matters relating to Indian allotments, pursuant to 43 CFR Part 176.

SEC. 2.66 *Material other than timber.* The Regional Chief, Division of Forestry, may act on matters relating to the sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR Part 259. The range managers and district foresters having jurisdiction in the area may act on sales of this kind where the appraised value of the material does not exceed $300, and on matters relating to free use.

SEC. 2.67 *Mineral or medicinal springs.* The managers of the land offices may act on matters relating to the leasing of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

SEC. 2.68 *Motion or sound pictures.* The range managers and district foresters having jurisdiction in the area may grant permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5.

SEC. 2.70 *Public sales.* The managers of land offices may act on matters relating to public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

SEC. 2.71 *Reclamation and irrigation.* The managers of land offices may act on matters relating to reclamation and desert-land entries and State irrigation districts, pursuant to 43 CFR Parts 230 to 232 inclusive.

SEC. 2.72 *Rights-of-way.* (a) The managers of land offices may act on matters relating to right-of-way permits and easements over public and acquired lands, including revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and over reservations other than Indian reservations, when authorized by law, subject to the exception that matters relating to permits for logging roads under 43 CFR Part 115, shall be acted upon by the Regional Chief, Division of Forestry, Region I, and to the further exception that any decision of the manager involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more, shall be subject to the prior approval of the Regional Administrator. (See 43 CFR 1949 Supp., 245.21.)

(b) The managers of land offices may approve construction in advance of the issuance of a permit or the granting of an easement of the class which the employee is empowered to authorize, subject to the exception that any decision of the manager for the approval of such advance construction involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator.

(c) Actions involving lands within National parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

SEC. 2.73 *Small tracts.* The managers of land offices may act on matters relating to small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

SEC. 2.74 *Special land-use permits.* (a) The managers of land offices may act on matters relating to permits of the following classes, after a field examination, and, in the case of a Federal agency, a State agency, or a political

subdivision of a State, with the prior approval of the Regional Administrator:

(1) Special land-use permits for public lands, exclusive of such lands in Oregon in and west of R. 8 E., W. M., Oregon, pursuant to 43 CFR Part 258.

(2) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, exclusive of such lands in Oregon in and west of R. 8 E., W. M., Oregon, under the principles embodied in 43 CFR Part 258.

(b) The district foresters may act on matters relating to permits of the following classes, after a field examination under the direction of the Regional Chief, Division of Land Planning and, in the case of a Federal agency, a State agency, or a political subdivision of a State, with the prior approval of the Regional Administrator:

(1) Special land-use permits for public lands in and west of R. 8 E., W. M., Oregon, pursuant to 43 CFR Part 258.

(2) Special land-use permits for the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, pursuant to 43 CFR 115.150.

(3) Special land-use permits for acquired land under the administration of the Bureau of Land Management in Oregon in and west of R. 8 E., W. M., Oregon, under the principles embodied in 43 CFR Part 258.

SEC. 2.77 *Surface rights.* The managers of land offices may act on matters relating to nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR Part 102.

SEC. 2.78 *Town sites.* The managers of land offices may act on matters involving lots in Government town sites, and other town-site matters, when authorized by law (reclamation town-site matters to be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR 255.42 to 255.45 inclusive, and 255.47), except the appraisal of lots, the issuance of notices of sale, and the issuance of orders withdrawing public lands for town-site purposes.

SEC. 2.79 *Water wells.* The managers of land offices may act on matters relating to water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 229a), and 30 CFR 241.6.

RANGE MANAGEMENT

SEC. 2.91 *Grazing district administration.* Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U. S. C. 315 et. seq., 16 U. S. C. 715i) and 43 CFR Parts 161, 163, and 165, may be handled by the designated employee or class of employees, as follows:

(a) The range managers may act on matters involving licenses or permits to graze or trail livestock in grazing districts except (1) transfers of grazing privileges under section 7 (b) or 7 (c) of the Federal Range Code for Grazing Districts which will be subject to the approval of the Regional Chief, Division of Range Management in land base districts or units and (2) cancellations of licenses or permits under 43 CFR 161.11 (d).

(b) The Regional Chief, Division of Range Management may enter into cooperative agreements under:

(1) Section 2 of the act (43 U. S. C. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) Section 9 of the act (43 U. S. C. 315h) with associations or State agencies for the conservation or propagation of wildlife; and

(3) Section 12 of the act (43 U. S. C. 315k) with any department of the Government to coordinate range administration.

(c) The range managers may act on matters involving permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The range managers may spend appropriated or contributed funds allotted to their respective districts for the construction, purchase or maintenance of range improvements.

(e) The Regional Chief, Division of Range Management, may act on matters relating to leases under the Pierce Act (43 U. S. C. 315m–1 to 315m–4 inclusive).

(f) The Regional Chief, Division of Range Management, may require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U. S. C. 315o–2), and make payments in connection therewith as authorized by that act.

SEC. 2.92 *Grazing leases, etc.* (a) The range managers and the district foresters may act on matters relating to grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

(b) The district foresters may act on matters relating to grazing leases of the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and crossing permits for such lands, in accordance with 43 CFR Part 115.

SEC. 2.93 *Appropriation of water.* The Regional Chief, Division of Range Management, may execute and forward to the proper State office informational notices of the appropriation by the United States of water on the public lands, and execute and file in the name of the United States applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stock-watering projects, and procure easements or rights-of-way upon or over private lands where improvements are erected, provided the title to any such easements or rights-of-way shall be subject to the prior approval of the Regional Counsel.

SEC. 2.94 *Soil and moisture conservation.* The Regional Chief, Division of Range Management, may act on matters relating to soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a, et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

SEC. 2.95 *Controlled brush burning.* The range managers and the district foresters may act on matters relating to the issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, pursuant to Bureau policy and in accordance with plans and specifications approved by the Regional Administrator.

TIMBER

SEC. 2.121 *Disposition of timber.* (a) The Regional Chief, Division of Forestry, may act on matters relating to the sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management, including the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon. The range managers and district foresters having jurisdiction in the area may act on sales of this kind where the estimated stumpage value of the timber does not exceed $1,000, and on matters relating to free use.

(b) The Regional Chief, Division of Forestry, may act on matters relating to the sale of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

SEC. 2.123 *Cutting of timber on certain mining claims in Oregon.* The district foresters may act on applications from owners of mining claims located since August 28, 1937 on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, to cut and use so much of the timber on the mining claims as is necessary in the development and operation of the mines, until such time as the timber is otherwise disposed of by the United States, pursuant to the act of April 8, 1948 (62 Stat. 162).

SEC. 2.124 *Timber patents.* The Regional Chief, Division of Forestry, may act on applications for extensions of time in which to cut timber under timber patents on the revested and reconveyed land in Oregon, under the act of May 19, 1930 (46 Stat. 369) and may terminate rights under timber patents under the act of June 9, 1916 (39 Stat. 218).

PART 3—APPEALS

SEC. 3.1 *Right of appeal.* Any person aggrieved by the action of any officer or employee to whom redelegations are made by this order may appeal to the Director of the Bureau of Land Management, and from his decision to the Secretary of the Interior pursuant to the rules of practice (43 CFR Part 221), or in the case of matters under the provisions of the Federal Range Code for

Grazing Districts, 43 CFR Part 161, in accordance with that part.

PART 4—EFFECTIVE OF PRIOR ORDERS AND EFFECTIVE DATE

SEC. 4.1 *Revocations.* This order when approved by the Secretary of the Interior and published in the FEDERAL REGISTER shall supersede Orders Nos. 274, 319, 331, 337, 348, and 355 to the extent that such orders concern operations in Region I. This order shall be effective upon approval by the Secretary of the Interior and publication in the FEDERAL REGISTER.

DANIEL L. GOLDY,
Regional Administrator, Region I.

Approved: August 20, 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51-10232; Filed, Aug. 24, 1951; 8:45 a. m.]

[Order No. 1; Region II]

SPECIFIED CLASSES OF EMPLOYEES[1]

REDELEGATION OF AUTHORITY

PART 1—AUTHORITY IN GENERAL

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PART 2—AUTHORITY IN SPECIFIED MATTERS

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2.32 Coal permits and licenses, and coal leases based on discoveries under permits.
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RANGE MANAGEMENT

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TIMBER

Sec.
2.121 Disposition of timber.

PART 3—APPEALS

3.1 Right of appeal.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

4.1 Revocations.

PART 1—AUTHORITY IN GENERAL

SECTION 1.1 *Functions of specified classes of employees.*[2] (a) Pursuant to the authority contained in Order No. 427 of August 16, 1950, of the Director, Bureau of Land Management, the classes of employees specified in Parts 1 and 2 of this order are hereby authorized to perform, in accordance with the existing policies, regulations and procedures of the Department of the Interior the functions of the Regional Administrator, as provided in such parts. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such employee affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

SEC. 1.2 *Limitations.* In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise.

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

No delegation of authority made by this order is to be construed as depriving the Regional Administrator of authority to act in any matter as to which authority has been delegated to him by the Secretary of the Interior or the Director of the Bureau of Land Management.

SEC. 1.5 *Redelegation.* (a) Any authority delegated by this order to the regional chief of a division may also be exercised by the assistant chief of such division, by the chief of any subdivision of such division, or other qualified employee of the division authorized in writing by the Regional Administrator to do so, in case of the death, resignation, absence, or sickness of such regional chief.

(b) The following designated classes of employees are authorized to perform the functions of the range manager in case of death, resignation, absence or sickness of the range manager, unless the Regional Administrator determines otherwise in a particular case: The assistant range manager, if any, and if there be no assistant range manager, the district clerk.

(c) The following designated classes of employees are authorized to perform the functions of the district forester in case of the death, resignation, absence or sickness of the district forester, unless the Regional Administrator determines otherwise in a particular case: The assistant district forester, if any, and if there be no assistant district forester, the employee in the office who is in the highest grade, and if there be more than one such employee in such grade, the employee in such grade who is senior in point of time of service in that grade.

(d) Each employee authorized to act under paragraphs (a), (b), and (c) of this section shall sign all documents and other papers as "Acting Regional Chief, Division of _____," "Acting Range Manager" or "Acting District Forester" as the case may be. Each employee who serves in this capacity shall by memorandum advise the Regional Administrator of the beginning and of the termination of the period of service.

PART 2—AUTHORITY IN SPECIFIED MATTERS[3]

Subject to the provisions of Part 1 of this order, the classes of employees indicated below are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

GENERAL

SEC. 2.2 *Bonds.* All employees who are authorized to handle a particular type of matter may take all actions with respect to bonds required in connection therewith.

SEC. 2.3 *Cancellations or surrenders of contracts, leases, and permits.* All employees who are authorized to handle a particular type of contract, lease or permit may take all action with respect to partial or complete cancellations or surrenders thereof, except cancellations or surrenders of licenses or permits under 43 CFR 161.11 (d).

SEC. 2.4 *Contributions and refunds.* The Regional Administrative Officer may accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315h).

SEC. 2.5 *Copies of records.* The Regional Administrative Officer and the head of each other office in the region may furnish copies of official records, pursuant to 43 CFR Parts 2 and 240.

SEC. 2.9 *Government contests.* The Regional Chief, Division of Adjudication may initiate Government contests against claims asserted to public lands, and take all necessary actions involving such contests, except the presentation of

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[1] The word "employee" in this order means "officers and employees."

[2] For the authority of the Regional Administrator to designate an Acting Regional Administrator to act in the absence of the Regional Administrator, and for the order of succession where the Regional Administrator has not designated an Acting Regional Administrator, see section 1.1 (c), (d) and (e) of the Director's Order No. 427.

[3] The numbering in Part 2 of this order corresponds with the numbering in the Director's Order No. 427.

the Government's case at the hearing, which will be handled by the Regional Counsel.

SEC. 2.11 *Repayment.* All employees who are authorized to make collections in a particular type of case may act on applications for repayment under 43 CFR Part 217, pertaining to that type of case.

SEC. 2.14 *Surveys.* (a) The Regional Chief, Division of Engineering will handle the appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with authority to execute mineral surveys within all States of the region in which appointed, and in adjoining States, and the approval and acceptance of their bonds;[4] the preparation of supplemental plats for acceptance by the Director; and the initiation of action in all classes of surveys and resurveys of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The managers of the land offices[5] will handle the preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

SEC. 2.15 *Trespass.* The Regional Counsel will act on matters pertaining to the determination of liability and acceptance of payment of damages for trespass on the public lands, and the Chief of the Division in charge of the management of the resources involved may dispose of such resources recovered in trespass cases for not less than the appraised value thereof.

CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

SEC. 2.21 *Classification of lands.* The Regional Chief, Division of Land Planning may classify public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

MINERALS

SEC. 2.31 *Oil and gas leases.* (a) The managers of land offices may act on matters relating to oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226, 229), as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) The managers of land offices may act on matters relating to oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351–359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

SEC. 2.32 *Coal permits and licenses, and coal leases based on discoveries under permits.* (a) The managers of land offices may act on matters relating to coal prospecting permits and licenses under the act of February 25, 1920 (30 U. S. C. 201, 202–208).

(b) The managers of land offices may act on matters relating to coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

SEC. 2.45 *Mining claims.* (a) The managers of land offices may act on mining-claim matters under 43 CFR Part 185, with the following exceptions:

(1) The approval of entries for patenting;

(2) Mineral contests, covered by section 2.9; and

(3) Mineral surveys.

(b) Mineral survey orders will be issued, and the mineral surveys will be approved by the Regional Chief, Division of Cadastral Engineering, the office cadastral engineer at the regional headquarters, or by the cadastral engineer (mineral) in a sub-office within the region.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

SEC. 2.51 *Airports.* The managers of land offices may act on matters relating to:

(a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211–214), and

(b) The Federal Airport Act (49 U. S. C. 1101), up to the issuance of patents.

SEC. 2.61 *Cemetery sites.* The managers of land offices may act on matters relating to cemetery sites pursuant to 43 CFR Part 253.

SEC. 2.62 *Color-of-title claims.* The managers of land offices may act on color-of-title claims, under 43 CFR Part 140, provided the Regional Counsel shall approve the title shown by the applicant.

SEC. 2.63 *Exchanges.* The managers of land offices, subject to a determination of public interest and value by the Regional Chief, Division of Land Planning, and to the approval of the title to the offered land by the Regional Counsel, may approve exchanges under 43 CFR Part 146, where the value of the selected lands does not exceed $50,000.

SEC. 2.64 *Homesteads.* The managers of land offices may act on matters relating to homesteads pursuant to 43 CFR Parts 166 to 168 and 170.

SEC. 2.65 *Indian allotments.* The managers of land offices may act on matters relating to Indian allotments pursuant to 43 CFR Part 176.

SEC. 2.66 *Material other than timber.* The Regional Chief, Division of Forestry may act on matters relating to the sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR Part 259. The range managers and district foresters having jurisdiction in the area may act on sales of this kind where the appraised value of the material does not exceed $300, and on matters relating to free use.

SEC. 2.67 *Mineral or medicinal springs.* The managers of the land offices may act on matters relating to the leasing of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

SEC. 2.68 *Motion or sound pictures.* The range managers and district foresters having jurisdiction in the area may grant permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5. The managers of land offices may grant such permission with respect to areas outside the jurisdiction of range managers or district foresters.

SEC. 2.70 *Public sales.* The managers of land offices may act on matters relating to public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

SEC. 2.71 *Reclamation and irrigation.* The managers of land offices may act on matters relating to reclamation and desert-land entries, State irrigation districts and Nevada underground water permits and entries, pursuant to 43 CFR Parts 230 to 232 and 234.

SEC. 2.72 *Rights-of-way.* (a) The managers of land offices may act on matters relating to rights-of-way permits and easements over public and acquired lands, and over reservations other than

[4] For redelegations in connection with the survey of mining claims, see section 2.45.

[5] All redelegations made by this order to the managers of land offices include the manager of a land and survey office.

Indian reservations, when authorized by law, subject to the exception that any decision of the manager involving an application for a right-of-way permit or easement for an electrical tranmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator. (See 43 CFR 1949 Supp., 245.21)

(b) The managers of land offices may approve construction in advance of the issuance of a permit or the granting of an easement of the class which the employee is empowered to authorize, subject to the exception that any decision of the manager for the approval of such advance construction involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator.

(c) Actions involving lands within National parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

SEC. 2.73 *Small tracts.* The managers of land officers may act on matters relating to small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

SEC. 2.74 *Special land-use permits.* The managers of land offices may act on matters relating to permits of the classes listed below in this section after a field examination, and, in the case of a Federal agency, a State agency, or a political subdivision of a State, with the prior approval of the Regional Administrator.

(a) Special land-use permits for public lanlds, pursuant to 43 CFR Part 258.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR Part 258.

SEC. 2.77 *Surface rights.* The managers of land offices may act on matters relating to nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR Part 102.

SEC. 2.78 *Town sites.* The managers of land offices may act on matters involving lots in Government town sites, and other town-site matters, when authorized by law (reclamation town-site matters to be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR 255.42 to 255.45, inclusive, and 255.47), except the appraisal of lots, the issuance of notices of sale, and the issuance of orders withdrawing public lands for town-site purposes.

SEC. 2.79 *Water wells.* The managers of land offices may act on matters relating to water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 229a), and 30 CFR 241.6.

RANGE MANAGEMENT

SEC. 2.91 *Grazing district administration.* Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U. S. C. 315 et seq., 16 U. S. C. 715i) and 43 CFR Parts 161, 163, and 165, may be handled by the designated employee or class of employees, as follows:

(a) The range managers may act on matters involving licenses or permits to graze or trail livestock in grazing districts except (1) transfers in land base districts or units of grazing privileges under section 7 (b) or 7 (c) of the Federal Range Code for Grazing Districts which will be subject to the approval of the Regional Chief, Division of Range Management, and (2) cancellations of licenses or permits under 43 CFR 161.11 (d).

(b) The Regional Chief, Division of Range Management, may enter into cooperative agreements under:

(1) Section 2 of the act (43 U. S. C. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) Section 9 of the act (43 U. S. C. 315h) with associations or State agencies for the conservation or propagation of wildlife; and

(3) Section 12 of the act (43 U. S. C. 315k) with any department of the Government to coordinate range administration.

(c) The range managers may act on matters involving permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The range managers may spend appropriated or contributed funds allotted to their respective districts for the construction, purchase or maintenance of range improvements.

(e) The Regional Chief, Division of Range Management may act on matters relating to leases under the Pierce Act (43 U. S. C. 315m–1 to 315m–4, inclusive).

(f) The Regional Chief, Division of Range Management may require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U. S. C. 315o–2), and make payments in connection therewith as authorized by that act.

SEC. 2.92 *Grazing leases, etc.* (a) The range managers and the Regional Chief, Branch of Fire Control may act on matters relating to grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

SEC. 2.93 *Appropriation of water.* The Regional Chief, Division of Range Management, may execute and forward to the proper State office informational notices of the appropriation by the United States of water on the public lands, and execute and file in the name of the United States applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stock-watering projects, and procure easements or rights-of-way upon or over private lands where improvements are erected, provided the title to any such easements or rights-of-way shall be subject to the prior approval of the Regional Counsel.

SEC. 2.94 *Soil and moisture conservation.* The Regional Chief, Division of Range Management and the Regional Chief, Branch of Soil and Moisture Conservation may act on matters relating to soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a, et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

SEC. 2.95 *Controlled brush burning.* The Regional Chief, Division of Forestry, the range managers and district foresters having jurisdiction in the area, may act on matters relating to the issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, pursuant to Bureau policy and in accordance with plans and specifications approved by the Regional Administrator.

TIMBER

SEC. 2.121 *Disposition of timber.* (a) The Regional Chief, Division of Forestry may act on matters relating to the sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management. The range managers and district foresters having jurisdiction in the area may act on sales of this kind where the estimated stumpage value of the timber does not exceed $1,000, and on matters relating to free use.

(b) The Regional Chief, Division of Forestry may act on matters relating to the sale of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Departmental Order No. 2533 of September 7, 1949.

PART 3—APPEALS

SEC. 3.1 *Right of appeal.* Any person aggrieved by the action of any officer or employee to whom redelegations are made by this Order may appeal to the Director, Bureau of Land Management, and from his decision to the Secretary of the Interior pursuant to the rules of practice (43 CFR Part 221), or in the case of matters under the provisions of the Federal Range Code for Grazing Districts, 43 CFR Part 161, in accordance with that part.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

SEC. 4.1 *Revocations.* This order when approved by the Secretary of the Interior and published in the FEDERAL REGISTER shall supersede Bureau of Land

Management Orders Nos. 274, 319, 331, 337, 348, and 355 to the extent that such orders concern operations in Region II. This order shall be effective upon approval by the Secretary of the Interior and publication in the FEDERAL REGISTER.

L. T. HOFFMAN,
Regional Administrator.

Approved: August 20, 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51-10233; Filed, Aug. 24, 1951; 8:45 a. m.]

[Order No. 46; Region III]

SPECIFIED CLASSES OF EMPLOYEES [1]

REDELEGATIONS OF AUTHORITY

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RANGE MANAGEMENT

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2.93 Appropriation of water.
2.94 Soil and moisture conservation.
2.95 Controlled brush burning.

TIMBER

2.121 Disposition of timber.

PART 3—APPEALS

3.1 Right of appeal.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

4.1 Revocations.

[1] The word "employees" in this order means "officers and employees."

PART 1—AUTHORITY IN GENERAL

SECTION 1.1 *Functions of specified classes of employees.*[2] (a) Pursuant to the authority contained in Order No. 427 of August 16, 1950, of the Director, Bureau of Land Management, the classes of employees specified in Parts 1 and 2 of this order are hereby authorized to perform, in accordance with the existing policies, regulations and procedures of the Department of the Interior the functions of the Regional Administrator, as provided in such parts. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such employee affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

(b) The manager of the Land and Survey Office, Cheyenne, Wyoming may act for the Regional Administrator in accordance with the applicable regulations and procedures and perform all of the functions of the manager with respect to lands in Wyoming and in the States of Nebraska and Kansas, in which last two named States there are no land offices. The manager of the Land Office, Billings, Montana may act for the Regional Administrator in accordance with the applicable regulations and procedures and perform all of the functions of the manager with respect to lands in Montana, and in the States of North Dakota and South Dakota, in which last two named States there are no land offices. Matters which are required by law or regulation to be filed only in a land office shall, with respect to such lands in Nebraska, Kansas, North Dakota and South Dakota be filed in the Bureau of Land Management, Washington 25, D. C.

SEC. 1.2 *Limitations.* In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise.

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

No delegation of authority made by this order is to be construed as depriving the Regional Administrator of authority to act in any matter as to which authority has been delegated to him by the Secretary of the Interior or the Director of the Bureau of Land Management.

SEC. 1.5 *Redelegation.* (a) Any authority delegated by this order to the regional chief of a division may also be exercised by the assistant chief of such division, by the chief of any subdivision of such division, or other qualified employee of the division authorized in writing by the Regional Administrator to do so, in case of the death, resignation, absence, or sickness of such regional chief.

(b) The following designated classes of employees are authorized to perform the functions of the range manager in case of death, resignation, absence or sickness of the range manager, unless the Regional Administrator determines otherwise in a particular case: The assistant range manager, if any, and if there be no assistant range manager, the district clerk.

(d) Employees authorized to sign documents and other papers under paragraph (a) of this section shall do so under the title "Acting Regional Chief, Division of _____." Each employee authorized to act under paragraph (b) of this section shall sign all documents and other papers as "Acting Range Manager." Each employee who serves in this capacity shall by memorandum advise the Regional Administrator of the beginning and of the termination of the period of service.

PART 2—AUTHORITY IN SPECIFIED MATTERS [3]

Subject to the provisions of Part 1 of this order, the classes of employees indicated below are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

GENERAL

SEC. 2.2 *Bonds.* All employees who are authorized to handle a particular type of matter may take all actions with respect to bonds required in connection therewith.

SEC. 2.3 *Cancellations or surrenders of contracts, leases, and permits.* All employees who are authorized to handle a particular type of contract, lease or permit may take all action with respect to partial or complete cancellations or surrenders thereof, except cancellations or surrenders of licenses or permits under 43 CFR 161.11 (d).

SEC. 2.4 *Contributions and refunds.* The Regional Administrative Officer may accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315h).

SEC. 2.5 *Copies of records.* The Regional Administrative Officer and the head of each other office in the region may furnish copies of official records, pursuant to 43 CFR Parts 2 and 240.

[2] For the authority of the Regional Administrator to designate an Acting Regional Administrator to act in the absence of the Regional Administrator, and for the order of succession where the Regional Administrator has not designated an Acting Regional Administrator, see section 1.1 (c), (d) and (e) of the Director's Order No. 427.

[3] The numbering in Part 2 of this order corresponds with the numbering in the Director's Order No. 427.

SEC. 2.9 *Government contests.* The Regional Chief, Division of Adjudication, may initiate Government contests against claims asserted to public lands, and take all necessary actions involving such contests, except the presentation of the Government's case at the hearing, which will be handled by the Regional Counsel.

SEC. 2.11 *Repayment.* All employees who are authorized to make collections in a particular type of case may act on applications for repayment under 43 CFR Part 217, pertaining to that type of case.

SEC. 2.14 *Surveys.* (a) The Regional Chief, Division of Engineering will handle the appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with authority to execute mineral surveys within all States of the region in which appointed, and in adjoining States, and the approval and acceptance of their bonds;[4] the preparation of supplemental plats for acceptance by the Director; and the initiation of action in all classes of surveys and resurveys of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys, and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The managers of the land offices[5] will handle the preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

SEC. 2.15 *Trespass.* The Regional Counsel will act on matters pertaining to the determination of liability and acceptance of payment of damages for trespass on the public lands, and the Chief of the Division in charge of the management of the resources involved may dispose of such resources recovered in trespass cases for not less than the appraised value thereof.

CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

SEC. 2.21 *Classification of lands.* The Regional Chief, Division of Land Planning may classify public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

MINERAL

SEC. 2.31 *Oil and gas leases.* (a) The managers of land offices may act on matters relating to oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226, 229) as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) The managers of land offices may act on matters relating to oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351–359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

SEC. 2.32 *Coal permits and licenses, and coal leases based on discoveries under permits.* (a) The managers of land offices may act on matters relating to coal prospecting permits and licenses under the act of February 25, 1920 (30 U. S. C. 201, 202–208).

(b) The managers of land offices may act on matters relating to coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

SEC. 2.45 *Mining claims.* (a) The managers of land offices may act on mining claim matters under 43 CFR Part 185, with the following exceptions:

(1) The approval of entries for patenting;

(2) Mineral contests, covered by section 2.9, and

(3) Mineral surveys.

(b) Mineral survey orders will be issued, and the mineral surveys will be approved by the Regional Chief, Division of Cadastral Engineering, the office cadastral engineer at the regional headquarters, or by the cadastral engineer (mineral) in a sub-office within the region.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

SEC. 2.51 *Airports.* The managers of land offices may act on matters relating to:

(a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211–214), and

(b) The Federal Airport Act (49 U. S. C. sec. 1101), up to the issuance of patents.

SEC. 2.61 *Cemetery sites.* The managers of land offices may act on matters relating to cemetery sites pursuant to 43 CFR Part 253.

SEC. 2.62 *Color-of-title claims.* The managers of land offices may act on color-of-title claims, under 43 CFR Part 140, provided the Regional Counsel shall approve the title shown by the applicant.

SEC. 2.63 *Exchanges.* The managers of land offices, subject to a determination of public interest and value by the Regional Chief, Division of Land Planning, and to the approval of the title to the offered land by the Regional Counsel, may approve exchanges under 43 CFR Part 146, where the value of the selected lands does not exceed $50,000.

SEC. 2.64 *Homesteads.* The managers of land offices may act on matters relating to homesteads pursuant to 43 CFR Parts 166 to 170 inclusive.

SEC. 2.65 *Indian allotments.* The managers of land offices may act on matters relating to Indian allotments pursuant to 43 CFR Part 176.

SEC. 2.66 *Material other than timber.* The Regional Chief, Division of Range and Forest Management may act on matters relating to the sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR Part 259. The range managers having jurisdiction in the area may act on sales of this kind where the appraised value of the material does not exceed $300, and on matters relating to free use.

SEC. 2.67 *Mineral or medicinal springs.* The managers of the land offices may act on matters relating to the leasing of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

SEC. 2.68 *Motion or sound pictures.* The range managers having jurisdiction in the area may grant permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5.

SEC. 2.70 *Public sales.* The managers of land offices may act on matters relating to public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

SEC. 2.71 *Reclamation and irrigation.* The managers of land offices may act on matters relating to reclamation and desert-land entries, and State irrigation districts pursuant to 43 CFR Parts 230 to 233 inclusive.

SEC. 2.72 *Rights-of-way.* (a) The managers of land offices may act on matters relating to rights-of-way permits

[4] For redelegations in connection with the survey of mining claims, see section 2.45.

[5] All redelegations made by this order to the managers of land offices include the manager of a land and survey office.

and easements over public and acquired lands, and over reservations other than Indian reservations, when authorized by law, subject to the execption that any decision of the manager involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator (see 43 CFR 1949 Sup., 245.21).

(b) The managers of land offices may approve construction in advance of the issuance of a permit or the granting of an easement of the class which the employee is empowered to authorize, subject to the exception that any decision of the manager for the approval of such advance construction involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator.

(c) Actions involving lands within National parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

SEC. 2.73 *Small tracts.* The managers of land offices may act on matters relating to small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

SEC. 2.74 *Special land-use permits.* The managers of land offices may not on matters relating to permits of the classes listed below in this section after a field examination, and, in the case of a Federal agency, a State agency, or a political subdivision of a State, with the prior approval of the Regional Administrator.

(a) Special land-use permits for public lands, pursuant to 43 CFR Part 258.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR Part 258.

SEC. 2.77 *Surface rights.* The managers of land offices may act on matters relating to nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR Part 102.

SEC. 2.78 *Town sites.* The managers of land offices may act on matters involving lots in Government town sites, and other town-site matters, when authorized by law (reclamation town-site matters, to be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR 255.42 to 255.45 inclusive, and sec. 255.47), except the appraisal of lots, the issuance of notices of sale and the issuance of orders withdrawing public lands for town-site purposes.

SEC. 2.79 *Water Wells.* The managers of land offices may act on matters relating to water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 229a), and 30 CFR 241.6.

RANGE MANAGEMENT

SEC. 2.91 *Grazing district administration.* Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U. S. C. 315 et. seq., 16 U. S. C. 715i) and 43 CFR Parts 161, 163, and 165, may be handled by the designated employee or class of employees, as follows:

(a) The range managers may act on matters involving licenses or permits to graze or trail livestock in grazing districts except (1) transfers of grazing privileges under section 7 (b) or 7 (c) of the Federal Range Code for Grazing Districts which will be subject to the approval of the Regional Chief, Division of Range and Forest Management, in land base districts or units and (2) cancellations of licenses or permits under 43 CFR 161.11 (d).

(b) The Regional Chief, Division of Range and Forest Management, may enter into cooperative agreements under:

(1) Section 2 of the act (43 U. S. C. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) Section 9 of the act (43 U. S. C. 315h) with associations or State agencies, for the conservation or propagation of wildlife; and

(3) Section 12 of the act (43 U. S. C. 315k) with any department of the Government to coordinate range administration.

(c) The range managers may act on matters involving permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The range managers may spend appropriated or contributed funds allotted to their respective districts for the construction, purchase or maintenance of range improvements.

(e) The Regional Chief, Division of Range and Forest Management may act on matters relating to leases under the Pierce Act (43 U. S. C. 315m–1 to 315m–4 inclusive).

(f) The Regional Chief, Division of Range and Forest Management may require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U. S. C. 315e–2), and make payments in connection therewith as authorized by that act.

SEC. 2.92 *Grazing leases, etc.* (a) The range managers may act on matters relating to grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

SEC. 2.93 *Appropriation of water.* The Regional Chief, Division of Range and Forest Management, may execute and forward to the proper State office informational notices of the appropriation by the United States of water on the public lands, and execute and file in the name of the United States applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stock-watering projects, and procure easements or rights-of-way upon or over private lands where improvements are erected, provided the title to any such easements or rights-of-way shall be subject to the prior approval of the Regional Counsel.

SEC. 2.94 *Soil and moisture conservation.* The Regional Chief, Division of Range and Forest Management may act on matters relating to soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a et seq.) and subject to the coordination and general supervision of the Office of the Secretary.

SEC. 2.95 *Controlled brush burning.* The range managers may act on matters relating to the issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species pursuant to Bureau policy and in accordance with plans and specifications approved by the Regional Administrator.

TIMBER

SEC. 2.121 *Disposition of timber.* (a) The Regional Chief, Division of Range and Forest Management may act on matters relating to the sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management. The range managers having jurisdiction in the area may act on sales of this kind where the estimated stumpage value of the timber does not exceed $1,000, and on matters relating to free use.

(b) The Regional Chief, Division of Range and Forest Management may act on matters relating to the sale of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

PART 3—APPEALS

SEC. 3.1 *Right of appeal.* Any person aggrieved by the action of any officer or employee to whom redelegations are made by this Order may appeal to the Director of the Bureau of Land Management, and from his decision to the Secretary of the Interior pursuant to the rules of practice (43 CFR Part 221), or in the case of matters under the provisions of the Federal Range Code for Grazing Districts, 43 CFR Part 161, in accordance with that part.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

SEC. 4.1 *Revocations.* This order when approved by the Secretary of the

Interior and published in the FEDERAL REGISTER shall supersede Orders Nos. 274, 319, 331, 337, 348, and 355 to the extent that such orders concern operations in Region III. This order shall be effective upon approval by the Secretary of the Interior and publication in the FEDERAL REGISTER.

ALBIN D. MOLOHON,
Regional Administrator.

Approved: August 20, 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51-10234; Filed, Aug. 24, 1951; 8:45 a. m.]

[Order No. 9; Region IV]

SPECIFIED CLASSES OF EMPLOYEES[1]

REDELEGATIONS OF AUTHORITY

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2.121 Disposition of timber.

[1] The word "employees" in this order means "officers and employees".

PART 3—APPEALS

Sec.
3.1 Right of appeal.

PART 4—EFFECT ON PRIOR ORDERS AND EFFECTIVE DATE

4.1 Revocations and effective date.

PART 1—AUTHORTY IN GENERAL

SECTION 1.1 *Functions of specified classes of employees.*[2] Pursuant to the authority contained in Order No. 427 of August 16, 1950, of the Director, Bureau of Land Management, the classes of employees specified in Parts 1 and 2 of this order are hereby authorized to perform, in accordance with the existing policies, regulations, and procedures of the Department of the Interior the functions of the Regional Administrator, as provided in such parts. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such employee affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

SEC. 1.2 *Limitations.* In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise.

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

No delegation of authority made by this order is to be construed as depriving the Regional Administrator of authority to act in any matter as to which authority has been delegated to him by the Secretary of the Interior or the Director of the Bureau of Land Management.

SEC. 1.5 *Redelegation.* (a) Any authority delegated by this order to the regional chief of a division may also be exercised by the assistant chief of such division, by the chief of any subdivision of such division, or other qualified employee of the division authorized in writing by the Regional Administrator to do so, in case of the death, resignation, absence, or sickness of such regional chief.

(b) The following designated classes of employees are authorized to perform the functions of the range manager in case of the death, resignation, absence or sickness of the range manager, unless the Regional Administrator determines otherwise in a particular case: The assistant range manager, if any, and if there be no assistant range manager, the district clerk.

(d) Each employee authorized to act under paragraphs (a) and (b) of this section shall sign all documents and other papers as "Acting Regional Chief, Division of _____" or "Acting Range Manager", as the case may be. Each employee who serves in this capacity shall by memorandum advise the Regional Administrator of the beginning and of the termination of the period of service.

[2] For the authority of the Regional Administrator to designate an Acting Regional Administrator to act in the absence of the Regional Administrator, and for the order of succession where the Regional Administrator has not designated an Acting Regional Administrator, see section 1.1 (c), (d), and (e) of the Director's Order No. 427.

PART 2—AUTHORITY IN SPECIFIED MATTERS[3]

Subject to the provisions of Part 1 of this order, the classes of employees indicated below are hereby authorized to to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

GENERAL

SEC. 2.2 *Bonds.* All employees who are authorized to handle a particular type of matter may take all actions with respect to bonds required in connection therewith.

SEC. 2.3 *Cancellations or surrenders of contracts, leases, and permits.* All employees who are authorized to handle a particular type of contract, lease or permit may take all action with respect to partial or complete cancellations or surrenders thereof, except cancellations or surrenders of licenses or permits under 43 CFR 161.11 (d).

SEC. 2.4 *Contributions and refunds.* The Regional Administrative Officer may accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315h).

SEC. 2.5 *Copies of records.* The Regional Administrative Officer and the head of each other office in the region may furnish copies of official records, pursuant to 43 CFR Parts 2 and 240.

SEC. 2.9 *Government contests.* The Regional Chief, Division of Adjudication may initiate Government contests against claims asserted to public lands, and take all necessary actions involving such contests, except the presentation of the Government's case at the hearing, which will be handled by the Regional Counsel.

SEC. 2.11 *Repayment.* All employees who are authorized to make collections in a particular type of case may act on applications for repayment under 43 CFR Part 217, pertaining to that type of case.

SEC. 2.14 *Surveys.* (a) The Regional Chief, Division of Engineering will handle the appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with

[3] The numbering in Part 2 of this order corresponds with the numbering in the Director's Order No. 427.

authority to execute mineral surveys within all States of the region in which appointed, and in adjoining States, and the approval and acceptance of their bonds; [4] the preparation of supplemental plats for acceptance by the Director; and the initiation of action in all classes of surveys and resurveys of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys, and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The managers of the land offices [5] will handle the preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

SEC. 2.15 *Trespass.* The Regional Counsel will act on matters pertaining to the determination of liability and acceptance of payment of damages for trespass on the public lands, and the Chief of the Division in charge of the management of the resources involved may dispose of such resources recovered in trespass cases for not less than the appraised value thereof.

CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

SEC. 2.21 *Classification of lands.* The Regional Chief, Division of Land Planning may classify public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

MINERAL

SEC. 2.31 *Oil and gas leases.* (a) The managers of land offices may act on matters relating to oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226, 229), as amended and supplemented, except those issued competively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) The managers of land offices may act on matters relating to oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351–359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

SEC. 2.32 *Coal permits and licenses, and coal leases based on discoveries under permits.* (a) The managers of land offices may act on matters relating to coal prospecting permits and licenses under the act of February 25, 1920 (30 U. S. C. 201, 202–208).

(b) The managers of land offices may act on matters relating to coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

SEC. 2.45 *Mining claims.* (a) The managers of land offices may act on mining-claim matters under 43 CFR Part 185, with the following exceptions:

(1) The approval of entries for patenting;

(2) Mineral contests, covered by sec. 2.9; and

(3) Mineral surveys.

(b) Mineral survey orders will be issued, and the mineral surveys will be approved by the Regional Chief, Division of Engineering, the office cadastral engineer at the regional headquarters, or by the cadastral engineer (mineral) in a sub-office within the region.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

SEC. 2.51 *Airports.* The managers of land offices may act on matters relating to:

(a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211–214), and

(b) The Federal Airport Act (49 U. S. C. 1101), up to the issuance of patents.

SEC. 2.61 *Cemetery sites.* The managers of land offices may act on matters relating to cemetery sites, pursuant to 43 CFR Part 253.

SEC. 2.62 *Color-of-title claims.* The managers of land offices may act on color-of-title claims, under 43 CFR Part 140, provided the Regional Counsel shall approve the title shown by the applicant.

SEC. 2.63 *Exchanges.* The managers of land offices, subject to a determination of public interest and value by the Regional Chief, Division of Land Planning, and to the approval of the title to the offered land by the Regional Counsel, may approve exchanges under 43 CFR Part 146, where the value of the selected lands does not exceed $50,000.

SEC. 2.64 *Homesteads.* The managers of land offices may act on matters relating to homesteads, pursuant to 43 CFR Parts 166, 167, 168, and 170.

SEC. 2.65 *Indian allotments.* The managers of land offices may act on matters relating to Indian allotments, pursuant to 43 CFR Part 176.

SEC. 2.66 *Material other than timber.* The Regional Chief, Division of Adjudication may act on matters relating to the sale of materials other than timber of an appraised value not to exceed $20.000, and the free use of materials other than timber, under 43 CFR Part 259. The range managers having jurisdiction in the area may act on sales of this kind where the appraised value of the material does not exceed $300, and on matters relating to free use.

SEC. 2.67 *Mineral or medicinal springs.* The managers of the land offices may act on matters relating to the leasing of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

SEC. 2.68 *Motion or sound pictures.* The range managers having jurisdiction in the area may grant permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5.

SEC. 2.70 *Public sales.* The managers of land offices may act on matters relating to public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

SEC. 2.71 *Reclamation and irrigation.* The managers of land offices may act on matters relating to reclamation and desert-land entries, and State irrigation districts, pursuant to 43 CFR Parts 230 to 232, inclusive.

SEC. 2.72 *Rights-of-way.* (a) The managers of land offices may act on matters relating to right-of-way permits and easements over public and acquired lands, and over reservations other than Indian reservations, when authorized by law, subject to the exception that any decision of the manager involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator. (See 43 CFR 1949 Supp., 245.21.)

(b) The managers of land offices may approve construction in advance of the issuance of a permit or the granting of an easement of the class which the employee is empowered to authorize, subject to the exception that any decision of the manager for the approval of such advance construction involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator.

(c) Actions involving lands within national parks, or any reservation of the

[4] For redelegations in connection with the survey of mining claims, see section 2.45.

[5] All redelegations made by this order to the managers of land offices include the manager of a land and survey office.

United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

SEC. 2.73 *Small tracts.* The managers of land offices may act on matters relating to small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

SEC. 2.74 *Special land-use permits.* The managers of land offices may act on matters relating to permits of the classes listed below in this section after a field examination, and, in the case of a Federal agency, a State agency, or a political subdivision of a State, with the prior approval of the Regional Administrator.

(a) Special land-use permits for public lands, pursuant to 43 CFR Part 258.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR Part 258.

SEC. 2.77 *Surface rights.* The managers of land offices may act on matters relating to nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR Part 102.

SEC. 2.78 *Town sites.* The managers of land offices may act on matters involving lots in Government town sites, and other town-site matters, when authorized by law (reclamation town-site matters to be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR 255.42 to 255.45 inclusive, and § 255.47), except the appraisal of lots, the issuance of notices of sale, and the issuance of orders withdrawing public lands for town-site purposes.

SEC. 2.79 *Water wells.* The managers of land offices may act on matters relating to water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 229a), and 30 CFR 241.6.

RANGE MANAGEMENT

SEC. 2.91 *Grazing district administration.* Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (48 U. S. C. 315 et seq., 16 U. S. C. 715i) and 43 CFR Parts 161, 163, and 165, may be handled by the designated employee or class of employees, as follows:

(a) The range managers may act on matters involving licenses or permits to graze or trail livestock in grazing districts except (1) transfers of grazing privileges under section 7 (b) or 7 (c) of the Federal Range Code for Grazing Districts, which will be subject to the approval of the Regional Chief, Division of Range Management, in land base districts, or units, and (2) cancellations of licenses or permits under 43 CFR 161.11 (d).

(b) The Regional Chief, Division of Range Management may enter into cooperative agreements under:

(1) Section 2 of the act (43 U. S. C. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) Section 9 of the act (43 U. S. C. 315h) with associations and State agencies for the conservation or propagation of wildlife; and

(3) Section 12 of the act (43 U. S. C. 315k) with any department of the Government to coordinate range administration.

c) The range managers may act on matters involving permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The range managers may spend appropriated or contributed funds allotted to their respective districts for the construction, purchase or maintenance of range improvements.

(e) The Regional Chief, Division of Range Management may act on matters relating to leases under the Pierce Act (43 U. S. C. 315m–1 to 315m–4 inclusive).

(f) The Regional Chief, Division of Range Management may require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U. S. C. 315o–2), and make payments in connection therewith as authorized by that act.

SEC. 2.92 *Grazing leases, etc.* (a) The range managers may act on matters relating to grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

SEC. 2.93 *Appropriation of water.* The Regional Chief, Division of Range Management, may execute and forward to the proper State office informational notices of the appropriation by the United States of water on the public lands, and execute and file in the name of the United States applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stock-watering projects, and procure easements or rights-of-way upon or over private lands where improvements are erected, provided the title to any such easements or rights-of-way shall be subject to the prior approval of the Regional Counsel.

SEC. 2.94 *Soil and moisture conservation.* The Regional Chief, Division of Range Management, may act on matters relating to soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a, et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

SEC. 2.95 *Controlled brush burning.* The range managers may act on matters relating to the issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, pursuant to Bureau policy and in accordance with plans and specifications approved by the Regional Administrator.

TIMBER

SEC. 2.121 *Disposition of timber.* (a) The Regional Chief, Division of Range Management may act on matters relating to the sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management. The range managers having jurisdiction in the area may act on sales of this kind where the estimated stumpage value of the timber does not exceed $1,000, and on matters relating to free use.

(b) The Regional Chief, Division of Range Management may act on matters relating to the sale of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

PART 3—APPEALS

SEC. 3.1 *Right of appeal.* Any person aggrieved by the action of any employee to whom redelegations are made by this Order may appeal to the Director of the Bureau of Land Management, and from his decision to the Secretary of the Interior pursuant to the rules of practice (43 CFR Part 221), or in the case of matters under the provisions of the Federal Range Code for Grazing Districts, 43 CFR Part 161, in accordance with that part.

PART 4—EFFECT ON PRIOR ORDERS AND EFFECTIVE DATE

SEC. 4.1 *Revocations and effective date.* This order when approved by the Secretary of the Interior and published in the FEDERAL REGISTER shall supersede Orders Nos. 274, 319, 331, 337, 348, and 355 to the extent that such orders concern operations in Region IV. This order shall be effective upon approval by the Secretary of the Interior and publication in the FEDERAL REGISTER.

H. BYRON MOCK,
Regional Administrator.

Approved: August 20, 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51–10235; Filed, Aug. 24, 1951; 8:46 a. m.]

[Order No. 24; Region V]

SPECIFIED CLASSES OF EMPLOYEES[1]

REDELEGATIONS OF AUTHORITY

PART 1—AUTHORITY IN GENERAL

Sec.
1.1 Functions of specified classes of employees.
1.2 Limitations.
1.5 Redelegation.

[1] The word "employees" in this order means "officers and employees".

PART 2—AUTHORITY IN SPECIFIED MATTERS

GENERAL

Sec.
2.2 Bonds.
2.3 Cancellations or surrenders of contracts, leases, and permits.
2.4 Contributions and refunds.
2.5 Copies of records.
2.9 Government contests.
2.11 Repayment.
2.14 Surveys.
2.15 Trespass.

CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

2.21 Classification of lands.

MINERAL

2.31 Oil and gas leases.
2.32 Coal permits and licenses, and coal leases based on discoveries under permits.
2.45 Mining claims.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

2.51 Airports.
2.61 Cemetery sites.
2.62 Color-of-title claims.
2.63 Exchanges.
2.64 Homesteads.
2.65 Indian allotments.
2.66 Material other than timber.
2.67 Mineral or medicinal springs.
2.68 Motion or sound pictures.
2.70 Public sales.
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2.72 Rights-of-way.
2.73 Small tracts.
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2.77 Surface rights.
2.78 Town sites.
2.79 Water wells.

RANGE MANAGEMENT

2.91 Grazing district administration.
2.92 Grazing leases, etc.
2.93 Appropriation of water.
2.94 Soil and moisture conservation.
2.95 Controlled brush burning.

TIMBER

2.121 Disposition of timber.

PART 3—APPEALS

3.1 Right of appeal.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

4.1 Revocations.

PART 1—AUTHORITY IN GENERAL

SECTION 1.1 *Functions of specified classes of employees*[2] (a) Pursuant to the authority contained in Order No. 427 of August 16, 1950, of the Director, Bureau of Land Management, the classes of employees specified in Parts 1 and 2 of this order are hereby authorized to perform, in accordance with the existing policies, regulations, and procedures of the Department of the Interior, the functions of the Regional Administrator, as provided in such parts. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such employee affecting the lands or activities of any other agency of this Department, or other Federal agency, until the matter has been cleared with that agency.

(b) With respect to lands in Oklahoma, which are not in a land district, the functions of the manager of the land office will be performed by the Regional Chief, Division of Adjudication; and the Regional Chief, Division of Range management will issue grazing leases under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m), and issue permits or enter into cooperative agreements to construct and maintain improvements on lands so leased, and determine the value of such improvements.

SEC. 1.2 *Limitations.* In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise.

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

No delegation of authority made by this order is to be construed as depriving the Regional Administrator of authority to act in any matter as to which authority has been delegatd to him by the Secretary of the Interior or the Director of the Bureau of Land Management.

SEC. 1.5 *Redelegation.* (a) Any authority delegated by this order to the regional chief of a division may also be exercised by the assistant chief of such division, by the chief of any subdivision of such division, or other qualified employee of the division authorized in writing by the Regional Administrator to do so, in case of the death, resignation, absence, or sickness of such regional chief.

(b) The following designated classes of employees are authorized to perform the functions of the range manager in case of death, resignation, absence or sickness of the range manager, unless the Regional Administrator determines otherwise in a particular case: The assistant range manager, if any, and if there be no assistant range manager, the district clerk.

(d) Each employee authorized to act under paragraphs (a) and (b) of this section shall sign all documents and other papers as "Acting Regional Chief, Division of _____", or "Acting Range Manager," as the case may be. Each employee who serves in this capacity shall, by memorandum, advise the Regional Administrator of the beginning and of the termination of the period of service.

[2] For the authority of the Regional Administrator to designate an Acting Regional Administrator to act in the absence of the Regional Administrator, and for the order of succession where the Regional Administrator has not designated an Acting Regional Administrator, see section 1.1 (c), (d), and (e) of the Director's Order No. 427.

PART 2—AUTHORITY IN SPECIFIED MATTERS [3]

Subject to the provisions of Part 1 of this order, the classes of employees indicated below are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

GENERAL

SEC. 2.2 *Bonds.* All employees who are authorized to handle a particular type of matter may take all actions with respect to bonds required in connection therewith.

SEC. 2.3 *Cancellations or surrenders of contracts, leases and permits.* All employees who are authorized to handle a particular type of contract, lease or permit may take all action with respect to partial or complete cancellations or surrenders thereof, except cancellations or surrenders of licenses or permits under 43 CFR 161.11 (d).

SEC. 2.4 *Contributions and refunds.* The Regional Administrative Officer may accept contributions toward the administration, protection and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315h).

SEC. 2.5 *Copies of records.* The Regional Administrative Officer and the head of each other office in the region may furnish copies of official records, pursuant to 43 CFR Parts 2 and 240.

SEC. 2.9 *Government contests.* The Regional Chief, Division of Adjudication may initiate Government contests against claims asserted to public lands, and take all necessary actions involving such contests, except the presentation of the Government's case at the hearing which will be handled by the Regional Counsel.

SEC. 2.11 *Repayment.* All employees who are authorized to make collections in a particular type of case may act on applications for repayment under 43 CFR Part 217, pertaining to that type of case.

SEC. 2.14 *Surveys.* (a) The Regional Chief, Division of Engineering, will handle the appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with authority to execute mineral surveys within all States of the region in which appointed and in adjoining States, and the approval and acceptance of their bonds; [4] the preparation of supplemental plats for acceptance by the Director; and the initiation of action in all classes of surveys and resurveys of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys and resurveys accompanied by

[3] The numbering in Part 2 of this order corresponds with the numbering in the Director's Order No. 427.

[4] For redelegations in connection with the survey of mining claims see section 2.45.

a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The managers of the land offices[6] will handle the preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

SEC. 2.15 *Trespass.* The Regional Counsel will act on matters pertaining to the determination of liability and acceptance of payment of damages for trespass on the public lands, and the chief of the division in charge of the management of the resources involved may dispose of such resources recovered in trespass cases for not less than the appraised value thereof.

CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

SEC. 2.21 *Classification of lands.* The Regional Chief, Division of Land Planning, may classify public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

MINERAL

SEC. 2.31 *Oil and gas leases.* (a) The managers of land offices may act on matters relating to oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226, 229), as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) The managers of land offices may act on matters relating to oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351–359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

SEC. 2.32 *Coal permits and licenses, and coal leases based on discoveries under permits.* (a) The managers of land offices may act on matters relating to coal prospecting permits and licenses under the act of February 25, 1920 (30 U. S. C. 201, 202–208).

(b) The managers of land offices may act on matters relating to coal leases based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

SEC. 2.45 *Mining claims.* (a) The managers of land offices may act on mining claim matters under 43 CFR Part 185, with the following exceptions:

(1) The approval of entries for patenting;

(2) Mineral contests, covered by section 2.9; and

(3) Mineral surveys.

(b) Mineral survey orders will be issued, and the mineral surveys will be approved by the Regional Chief, Division of Cadastral Engineering, the office cadastral engineer at the regional headquarters, or by the cadastral engineer (mineral) in a sub-office within the region.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

SEC. 2.51 *Airports.* The managers of land offices may act on matters relating to:

(a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211–214), and

(b) The Federal Airport Act (49 U. S. C. 1101), up to the issuance of patents.

SEC. 2.61 *Cemetery sites.* The managers of land offices may act on matters relating to cemetery sites, pursuant to 43 CFR Part 253.

SEC. 2.62 *Color-of-title claims.* The managers of land offices may act on color-of-title claims, under 43 CFR Parts 140 and 141, provided the Regional Counsel shall approve the title shown by the applicant.

SEC. 2.63 *Exchanges.* The managers of land offices, subject to a determination of public interest and value by the Regional Chief, Division of Land Planning, and to the approval of the title to the offered land by the Regional Counsel, may approve exchanges under 43 CFR Part 146, and §§ 149.35 to 149.43, inclusive, where the value of the selected lands does not exceed $50,000; also exchanges under section 2 of the act of August 13, 1949 (63 Stat. 604).

SEC. 2.64 *Homesteads.* The managers of land offices may act on matters relating to homesteads, pursuant to 43 CFR Parts 166–168, and 170.

SEC. 2.65 *Indian allotments.* The maangers of land offices may act on matters relating to Indian allotments pursuant to 43 CFR Part 176.

SEC. 2.66 *Material other than timber.* The Regional Chief, Division of Range Management, may act on matters relating to the sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR Part 259. The range managers having jurisdiction in the area may act on sales of this kind where the appraised value of the material does not exceed $300, and on matters relating to free use.

SEC. 2.67 *Mineral or medicinal springs.* The managers of the land offices may act on matters relating to the leasing of lands adjacent to mineral or medicinal springs under the act of March 3, 1925 (43 U. S. C. 971).

SEC. 2.68 *Motion or sound pictures.* The range managers having jurisdiction in the area may grant permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5.

SEC. 2.70 *Public sales.* The managers of land offices may act on matters relating to public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

SEC. 2.71 *Reclamation and irrigation.* The managers of land offices may act on matters relating to reclamation and desert land entries, and State irrigation districts pursuant to 43 CFR Parts 230 to 232, inclusive.

SEC. 2.72 *Rights-of-way.* (a) The managers of land offices may act on matters relating to right-of-way permits and easements over public and acquired lands, and over reservations other than Indian reservations, when authorized by law, subject to the exception that any decision of the manager involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator. (See 43 CFR 1949 Supp., 245.21.)

(b) The managers of land offices may approve construction in advance of the issuance of a permit or the granting of an easement of the class which the employee is empowered to authorize, subject to the exception that any decision of the manager for the approval of such advance construction involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator.

(c) Actions involving lands within national parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the bureau or agency administering the reservation has been obtained.

[6] All redelegations made by this order to the managers of land offices include the manager of a land and survey office.

SEC. 2.73 *Small tracts.* The managers of land offices may act on matters relating to small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

SEC. 2.74 *Special land-use permits.* The managers may act on matters relating to permits of the classes listed below in this section after a field examination, and, in the case of a Federal agency, a State agency, or a political subdivision of a State, with the prior approval of the Regional Administrator.

(a) Special land-use permits for public lands, pursuant to 43 CFR Part 258.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR Part 258.

SEC. 2.77 *Surface rights.* The managers of land offices may act on matters relating to nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR Part 102.

SEC. 2.78 *Town sites.* The managers of land offices may act on matters involving lots in Government town sites, and other town site matters, when authorized by law (reclamation town site matters to be handled jointly with the Director, Bureau of Reclamation pursuant to 43 CFR 255.42 to 255.45, inclusive, and § 255.47), except the appraisal of lots, the issuance of notices of sale, the issuance of orders withdrawing public lands for town site purposes, and Oklahoma town site matters under 43 CFR 255.49 to 255.51, inclusive.

SEC. 2.79 *Water wells.* The managers may act on matters relating to water well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 229a), and 30 CFR 241.6.

RANGE MANAGEMENT

SEC. 2.91 *Grazing district administration.* Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U. S. C. 315 et seq., 16 U. S. C. 715i), and 43 CFR Parts 161, 163, and 165, may be handled by the designated employee or class of employees as follows:

(a) The range managers may act on matters involving licenses or permits to graze or trail livestock in grazing districts, except (1) transfers of grazing privileges under section 7 (b) or 7 (c) of the Federal Range Code for Grazing Districts which will be subject to the approval of the Regional Chief, Division of Range Management, in land base districts or units; and (2) cancellations of licenses or permits under 43 CFR 161.11 (d).

(b) The Regional Chief, Division of Range Management, may enter into cooperative agreements under:

(1) Section 2 of the act (43 U. S. C. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) Section 9 of the act (43 U. S. C. 315h) with associations or State agencies for the conservation or propagation of wildlife; and

(3) Section 12 of the act (43 U. S. C. 315k) with any department of the Government to coordinate range administration.

(c) The range managers may act on matters involving permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The range managers may spend appropriated or contributed funds allotted to their respective districts for the construction, purchase, or maintenance of range improvements.

(e) The Regional Chief, Division of Range Management may act on matters relating to leases under the Pierce Act (43 U. S. C. 315m–1 to 315m–4, inclusive).

(f) The Regional Chief, Division of Range Management may require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U. S. C. 315o–2), and make payments in connection therewith as authorized by that act.

SEC. 2.92 *Grazing leases, etc.* (a) The range managers may act on matters relating to grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m), and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

SEC. 2.93 *Appropriation of water.* The Regional Chief, Division of Range Management, may execute and forward to the proper State office informational notices of the appropriation by the United States of water on the public lands, and execute and file in the name of the United States applications under State laws to appropriate water on other lands under the administration of the Bureau of Land Management, where required in connection with stock watering projects, and procure easements or rights-of-way upon or over private lands where improvements are erected, provided the title to any such easements or rights-of-way shall be subject to the prior approval of the Regional Counsel.

SEC. 2.94 *Soil and moisture conservation.* The Regional Chief, Division of Range Management may act on matters relating to soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a, et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

SEC. 2.95 *Controlled brush burning.* The range managers may act on matters relating to the issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species pursuant to Bureau policy and in accordance with plans and specifications approved by the Regional Administrator.

TIMBER

SEC. 2.121 *Disposition of timber.* (a) The Regional Chief, Division of Range Management may act on matters relating to the sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management. The range managers having jurisdiction in the area may act on sales of this kind where the estimated stumpage value of the timber does not exceed $1,000, and on matters relating to free use.

(b) The Regional Chief, Division of Range Management, may act on matters relating to the sale of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

PART 3—APPEALS

SEC. 3.1 *Right of appeal.* Any person aggrieved by the action of any officer or employee to whom redelegations are made by this order may appeal to the Director of the Bureau of Land Management, and from his decision to the Secretary of the Interior pursuant to the rules of practice (43 CFR Part 221), or in the case of matters under the provisions of the Federal Range Code for Grazing Districts, 43 CFR Part 161, in accordance with that part.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

SEC. 4.1 *Revocations.* This order when approved by the Secretary of the Interior and published in the FEDERAL REGISTER shall supersede Orders Nos. 274, 319, 331, 337, 348, and 355 to the extent that such orders concern operations in Region V. This order shall be effective upon approval by the Secretary of the Interior and publication in the FEDERAL REGISTER.

E. R. SMITH,
Regional Administrator.

Approved: August 20, 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51–10236; Filed, Aug. 24, 1951; 8:46 a. m.]

[Order No. 1; Region VII]

SPECIFIED CLASSES OF EMPLOYEES [1]

REDELEGATION OF AUTHORITY

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SEC.
1.1 Functions of specified classes of officers and employees.
1.2 Limitations.
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PART 2—AUTHORITY IN SPECIFIED MATTERS

GENERAL

2.2 Bonds.
2.3 Cancellation or surrenders of contracts, leases, and permits.

[1] The word "employees" in this order means "officers and employees."

Sec.
2.5 Copies of records.
2.9 Government contests.
2.11 Repayment.
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CLASSIFICATIONS, WITHDRAWALS AND RESTORATIONS

2.21 Classification of lands.
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MINERAL

2.31 Oil and gas leases.
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2.51 Airports.
2.52 Alaska, fur farms.
2.53 Alaska, homesites or headquarters.
2.55 Alaska, Matanuska Valley.
2.57 Alaska, trade and manufacturing sites.
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RANGE MANAGEMENT

2.92 Grazing leases.
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TIMBER

2.121 Disposition of timber.

PART 3—APPEALS

3.1 Right of appeal.

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

4.1 Revocations.

PART 1—AUTHORITY IN GENERAL

SEC. 1.1 *Functions of specified classes of officers and employees.*[2] (a) Pursuant to the authority contained in Order No. 427 of August 16, 1950, of the Director, Bureau of Land Management, the classes of employees specified in Parts 1 and 2 of this order are hereby authorized to perform, in accordance with the existing policies, regulations and procedures of the Department of the Interior the functions of the Regional Administrator, as provided in such parts. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such employee affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

SEC. 1.2 *Limitations.* In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

(a) The issuance of regulations.

(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.

(c) The issuance of public-land orders.

(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise.

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

No delegation of authority made by this order is to be construed as depriving the Regional Administrator of authority to act in any matter as to which authority has been delegated to him by the Secretary of the Interior or the Director of the Bureau of Land Management.

SEC. 1.5 *Redelegation.* (a) Any authority delegated by this order to the regional chief of a division may also be exercised by the assistant chief of such division, by the chief of any subdivision of such division, or other qualified employee of the division authorized in writing by the Regional Administrator to do so, in case of the death, resignation, absence, or sickness of such regional chief.

(b) The following designated classes of employees are authorized to perform the functions of the district forester in case of the death, resignation, absence, or sickness of the district forester, unless the Regional Administrator determines otherwise in a particular case: The assistant district forester, if any, and if there be no assistant district forester, the employee in the office who is in the highest grade, and if there be more than one such employee in such grade, the employee in such grade who is senior in point of time of service in that grade.

(c) Each employee authorized to act under paragraphs (a) and (c) of this section shall sign all documents and other papers as "Acting Regional Chief, Division of _____," or "Acting District Forester" as the case may be. Each employee who serves in this capacity shall by memorandum advise the Regional Administrator of the beginning and of the termination of the period of service.

PART 2—AUTHORITY IN SPECIFIED MATTERS[3]

Subject to the provisions of Part 1 of this order, the classes of employees indicated below are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

GENERAL

SEC. 2.2 *Bonds.* All employees who are authorized to handle a particular type of matter may take all actions with respect to bonds required in connection therewith.

SEC. 2.3 *Cancellations or surrenders of contracts, leases, and permits.* All employees who are authorized to handle a particular type of contract, lease or permit may take all action with respect to partial or complete cancellations or surrenders thereof.

SEC. 2.5 *Copies of records.* The Regional Administrative Officer and the head of each other office in the region may furnish copies of official records, pursuant to 43 CFR Parts 2 and 240.

SEC. 2.9 *Government contests.* The Regional Chief, Division of Adjudication may initiate Government contests against claims asserted to public lands, and take all necessary actions involving such contests, except the presentation of the Government's case at the hearing involving the Government contest which will be handled by the Regional Counsel.

SEC. 2.11 *Repayment.* All employees who are authorized to make collections in a particular type of case may act on applications for repayment under 43 CFR Part 217, pertaining to that type of case.

SEC. 2.14 *Surveys.* (a) The Regional Chief, Division of Engineering, will handle the appointment of mineral surveyers pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with authority to execute mineral surveys within the region in which appointed, the appointments of deputy surveyors for special surveys in Alaska pursuant to 43 CFR 61.14, 64.5, 65.21, and 81.8, and the approval and acceptance of their bonds;[4] the preparation of supplemental plats for acceptance by the Director; and the initiation of action in all classes of surveys and resurveys of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys, and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The managers of the land offices will handle the preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

SEC. 2.15 *Trespass.* The Regional Counsel will act on matters pertaining to the determination of liability and acceptance of payment of damages for trespass on the public lands, and the Chief of the Division in charge of the management of the resources involved may dispose of such resources recovered in trespass cases for not less than the appraised value thereof.

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[2] For the authority of the Regional Administrator to designate an Acting Regional Administrator to act in the absence of the Regional Administrator, and for the order of succession where the Regional Administrator has not designated an Acting Regional Administrator, see section 1.1 (c), (d), and (e) of the Director's Order No. 427.

[3] The numbering in Part 2 of this order corresponds with the numbering in the Director's Order No. 427.

[4] For redelegations in connection with the survey of mining claims, see section 2.45.

CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

SEC. 2.21 *Classification of lands.* The Regional Chief, Division of Land Planning, may classify public lands pursuant to appropriate laws as being suitable for any type of use or disposition which the regional administrator is empowered to authorize.

SEC. 2.22 *Orders of withdrawal and restoration.* (a) The Regional Chief, Division of Land Planning may issue orders of the classes listed below withdrawing or reserving public lands, or restoring such lands from withdrawal or reservation, based on the following statutory powers of the Secretary:

(2) Air-navigation facilities, under section 4 of the act of May 24, 1928 (49 U. S. C. 214);

(3) Waiver of the restrictions as to length of claims and restoration of reserved shore spaces in Alaska, under the act of June 5, 1920 (48 U. S. C. 372); and

(4) Restorations under section 24 of the Federal Power Act, as amended (16 U. S. C. 818).

(b) All orders issued pursuant to the authority contained in this section shall conform to such procedures as have been or may be prescribed by law, or by the Secretary of the Interior, with respect to public notice, and shall be submitted to the Division of the Federal Register, National Archives and Records Service, General Services Administration for filing and publication.

MINERAL

SEC. 2.31 *Oil and gas leases.* (a) The managers of land offices may act on matters relating to oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226, 229) as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) The managers of land offices may act on matters relating to oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351–359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

SEC. 2.32 *Coal permits and licenses, and coal leases based on discoveries under permits.* (a) The managers of land offices may act on matters relating to coal prospecting permits and coal free-use permits, in Alaska, under the act of October 20, 1914, as amended (48 U. S. C. 432–445, 446–452).

(b) The managers of land offices may act on matters relating to coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations and production under a lease.

SEC. 2.45 *Mining claims.* (a) The managers of land offices may act on mining claim matters under 43 CFR Parts 185 and 69, with the following exceptions:

(1) The approval of entries for patenting;

(2) Mineral contests, covered by section 2.9; and

(3) Mineral surveys.

(b) Mineral survey orders will be issued, and the mineral surveys will be approved by the Regional Chief, Division of Cadastral Engineering, the office cadastral engineer at regional headquarters, or by the cadastral engineer (mineral) in a sub-office within the region.

NONMINERAL MATTERS EXCEPT RANGE MANAGEMENT AND TIMBER

SEC. 2.51 *Airports.* The managers of land offices may act on matters relating to:

(a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211–214), and

(b) The Federal Airport Act (49 U. S. C. sec. 1101), up to the issuance of patents.

SEC. 2.52 *Alaska, fur farms.* The managers of land offices may act on matters relating to leases of public lands in Alaska for fur farms, under the act of July 3, 1926 (48 U. S. C. 360, 361).

SEC. 2.53 *Alaska, homesites or headquarters.* The managers of land offices may act on matters relating to homesites or headquarters in Alaska, pursuant to 43 CFR Part 64.

SEC. 2.55 *Alaska, Matanuska Valley.* The managers of land offices may act on matters relating to the disposal of lands in the Matanuska Valley, Alaska, under the Act of October 17, 1940 (48 U. S. C. 353 Note).

SEC. 2.57 *Alaska, trade and manufacturing sites.* The managers of land offices may act on matters relating to trade and manufacturing sites in Alaska, pursuant to 43 CFR Part 81.

SEC. 2.61 *Cemetery sites.* The managers of land offices may act on matters relating to cemetery sites in Alaska, pursuant to 43 CFR Part 72.

SEC. 2.62 *Color-of-title claims.* The managers of land offices may act on color-of-title claims, under 43 CFR Part 140, provided the Regional Counsel shall approve the title shown by the applicant.

SEC. 2.64 *Homesteads.* The managers of land offices may act on matters relating to homesteads, pursuant to 43 CFR Parts 166, 170, 65 and 66.

SEC. 2.65. *Indian allotments.* The managers of land offices may act on matters relating to Indian allotments, pursuant to 43 CFR Parts 176 and 67.

SEC. 2.66 *Material other than timber.* The Regional Chief, Division of Forestry, may act on matters relating to the sale of materials other than timber of an appraised value not to exceed $20,000, and the free use of materials other than timber, under 43 CFR Part 259. The district foresters having jurisdiction in the area may act on sales of this kind where the appraised value of the material does not exceed $300, and on matters relating to free use.

SEC. 2.67 *Mineral or medicinal springs.* The managers of the land offices may act on matters relating to the leasing of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

SEC. 2.68 *Motion or sound pictures.* The Regional Forester and district foresters having jurisdiction in the area may grant permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5.

SEC. 2.70 *Public sales.* The managers of land offices may act on matters relating to public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law, except that applications by and sales to aliens, associations having an appreciable number of alien members, and corporations whose stock to an appreciable extent is held by aliens, are subject to approval by the Secretary of the Interior.

SEC. 2.72 *Rights-of-way.* (a) The manager of land offices may act on matters relating to rights-of-way permits and easements over public and acquired lands, and over reservations other than Indian reservations, when authorized by law, subject to the exception that any decision of the manager involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator. (See 43 CFR 1949 Supp., 245.21.)

(b) The managers of land offices may approve construction in advance of the issuance of a permit or the granting of an easement of the class which the employee is empowered to authorize, subject to the exception that any decision of the manager for the approval of such advance construction involving an application for a right-of-way permit or easement for an electrical transmission line having a voltage of 33 kilovolts or more shall be subject to the prior approval of the Regional Administrator.

(c) Actions involving lands within National parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Inte-

rior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

SEC. 2.73 *Small tracts.* The managers of land offices may act on matters relating to small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

SEC. 2.74 *Special land-use permits.* The managers of land offices may act on matters relating to permits of the classes listed below in this section after a field examination, and, in the case of a Federal agency, a Territorial agency, or a political subdivision of a Territory, with the prior approval of the Regional Administrator.

(a) Special land-use permits for public lands, pursuant to 43 CFR Part 258.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR Part 258.

(d) Permits to use areas below the high watermark of navigable waters in Alaska for occupancy purposes, under the principles embodied in 43 CFR Part 258, subject to rules, regulations, and requirements of the Department of the Army respecting the navigation of such streams.

SEC. 2.77 *Surface rights.* The managers of land offices may act on matters relating to homestead applications for lands embraced in oil and gas leases or coal permits or leases, or applications for such leases or permits, or classified, withdrawn, or reported as valuable for any such mineral, or lying within the geological structure of a field, in accordance with 43 CFR Part 66.

SEC. 2.78 *Town sites.* The managers of land offices may act on matters involving lots in Government town sites, and other town-site matters, when authorized by law, except the appraisal of lots, the issuance of notices of sale, and the issuance of orders withdrawing public lands for town-site purposes.

RANGE MANAGEMENT

SEC. 2.92 *Grazing leases.* The managers of land offices may act on matters relating to grazing leases of public lands in Alaska, under the act of March 4, 1927 (48 U. S. C. 471, 471a–471c).

SEC. 2.95 *Controlled brush burning.* The Regional Forester may act on matters relating to the issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, pursuant to Bureau policy and in accordance with plans and specifications approved by the Regional Administrator.

TIMBER

SEC. 2.121 *Disposition of timber.* (a) The Regional Chief, Division of Forestry, may act on matters relating to the sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management. The district foresters having jurisdiction in the area may act on sales of this kind where the estimated stumpage value of the timber does not exceed $1,000, and on matters relating to free use.

PART 3—APPEALS

SEC. 3.1 *Right of appeal.* Any person aggrieved by the action of any officer or employee to whom redelegations are made by this Order may appeal to the Director of the Bureau of Land Management, and from his decision to the Secretary of the Interior pursuant to the rules of practice (43 CFR Part 221).

PART 4—EFFECT OF PRIOR ORDERS AND EFFECTIVE DATE

SEC. 4.1 *Revocations.* This order when approved by the Secretary of the Interior and published in the FEDERAL REGISTER shall supersede Orders Nos. 274, 319, 331, 337, 348, and 355 to the extent that such orders concern operations in Region VII. This order shall be effective upon approval by the Secretary of the Interior and publication in the FEDERAL REGISTER.

LOWELL M. PUCKETT,
Regional Administrator.

Approved: AUGUST 20, 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51–10237; Filed, Aug. 24, 1951; 8:46 a. m.]

ALASKA

AIR NAVIGATION SITE WITHDRAWAL NO. 1 ESTABLISHED

Correction

Federal Register Document 51–9970 appearing at page 8379 of the issue for Wednesday, August 22, 1951, should be corrected as follows:

In the third line of the second paragraph of the land description the figure "2,000" should be "2,200" so that the line reads "Northerly 2,200 feet, approximately to the".

DEPARTMENT OF COMMERCE

National Production Authority

[Gen. Administrative Order 16–06]

CHIEF HEARING COMMISSIONER

This order is issued under the authority of the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Orders 10161 and 10200 (15 F. R. 6105, 16 F. R. 61). Defense Production Administration Delegation 1, as amended (16 F. R. 738, 4594), and Department of Commerce Order 123, as amended (15 F. R. 6726, 16 F. R. 1129).

Sec.
1. Purpose.
2. Appointments.
3. Delegation of authority.
4. Jurisdiction.
5. Suspension orders.

1. *Purpose.* (a) The purpose of this order is to establish and delegate authority to the Chief Hearing Commissioner.

(b) To further implement the primary objective of the National Production Authority in making the most effective use of the material resources of the nation in the defense program, it is the objective of this order to effect an administrative procedure which will accord a full and fair hearing of cases referred to the Chief Hearing Commissioner which involve non-compliance with orders and regulations issued under the authority of the National Production Authority.

(c) To this end, the Chief Hearing Commissioner will serve to remedy disruptions in the priorities and allocation programs and correct improper diversions of materials and facilities occasioned by non-compliance.

2. *Appointments.* (a) The position of Chief Hearing Commissioner is established in the office of the Administrator. The incumbent shall be appointed by the Administrator.

(b) In addition there is established in the Office of the Administrator the position of Deputy Chief Hearing Commissioner. The incumbent shall be appointed by the Administrator and shall report and be responsible to the Chief Hearing Commissioner. In the latter's absence, or inability to serve, the Deputy may act for him.

(c) The Administrator shall appoint hearing commissioners to assist the Chief Hearing Commissioner in carrying out his functions. The hearing commissioners shall report and be responsible to the Chief Hearing Commissioner who will supervise their work and assign cases to them at his discretion.

3. *Delegation of authority.* (a) There is hereby delegated to the Chief Hearing Commissioner authority as follows:

(1) To formulate and promulgate regulations and rules of practice to govern administrative adversary proceedings;

(2) To conduct hearings;

(3) To issue subpoenas requiring the attendance of witnesses or the production of documentary evidence from any place in the United States, at any designated hearings;

(4) To administer oaths or affirmations;

(5) To make findings and conclusions upon all material issues of fact, law, or discretion presented in the record;

(6) To issue, stay, modify, or revoke suspension orders;

(7) To exercise final review and appellate authority in all matters presented to him which are within his jurisdictions as prescribed in this order, and his decision thereon shall be final;

(8) To close cases;

(9) To redelegate to an appellate commissioner or appellate commissioners authority to review cases; to hear appeals from suspension orders or orders closing cases, and from the findings and conclusions of a hearing commissioner; to modify or revoke suspension orders or orders closing cases; and to close cases. (An appellate commissioner may be authorized to recommend final disposition, or make final disposition of cases reviewed or heard by him. Appellate commissioners shall be responsible solely to the Chief Hearing Commissioner); and

(10) To redelegate to hearing commissioners authority to conduct hearings,

to administer oaths or affirmations, to issue subpoenas requiring the attendance of witnesses or the production of documentary evidence; to make findings and conclusions in connection therewith; and to issue suspension orders and orders closing cases (hearing commissioners shall be responsible solely to the Chief Hearing Commissioner).

4. *Jurisdiction.* (a) The Chief Hearing Commissioner shall have jurisdiction over administrative adversary proceedings under this order upon the receipt by him of a statement of charges which shall be in the form of a charging letter or telegram issued by the General Counsel.

5. *Suspension orders.* (a) Suspension orders may be issued against a respondent in any case which involves:

(1) The acquisition, possession, production, use, or disposition by him of materials or facilities in an amount or in a manner not permitted by the National Production Authority regulations, orders, or directives;

(2) A material misrepresentation by him, or in his behalf, to the National Production Authority, or to an authorized agency thereof, in any matter within the jurisdiction of the National Production Authority relevant to the allocation or distribution of materials or facilities; or

(3) Any other violation by him of the National Production Authority regulations, orders, or directives relevant to the allocation or distribution of materials or facilities.

(b) Suspension orders may:

(1) Withdraw or withhold priority assistance from a respondent;

(2) Withdraw or withhold allocations or allotments of materials or facilities from a respondent;

(3) Prohibit or restrict a respondent in the acquisition, possession, production, use, or disposition of materials or facilities; or

(4) Otherwise require compliance with the provisions of Title I of the Defense Production Act or with regulations, orders or directives of the National Production Authority.

This order is effective July 21, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10389; Filed, Aug. 24, 1951; 12:10 p. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1116, G-1240, G-1152, G-1415, G-1379, G-1457, G-1509, G-1616, G-1659, G-1625]

PANHANDLE EASTERN PIPELINE CO. ET AL.

ORDER CHANGING ORDER OF PROCEDURE

AUGUST 20, 1951.

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417; City of Port Huron, City of Marysville, City of St. Clair, Michigan, municipal corporations, Docket No. G-1152; Southeastern Michigan Gas Company, Docket No. G-1415; Michigan Consolidated Gas Company, Complainant, v. Panhandle Eastern Pipe Line Company, Defendant, Docket No. G-1379; Northern Indiana Fuel and Light Company, Docket No. G-1457; Missouri Central Natural Gas Company, Docket No. G-1509; The Central West Utility Company, Docket No. G-1616; City of Auburn, Illinois, Docket No. G-1659; National Utilities Company of Michigan, Docket No. G-1625.

The dates for hearing with respect to Issue 3 (b) (relating to the application of Panhandle Eastern Pipe Line Company, Docket No. G-1417, to supply natural gas to Ford Motor Company and the complaint of Michigan Consolidated Gas Company against Panhandle, Docket No. G-1379, for interruptible industrial gas) and respect to Issues 7 and 8 (relating to Panhandle's rates) have heretofore been fixed by the Presiding Examiner as August 21, and September 5, 1951, respectively.

On August 13, 1951, Panhandle filed a motion requesting that the hearing with respect to Issue 3 (b) be deferred until after the hearing with respect to Issues 7 and 8. An oral motion to the same effect made on the record by Panhandle's counsel was concurred in by Michigan Consolidated's counsel.

The Commission finds: Good cause exists for deferring hearing with respect to Issue 3 (b) until after the hearing with respect to Issues 7 and 8.

The Commission orders: The hearing now set to commence on August 21, 1951, with respect to Issue 3 (b) be continued to such date as may be designated by the Presiding Examiner after the completion of the hearing with respect to Issues 7 and 8 now set to commence on September 5, 1951.

Date of issuance: August 21, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10240; Filed, Aug. 24, 1951; 8:46 a. m.]

[Docket No. G-1758]

HOME GAS CO.

NOTICE OF APPLICATION

AUGUST 20, 1951.

Take notice that Home Gas Company (Applicant), a New York corporation, address, Pittsburgh, Pennsylvania, filed on August 9, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 17 miles of 12-inch natural-gas loop pipeline between a point in the Town of Hancock, Delaware County, New York, and a point in the Town of Sanford, Broome County, New York.

Applicant proposes, by means of said facilities to increase the capacity of its existing transmission system so as to enable Applicant to transport increased volumes of natural gas from Port Jervis, New York, westward to its Dundee Storage Field in Schuyler County, New York. Said facilities will constitute an extension of the loop line extending from Port Jervis which parallels Applicant's existing transmission pipeline between the vicinity of Olean, New York, and the Hudson River. The installation of said facilities will permit Applicant to meet its storage schedule for the summer of 1952 and to transport more gas directly to its wholesale customers during the winter months.

The estimated cost of the proposed facilities is $571,000 which will be paid for by money borrowed from Applicant's parent company, The Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in acordance with the Rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 7th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10245; Filed, Aug. 24, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 30-214]

LONG ISLAND LIGHTING CO.

ORDER DECLARING THAT COMPANY HAS CEASED TO BE A HOLDING COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 21st day of August A. D. 1951.

Long Island Lighting Company ("Long Island"), a registered holding company, having filed an application with this Commission pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("act") for an order declaring that it has ceased to be a holding company, which application represented in substance as follows:

Long Island was formerly a holding company, having as public utility subsidiaries Queens Borough Gas and Electric Company, Nassau & Suffolk Lighting Company, Long Beach Gas Company, Inc., and Kings County Lighting Company. On March 27, 1936, Long Island was granted an exemption from the provisions of the act, on behalf of itself and its then subsidiaries, pursuant to section 3 (a) (1) of the act. The Commission's exemption order was subsequently modified, on April 21, 1945, with respect to certain provisions of the act (Holding Company Act Release No. 5746).

Long Island's former subsidiary, Kings County Lighting Company, was thereafter recapitalized, as a result of which Long Island received 7.33 percent of the common stock of the recapitalized company. Long Island subsequently disposed of such stock.

Long Island and its former subsidiaries, Queens Borough Gas and Electric Company and Nassau & Suffolk Lighting Company, were subsequently consolidated pursuant to a section 11 (e) plan of Long Island (Holding Company Act Release No. 9473). Pursuant to certain other proceedings under section 11 (e), Long Island's remaining

public utility subsidiary, Long Beach Gas Company, Inc., was merged with Long Island (Holding Company Act Release No. 10315).

Long Island has represented that it has no remaining public utility subsidiaries. It has one non-utility subsidiary, Liland Corporation, which holds certain real estate.

Long Island has represented that, in accordance with its plan of consolidation approved under section 11 (e) of the act, it has exchanged its new securities for the previously outstanding securities of itself and its former subsidiaries, and has made diligent efforts to locate all of the security holders of the constituent corporations entitled to make such exchange. Long Island has represented that the number of shares of its new common stock which have not yet been distributed under the plan has been reduced, as of July 19, 1951, to 38,014, or 1.2 percent of the total outstanding. Long Island has made certain specific representations, set forth in the application, as to additional steps which it proposes to take to locate the holders of the remaining unexchanged shares.

Long Island has requested that the Commission reserve jurisdiction over fees and expenses in connection with its consolidation plan under section 11 (e) of the act.

The Commission having issued a notice of filing on August 2, 1951, with respect to said application, which notice provided that any interested person might, not later than August 17, 1951, request in writing that a hearing be held on such matter, and the Commission having received a request from the "Preferred Stockholders Committee of Long Island Lighting Company" that a hearing be held thereon; and

The request for hearing stating that if a hearing were held, the Committee would urge that our order herein be made conditional upon the retention by Long Island of the provisions for cumulative voting for directors now contained in the company's charter; and

The Commission having fully considered the request for hearing and having determined that the provisions for cumulative voting for directors contained in the charter of Long Island are similar to those required by the Commission in other cases and were in fact adopted at the direction of the Commission; the Commission also having determined that the requisite vote of stockholders necessary to change these provisions as provided by the laws of the State of New York, the State of incorporation of Long Island, is equivalent to that required by the Commission in similar cases;

The Commission having concluded that the request for hearing should be denied, and finding that Long Island has ceased to be a holding company, and that it is appropriate that an Order be entered pursuant to section 5 (d) of the act declaring that the registration of Long Island should cease to be in effect, subject, however, to the condition that jurisdiction be reserved with respect to fees and expenses incident to Long Island's Consolidation Plan under section 11 (e):

It is hereby ordered, That the request of the "Preferred Stockholders Committee of Long Island Lighting Company" that the Commission direct the holding of a hearing on the application of Long Island herein be, and the same hereby is, denied.

It is further ordered, Pursuant to section 5 (d) of the act, that Long Island has ceased to be a holding company and that the registration of Long Island shall forthwith cease to be in effect, *Provided, however*, That the Commission reserves jurisdiction to pass upon the fees and expenses in connection with the consolidation plan of Long Island under section 11 (e) of the act, in the same manner and in the same extent as though Long Island were still in all respects a registered holding company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10243; Filed, Aug. 24, 1951; 8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10007]

PEOPLES BROADCASTING CORP. (WOL)

ORDER CONTINUING HEARING

In re application of Peoples Broadcasting Corporation (WOL), Washington, D. C., Docket No. 10007, File No. BP-7873; for construction permit.

The Commission having under consideration a petition, filed by the applicant herein on August 8, 1951, requesting a continuance of the hearing, presently scheduled to begin August 29, 1951, for a period of approximately sixty days; and

It appearing, that the purpose of the requested continuance is to allow counsel, who was just recently retained, additional time to prepare the case for hearing; and

It further appearing, that counsel for the party respondent and counsel for the Chief of the Broadcast Bureau have informally consented to a grant of the petition, and that the continuance as hereinafter ordered will conduce to the orderly dispatch of the Commission's business;

Now, therefore, it is ordered, This 17th day of August 1951, that the petition is granted, and the hearing now scheduled for August 29, 1951, is continued to October 30, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10262; Filed, Aug. 24, 1951; 8:48 a. m.]

[Docket Nos. 9833, 10035]

CUSTER COUNTY BROADCASTING CO. (KCNI) AND GRAND ISLAND BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Custer County Broadcasting Company (KCNI), Broken Bow, Nebraska, Docket No. 9833, File No. BP-7679; Grand Island Broadcasting Company, Grand Island, Nebraska, Docket No. 10035, File No. BP-8169; for construction permits.

The Commission having under consideration a motion filed August 10, 1951, by Custer County Broadcasting Company, requesting a continuance of the hearing in the above-entitled matter now scheduled for August 23, 1951, for a period of six weeks; and

It appearing that the application of Grand Island Broadcasting Company (BP-8169) was on August 15, 1951, set for hearing in a consolidated proceeding with the instant application of Custer County Broadcasting Company, and additional time is necessary in order that the applicants may properly prepare for hearing;

It is ordered, This 17th day of August 1951, that the motion for continuance is granted and the hearing in the above-entitled matter is continued to October 1, 1951, at 10:00 a. m. in the offices of the Commission, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10263; Filed, Aug. 24, 1951; 8:48 a. m.]

[Docket No. 9960]

TWIN VALLEY BROADCASTERS, INC. (WTVB)

ORDER CONTINUING HEARING

In re application of Twin Valley Broadcasters, Inc. (WTVB), Coldwater, Michigan, Docket No. 9960, File No. BP-7829; for construction permit.

The Commission having under consideration a petition, filed on behalf of Twin Valley Broadcasters, Inc. (WTVB) on August 15, 1951, requesting a continuance of the hearing, now scheduled for August 22, 1951, for a period of sixty days; and

It appearing, that applicant has made certain field intensity measurements which will be submitted in support of a Petition for Reconsideration and Grant to be filed in the near future; and

It further appearing, that there are no other parties to this proceeding and that counsel for the Chief of the Broadcast Bureau has no objection to the early consideration and grant of the petition, and that a continuance of the hearing as hereinafter ordered will conduce to the orderly dispatch of the Commission's business: *Now therefore, it is ordered*, This 17th day of August 1951, that the petition is granted, and the hearing presently scheduled to begin August 22, 1951, is continued to a date to be fixed by subsequent order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10264; Filed, Aug. 24, 1951; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 152, Amendment 1]

LENOX, INC.

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to Special Order 152 under section 43 of Ceiling Price Regulation 7 modifies those provisions relating to preticketing usually required by orders of this type. This amendment, designed to meet the particular requirements of the chinaware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order. The preticketing method established by this amendment is necessary because the articles covered by the special order are characteristically not adaptable to the usual preticketing method.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

3. On and after September 17, 1951, Lenox, Incorporated, must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for Lenox, Incorporated dinnerware, service plates, hand painted china, and figurines have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Lenox, Incorporated price book have been approved by OPS under section 43, CPR 7.

The tags and stickers must be in the following form:

Lenox, Incorporated
OPS—Sec. 43—CPR 7
Price $--------

On and after October 17, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective on August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-9995; Filed, Aug. 17, 1951; 3:47 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 460]

EMMET CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Emmet Corporation, 2837 West Pico Boulevard, Los Angeles 6, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's hand bags manufactured by Emmet Corporation, 2837 West Pico Boulevard, Los Angeles 6, California, having the brand name(s) "Emmet" shall be the proposed retail ceiling prices listed by Emmet Corporation in its application dated July 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Emmet Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to

whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-9996; Filed, Aug. 17, 1951; 3:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 461]

HANDCRAFT CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Handcraft Company, Inc., Princeton, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of leather soles with knitted wool socks attached manufactured by Handcraft Company, Inc., Princeton, Wisconsin, having the brand name(s) "Mukluks" and "Mocasox" shall be the proposed retail ceiling prices listed by Handcraft Company, Inc., in its application dated June 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated July 2, 1951.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Handcraft Company, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-9997; Filed, Aug. 17, 1951; 3:48 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 462]

HIRSCH-WEIS CANVAS PRODUCTS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hirsch-Weis Canvas Products Co., 3121 Northeast Sandy Boulevard, Portland 12, Oregon, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of sleeping bags, pack equipment, manufactured by Hirsch-Weis Canvas Products Co., 3121 Northeast Sandy Boulevard, Portland 12, Oregon, having the brand name(s) "White Stag" shall be the proposed retail ceiling prices listed by Hirsch-Weis Canvas Products Co. in its application dated April 10, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Hirsch-Weis Canvas Products Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and

within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-9998; Filed, Aug. 17, 1951; 3:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 463]

PALMER BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Palmer Bedding Company, P. O. Box 2187, Denver 1, Colorado, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to Section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Palmer Bedding Company, P. O. Box 2187, Denver 1, Colorado, having the brand name(s) "Serta Perfect Sleeper", "Serta Perfect Sleeper Supreme", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper DeLuxe", "Serta Theralator", "Serta Restal Knight", "Serta Sertarest", "Serta Sertaflex", "Serta Sertafoam", "Serta Sertarest King", "Serta Dreamer", "Serta Soundsleep", and "Serta Super Sleeper" shall be the proposed retail ceiling prices listed by Palmer Bedding Company, in its application dated March 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Palmer Bedding Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After tailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order 60 days from the effective date, no reestablish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-9999; Filed, Aug. 17, 1951; 3:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 464]

MAAS ORGAN CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Maas Organ Company, 3015 Casitas Avenue, Los Angeles 39, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of chimes, harps, electronic carillons, bell systems, automatic chime players, and clock chime systems manufactured by Mass Organ Company, 3015 Casitas Avenue, Los Angeles 39, California, having the brand name(s) "Maas" and "Maas-Rowe" shall be the proposed retail ceiling prices listed by Maas Organ Company in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Maas Organ Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10000; Filed, Aug. 17, 1951; 3:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 465]

R. & K. DRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, R. & K. Dress Company, 1400 Broadway, New York, New York, has applied to the Of-

fice of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of junior's and misses' dresses manufactured by R. & K. Dress Company, 1400 Broadway, New York, New York, having the brand name(s) "R. & K. Originals" shall be the proposed retail ceiling prices listed by R. & K. Dress Company in its application dated July 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, R. & K. Dress Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10001; Filed, Aug. 17, 1951; 3:49 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 466]

THEODOR, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Theodor, Inc., 416 East Ninth Street, Los Angeles 15, California.

Brand names: "Theodor of California".

Articles: Women's handbags.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51–10002; Filed, Aug. 17, 1951; 3:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 467]

T. H. JENKINS CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: T. H. Jenkins Co., 2424 North Sacramento Avenue, Chicago 47, Illinois.

Brand names: "Selectie".

Articles: Pants hangers and tie hangers.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are at the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date

this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10003; Filed, Aug. 17, 1951; 3:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 468]

TRICOLATOR CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Tricolator Company, Inc., 230 Fifth Avenue, New York 1, New York.

Brand names: "Tricolator".

Articles: Coffee makers, filter papers, flame tamer.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his

articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10004; Filed, Aug. 17, 1951; 3:50 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 469]

ROYAL BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Royal Bedding Company, 19 Doat Street, Buffalo 11, New York.

Brand names: "Restonic Flexoform", "Restonic Custom", "Restonic Super," "Restonic Extrafirm", "Restonic Posturite", and "Luxury Restonic".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc. Terms{net. percent EOM. etc.	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ _____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10005; Filed, Aug. 17, 1951; 3:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 470]

AKOM

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Akom, Empire State Building, New York 1, New York.

Brand names: "Akom".

Articles: Men's sportswear jackets, coats, T-shirts, sweaters, and pajamas.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in

section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10006; Filed, Aug. 17, 1951; 3:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 471]

WESTCLOX DIVISION OF GENERAL TIME CORP.

CEILING PRICES, AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westclox Division of General Time Corporation, La Salle, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of "spring-driven clocks", "pocket watches", "wrist watches", and "self-starting clocks" sold through wholesalers and retailers and having the brand name(s) "Westclox" shall be the proposed retail ceiling prices listed by Westclox Division of General Time Corporation, La Salle, Illinois, hereinafter referred to as the "applicant" in its application dated May 4, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 5, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, Westclox Division of General Time Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10007; Filed, Aug. 17, 1951; 3:51 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 472]

THE HUFFMAN MANUFACTURING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Huffman Manufacturing Company, 117 Gilbert Avenue, Dayton, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of a bicycle sold through wholesalers and retailers and having the brand name(s) "Huffy-Convertible" shall be the proposed retail ceiling prices listed by The Huffman Manufacturing Company, 117 Gilbert Avenue, Dayton, Ohio, hereinafter referred to as the "applicant" in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, Hoffman Manufacturing Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. The mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10008; Filed, Aug. 17, 1951; 3:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 473]

DOMINION ELECTRIC CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Dominion Electric Corporation, 120 Elm Street, Mansfield, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electrical appliances: toasters, flat irons, waffle irons, table cookers, sandwich toasters, heaters, corn poppers, table stoves, table ranges sold through wholesalers and retailers and having the brand name(s) "Dominion" shall be the proposed retail ceiling prices listed by Dominion Electric Corporation, 120 Elm Street, Mansfield, Ohio, hereinafter referred to as the "applicant" in its application dated May 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, Dominion Electric Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had

delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10009; Filed, Aug. 17, 1951; 3:52 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 474]

J. B. PERRIN & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, J. B. Perrin & Co., Inc., 8510 Warner Drive, Culver City, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of leather camera and accessory bags sold through wholesalers and retailers and having the brand name(s) "Perrin California" shall be the proposed retail ceiling prices listed by J. B. Perrin & Co., Inc., 8510 Warner Drive, Culver City, California, hereinafter referred to as the "applicant" in its application dated May 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, J. B. Perrin & Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the ap-

plicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10010; Filed, Aug. 17, 1951; 3:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 475]

E. INGRAHAM CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The E. Ingraham Company, 392 North Main Street, Bristol, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of clocks and watches sold through wholesalers and retailers and having the brand name(s) "Sentinel Line" shall be the proposed retail ceiling prices listed by The E. Ingraham Company, 392 North Main Street, Bristol, Connecticut hereinafter referred to as the "applicant" in its application dated April 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, The E. Ingraham Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
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(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10011; Filed, Aug. 17, 1951; 3:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 476]

NESTOR JOHNSON MFG. CO.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Nestor Johnson Manufacturing Company, 1900–22 North Springfield Avenue, Chicago, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and women's, boys' and girls' ice skating outfits with shoes attached, and skates sold through wholesalers and retailers and having the brand name(s) "Nester Johnsons", "Johnsons" and "Junior Johnsons" shall be the proposed retail ceiling prices listed by Nestor Johnson Manufacturing Co., 1900–22 North Springfield Avenue, Chicago, Illinois, hereinafter referred to as the "applicant" in its application dated May 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, Nestor Johnson Manufacturing Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment

to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
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(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10012; Filed, Aug. 17, 1951; 3:53 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 477]

PICHEL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Pichel, Inc., 14 East Thirty-third Street, New York 16, New York.

Brand names: "Pichel".

Articles: Women's handbags, pocketbooks and purses.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the

effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the folllowing form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10013; Filed, Aug. 17, 1951; 3:54 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 478]

SEAMPRUFE, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Seamprufe Incorporated, 412 Fifth Avenue, New York 18, New York.

Brand names: "Seamprufe".

Articles: Women's slips, petticoats, gowns and pajamas, hosiery.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order, and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per _____{unit. dozen. etc.} Terms {net. percent EOM. etc.} $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10014; Filed, Aug. 17, 1951; 3:54 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 479]

ALLEN B. DUMONT LABORATORIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Allen B. DuMont Laboratories, Inc., 750 Bloomfield Avenue, Clifton, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of television receiver sets sold through wholesalers and retailers and having the brand name(s) "DuMont" shall be the proposed retail ceiling prices listed by Allen B. DuMont Laboratories, Inc., 750 Bloomfield Avenue, Clifton, New Jersey, hereinafter referred to as the "applicant" in its application dated June 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, Allen B. DuMont Laboratories, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes, the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
_____	$_____

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to re-

ceipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10015; Filed, Aug. 17, 1951; 3:54 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 480]

MAURICE RENTNER, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Maurice Rentner, Inc., 498 Seventh Avenue, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies' dresses, cocktail dresses, formals, suits, blouses, and coats manufactured by Maurice Rentner, Inc., 498 Seventh Avenue, New York 18, New York, having the brand name(s) "Maurice Rentner" shall be the proposed retail ceiling prices listed by Maurice Rentner, Inc., in its application dated July 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Maurice Rentner, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this pecial order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regard-

less of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10016; Filed, Aug. 17, 1951; 3:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 481]

CHILDHOOD INTERESTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Childhood Interests, Inc., 180 West Westfield Avenue, Roselle Park, New Jersey.

Brand names: "Right-Time Toys".

Articles: Toys.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10017; Filed, Aug. 17, 1951; 3:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 482]

OLLENDORFF WATCH CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Ollendorff Watch Co., Inc., 20 West Forty-seventh Street, New York 19, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of watches sold through wholesalers and retailers and having the brand name(s) "Gotham" shall be the proposed retail ceiling prices listed by Ollendorff Watch Co., Inc., 20 West Forty-seventh Street, New York 19, New York, hereinafter referred to as the "applicant" in its application dated June 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, Ollendorff Watch Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10018; Filed, Aug. 17, 1951; 3:55 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 483]

MACKIE-LOVEJOY MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Mackie-Lovejoy Manufacturing Co., 1701 West Thirteenth Street, Chicago 8, Illinois.

Brand names: "The Setwell Warranted".

Articles: Garment hangers.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10019; Filed, Aug. 17, 1951; 3:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 485]

PETTIT BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Pettit Bedding Company, 2337 Northwest York Street, Portland 10, Oregon.

Brand names: "Sealy Sunspun", "Sealy Orthopedic Firm-O-Rest", "Sealy Luxel", "Sealy Rest", "Sealy Cotton Boll", "Sealy Sleep Joy", "Sealy Quilt Top", "Sealy Natural Rest", "Sealy Enchanted Nights", "Sealy Junior Posturepedic", "Sealy Good Housekeeper", "Sealy Dreamer", "Sealy Sleep Charm", "Sealy Supreme", "Sealy Sleepform", "Sealy Sleep Ensemble", "Sealy Foam Spun De-Luxe Set", "Sealy Sealy Crest", "Sealy White Swan", "Sealy Air Vent", "Sealy Park Lane", and "Sealy Foam Spun Topper".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}
$--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10021; Filed, Aug. 17, 1951; 3:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 486]

THE TAYLOR, SMITH & TAYLOR CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Taylor, Smith & Taylor Co., East Liverpool, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by

the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of dinnerware sold through wholesalers and retailers and having the brand name(s) "Eastern Lu-Ray", "Western Lu-Ray", "Howdy Doody", "Conversation" shall be the proposed retail ceiling prices listed by The Taylor, Smith & Taylor Co., East Liverpool, Ohio, hereinafter referred to as the "applicant" in its application dated April 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, The Taylor, Smith & Taylor Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10022; Filed, Aug. 17, 1951; 3:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 487]

FUTURE FASHIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Future Fashions, Inc., 1370 Broadway, New York 18, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special

order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of ladies dresses manufactured by Future Fashions, Inc., 1370 Broadway, New York 18, New York, having the brand name(s) "Future Maid" and/or "Paris at a Price" shall be the proposed retail ceiling prices listed by Future Fashions, Inc., in its application dated March 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Future Fashions, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51–10023; Filed, Aug. 17, 1951; 3:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 488]

WEBER LIFELIKE FLY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Weber Lifelike Fly Company, Stevens Point, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing tackle sold through wholesalers and retailers and having the brand name(s) "Weber" shall be the proposed retail ceiling prices listed by The Weber Lifelike Fly Company, Stevens Point, Wisconsin, herein-

after referred to as the "applicant" in its application dated June 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 17, 1951, The Weber Lifelike Fly Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting, provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10024; Filed, Aug. 17, 1951; 3:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 489]

SEALY MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Sealy Mattress Company, 903-933 North Halsted Street, Chicago 32, Illinois.

Brand names: "Sealy Tuftless Supreme", "Sealy Tuftless Sunspun", "Sealy Rest Tuftless", "Sealy Tuftless Natural Rest", "Sealy Orthopedic Firm-O-Rest", "Sealy Posturepedic", "Sealy Sleepform", "Sealy Super Sealy Rest (Luxel)", "Sealy Sleep Joy", "Sealy Enchanted Nights", "Sealy Truease", Sealy Dreamer", "Sealy Sleepcharm", "Sealy Foamspun", "Sealy Orthopedic Longfellow", "Sealy Super Sealy Rest Longfellow (Luxel)", "Sealy Sleep Joy Longfellow", "Sealy Enchanted Night Longfellow", "Sealy Tufted Sealy Felt (Rest-

ease)", "Sealy Airlite Felt", "Sealy Texlan".

Articles: mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag, or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms{net. / percent EOM. / etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS–Sec. 43–CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10025; Filed, Aug. 17, 1951; 3:57 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 490]

BALTIMORE SPRING BED CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Baltimore Spring Bed Company, Inc., 754 West Pratt Street, Baltimore 1, Maryland, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Baltimore Spring Bed Company, Inc., 754 West Pratt Street, Baltimore 1, Maryland, having the brand name(s) "Super Restonic" and "Custom Restonic" shall be the proposed retail ceiling prices listed by Baltimore Spring Bed Company, Inc., in its application dated March 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated March 16, 1951, and August 3, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Baltimore Spring Bed Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit / dozen / etc.	Terms{net / percent EOM / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10035; Filed, Aug. 17, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 491]

PEERLESS WOLFSON CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Peerless Wolfson Company, 849 Merchandise Mart, Chicago 54, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's handerchiefs manufactured by Peerless Wolfson Company, 849 Merchandise Mart, Chicago 54, Illinois, having the brand name(s) "Peerless" shall be the proposed retail ceiling prices listed by Peerless Wolfson Company in its application dated March 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Peerless Wolfson Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10036; Filed, Aug. 17, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 492]

EVANS CASE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Evans Case Company, 21 East Street, North Attleboro, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of metal cigarette cases, compacts and carry-all cases manufactured by Evans Case Company, 21 East Street, North Attleboro, Massachusetts, having the brand name(s) "Evans" shall be the proposed retail ceiling prices listed by Evans Case Company in its application dated April 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated August 1, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 17, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 17, 1951, Evans Case Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless

it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10037; Filed, Aug. 17, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 493]

WILSON AND JANSEN

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Wilson and Jansen, 224 Twelfth Street, San Francisco 3, California.

Brand names: "Spring Air, Model 50", "Spring Air Sleep Cushion, Model 60", "Spring Air, Model 65", "Spring Air Knights Rest No. 900", "Spring Air Karr", and "Spring Air Back Supporter".

Articles: mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having the same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amend-

ment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form.

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag, or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10038; Filed, Aug. 17, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 494]

VENUS FOUNDATION GARMENTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Venus Foundation Garments, Inc., 2200 West Lawrence Avenue, Chicago 25, Illinois.

Brand names: "Venus".

Articles: Brassieres, girdles, corselettes.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS–Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM, / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10039; Filed, Aug. 17, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 496]

FLEX-LET CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail celing price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Flex-Let Corporation, 580 Fifth Avenue, New York, New York.

Brand names: "Flex-Let".

Articles: Watch bands.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms {net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units

of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10041; Filed, Aug. 17, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 497]

BESTFORM FOUNDATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Bestform Foundations, Inc., 64-74 West Twenty-third Street, New York 10, New York.

Brand names: "Bestform".

Articles: Foundation garments, brassieres, garter belts, girdles and panties, bandeaux, corselettes, long line brassieres, corsets.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10042; Filed, Aug. 17, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 498]

ROSE-DERRY CO. ET AL.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Rose-Derry Company, 95 Chapel Street, Newton 58, Massachusetts, and its subsidiary corporations, Rose-Derry Chicago, Inc., 3630 South Iron Street, Chicago 9, Illinois, and Rose-Derry Co. of California, 1618 South Figueroa Street, Los Angeles, California.

Brand name(s) "Luxury Kantwet", "Kantwet Bo-Peep", "Baby Clown", "Vita-Vent" and "Cuddle-Nest".

Articles: Crib mattresses and baby buntings.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10043; Filed, Aug. 17, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 499]

ROSE-DERRY CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially

uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Rose-Derry Company, 95 Chapel Street, Newton 58, Massachusetts.

Brand names: "Kantwet Fold-a-Crib".

Articles: A folding crib.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ _____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10044; Filed, Aug. 17, 1951; 5:01 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 500]

I. NEWMAN & SONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailer—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: I. Newman & Sons, Inc., 17–53 Oak Street, New Haven 2, Connecticut.

Brand names: "P. N. Practical Front," "Newman" and "Sarong".

Articles: Women's corsets, girdles, comfolettes and brassieres.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM., etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization

AUGUST 17, 1951.

[F. R. Doc. 51-10045; Filed, Aug. 17, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 501]

RICE STIX, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Rice Stix, Inc., 1000 Washington Avenue, St. Louis 1, Missouri.

Brand names: "Claire Tiffany", "Tiffany Talls", "Irma Hill", and "Helen Powell".

Articles: Women's, misses', and junior's dresses.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable.

These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10046; Filed, Aug. 17, 1951; 5:02 p. m.]

[Delegation of Authority 2, Amendment 1]

ASSISTANT DIRECTOR FOR PRICE OPERATIONS, CHIEF COUNSEL OR ACTING CHIEF COUNSEL, AND ECONOMIC ADVISER

DELEGATION OF AUTHORITY TO ACT AS DIRECTOR OF PRICE STABILIZATION

By virtue of the authority vested in me as the Director of Price Stabilization pursuant to executive Order 10161 of September 9, 1950 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), and No. 5 (16 F. R. 1273), this Amendment 1 to Delegation of Authority 2 is hereby issued.

AMENDATORY PROVISIONS

Delegation of Authority 2 is amended by adding a new item 3 to read as follows:

3. Whenever the Director of Price Stabilization, the Assistant Director for Price Operations, Office of Price Stabilization, and the Chief Counsel or Acting Chief Counsel, Office of Price Stabilization are absent from the City of Washington, D. C., the functions delegated to the Director of Price Stabilization by General Orders No. 2 and No. 5 of the Economic Stabilization Agency are hereby further delegated to the Economic Adviser for the Office of Price Stabilization, and shall be exercised by him as Acting Director of Price Stabilization.

This amendment shall take effect immediately.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51-10386; Filed, Aug. 24, 1951; 11:50 a. m.]

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Washington, Tuesday, August 28, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2940

COLUMBUS DAY, 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS, over four and a half centuries ago, Christopher Columbus, with undaunted courage, traversed the uncharted Atlantic and discovered a new world; and

WHEREAS the saga of his exploits has stirred the imagination of men throughout the centuries and has inspired many other quests for larger horizons; and

WHEREAS, in the present century, the new and old worlds, to whose unity Christopher Columbus contributed so much, are striving toward further unity through the closer association of free peoples; and

WHEREAS in the exploration of uncharted ways toward such unity we may take guidance from the life and deeds of Christopher Columbus; and

WHEREAS the Congress of the United States, by a joint resolution approved April 30, 1934 (48 Stat. 657), authorized and requested the President to issue a proclamation designating October 12 of each year as Columbus Day:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, by this proclamation designate Friday, October 12, 1951, as Columbus Day, and I direct the appropriate officials to arrange for the display of the flag of the United States on all Government buildings on that day. I also invite the people of this country to observe the day with ceremonies designed to honor the discoverer of America.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 23d day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-10412; Filed, Aug. 24, 1951; 5:03 p. m.]

PROCLAMATION 2941

GENERAL PULASKI'S MEMORIAL DAY, 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS October 11, 1951, marks the one hundred and seventy-second anniversary of the death of Count Casimir Pulaski, a Polish patriot who attained the rank of Brigadier General in the Continental Army and laid down his life while fighting on American soil for the independence of our Nation; and

WHEREAS the passage of the years since General Pulaski's death has not dimmed the glory of his sacrifice or the luster of his fame; and

WHEREAS his selfless devotion to the cause of freedom stands today as a challenge to all men to work for freedom in all nations:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, do hereby invite all Americans to observe Thursday, October 11, 1951, as General Pulaski's Memorial Day with ceremonies commemorative of his valorous contribution to the cause of freedom, and I direct that the flag of the United States be displayed on all Government buildings on that day, in tribute to the memory of General Casimir Pulaski.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

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FEDERAL REGISTER

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DONE at the City of Washington this 23d day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51–10413; Filed, Aug. 24, 1951; 5:03 p. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter G—Federal Farm Mortgage Corporation

PART 91—DISPOSAL OF MINERAL INTERESTS

TITLE REQUIREMENTS AND RESERVATIONS CONTAINED IN REAL ESTATE SALES CONTRACTS

Sections 91.9 and 91.12, Subchapter G, Chapter I, Title 6, Code of Federal Regulations, are hereby amended to read as follows:

§ 91.9 *Title requirements; review required by district personnel.* The law requires that applicants shall establish, at their own expense, their title to the surface land. The general requirement under this provision is that the applicant furnish at his own expense a certificate based upon an examination of the records from date of conveyance of the surface by the Corporation to date of application prepared by a practicing attorney at law setting forth the ownership of the surface of the land as of the date of the application, or an abstract of title covering such period. The district vice president shall make or cause to be made such review of this certificate or abstract as he deems necessary to establish that it is regular on its face, and that it shows a title of record in the surface owners of the land as of the date of the application. Title requirements with respect to taxes, liens, easements, and curable defects of record may be waived. In cases where producing or proven minerals are being sold for a relatively large consideration, the district vice president, in his discretion, may require in the contract of sale that the applicant furnish a short form abstract of title covering the period from date of conveyance of the surface by the Corporation to the date of the application, or other satisfactory title evidence, such as title insurance or title certificate issued by a title company, covering the same period of time.

§ 91.12 *Reservations contained in real estate sales contracts.* A reservation in a real estate sales contract of a portion of the mineral interests in property subject to the contract is not a mineral interest which is capable of immediate disposition in accordance with the policy of Public Law 760. This is because the legal title to the surface land remains in the Corporation and therefore the contract purchaser cannot qualify as an owner of such land prior to completion of all performance required of him under the contract. However, contract purchasers who complete their contract payments within seven years after September 6, 1950, or seven years from the date the Corporation acquired the land, whichever date is later, may be given an opportunity to receive a deed containing no mineral reservation provided they apply for such a deed and pay in cash the required consideration for the mineral interest ($1.00 in the inactive areas and the fair market value in active areas). In some instances the outstanding real estate contract of the Corporation may not be capable of completion within the seven-year period described above, if performance by the contract purchaser is made according to the contract terms without the exercise of any right to make prepayment. Moreover, even though the contract may be capable of completion within said seven-year period, the contract purchaser may desire to rearrange his situation so as to become currently eligible to acquire the minerals reserved in the contract. At least two courses appear open for working out such cases:

(a) The contract purchaser may be able to refinance his contract with a loan from the Federal land bank or from some other source; or

(b) If his current equity in the farm bears a reasonable relationship to the total contract price (normally an equity of at least 25 percent of the contract price should be reasonable under present conditions), the district vice president may, upon application of the contract purchaser, authorize the conversion of such real estate contract to a deed with purchase money mortgage. In either situation, the deed issued by the Corporation, if executed within the seven-year period described above, may be drawn without mineral reservation provided the required consideration is paid in cash for the mineral interest reserved by the contract.

Contract purchasers from the Corporation in both active and inactive areas should be sent a form of notice (MD–f) informing them of Public Law 760 and the circumstances under which they may become eligible to acquire the mineral interests reserved by the Corporation. Applications from such contract purchasers should be in writing but need not be in any standard form, unless the district vice president desires to develop a form for this purpose. Applicants other than the contract purchasers named in the contract shall be required to establish to the satisfaction of the district vice president that they hold a valid assignment of the contract.

(Sec. 6, Pub. Law 760, 81st Cong.)

[SEAL] E. C. JOHNSON,
Executive Vice President,
Federal Farm Mortgage Corporation.

Approved: AUGUST 22, 1951.

C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51–10307; Filed, Aug. 27, 1951, 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Tokay Grape Order 1]

PART 951—TOKAY GRAPES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 951.312 *Tokay Grape Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951), regulating the handling of Tokay grapes

grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Industry Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Tokay grapes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237, 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 29, 1951. A reasonable determination as to the supply of, and the demand for, Tokay grapes must await the development of the crop and adequate information thereon was not available to the Industry Committee until August 20, 1951; recommendation as to the need for, and the extent of, grade and size regulation was made at the meeting of said committee on August 20, 1951, after consideration of all available information relative to the supply and demand conditions for such grapes, at which time the recommendations and information were transmitted to the Department; shipments of the current crop of such grapes are expected to begin on or about August 26, 1951, and this section should be applicable to all such shipments of such grapes in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., August 29, 1951, and ending at 12:01 a. m., P. s. t., January 1, 1952, no shipper shall ship any Tokay grapes which do not meet the grade and size specifications of U. S. No. 1 Table Grapes and the following additional requirements:

(i) Each bunch of such grapes shall have at least 55 percent, by count, of fairly well colored berries;

(ii) Such grapes shall test, in accordance with the applicable provisions of section 802 of the Agricultural Code of California, not less than seventeen and one-half (17½) percent soluble solids in juice: *Provided,* That such grapes, which otherwise meet the maturity requirements of U. S. No. 1 Table Grapes, may be shipped if the juice the eof contains soluble solids, determined as aforesaid, equal to or in excess of twenty-four (24) parts to one (1) part of acid; and,

(iii) In lieu of the tolerance of ten (10) percent for variations incident to proper grading and handling provided for U. S. No. 1 Table Grapes, not more than a total of eight (8) percent, by weight, of the Tokay grapes contained in any container may fail to meet the requirements of U. S. No. 1 Table Grapes: *Provided,* That with respect to Tokay grapes produced in the Florin District, there shall be allowed in addition to the tolerances provided for U. S. No. 1 Table Grapes, for each container of such grapes an aggregate tolerance of six (6) percent, by weight, for defects not considered serious damage, for bunches smaller than the minimum size specified for U. S. No. 1 Table Grapes, and for bunches which are not fairly well colored: *Provided further,* That none of the aforesaid tolerances shall apply to the maturity requirements specified in subdivision (ii) of this subparagraph.

(2) *Definitions.* As used in this section "handler," "shipper," "ship," "Florin District," "bunches," and "size" shall have the same meaning as when used in the amended marketing agreement and order; and "U. S. No. 1 Table Grapes," "fairly well colored berries," "defects," and "serious damage" shall have the same meaning as when used in the United States Standards for Table Grapes (7 CFR 51.232).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 24th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-10381; Filed, Aug. 27, 1951; 8:51 a. m.]

PART 979—IRISH POTATOES GROWN IN EASTERN SOUTH DAKOTA PRODUCTION AREA

APPROVAL OF BUDGET OF EXPENSES AND FIXING RATE OF ASSESSMENT

Notice of proposed rule making regarding rules and regulations relative to a proposed budget and rate of assessment, to be made effective under Marketing Agreement No. 103 and Order No. 79 (7 CFR Part 979), regulating the handling of Irish potatoes grown in the Eastern South Dakota production area, was published in the FEDERAL REGISTER (16 F. R. 7462). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice which rules and regulations were adopted and submitted for approval by the South Dakota Potato Committee (established pursuant to said marketing agreement and order), the following rules and regulations are hereby approved.

§ 979.204 *Budget of expenses and rate of assessment.* (a) The expenses necessary to be incurred by the South Dakota Potato Committee, established pursuant to Marketing Agreement No. 103 and Order No. 79, to enable such committees to perform its functions pursuant to the provisions of the aforesaid marketing agreement and order, during the fiscal year ending June 30, 1952, will amount to $2,500.00;

(b) The rate of assessment to be paid by each handler who first ships potatoes shall be one-half of one cent ($0.005) per hundredweight of potatoes handled by him as the first handler thereof during said fiscal year; and

(c) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 103 and Order No. 79 (7 CFR Part 979).

(Sec. 5, 49 Stat. 753 as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 22d day of August 1951, to become effective 30 days after publication hereof in the FEDERAL REGISTER.

[SEAL] C. J. MCCORMICK,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10310; Filed, Aug. 27, 1951; 8:46 a. m.]

PART 993—DRIED PRUNES PRODUCED IN CALIFORNIA

SALABLE PERCENTAGE AND SURPLUS PERCENTAGE FOR THE 1951-52 CROP YEAR

Pursuant to the marketing agreement, as amended, and order, as amended (16 F. R. 8437) regulating the handling of dried prunes produced in California, hereinafter referred to as the "order", effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), hereinafter referred to as the "act", and upon the basis of information supplied by the Prune Administrative Committee established under the order, and other available information, it is hereby found by me on behalf of the Secretary of Agriculture that to establish a salable percentage and a surplus percentage as hereinafter provided, will tend to effectuate the declared policy of the act, in that the estimated seasonal average price of prunes to producers for the current crop year is not expected to exceed the estimated price level contemplated by section 2 (1) of said act.

Notice of proposed rule making, public procedure thereon, and publication of this order 30 days prior to its effective date (see section 4 (c) of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) are impracticable, unnecessary, and contrary to the public interest in that deliveries of dried prunes to handlers by producers and dehydrators for the 1951-52 crop year have begun, and it is necessary to have regulations of this nature in effect as promptly as practicable in order to regulate such receipts effectively. Handlers will not require any advance notice of this action because they are cognizant of the market situation with respect to prunes for the current crop year which necessitates

volume regulation of prunes, and they have had notice heretofore of the Prune Administrative Committee's recommendation with respect to the establishment of salable and surplus percentages. The salable and surplus percentages recommended by the committee are the same as those which are being established by this document. In these circumstances this order must be made effective on the date of its publication in the FEDERAL REGISTER.

§ 993.202 *Dried prune salable tonnage and surplus tonnage regulation for the 1951–52 crop year.* The salable percentage of dried prunes produced in California for the crop year beginning August 1, 1951, and ending July 31, 1952, shall be 75 percent, and the surplus percentage of such dried prunes for said crop year shall be 25 percent.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 22d day of August 1951, to become effective on the date of the publication of this document in the FEDERAL REGISTER.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Branch.

[F. R. Doc. 51–10309; Filed, Aug. 27, 1951; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5773]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

APPLETON-CENTURY-CROFTS, INC.

Subpart—*Discrimination in price under section 2, Clayton Act as amended—Furnishing services or facilities for processing, handling, etc., under 2 (e):* § 3.830 *Furnishing services or facilities.* In or in connection with the sale of books in commerce, discriminating, directly or indirectly among competing purchasers of such books bought for resale, (1) by furnishing or contributing to the furnishing, of the service or facility of accepting the return for credit of unsold copies of such books, to any purchaser of such books, when such service or facility is not accorded on proportionally equal terms to other purchasers of such books, who compete in the resale thereof with purchasers who receive such service or facility; or, (2) by furnishing, or contributing to the furnishing, of any services or facilities connected with the handling, sale or offering for sale of books purchased from respondent, to any purchaser thereof upon terms not accorded to all competing purchasers on proportionally equal terms; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Appleton-Century-Crofts, Inc., Docket 5773, June 13, 1951]

This proceeding was heard by Frank Hier, trial examiner, upon the complaint of the Commission, the answer of respondent, and a motion at the initial hearing, for the taking of testimony and receiving of other evidence, by which respondent moved to withdraw its answer theretofore filed and for leave to file substitute answer which "agreed that the facts stated in the complaint might be deemed admitted", and which was denied for the reason that it did not constitute an outright admission of the facts.

Thereafter respondent's counsel stated his desire to appeal such ruling to the Commission and that in the event of the denial of such appeal by the Commission, respondent would file a substitute answer admitting outright all the material allegations of fact set out in the complaint, whereupon the trial examiner, in view of said professional undertaking, cancelled further hearings and closed the proceeding for the purpose of taking evidence.

Subsequent thereto, on February 5, 1951, the Commission refused to entertain an appeal, which was requested by the respondent under rule XX of the Commission's rules of practice, and thereafter, on February 21, 1951, respondent filed answer admitting all material allegations of fact set forth in the complaint, waiving hearing as to facts and refraining from contesting the proceeding, such admissions being qualified only to the extent that they were made for the purpose of the proceeding solely, and reserving the right to submit proposed findings and conclusions of fact or of law, which, however, were not submitted by counsel on either side.

Thereafter the proceeding regularly came on for final consideration by said trial examiner upon the complaint and substitute answer filed February 21, 1951, and said trial examiner, having considered the record in the matter, made his initial decision comprising certain findings as to the facts, conclusion drawn therefrom and order to cease and desist.

No appeal having been filed from said initial decision of said trial examiner as provided for in Rule XXII, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order to cease and desist, accordingly, under the provisions of said Rule XXII became the decision of the Commission on June 13, 1951.

The said order to cease and desist is as follows:

It is ordered, That Appleton-Century-Crofts, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in or in connection with the sale of books in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, among competing purchasers of such books bought for resale,

1. By furnishing or contributing to the furnishing, of the service or facility of accepting the return for credit of unsold copies of such books, to any purchaser of such books, when such service or facility is not accorded on proportionally equal terms to other purchasers of such books, who compete in the resale thereof with purchasers who receive such service or facility.

2. By furnishing, or contributing to the furnishing, of any services or facilities connected with the handling, sale or offering for sale of books purchased from respondent, to any purchaser thereof upon terms not accorded to all competing purchasers on proportionally equal terms.

By "Decision of the Commission and order to file report of compliance", Docket 5773, June 13, 1951, which announced and decreed fruition of said initial decision, report of compliance with the said order was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 13, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51–10312; Filed, Aug. 27, 1951; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order 6, Amendment 2]

DMO 6—PROVISION FOR ADDITIONAL MEMBERSHIP ON THE REGIONAL COMMITTEES ON DEFENSE MOBILIZATION

AUGUST 28, 1951.

1. Defense Mobilization Order No. 6, issued by this Office under date of February 9, 1951, creating interagency Regional Committees on Defense Mobilization, is hereby revised, under paragraph 1, as follows:

(a) To provide for full membership on each regional committee for a representative designated by the Administrator of the Economic Stabilization Agency; and

(b) To provide for participation of representatives of the following agencies, at the invitation of the cochairmen for each committee, when problems of concern to such agencies are under discussion—Defense Transport Administration, Federal Reserve Board, Atomic Energy Commission, Selective Service System, and Civil Service Commission.

This order is to take effect on August 28, 1951.

OFFICE OF DEFENSE MOBILIZATION,
CHARLES E. WILSON,
Director.

[F. R. Doc. 51–10425; Filed, Aug. 27, 1951; 11:25 a. m.]

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 14, Amdt. 6]

CPR 14—Ceiling Prices of Certain Foods Sold at Wholesale

OWNED OR EXCLUSIVELY CONTROLLED LABELS OR BRANDS OF FOOD COMMODITIES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 6 to Ceiling Price Regulation 14 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to CPR 14 provides for an adjustment procedure whereby any food wholesaler subject to CPR 14 who owns or exclusively controls a label or brand placed on containers of food commodities may be authorized under certain specific conditions, to add a specific percentage markup, not to exceed five percent (5%), to the "net cost" for an item of food falling within a commodity group in Table A of CPR 14, except frozen foods, before applying the appropriate markup in Table A for his class of wholesaler. If, however, any wholesaler is granted authority to add a specific percentage markup to his "net cost" of an item bearing such label or brand, he must also reduce the "net cost" of all other brands of the same grade and quality of that commodity by the same percentage figure before applying the appropriate markup in Table A.

To ensure competitive existence the wholesaler devised a plan whereby he could offer to the retailer staple and nationally advertised goods at a small margin, while at the same time offering private label goods at a higher margin of profit which would permit the wholesaler, as well as the retailer, to compete against the chain or supermarket operator and at the same time realize reasonable profits. In keeping with this plan it became necessary for the wholesaler to promote his private label in such a manner as to create consumer acceptance equal to that which has been created for nationally advertised goods by the large manufacturer or processor. Consumer acceptance for nationally advertised goods is created by the large manufacturer or processor through extensive advertising campaigns, the expense of which is absorbed by the manufacturer or processor as a part of its net cost. Accordingly, in developing private label goods the wholesaler found it necessary to use the same media as the manufacturer or processor in developing a consumer acceptance for his goods. The expense entailed in such promotion cannot be recaptured by the wholesaler under the present method of pricing in CPR 14; nor was it fully considered at the time that the markups in CPR 14 were computed.

The private label wholesaler purchases goods in straight carload lots and advertises through newspapers, radio, television, magazines, billboards, posters and with direct merchandising aids to his retail trade such as display cards, window posters, and other shoppers guides. In addition, the promotion of private label or controlled brands requires label expense, specialized sales staff, etc. It must be recognized the wholesalers operating costs are thereby increased. Available data indicate that an additional allowance, not to exceed five percent (5%), is necessary in order to permit those wholesalers performing the above functions for private label goods to recoup the costs incident to the performance of such functions. The continuation of this type of merchandising and food distribution is extremely important not only for the success of wholesalers and retailers but also for the large number of small canners, processors, and manufacturers who are primarily engaged in packing such private label goods.

At the same time, available facts indicate that a wholesaler distributing a private labeled commodity did not realize historically as high a percentage markup on all other brands of the same grade and quality of the commodity as is presently permitted under CPR 14. The aim of this amendment is to restore these sellers to their historic method of operation insofar as it is consistent with the pattern of price control established by CPR 14. To permit an additional allowance on private label merchandise and not to require a corresponding reduction on all other brands of the same grade and quality of the same commodity would result in a windfall. Accordingly, any wholesaler who is granted an adjustment under the provisions of this amendment to add a specific percentage markup to "net cost" for a private label commodity must also reduce his "net cost" for all other brands of the same grade and quality of that commodity by the same percentage figure. For example:

If a wholesaler receives the authority to add three and one-half percent (3½%) to his net cost of a can of peaches bearing his private label, he must reduce the net cost of all other brands of peaches of the same grade and quality regardless of type and size by the same 3½% before applying the markup in Table A of CPR 14.

It must be made clear that this amendment is an interim measure to be reexamined in the event of tight supplies. Further, if the data to be collected by the Office of Price Stabilization in its study of margin and earnings figures for food distributors indicate that the ceiling prices established under this amendment are either too low or too high, the regulation will be promptly revised to reflect the results of the survey.

Additionally, available facts indicate that certain wholesalers distributing their own or exclusively controlled label or brand of food commodities also distribute the same commodities from their cash-and-carry departments at the same price. Therefore, this amendment provides that these service wholesalers may continue this practice if they can establish that they continuously did business in such manner during the calendar year 1950.

In the formulation of this amendment, the Director of Price Stabilization has consulted with industry representatives to the extent practicable and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Ceiling Price Regulation 14 is amended in the following respects:

1. New sections, 27b and 27c, are inserted between sections 27a and 28 to read as follows:

Sec. 27b. *How certain wholesalers may, under certain conditions, apply for an additional allowance to cover cost of product promotion.* (a) If you are a wholesaler covered by this regulation, you may file an application for authority to add a specific percentage markup, not to exceed five percent (5%), to your "net cost" for an item of food falling within a commodity group in Table A of this regulation, except frozen foods, to reflect allowance for the cost of product promotion, before applying the markup in Table A for your class of wholesaler, if you can establish that, during the calendar year 1950, or, if not in business during all of 1950, for your most recent fiscal year prior to the effective date of this amendment:

(1) You owned, or exclusively controlled a label or a brand placed on containers of food commodities covered by this regulation. If you have not owned or exclusively controlled such a label or brand for at least one year prior to the effective date of this amendment you may apply for adjustment under the provisions of paragraph (f) of this section.

(2) You continuously offered food commodities covered by this regulation bearing this label or brand for general sale to retail food stores. Any sales to other wholesalers will not come under this adjustment provision and are specifically excluded from application for additional allowance.

(3) This label or brand of food commodities was sold by no other wholesaler in your area.

(4) The sale of his label or brand of food commodities represented at least ten percent (10%) of your total dollar volume of sales of commodities covered by this regulation, exclusive of frozen foods.

(5) You spent at least one and one-half percent (1½%) of the gross sales of this label or brand of food commodities in advertising and merchandising through newspapers, radio, television, magazine, billboards, posters, retail distributors' material, store demonstrations including consumer samplings, and other promotions, including the net cost of labels and that part of the salaries or other compensation paid to specialty salesmen and supervisors for the purpose of such promotion, but not including salaries or other compensation paid to other salesmen or supervisors. No

part of the advertising and promotion borne by any processor, supplier, manufacturer, packer, or customer either directly or indirectly by allowance, discounts, price differentials, rebates, or any other method shall be included.

(6) Your average percentage markup on "net cost" of the commodity bearing this label or brand exceeded the markup permitted in Table A for that commodity for your class of wholesaler.

(7) You are currently using the same special efforts to promote this label or brand of food commodities.

(8) You have not been granted an adjustment, in whole or in part, under sections 26a, 28, 28a or 28b of this regulation.

(b) If you establish that your cost of product promotion was more than one and one-half percent (1½%) but less than three and one-half percent (3½%) you may be granted authority to add a three and one-half (3½%) markup to your "net cost" of the commodity before applying the markup in Table A. However, if you establish that such cost of product promotion was more than three and one-half percent (3½%) you may be granted authority to add the actual cost of product promotion, not to exceed five percent (5%), to your "net cost" of the commodity before applying the markup in Table A.

(c) If, however, you are granted authority under the provisions of this section to add a specific percentage markup to your "net cost", you must also reduce your "net cost" of all other brands of the same grade and quality of that commodity by the same percentage figure before applying the markup in Table A of this regulation for your class of wholesaler.

(d) Your application must set forth the following for the calendar year 1950, or, if not in business during all of 1950, for your most recent fiscal year prior to the effective date of this amendment:

(1) The class of wholesaler designated by you on Public Form No. 4 filed with your OPS district office.

(2) A statement of whether you have applied for an adjustment under any of the provisions of this regulation, and whether your application for such adjustment has been granted, in whole or in part.

(3) Your total gross sales of all commodities listed in Table A of this regulation, exclusive of frozen foods.

(4) Your total advertising, promotional and merchandising expenses.

(5) Your total sales of all commodities listed in Table A of this regulation bearing this owned or exclusively controlled label or brand.

(6) Your total advertising, promotional and merchandising expenses, including the net cost of labels and that part of the salaries or other compensation paid to specialty salesmen and supervisors, for the purpose of promoting those commodities bearing this owned or exclusively controlled label or brand listed in Table A of this regulation. You must not include in this figure any such expenses paid, in whole or in part, by your supplier or your customers either directly or indirectly by allowances, discounts, price differentials, rebates, or any other method, and such figure must not include any salaries, commissions, or any other compensation paid to other salesmen or supervisors.

(7) A statement showing the percentage amount of your gross sales of this label or brand of food commodities spent for product promotion. This amount is the result of dividing the figure submitted in answer to subparagraph (6) by the figure submitted in answer to subparagraph (5).

(8) A list of the commodities in Table A of this regulation for which you seek authority to add a specific percentage markup (not to exceed five percent (5%)) to your "net cost" before applying the markup in Table A for your class of wholesaler.

(9) A statement describing your advertising, promotion, and merchandising programs, and listing accurately your net cost of labels and salaries or other compensation paid to specialty salesmen and supervisors, on those items bearing this owned or exclusively controlled label or brand and the submission of representative samples of your advertising, labels and promotion.

(10) A statement that your average percentage markup on "net cost" for the commodities listed in answer to subparagraph (8) above exceeded the markup permitted in Table A for your class of wholesaler.

(11) A profit and loss statement.

(12) A balance sheet.

(e) Such application must be filed, in duplicate, with the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C. As soon as you have filed your application in accordance with this section, and containing all the information required by this section, if in answer to subparagraph (7) of paragraph (d) of this section you set forth that your cost of product promotion is more than one and one-half percent (1½%) but less than three and one-half percent (3½%), you may begin to add an additional three and one-half percent (3½%), or if in answer to subparagraph (7) of paragraph (d) above you set forth that your cost of product promotion is more than three and one-half percent (3½%) you may begin to add such additional percentage markup, not to exceed five percent (5%), to your "net cost" of the item before applying the markup in Table A for your class of wholesaler, provided that you reduce your "net cost" of all other brands of the same grade and quality of that commodity by the same percentage figure before applying the markup in Table A of this regulation for your class of wholesaler. This authority may be withdrawn if it is determined that you do not qualify for adjustment under this section. If at any time after you are authorized to use such percentage markup, your method of promoting such labeled or branded food items changes in any material respect, you must report immediately the circumstances to the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C., and, upon a review of the facts, your percentage markup allowance may be adjusted to reflect the changes in your method of operation.

(f) If you did not promote your own, or exclusively controlled label or brand in the manner outlined in paragraph (a) of this section prior to the effective date of this amendment and you now desire to promote such a label or brand, you may apply to the Distribution Branch, Food and Restaurant Division, Washington 25, D. C., for authority to add a specific markup to your "net cost," not to exceed five percent (5%), to reflect an allowance for the cost of product promotion if you certify that you propose to do business in the manner outlined in paragraph (a) of this section. Your application must be filed in duplicate and must contain the following information:

(1) The class of wholesaler designated by you in Public Form No. 4 filed with your OPS district office.

(2) A statement of whether you have applied for adjustment under any provision of this section and whether your application for such adjustment has been granted, in whole or in part.

(3) Your estimated total gross sales of all commodities listed in Table A of this regulation, exclusive of frozen foods, for the next twelve months.

(4) Your estimated total sales of all commodities bearing this owned or exclusively controlled label or brand listed in Table A of this regulation, exclusive of frozen foods, for the next twelve months.

(5) An estimate of the amount you propose to spend for advertising, promotion, and merchandising including the net cost of labels and that part of the salaries or other compensation paid to specialty salesmen and supervisors for the purpose of promoting those commodities bearing this owned or exclusively controlled label or brand listed in Table A of this regulation, for the next 12 months. You must not include in this figure any expenses to be paid, in whole or in part, by your supplier or your customers either directly or indirectly by allowances, discounts, price differentials, rebates, or any other method, and such figure must not include the salaries, commissions, or any other compensation paid to other salesmen or supervisors.

(6) A statement showing the percentage amount of the estimated gross sales of this label or brand of food commodities which you propose to spend for product promotion. This amount is the result of dividing the figure submitted in answer to subparagraph (5) by the figure submitted in answer to subparagraph (4).

(7) A list of the commodities in Table A of this regulation for which you seek authority to add a specific percentage markup, not to exceed five percent (5%), to your "net cost" before applying the markup in Table A for your class of wholesaler.

(8) A statement describing your proposed advertising, promotion, and merchandising programs on those items bearing this owned or exclusively controlled label or brand and the submission of representative layout copy of your proposed advertising, labels and promotion.

You may not operate under this section until you are notified in writing by the Director of Price Stabilization of the additional percentage markup, not to exceed five percent (5%), which you will

be allowed to use. In the event you are granted authority to add a specific percentage markup to your "net cost" of an item bearing your own or exclusively controlled label or brand, you must also reduce your "net cost" of all other brands of the same grade and quality of that commodity by the same percentage figure before applying the markup in Table A of this regulation for your class of wholesaler. In addition, within 25 days after the close of the first 6 months of operation you shall submit to the Distribution Branch, Food and Restaurant Division, OPS, Washington 25, D. C., a new application under the provisions of subparagraph (a) of this section using your actual cost data for this 6-month period. Your percentage markup must be adjusted to reflect your actual cost of product promotion in accordance with subparagraph (e) of this section.

SEC. 27c. *How a service wholesaler may apply to use the same ceiling prices for his own, or exclusively controlled label or brand of food commodities covered by this regulation sold from his cash-and-carry and service departments.* (a) If you are a service wholesaler and you qualify for adjustment under the provisions of section 27b of this regulation and you can establish that for the calendar year 1950:

(1) You operated a cash-and-carry department;

(2) You continuously sold or offered for sale from this cash-and-carry department the same food commodities bearing your own or exclusively controlled label or brand for which you qualify for adjustment under section 27b of this regulation from both your cash-and-carry department and your service department at the same price;

you may file an application under this section for permission to use the same ceiling prices for those food commodities bearing your own or exclusively controlled label or brand sold from your cash and carry department and your service department.

(b) Your application must contain:

(1) A statement that it was your practice during the calendar year of 1950 to sell your own or exclusively controlled label or brand at the same price in both your cash and carry and service wholesale operations, and

(2) A statement that records including cost data and invoices are on file at your usual place of business for the inspection by the Director of Price Stabilization which substantiate your statement under (1) above.

(c) Such application must be filed in duplicate with the Distribution Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C. You may not price under this section until you have received specific authority in writing from the Director of Price Stabilization authorizing you to do so.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on the 1st day of September 1951.

NOTE: The record-keeping and reporting requirements of this Amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 27, 1951.

[F. R. Doc. 51-10430; Filed, Aug. 27, 1951; 4:00 p. m.]

[Ceiling Price Regulation 34, Supplementary Regulation 2]

CPR 34—SERVICES

SR 2—COTTON GINNING

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

This Supplementary Regulation 2 to Ceiling Price Regulation 34 permits cotton ginners to increase their cotton ginning, bailing and wrapping rates per bale during the regular ginning season commencing with the regular 1951 cotton ginning season. The increase permitted is 6 percent above the rates prevailing during the regular 1950 cotton ginning season. Thus, if during the regular 1950 cotton ginning season, a cotton ginner charged $12 for ginning, baling and wrapping, he may now charge 6 percent more for these services, or $12.72. Under section 8 of Ceiling Price Regulation 34, which relates to seasonal services, a distinction was made for services which employed less than eight individuals. This supplementary regulation applies to all cotton ginners regardless of the number of employees. In section 8 of Ceiling Price Regulation 34, the percentage increase in rates over those charged in 1950 allowed to those engaged in seasonal services, such as cotton ginners, decreased with the passage of time, so that, for example, those who ginned in May through June were permitted a 7 percent increase over 1950 rates, while those who ginned in September were permitted only a 4 percent increase. Since the season for cotton ginning does not begin at the same time for all sections in cotton producing areas, such section 8 of Ceiling Price Regulation 34 was unfair to those who ginned later in the year in the more northerly cotton ginning areas, because cotton ginners, by and large, make their commitments in the early spring so that their costs and cost increases were generally uniform. The 6 percent adjustment hereby permitted will tend generally to equalize the return to cotton ginners irrespective of the geographical location of their cotton gins.

The costs of ginning cotton have risen appreciably since the end of the regular 1950 cotton ginning season due to the increased cost of labor and material. A study of typical costs reveals that between the regular 1950 and 1951 cotton ginning seasons, direct labor costs have risen by an estimated 71 cents per bale and that the cost of wrapping (which includes bagging and ties) has risen by approximately 50 cents per bale. On the basis of this information, it would appear that the average increase in direct labor and material costs per bale is in excess of 10 percent of the 1950 average ginning, wrapping and baling charge. The large cotton crop estimated for 1951, together with the fact that this is a decreasing cost industry, indicates that the 6 percent increase permitted in the supplementary regulation will be sufficient to allow cotton ginners their normal margin of profit.

The immediate need to provide for the hardship in which the cotton ginning industry has found itself inhibited consultation formally with industry representatives. However, various representatives from the affected service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Purpose.
2. Relationship to Ceiling Price Regulation 34.
3. Ceiling prices.
4. Filing.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *Purpose.* The purpose of this regulation is to permit cotton ginners to increase their 1951 regular season cotton ginning, wrapping and baling rates per bale by 6 percent above the rates prevailing during the regular 1950 cotton ginning season, and to treat all members of the cotton ginning industry equally, irrespective of size, number of employees or geographical location.

SEC. 2. *Relationship to Ceiling Price Regulation 34.* All provisions of Ceiling Price Regulation 34, except as affected by the pricing provisions of this supplementary regulation, shall remain in full force and effect.

SEC. 3. *Ceiling prices.* You are now permitted to increase the rates charged per bale for ginning, wrapping and baling cotton by 6 percent above the rates you charged per bale for ginning, wrapping and baling during the regular 1950 cotton ginning season.

SEC. 4. *Filing.* Within 10 days after establishing your ceiling price under this regulation, you must file with the district office of the Office of Price Stabilization, in accordance with section 18 (c) of Ceiling Price Regulation 34.

SEC. 5. *Definitions.* (a) As used in this supplementary regulation to Ceiling Price Regulation 34:

(1) The term "ginning" means the mechanical separation of cotton seed from the lint cotton or cotton fibre.

(2) The term "wrapping and baling" means the forming of lint cotton into a standard size bale which is then covered

with a suitable bagging and wrapped with steel ties.

(3) The term "regular 1950 cotton ginning season" means, with respect to the area or areas in which you ginned cotton, the customary season for ginning cotton during 1950, and which ended prior to December 19, 1950.

Effective date. This order shall become effective September 1, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 27, 1951.

[F. R. Doc. 51-10428; Filed, Aug. 27, 1951; 11:55 a. m.]

[Ceiling Price Regulation 52, Amdt. 1]

CPR 52—GUM ROSIN AND GUM TURPENTINE

CLARIFICATION OF EXCLUSION OF EXPORTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 52 is hereby issued.

STATEMENT OF CONSIDERATIONS

The purpose of this amendment is to clarify Ceiling Price Regulation 52 with respect to its exclusion of exports and sales for export of gum rosin and gum turpentine. Ceiling Price Regulation 61, issued July 30, 1951, was in the process of being drafted when Ceiling Price Regulation 52 was issued. Consequently, Ceiling Price Regulation 52 referred only in general terms to a future "ceiling price regulation covering exports." Amending section 2 of Ceiling Price Regulation 52 so that it refers specifically to Ceiling Price Regulation 61 makes it clear that export sales and sales for export of gum rosin and gum turpentine are covered by Ceiling Price Regulation 61.

In view of the routine clarifying nature of this amendment, the Director has not found it practicable or necessary to consult with industry representatives.

AMENDATORY PROVISIONS

Ceiling Price Regulation 52 is amended in the following respect:

Section 2 is amended by deleting the present section 2 and substituting therefor a new section 2 to read as follows:

SEC. 2. *Relation to other ceiling price regulations.* This regulation supersedes the General Ceiling Price Regulation with respect to all sales of gum rosin and gum turpentine covered by this regulation. The General Ceiling Price Regulation remains applicable to sellers who sell principally to individual consumers other than industrial, institutional or governmental consumers. Ceiling Price Regulation 31, as amended, applies to sales of imported gum rosin and gum turpentine. Ceiling Price Regulation 61 applies to export sales and sales for export of gum rosin and gum turpentine. For definitions of "export sales" and "sales for export", refer to section 15 (c) (7) and (c) (8) of Ceiling Price Regulation 61.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 1, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 27, 1951.

[F. R. Doc. 51-10429; Filed, Aug. 27, 1951; 11:55 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter L—Security of Waterfront Facilities

[CGFR 51-37]

PART 126—HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES

SAFETY MEASURES RE HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES

A notice regarding regulations governing the handling of explosives or other dangerous cargoes within or contiguous to waterfront facilities was published in the FEDERAL REGISTER dated June 16, 1951 (16 F. R. 5770, et seq.), and a public hearing was held by the Merchant Marine Council on July 9, 1951, at Coast Guard Headquarters, Washington, D. C.

All comments submitted were considered by the Merchant Marine Council and changes in the regulations have been made.

The purpose for the regulations designated as 33 CFR Part 126 regarding the handling of explosives or other dangerous cargoes within or contiguous to waterfront facilities is to provide adequate protection and safety for waterfront facilities and port and harbor areas, including vessels and harbor craft therein, during the transportation, handling, loading, discharging, stowage or storage of explosives, inflammable or combustible liquids in bulk or other dangerous articles or cargoes which are subject to requirements set forth in "Explosives or Other Dangerous Articles on Board Vessels" (CG 187) (46 CFR Part 146) and the Tank Vessel Regulations (CG 123) (46 CFR Parts 30 to 39, inclusive). These regulations do not apply to waterfront facilities directly operated by the Departments of the Army, Navy, or Air Force. The regulations designated 33 CFR Part 126 are the same as or similar to the requirements which were in effect during World War II and known as "Port Security Regulations" and proved to be so successful in protecting waterfront facilities. Because of the limitations contained in Executive Order 10173, as amended by Executive Order 10277, it is not possible to reinstate the "Port Security Regulations" verbatim which were in use during World War II.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Executive Order No. 10173 (15 F. R. 7005), as amended by Executive Order No. 10277 (16 F. R. 7537), the following regulations are added to Chapter I of 33 CFR and shall become effective on and after October 1, 1951:

Sec.
126.01 General definitions.
126.05 Designated waterfront facility.
126.07 Dangerous cargo.
126.09 Designated dangerous cargo.
126.11 Waiver authority based on local or unusual conditions.
126.13 Designation of waterfront facilities.
126.15 Conditions for designation as designated waterfront facility.
126.17 Permits required for handling designated dangerous cargo.
126.19 Issuance of permits for handling designated dangerous cargo.
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AUTHORITY: §§ 126.01 to 126.37 issued under E. O. 10173, Oct. 18, 1950, 15 F. R. 7005, 3 CFR, 1950 Supp., as amended by E. O. 10277, Aug. 1, 1951, 16 F. R. 7537. Interpret or apply 40 Stat. 220, as amended, R. S. 4417a and 4472, as amended; 50 U. S. C. 191, 46 U. S. C. 391a and 170.

§ 126.01 *General definitions.* The terms "Commandant", "District Commander", "Captain of the Port", and "Waterfront Facility" when used in this part shall have the meaning set forth in §§ 6.01-1, 6.01-2, 6.01-3, and 6.01-4, respectively, of Executive Order No. 10173 (15 F. R. 7005), except that the term "waterfront facility" shall not include such a facility directly operated by the Departments of the Army, Navy, or Air Force.

§ 126.05 *Designated waterfront facility.* The term "designated waterfront facility" shall mean a waterfront facility designated by § 126.13 for the handling and storage of, and for vessel loading and discharging of, explosives, inflammable or combustible liquids in bulk, or other dangerous articles or cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR Part 146) and the regulations governing tank vessels (46 CFR Parts 30 to 39, inclusive).

§ 126.07 *Dangerous cargo.* The term "dangerous cargo" shall mean all explosives and other dangerous articles or cargo covered by the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR Part 146) and the regulations governing tank vessels (46 CFR Parts 30 to 39, inclusive).

§ 126.09 *Designated dangerous cargo.* The term "designated dangerous cargo" shall mean Explosives, Class A, and Military Explosives as classified in 46 CFR Part 146.

§ 126.11 *Waiver authority based on local or unusual conditions.* Whenever the Commandant, the District Commander, or the Captain of the Port shall find that the application of any provi-

sion contained in this part is not necessary to the security of the port and vessels and waterfront facilities therein, or that its application is not practical because of local conditions or because the materials or personnel required for compliance are not available, or because the requirements of the national defense justify a departure from such provision, he may waive compliance with such provision to the extent and under such requirements as he may determine.

§ 126.13 *Designation of waterfront facilities.* (a) Waterfront facilities which fulfill the conditions required in § 126.15, unless waived under provision of § 126.11, and only such waterfront facilities are designated for the handling, storing, stowing, loading, discharging, and transporting of dangerous cargo, subject to compliance with other applicable requirements and provisions set forth in this part.

(b) Handling, storing, stowing, loading, discharging, and transporting dangerous cargo at any waterfront facility other than one designated by this section is hereby prohibited, and violation of this prohibition will subject the violator to the penalties of fine and imprisonment provided in section 2, Title II of the act of June 15, 1917, as amended, 50 U. S. C. 192.

§ 126.15 *Conditions for designation as designated waterfront facility.* The conditions referred to in § 126.13 for designation of a waterfront facility for the purpose of handling, storing, stowing, loading, discharging, or transporting of dangerous cargo shall be as follows:

(a) *Guards.* That guards are provided by the owner or operator of the waterfront facility for the protection thereof in such numbers and of such qualifications as to assure adequate surveillance, prevent unlawful entrance, detect fire hazards, and check the readiness of protective equipment.

(b) *Smoking.* That smoking is prohibited on the waterfront facility except at such portions thereof as may be designated by the owner or operator thereof: *Provided,* That smoking in such areas shall only be permitted in accordance with local ordinances and regulations and that signs are conspicuously posted marking such authorized smoking areas and that "No Smoking" signs are conspicuously posted elsewhere on the waterfront facility.

(c) *Welding or hot work.* That oxyacetylene or similar welding or burning, or other hot work including electric welding or the operation of equipment therefor is prohibited on the waterfront facility during the handling, storing, stowing, loading, discharging, and transporting of dangerous cargo thereon, except when approved by the Captain of the Port: *Provided,* That such work shall not be conducted at any time during the handling, storing, stowing, loading, discharging and transporting of explosives.

(d) *Trucks and other motor vehicles.* That trucks and other motor vehicles are not permitted to remain or park upon the waterfront facility except under the following conditions:

(1) When actually awaiting opportunity to load or discharge cargo, ship supplies, or passengers.

(2) When loading or discharging tools, equipment, or materials incident to maintenance, repair, or alterations.

(3) When the vehicle is headed toward an unimpeded exit and is attended by a driver.

(e) *Pier automotive equipment.* That tractors, stackers, lift trucks, hoisters, and other equipment driven by internal combustion engines used on the waterfront facility are of such construction and condition and free from excess grease, oil, or lint as not to constitute a fire hazard; that each unit of such equipment is provided with an approved type hand extinguisher; that, when not in use, such equipment is stored in a safe manner and location; that gasoline or other fuel used for such equipment is stored and handled in accordance with accepted safe practices, and is not stored on the waterfront facility except in conformity with paragraph (g) of this section; and that refueling of such equipment is prohibited on any pier or wharf within the waterfront facility.

(f) *Rubbish and waste materials.* That the waterfront facility is free from rubbish, debris, and waste materials.

(g) *Maintenance stores and supplies.* That supplies classified as dangerous by the provisions of the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR Part 146), to be used in connection with operation or maintenance of the property or facility are not stored on any pier or wharf within the waterfront facility and are not stored elsewhere on the waterfront facility except in amounts necessary for normal current operating conditions; that such storage is in a compartment remote from combustible material and so constructed as to be readily accessible and provide safe storage; that storage compartments are kept clean and maintained free of scrap materials, empty containers, soiled wiping rags, waste, and other debris; that covered metal containers are provided for storage of used wiping cloths and contents removed at the end of each working day; that clothing lockers are maintained clean and orderly and properly ventilated; and that fire-extinguishing equipment suitable for the type of hazard is readily available.

(h) *Electric wiring.* That new installations of electric wiring and equipment are made in accordance with accepted safe practices (conformity with the requirements of the National Electric Code (current edition) and the requirements of applicable local regulations shall be deemed evidence of compliance with such accepted safe practices); that materials, fittings, and devices are of type and character approved for the intended use by Underwriters Laboratories, Inc., Associated Factory Mutual Laboratories, or United States National Bureau of Standards; that existing electric wiring is maintained in a safe condition, free of defects or modifications which may cause fire or personal injury; that defective or dangerous wiring, equipment, and devices are permanently disconnected from sources of energy.

(i) *Heating equipment.* That heating equipment is safely installed and maintained in good operating condition; that adequate clearances to prevent undue heating of nearby combustible materials are maintained between heating appliances, chimneys, stove pipes, gas vents, or other heat producing elements, and any combustible materials of the floor, walls, partitions or roofs; that, in general, clearances are such that continuous operation of the heat producing device at full capacity will not increase the temperature of nearby woodwork more than 90° above the ambient temperature; that, where necessary to prevent contact with movable combustible materials, heating appliances are enclosed or screened; that spark arrestors are provided on chimneys or appliances burning solid fuel used in locations where sparks constitute a hazard to nearby combustible materials. (As a guide to safe installation of heating equipment, the appropriate chapters of the National Board of Fire Underwriters Building Code (current edition) are recommended.)

(j) *Fire extinguishing equipment.* That fire extinguishing appliances are made available in adequate quantities, locations, and types; that first aid fire appliances are installed and maintained in accordance with accepted safe practices (conformity with the requirements prescribed in the current "Standards for First Aid Fire Appliances," issued by the National Fire Protection Association, shall be deemed evidence of compliance with such accepted safe practices); that fire extinguishing equipment, fire alarm systems and devices, and fire doors and other safety equipment are maintained in good operating condition at all times; that provision is made so that, when hazards arise which require such precaution, emergency hose lines will be led out and other emergency fire-fighting equipment will be placed immediately adjacent to such hazards.

(k) *Marking of fire appliance locations.* That the locations of all fire appliances, including hydrants, standpipe and hose stations, fire extinguishers, and fire alarm boxes, are conspicuously marked; and that ready accessibility to such appliances is maintained.

(l) *Lighting.* That subject to applicable dimout and blackout regulations, such waterfront facility is adequately illuminated during the handling, storing, stowing, loading, discharging, and transporting of dangerous cargo thereon; and that kerosene and gasoline lamps and lanterns are not used on such waterfront facility.

(m) *Arrangement of cargo.* That cargo is arranged on the waterfront facility according to the individual structure of such facility, in a manner to permit complete access for the purpose of fire extinguishment; that, except on facilities used primarily for the transfer of railroad or highway vehicles to or from cargo vessels and carfloats, cargo is placed on the waterfront facility in accordance with the following:

(1) At least two feet of clear and open space will be maintained free of rubbish, dunnage, and other obstructions between cargo piles and the sides of the pier, fire walls or fire stops in enclosed piers. This

distance shall be measured from the most prominent projection of the wall such as studding, bracings, or other obstructions that are a part of the structure.

(2) Inflammable and combustible cargo, not including bulk cargo, shall not be tiered higher than 12 feet. All cargo including inflammable and combustible cargo shall be so tiered as to maintain a clearance between the upper level of the top tier and trusses, beams, girders, or other structural members of not less than 36", and between such upper level and sprinkler heads a clearance of at least 12" shall be maintained.

(3) There shall be maintained at least four feet of clear and open operating space around any fire alarm box, standpipe, fire hose, sprinkler valve, fire door, deck hatch, or first-aid fire appliance.

(4) When first-aid fire appliances, alarm boxes, other safety equipment, or deck hatches are located in a space surrounded by cargo, there shall be maintained a straight, free, and open space at least three feet in width running therefrom to the center aisle. This space shall be kept clear of all rubbish, dunnage, and other obstruction.

(5) A main aisle of at least twenty feet in width shall be maintained the entire length of the waterfront facility if control of fire requires trucks to come on the pier. The aisle may be reduced to eight feet in width if such access by fire trucks is not required.

(6) Cross aisles, at least five feet wide, straight and at right angles to the main aisle, shall be maintained at intervals not exceeding seventy-five feet, and extending to the side of the waterfront facility.

§ 126.17 *Permits required for handling designated dangerous cargo.* Designated dangerous cargo in amounts exceeding five hundred (500) pounds may be handled, stored, stowed, loaded, discharged, and transported at any designated waterfront facility only if a permit therefor has been issued by the Captain of the Port, except that no permit shall be required for the handling, loading, discharging, or transporting of such cargoes to or from, on or across, a waterfront facility used for the transfer of railroad vehicles to or from a railroad carfloat when such cargoes are not removed from, or placed in, the railroad vehicle while in or on such waterfront facility.

§ 126.19 *Issuance of permits for handling designated dangerous cargo.* (a) Upon application of the owners or operators of a designated waterfront facility, or of their authorized representatives, the Captain of the Port is authorized to issue a permit for each transaction of handling, storing, stowing, loading, discharging, or transporting designated dangerous cargo in amounts exceeding five hundred (500) pounds net weight at such waterfront facility provided the following requirements are met:

(1) The Captain of the Port shall be furnished a written permit or document having comparable legal effect from the state, municipal, or port authority authorizing the use of the designated waterfront facility for handling, storing, stowing, loading, discharging, or transporting the designated dangerous cargo.

(2) The facility shall comply in all respects with the regulations in this subchapter.

(3) The facility shall offer isolation and remoteness from populous areas which compare favorably with the distance required by the American Table of Distances for inhabited buildings, unbarricaded.

(b) Each such permit shall show on its face the largest total amount of designated dangerous cargo which at any time during the transaction may be present on the waterfront facility and vessels moored thereto. In determining this amount, the Captain of the Port will be guided by the American Table of Distances and suitable instructions issued by the Commandant.

NOTE: The American Table of Distances may be purchased from the Institute of Makers of Explosives, 343 Lexington Avenue, New York, N. Y.

§ 126.21 *Permitted transactions.* All permits issued pursuant to § 126.19 are hereby conditioned upon the observance of fulfillment of the following:

(a) The conditions set forth in § 126.15 shall at all times be strictly observed.

(b) No amount of designated dangerous cargo in excess of the total amount shown on the face of the permit shall, at any time during the transaction for which the permit is issued, be present on the waterfront facility and vessels moored thereto.

(c) Designated dangerous cargo in amounts exceeding five hundred (500) pounds shall not be brought onto the waterfront facility from shore except when laden within a railroad car or highway vehicle and shall remain in such railroad car or highway vehicle except when removed as an incident of prompt transshipment. Designated dangerous cargo in amounts exceeding five hundred (500) pounds shall not be brought onto the waterfront facility from a vessel except as an incident of its prompt transshipment by railroad car or highway vehicle.

(d) No other dangerous cargo not covered by the permit shall be on the waterfront facility during the transaction for which the permit has been issued, but this shall not apply to maintenance stores and supplies on the waterfront facility in conformity with § 126.15 (g).

§ 126.23 *Termination or suspension of permits.* Any permit issued pursuant to § 126.19 shall terminate automatically at the conclusion of the transaction for which the permit has been issued and may be terminated, or suspended, prior thereto by the Captain of the Port whenever he deems that the security or safety of the port or vessels or waterfront facilities therein so requires. Confirmation of such termination or suspension by the Captain of the Port shall be given to the permittee in writing.

§ 126.25 *Penalties for handling designated dangerous cargo without permit.* Handling, storing, stowing, loading, discharging, or transporting any designated dangerous cargo in amounts exceeding five hundred (500) pounds without a permit, as provided under § 126.17, being in force, will subject persons responsible therefor to the penalties of fine and imprisonment provided in section 2, Title II of the act of June 15, 1917, as amended, 40 U. S. C. 192.

§ 126.27 *General permit for handling dangerous cargo.* A general permit is hereby issued for the handling, storing, stowing, loading, discharging, and transporting of dangerous cargo (other than designated dangerous cargo in amounts exceeding five hundred (500) pounds) at designated waterfront facilities other than those waterfront facilities in actual use for the handling, storing, stowing, loading, discharging, or transporting of designated dangerous cargo in amounts exceeding five hundred (500) pounds. Such general permit is hereby conditioned upon the observance and fulfillment of the following regulations:

(a) The conditions set forth in § 126.15 shall at all times be strictly observed.

(b) The following classes of dangerous cargo as classified in the regulations entitled "Explosives or Other Dangerous Articles on Board Vessels" (46 CFR 146), in the amounts specified, shall not be handled, stored, stowed, loaded, discharged, or transported at any one time, except on waterfront facilities used primarily for the transfer of railway or highway vehicles to or from cargo vessels or carfloats, without notification to the Captain of the Port:

(1) Explosives, Class B, in excess of 1 ton.

(2) Explosives, Class C, in excess of 10 tons.

(3) Inflammable liquids, in containers, in excess of 10 tons.

(4) Oxidizing materials, in excess of 100 tons.

(5) Inflammable compressed gases, in excess of 10 tons.

(6) Poison, Class A, any amount.

(c) Inflammable liquids and compressed gases shall be so handled and stored as to provide maximum separation between freight consisting of acids, corrosive liquids, or combustible materials. Storage for inflammable solids or oxidizing materials shall be so arranged as to prevent moisture coming in contact therewith.

(d) Acids and corrosive liquids shall be so handled and stored as to prevent such acids and liquids in event of leakage from contacting any organic materials.

(e) Poisonous gases and poisonous liquids shall be so handled and stored as to prevent their contact with acids, corrosive liquids, or inflammable liquids.

(f) Dangerous cargo covered by this section and which may be stored on the waterfront facility shall be arranged in such manner as to retard the spread of fire. This may be accomplished by interspersing piles of dangerous freight with piles of inert or less combustible materials.

§ 126.29 *Supervision and control of dangerous cargo.* The Captain of the Port is authorized to require that any transaction of handling, storing, stow-

ing, loading, discharging, or transport- the dangerous cargo covered by this subchapter shall be undertaken and continued only under the immediate supervision and control of the Captain of the Port or his duly authorized representative. In case the Captain of the Port exercises such authority, all directions, instructions, and orders of the Captain of the Port or his representative, not inconsistent with this part, with respect to such handling, storing, stowing, loading, discharging, and transporting; with respect to the operation of the waterfront facility; with respect to the ingress and egress of persons, articles, and things and to their presence on the waterfront facility; and with respect to vessels approaching, moored at, and departing from the waterfront facility, shall be promptly obeyed.

§ 126.31 *Termination or suspension of general permit.* The Captain of the Port is hereby authorized to terminate or to suspend the general permit granted by § 126.27 in respect to any particular designated waterfront facility whenever he deems that the security or safety of the port or vessels or waterfront facilities therein so requires. Confirmation of such termination or suspension shall be given to the permittee in writing. After such termination, the general permit may be revived by the Commandant with respect to such particular waterfront facility upon a finding by him that the cause of termination no longer exists and is unlikely to recur. After such suspension, the general permit shall be revived by the Captain of the Port with respect to such particular waterfront facility when the cause of suspension no longer exists, and he shall so advise the permittee in writing.

§ 126.33 *Penalties for handling dangerous cargo without permit.* Handling, storing, stowing, loading, discharging, or transporting any dangerous cargo covered by § 126.27 under circumstances not covered by the general permit granted in § 126.27 or when such general permit is not in force will subject persons responsible therefor to the penalties of fine and imprisonment provided in section 2, Title II of the act of June 15, 1917, as amended, 50 U. S. C. 192.

§ 126.35 *Primary responsibility.* Nothing contained in the rules, regulations, conditions, and designations in this part shall be construed as relieving the masters, owners, operators, and agents of vessels, docks, piers, wharves, or other waterfront facilities from their primary responsibility for the security of such vessels, docks, piers, wharves, or waterfront facilities.

§ 126.37 *Separability.* If any provision of the rules, regulations, conditions, or designations contained in this part or the application of such provision to any person, waterfront facility, or circumstances shall be held invalid, the validity of the remainder of the rules, regulations, conditions, or designations contained in this part and applicability of such provision to other persons, waterfront facilities, or circumstances, shall not be affected thereby.

Dated: August 22, 1951.

[SEAL] MERLIN O'NEIL,
Vice Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 51-10323; Filed, Aug. 27, 1951; 8:47 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter I—General Services Administration

PART 99—STOCK PILING OF STRATEGIC AND CRITICAL MATERIALS

PURCHASE PROGRAM FOR DOMESTIC CHROME ORE AND CONCENTRATES AT GRANTS PASS, OREGON

Sec.
99.101 Scope and purpose.
99.102 Definitions.
99.103 Participation under the Program.
99.104 Termination of the Program.
99.105 Deliveries.
99.106 Specifications.
99.107 Prices.
99.108 Weighing, sampling, moisture determination, and analysis.

AUTHORITY: §§ 99.101 to 99.108 issued under sec. 205, 63 Stat. 389, as amended; 41 U. S. C. Sup. 235. Interpret or apply sec. 3, 53 Stat. 811, as amended; 50 U. S. C. 98b.

§ 99.101 *Scope and purpose.* Sections 99.101 to 99.108 interpret and implement the authority of the Administrator to purchase chrome ore and concentrates of domestic origin for the Government, and outline the attendant responsibilities and functions of the Administrator in purchasing such chrome ore and concentrates for the National Stock Pile. In accordance with the Program set forth in §§ 99.101 to 99.108 the Administrator will purchase domestically produced chrome ore and concentrates meeting the specifications contained in § 99.106 until the termination of the Program.

§ 99.102 *Definitions.* As used in §§ 99.101 to 99.108:

(a) "Government" means the United States of America.

(b) "Administrator" means the Administrator of General Services.

(c) "Program" means the terms and conditions under which the Administrator will purchase chrome ore and concentrates as set forth in §§ 99.101 to 99.108.

(d) "Chrome ore" means chrome ore mined in the United States, and "concentrates" means chrome concentrates produced from ore mined in the United States.

(e) "Ton" means a long dry ton (2,240 pounds avoirdupois).

(f) "Depot" means the purchase depot of the Government at Grant Pass, Oregon.

(g) "Producer" means any person or company who mines chrome ore.

(h) "Source" means any mine, mining development or mining facility producing chrome ore.

§ 99.103 *Participation under the Program.* Any producer may sell to the Government chrome ore or concentrates meeting the specifications contained in § 99.106 and to which he has title by delivering and offering such material to the Government at any time prior to the ermination of the Program.

§ 99.104 *Termination of the Program.* The Program shall terminate and be of no further force or effect as of the close of business on June 30, 1955: *Provided however,* That the Administrator may terminate the Program as of the close of business on June 30, 1955: *Provided,* giving advance public notice of such termination not later than December 31, 1953: *Provided, further,* That the Administrator may terminate the Program as of the date when the Government has received and accepted 200,000 tons of chrome ore and/or concentrates under the Program.

§ 99.105 *Deliveries.* Chrome ore or concentrates to be purchased by the Government under the Program must be delivered by the producer in bulk at the depot. The cost of unloading trucks or railroad cars will be for the account of the producer. Deliveries of less than five (5) tons of material will not be accepted. No deliveries in excess of two thousand (2,000) tons per year from any one source will be accepted without prior written approval of the Government.

§ 99.106 *Specifications*—(a) *Chemical requirements.* No material will be accepted by the Government which does not meet the following specifications:

Chromic oxide (Cr_2O_3): Minimum 42 percent.

Silica (SiO_2): Maximum 10 percent.

Chromium to iron ratio (Cr/Fe): Minimum 2 to 1.

(b) *Physical requirements.* All material shall be in unmixed lots consisting of one of the following types:

Type I. Lumpy ore—shall be hard, dense, non-friable material of which not more than 25 percent shall pass a one-inch Tyler standard screen. All material shall pass through a twelve-inch ring.

Type II. Fines—no size restrictions shall apply to fines (including friable lumpy material).

Type III. Concentrates—no size restrictions shall apply to concentrates.

§ 99.107 *Prices.* The prices to be paid for material accepted by the Government shall be the base prices with applicable premiums and penalties as stated below. Prices are based on a long dry ton of material delivered at the depot. Fractions appearing on analysis reports will be prorated in computing premiums and penalties.

The base price shall be $115.00 per ton of Type I (lumpy ore), or $110.00 per ton of Type II (fines) and Type III (concentrates), all analyzing as follows:

Chromic oxide (Cr_2O_3): 48.00 percent.

Chromium to iron ratio—above 3 to 1:

PREMIUMS

Chromic oxide content—above 48 percent: $4.00 per ton for each 1 percent of chromic oxide content.

Chromium to iron ration—above 3 to 1: $4.00 per ton for each one-tenth increase in Cr to Fe ratio up to but not exceeding 3.5 to 1.

PENALTIES

Chromic oxide content—below 48 percent: $3.00 per ton for each 1 percent of chromic oxide content down to and including 42 percent.

Chromium to iron ratio—below 3 to 1: $3.00 per ton for each one-tenth decrease in Cr to Fe ratio down to and including 2 to 1.

§ 99.108 *Weighing, sampling, moisture determination, and analysis.* All material will be subject to weighing, sampling, moisture determination and analysis by the Government at its own expense prior to acceptance. The producer shall be afforded an opportunity to witness weighing and sampling. The weight of each truckload will be determined by a Government weight master on scales provided by the Government. A weight ticket for each load will be furnished to the producer. Material will be sampled at the time of unloading at the depot by a qualified sampler selected by the Government. A representative sample of each lot shall be taken in accordance with methods approved by the Government and the producer prior to delivery. Representative portions of lumps, rubble and fines will be obtained after trucks are unloaded. The gross sample so obtained will be mixed, and a screen size determination will be made. The sample will then be reduced to one inch maximum particle size and divided into two portions, one of which will be used for moisture determination by the Government and the other prepared for chemical analysis. The Government's determination of moisture content shall be final. Each sample shall be analyzed by a recognized commercial laboratory selected by the Government in accordance with analytical methods approved by ferrochromium manufacturers. The chromium content of any material shall be 68.4 percent of the chromic oxide content. The assay results shall be final and shall constitute the basis of payment. All material found not to meet the specifications contained in § 99.106 will be rejected. The producer shall be afforded ten days to re-sort any lot of rejected material and to offer the re-sorted material to the Government. All material rejected after re-sorting and all rejected material which the producer does not elect to re-sort must be removed by the producer at his own expense within fifteen days after notice of rejection to the producer. Upon failure of the producer to remove the material within the time allowed, the Government may dispose of it without liability. Such failure shall constitute grounds for the Government's refusal of further offers of material from the producer.

Effective date. Sections 99.101 to 99.108 shall become effective immediately.

Dated: August 23, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51-10410; Filed, Aug. 27, 1951; 8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 880]

PART 95—CAR SERVICE

REDUCED RATES ON PASSENGER TYPE EXPRESS REFRIGERATORS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of August A. D. 1951.

It appearing, that there is a shortage of head end cars with which to handle express traffic moving in eastern territory due to the large number of baggage cars being used in troop and other movements; that there is a surplus of passenger type express refrigerators in California suitable for express traffic in eastern territory; that certain Transcontinental Freight Bureau Tariffs contain rate penalties on the use of passenger type refrigerator cars in freight service; that by reason thereof it is necessary, in the interest of National Defense, to regulate and control the use of such cars to assure the maximum utilization; in the opinion of the Commission an emergency exists requiring immediate action to promote car service in the interest of the public and the commerce of the people. It is ordered, that:

§ 95.880 *Reduced rates on passenger type express refrigerators*—(a) *Rates applicable.* Common carriers by railroad subject to the Interstate Commerce Act, may, at their option, furnish passenger type refrigerators of Railway Express Agency, Incorporated, ownership listed in paragraph (b) of this section, for loading with perishable commodities originating in California, destined eastern territory, in carload lots, suitable for transportation in refrigerator cars of this type; and shall accept and transport in freight service such commodities in passenger type express refrigerators as defined in paragraph (b) of this section, at the freight rates applicable to the same commodities when loaded in standard refrigerator cars (cars with inside length between bulkheads—loading space—of less than 37' 6").

(b) *Passenger type express refrigerators defined.* For the purpose of this section, the term "passenger type express refrigerators" is defined as: (1) Refrigerator cars with inside measurement between bulkheads (loading space) of not less than 37' 6"; and (2) refrigerator cars with collapsible bunkers having inside length between bulkheads (loading space) of less than 37' 6" with bulkheads in place and in excess of 37' 6" with bulkheads collapsed, of Railway Express Agency, Incorporated, ownership, and bearing the following markings and numbers as listed in the Official Register of Passenger Train Equipment: The Atchison, Topeka and Santa Fe Railway Company, 4000-4049; Atlantic Coast Line Railroad Company, 3000-3049; Great Northern Railway Company, 1900-2139; The Nashville, Chattanooga & St. Louis Railway, 3902-3919; Pacific Fruit Express Company, 500-799; The Pennsylvania Railroad Company, 2551-2911; Seaboard Air Line Railroad Company, 3600-3641; and all Railway Express Agency, Incorporated, cars numbered intermittently 40 to 6799 except cars numbered 801 to 806, inclusive.

(c) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with this section is hereby suspended.

(d) *Announcement of suspension.* Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth in paragraphs (a), (b), and (c) of this section.

(e) *Special permits.* The provisions of this section shall be subject to special permits issued by Mr. D. W. Benton, Refrigerator Car Agent, Interstate Commerce Commission, 59 E. Van Buren Street, Chicago 5, Illinois, to meet specific needs or exceptional circumstances.

(f) *Application.* The provisions of this section shall apply to interstate and foreign commerce.

(g) *Effective date.* This section shall become effective at 12:01 a. m., August 27, 1951.

(h) *Expiration date.* This section shall expire at 11:59 p. m., September 29, 1951, unless otherwise modified, changed, suspended or annulled by order of this Commission.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-10322; Filed, Aug. 27, 1951; 8:47 a. m.]

[S. O. 877, Amdt. 1, Corr.]

PART 97—ROUTING

REROUTING OF TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 20th day of August A. D. 1951.

Upon further consideration of the provisions of Service Order No. 877 (16 F. R. 4940), and good cause appearing therefor:

It is ordered, That: § 97.877 Service Order No. 877, *Rerouting of traffic* be, and it is hereby, amended by sub-

stituting the following paragraph (g) hereof for paragraph (g) thereof:

(g) *Expiration date.* The regulations in this section shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies secs. 1, 15, 24 Stat. 379, as amended, 384, as amended; 49 U. S. C. 1, 15)

It is further ordered, That this amendment shall become effective at 11:59 p. m., August 31, 1951; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10313; Filed, Aug. 27, 1951; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 939]

BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1951-52 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington and California, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $22,895.00 are likely to be incurred by said committee during the fiscal period beginning July 1, 1951, and ending June 30, 1952, both dates inclusive, for its maintenance and functioning under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the pro rata share of such expenses which each handler shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal period, the rate of assessment at six mills ($0.006) per standard western pear box of pears or its equivalent of pears in other containers or in bulk, shipped by such handler during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the aforesaid proposals may do so by mailing the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, Room 2077, South Building, Washington 25, D. C., not later than the 10th day after the publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 23d day of August 1951.

[SEAL] S. R. SMITH, *Director, Fruit and Vegetable Branch.*

[F. R. Doc. 51-10358; Filed, Aug. 27, 1951; 8:50 a. m.]

[7 CFR Part 986]

HANDLING OF HOPS GROWN IN OREGON, CALIFORNIA, WASHINGTON, AND IDAHO, AND OF HOP PRODUCTS PRODUCED THEREFROM IN THESE STATES

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO BUDGET OF EXPENSES OF THE HOP CONTROL BOARD FOR MARKETING SEASON BEGINNING AUGUST 1, 1951, AND RATE OF ASSESSMENT

Notice is hereby given that the Department is considering the issuance of the proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 107 and Order No. 86, regulating the handling of hops grown in Oregon, California, Washington, and Idaho, and of hop products produced therefrom in these States (7 CFR Part 986), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such administrative rule consideration will be given to data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the tenth day after publication of this notice in the FEDERAL REGISTER, except that if said tenth day after publication should fall on a holiday or Sunday, such submission may be received by the Director not later than the close of business on the next following work day.

The Hop Control Board, established pursuant to the provisions of the aforesaid marketing agreement and order, at a duly called meeting in Yakima, Washington, on July 20, 1951, took action, pursuant to provisions of § 986.7 of said agreement and order, in respect to its budget of expenses and rate of assessment for the marketing season beginning August 1, 1951. It adopted by unanimous vote a budget of expenses of $147,900 for its maintenance and functioning during the marketing season beginning August 1, 1951. The Board anticipates increased costs of operation, and the budget recommended is $13,500 larger than the budget approved for the preceding marketing season.

The Board also recommended by unanimous vote a rate of assessment of one-third of a cent per pound, net dry weight, of hops (including hop products in terms of hops) handled during the marketing season which began on August 1, 1951. The proposed rate of assessment when applied to the quantity of hops (including hop products in terms of hops) which it is estimated will be handled during the said marketing season would provide sufficient funds for the recommended budget of expenses.

Therefore, the proposed rule is as follows:

§ 986.302 *Budget of expenses for the marketing season beginning August 1, 1951, and rate of assessment*—(a) *Budget of expenses.* Expenses in the amount of $147,900 are reasonable and likely to be incurred by the Hop Control Board (including but not limited to the Growers Allocation Committee and the several Growers Advisory Committees) for its maintenance and functioning during the marketing season beginning August 1, 1951; and

(b) *Rate of assessment.* The rate of assessment for the marketing season beginning August 1, 1951, shall be one-third of a cent per pound, net dry weight, of hops handled, and the assessment rate of any hop product shall be based upon the assessment rate for hops, and shall be computed at such conversion ratio or ratios between hops and the respective hop product as determined pursuant to § 986.6 (b) (6) of said agreement and order.

Done at Washington, D. C., this 22d day of August 1951.

[SEAL] S. R. SMITH, *Director, Fruit and Vegetable Branch.*

[F. R. Doc. 51-10308; Filed, Aug. 27, 1951; 8:46 a. m.]

NOTICES

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 40, Amdt. 1]

PIONEER SUSPENDER CO.

CEILING PRICES

Statement of considerations. This amendment to Special Order 40, issued under section 43 of Ceiling Price Regulation 7, to Pioneer Suspender Co., extends the date by which the applicant was required to mark, tag or ticket the articles covered by the special order. The extension is granted on applicant's demonstration of its inability to preticket in the exact manner set forth in the special order by the date specified and also because the applicant presently tickets each article covered by the special order with the retail ceiling price fixed by the special order.

This amendment also adds several items manufactured by the applicant for which the applicant requested uniform ceiling prices at retail in its original application but which were inadvertently omitted from the special order.

Amendatory provisions. Special Order 40 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 from the special order and substitute therefor the following:

1. The ceiling prices for sales after the effective date of this special order by any seller at retail of braces, garters, belts, wallets, jewelry, arm bands, buckles, key cases, secretaries, and travel cases, manufactured by Pioneer Suspender Co., having the brand name "Pioneer," shall be the proposed retail ceiling prices listed by Pioneer Suspender Co., in its application dated April 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

2. Delete the first two unnumbered paragraphs of paragraph 3 and substitute therefor the following:

On and after January 2, 1952, Pioneer Suspender Co., must mark each article covered by paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. The statement "OPS—Sec. 43—CPR 7" must appear on the label, tag or ticket or on a separate sticker attached to each article covered by this special order.

On and after February 2, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 2, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective on August 20, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10115; Filed, Aug. 20, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 484]

FREEZER-ABELES SHIRT CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Freezer-Abeles Shirt Corporation, 350 Fifth Avenue, New York 1, New York.

Brand names: "Fruit of the Loom".

Articles: Men's shirts.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any ar-

ticle included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag, or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10020; Filed, Aug. 17, 1951; 3:56 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 502]

BARKIN, LEVIN & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Barkin, Levin & Co., Inc., 512 Seventh Avenue, New York, New York.

Brand names: "Lassie Junior" and "Lassie Maid".

Articles: Juniors' and misses' coats.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10047; Filed, Aug. 17, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 503]

ELGIN NATIONAL WATCH CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Elgin National Watch Company, 107 National Street, Elgin, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of watches manufactured by Elgin National Watch Company, 107 National Street, Elgin, Illinois, having the brand name(s) "Elgin", "Lord Elgin", "Railroad", "Elgin DeLuxe", "Transportation", "Lady Elgin", and "Elgin Automatic" shall be the proposed retail ceiling prices listed by Elgin National Watch Company in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 18, 1951, Elgin National Watch Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10116; Filed, Aug. 20, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 504]

MISSISSIPPI BEDDING CO.

CEILING PRICES AT RETAIL

Statement of Considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Mississippi Bedding Co.. 527 South Commerce Street, Jackson, Mississippi.

Brand names: "Spring-Air Back Supporter", "Spring-Air Model 70", "Spring-Air Extra Firm", "Spring-Air Extra Long", "Spring-Air Model 50", "Spring-Air Model 30", "Spring-Air Model 10", "Spring-Rest" and "Spring-Comfort".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10117; Filed, Aug. 20, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 505]

BURTON-DIXIE CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail

prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Burton-Dixie Corporation, 2024 South Racine Avenue, Chicago 8, Illinois.

Brand names: "Burton-Dixie Slumberon", "Burton-Dixie Vanity Fair", "Burton-Dixie Slumberon Supreme" and "Burton-Dixie DeLuxe".

Articles: Mattresses and bed springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}
$--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10118; Filed, Aug. 20, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 506]

DODGE-DICKINSON CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order

which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Dodge-Dickinson Co., 701 East Lincoln Street, Bloomington, Illinois.

Brand names: "Restonic Royal Flex-O-Form", "Restonic Deluxe", "Custom Restonic", "Super Restonic", "Luxury Restonic", "Restonic Topper-Foam", "Restonic Wonderfoam", "Restonic Emblem Flex-O-Form", "All American", "Slumber", "Restwell", "Cavalier", "Premier", "Economy", "Relaxa", "Blue Label", "Springrest", "Dr. Fuller", "Super Flex" and "Gilt Edge".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10119; Filed, Aug. 20, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 507]

MOHAWK CARPET MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Mohawk Carpet Mills, Inc., Amsterdam, New York.

Brand names: "Mohawk".

Articles: Floor carpeting.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at

retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.}	Terms{net. percent EOM. etc.} $_____

9. *Preticketing requiremcnts.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ _____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10120; Filed, Aug. 20, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 508]

INGRAHAM MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Ingraham Manufacturing Co., P. O. Box 2039, Phoenix, Arizona.

Brand names: "Serta Tiny Perfect Sleeper", "Serta Sertaflex", "Serta Sertarest", "Serta Restal Knight", "Serta Sertarest DeLuxe", "Serta Perfect Sleeper", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper Imperial", "Serta Perfect Sleeper DeLuxe", "Serta Perfect Sleeper Supreme", and "Serta Serta-Foam".

Articles: Mattresses, box springs and foundation sets.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms

of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms{net. percent EOM. etc. $-------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------.

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10121; Filed, Aug. 20, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 509]

ABON MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Abon Manufacturing Company, 80 Wall Street, New York 5, New York.

Brand names: "Abon".

Articles: Glove ring, handbag holders, clip-on key rings.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by an amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$\_\_\_\_\_$ per $\_\_\_\_\_$ {unit. dozen. etc.} Terms {net. percent EOM. etc.}

$\_\_\_\_\_$

9. *Pretricketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ _____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10122; Filed, Aug. 20, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 510]

DAISY PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Daisy Products, Inc., 140 West Twenty-second Street, New York 11, New York.

Brand names: "Daisy."

Articles: Luggage.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no even later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant.—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen / etc.}	Terms{net. / percent EOM. / etc.} $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS — Sec. 43 — CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10123; Filed, Aug. 20, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 511]

SANSON HOSIERY MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sanson Hosiery Mills, Inc., 42 South Fifteenth Street, Philadelphia 2, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's hosiery sold through wholesalers and retailers and having the brand name(s) "Picturesque" and "Willys of Hollywood" shall be the proposed retail ceiling prices listed by Sanson Hosiery Mills, Inc., 42 South Fifteenth Street, Philadelphia 2, Pennsylvania, hereinafter referred to as the "applicant" in its application dated May 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 18, 1951, Sanson Hosiery Mills, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment

to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in the 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[Ceiling Price Regulation 7, Section 43, 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43 Special Order 512]

NATIONAL PRESSURE COOKER CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, National Pressure Cooker Co., Eau Claire, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special Provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of pressure cookers and canners, electric vapor-steam irons, toasters, fryers, food separators, dividers, timers, sold through wholesalers and retailers and having the brand name(s) "Presto" shall be the proposed retail ceiling prices listed by National Pressure Cooker Company, Eau Claire, Wisconsin, hereinafter referred to as the "applicant" in its application dated May 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated August 7, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 18, 1951, National Pressure Cooker Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10125; Filed, Aug. 20, 1951; 5:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 513]

GENERAL MILLS, INC., MECHANICAL DIVISION, HOME APPLIANCE DEPT.,

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of Considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, General Mills, Inc., Mechanical Division, Home Appliance Department, 1620 Central Avenue NE, Minneapolis 13, Minnesota, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of irons, steam irons, steam ironing attachments, toasters sold through wholesalers and retailers and having the brand name(s) "Betty Crocker" shall be the proposed retail ceiling prices listed by General Mills, Inc., Mechanical Division, Home Appliance Department, 1620 Central Avenue NE., Minneapolis 13, Minnesota, hereinafter referred to as the "applicant" in its application dated May 23, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 18, 1951, General Mills, Inc., Mechanical Division, Home Appliance Department, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the

receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10126; Filed, Aug. 20, 1951; 5:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 514]

W. C. BURROUGHS CO., INC.,

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The W. C. Burroughs Company, Inc., 45-17 Davis Street, Long Island City 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of automatic needle threader sold through wholesalers and retailers and having the brand name(s) "Thread-A-Matic" shall be the proposed retail ceiling prices listed by The W. C. Burroughs Company, Inc., 45-17 Davis Street, Long Island City 1, New York, hereinafter referred to as the "applicant" in its application dated May 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 18, 1951, The W. C. Burroughs Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficent copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a)(4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10127; Filed, Aug. 20, 1951; 5:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 515]

PACKARD-BELL CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of Considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Packard-Bell Company, 12333 West Olympic Boulevard, Los Angeles 64, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of radios, radio-phonograph combinations, phonocords, television sets and television-radio-phonograph combinations sold through wholesalers and retailers and having the brand name(s) "Packard-Bell" shall be the proposed retail ceiling prices listed by Packard-Bell Company, 12333 West Olympic Boulevard, Los Angeles 64, California, hereinafter referred to as the "applicant" in its application dated May 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 18, 1951, Packard-Bell Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10128; Filed, Aug. 20, 1951; 5:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 516]

HOUGH SHADE CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Hough Shade Corporation, 1023 South Jackson Street, Janesville, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of porch shades and floor screens sold through wholesalers and retailers and having the brand name(s) "Coolmor" and "Belmar" and "Vudor" shall be the proposed retail ceiling prices listed by The Hough Shade Corporation, 1023 South Jackson Street, Janesville, Wisconsin, hereinafter referred to as the "applicant" in its application dated May 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 18, 1951, The Hough Shade Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10129; Filed, Aug. 20, 1951; 5:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 517]

SLUMBER PRODUCTS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Slumber Products Corporation, 354 South Parkway West, Memphis, Tennessee, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses, box springs manufactured by Slumber Products Corporation, 354 South Parkway West, Memphis, Tennessee, having the brand name(s) "Restonic Custom", "Restonic Super", "Restonic Orthopedic", "Restonic Luxury", "Pil-o-Flex", "American Beauty", "Hotel Quality American Beauty", "Super American Beauty", "American Beauty Orthopedic","Superior Flex-O-Form","Supreme Flex-O-Form", "DeLuxe Flex-O-Form", "Gold Cross" shall be the proposed retail ceiling prices listed by Slumber Products Corporation in its application dated March 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated June 28, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling prices of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 18, 1951, Slumber Products Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 16, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 16, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufac-

turer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 21, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 20, 1951.

[F. R. Doc. 51-10130; Filed, Aug. 20, 1951; 5:11 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 518]

BARCLAY KNITWEAR CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Barclay Knitwear Company, Inc., 1239 Broadway, New York 1, New York.

Brand names: "Hopalong Cassidy Sweaters".

Articles: Boys' sweaters.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are effected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and dis-

count terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 22d of August 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10151; Filed, Aug. 21, 1951; 2:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 519]

SILVER CITY GLASS CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Silver City Glass Company, 122 Charles Street, Meriden, Connecticut.

Brand names: "Carlton Arts", "Sterling-on-Crystal", and "Gold-on-Crystal".

Articles: Crystal tableware trays, epergnes, vases, candle stick holders, lamps, punch sets, and cocktail shakers, crystal plates, dishes, bowls, sugars and creamers, vases.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this

order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10152; Filed, Aug. 21, 1951; 2:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 520]

BIGLEY INDUSTRIES

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulations have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Bigley Industries, 308 West Josephine Street, San Antonio 2, Texas.

Brand names: "Padarounds".

Articles: Men's and women's scuffs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment) mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10153; Filed, Aug. 21, 1951; 2:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 521]

ADAM HAT STORES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, is it ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Adam Hat Stores, Inc., 665 Broadway, New York 12, New York.

Brand names: "Adam Royal", "Adam Majestic", "Adam Executive", "Adam Premier", "Adam DeLuxe", "Adam Imperial", "Adam 15", "Adam Golden Eagle", "Adam Excellent Quality", "Adam Capital Quality", "Adam Aristocrat Quality", "Adam Regent Quality", "Adam Fairway", "Adam Hi-Doodle", "Adam Roadster", "Adam Club House", "Adam Sun Mate", "Adam Tee-Off", "Adam Cordo-Weve", "Adam Mashie", "Adam Day-Glo", "Adam BBC-225", "Adam C–50", "Adam C–125", "Adam C–150", "Adam C–200/201", "Adam C–203/205", "Adam Alligator", "Adam Leisure Play", and "Adam Aquashed".

Articles: Men's and boys' fur felt hats, panama and straw hats, novelty cloth hats, caps.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per-----{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51–10154; Filed, Aug. 21, 1951; 2:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 522]

NORFOLK MATTRESS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to

apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Norfolk Mattress Company, Inc., 110 East Twenty-second Street, Norfolk, Virginia.

Brand names: "Ezera Storm's".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10155; Filed, Aug. 21, 1951; 2:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 523]

SAWYER'S, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Sawyer's Inc., 735 Southwest Twentieth Place, Portland 7, Oregon.

Brand names: "View-Master".

Articles: Reels, stereoscopes, light attachments for stereoscopes, transformers and cords for light attachments, projectors, projector lamps, carrying cases for projectors, projection screens, junior projectors, theatres, plastic library boxes and wildflower sets.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10156; Filed, Aug. 21, 1951; 2:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 524]

TABIN-PICKER & CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Tabin-Picker & Company, 4119 West Belmont Avenue, Chicago, Illinois.

Brand names: "Georgiana Frocks" & "Trudy Hall Juniors".

Articles: Women's dresses, juniors' dresses.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to

this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10157; Filed, Aug. 21, 1951; 2:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 525]

TRESOR, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1 *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Tresor, Inc., 33 East 33 Street, New York 16, New York.

Brand names: "Koret Tresor".

Articles: Ladies' hand bags.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}
$--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10158; Filed, Aug. 21, 1951; 2:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 526]

KORET, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1 *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Koret, Inc., 33 East 33d Street, New York 16, New York.

Brand names: "Koret".

Articles: Ladies' handbags.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your suppliers' application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag

such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10159; Filed, Aug. 21, 1951; 2:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 527]

HONORBILT PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: HonorBilt Products, Inc., Trenton Ave. and Venango Streets, Philadelphia 34, Penna.

Brand names: "Serta Restàl Knight", "Serta Perfect Sleeper", "Serta Perfect Sleeper Deluxe", "Serta Perfect Sleeper Orthopedic Deluxe" and 'Serta Perfect Sleeper Supreme".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices . You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of the applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you

had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}	$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10160; Filed, Aug. 21, 1951; 2:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 528]

WINSHIP CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Winship Company, Inc., 319 Oriskany Street, East, Utica, New York.

Brand names: "Winship Utica Luggage".

Articles: Personal luggage, sample and special cases.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form.

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit / dozen. / etc.} Terms {net. / percent EOM. / etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ _____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10161; Filed, Aug. 21, 1951; 2:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 529]

HERBERT RITTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Herbert Ritts, Inc., 8445 Santa Monica Blvd., Los Angeles 46, California.

Brand names: "Tropitan".

Articles: Rattan furniture, slip covers, cushions (airfoam and kapok), and bamboo draperies.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}

$_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this

order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag, or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10162; Filed, Aug. 21, 1951; 2:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 530]

FORMAID CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Formaid Co., 31 Beach Street, Boston 11, Massachusetts.

Brand names: "Formaid."

Articles: Women's brassieres.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10163; Filed, Aug. 21, 1951; 2:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 531]

AUGUSTA KNITTING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Augusta Knitting Corporation, 700 Broad Street, Utica, N. Y.

Brand names: "Princess May", "Winteretts", "Princess May Coolo-Cloth", "Jones Quality Smuthtex", "Pollyanna's" and "Wonderwear".

Articles: Women's, men's and children's underwear and pajamas.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$_____

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10208; Filed, Aug. 21, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 532]

F. B. CONNELLY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, F. B. Connelly Company, 1015 Republican Street, Seattle 9, Washington (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclu-

sions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of television sets sold at wholesale by F. B. Connelly Company, 1015 Republican Street, Seattle 9, Washington, having the brand name(s) "Sylvania" shall be the proposed retail ceiling prices listed by F. B. Connelly Company in its application dated May 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 19, 1951, F. B. Connelly Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms {net. / percent EOM. / etc.}	$-------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51–10209; Filed, Aug. 21, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 533]

ROYAL BEDDING CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Royal Bedding Company, 721 Cass Avenue, St. Louis 6, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of box springs and mattresses manufactured by Royal Bedding Company, 721 Cass Avenue, St. Louis 6, Missouri having the brand name(s) "Serta Perfect Sleeper", "Serta Perfect Sleeper Imperial", "Serta De Luxe Perfect Sleeper", "Serta Perfect Sleeper Orthopedic", "Serta Sertapedic", "Serta Coilex", "Serta Sertarest", and "Serta Sertaflex" shall be the proposed retail ceiling prices listed by Royal Bedding Company in its application dated March 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 19, 1951, Royal Bedding Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the pretiketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10210; Filed, Aug. 21, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 534]

MARSHALL INDUSTRIES

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Marshall Industries, 345 West Hubbard Street, Chicago 10, Illinois has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of rainwear boots manufactured by Marshall Industries, 345 West Hubbard Street, Chicago 10, Illinois having the brand name(s) "Rain Stormers" shall be the proposed retail ceiling prices listed by Marshall Industries in its application dated May 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having

the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 19, 1951, Marshall Industries must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10211; Filed, Aug. 21, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 535]

WOLVERINE SUPPLY & MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wolverine Supply & Mfg. Co., Pittsburgh, Pa., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of toys sold through wholesalers and retailers and having the brand name(s) "Wolverine", "Sandy Andy", and "Sunny Susy" shall be the proposed retail ceiling prices listed by Wolverine Supply & Mfg. Co., Pittsburgh, Pa., hereinafter referred to as the "applicant" in its application dated July 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Wolverine Supply & Mfg. Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticking requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accord-

ance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10212; Filed, Aug. 21, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 536]

NUTONE, INC.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of Considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Nutone, Inc., Madison and Red Bank Roads, Cincinnati 27, Ohio has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of door chimes sold through wholesalers and retailers and having the brand name(s) "Nutone" shall be the proposed retail ceiling prices listed by Nutone, Inc., Madison and Red Bank Roads, Cincinnati 27, Ohio hereinafter referred to as the "applicant" in its application dated May 21, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Nutone, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation

which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months' period following the effective date of this special order and within 45 days of the expiration of each successive 6 months' period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months' period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10213; Filed, Aug. 21, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 537]

GLENDALE KNITTING CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Glendale Knitting Corporation, Perry, New York, has applied to the Office of Price Stabilization for resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of children's cotton sleepers, dolls and doll suits manufactured by Glendale Knitting Corporation, Perry, New York having the brand name(s) "Nitey Nite" shall be the proposed retail ceiling prices listed by Glendale Knitting Corporation in its application dated April 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated July 3, 1951 and July 24, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 19, 1951, Glendale Knitting Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the re-

quirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10214; Filed, Aug. 21, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 538]

MODERN SALES CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Modern Sales Company, 5016 West Venice Boulevard, Los Angeles 19, California, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of automatic liquor dispenser, liquor pourer, spout-dispenser, spoons, liquor jigger and muddler sold through wholesalers and retailers and having the brand name(s) "Mr. Bartender", "Musical Mr. Bartender", "Mr. Bar Laddie", "Mr. TwoSome", "Mr. Bar-Flo", "Mr. Jigger Swivel", "Mr. Bar Swivel", "Mr. PicStir", "Mr. Peelmaster", "Mr. Swivel Spoon" shall be the proposed retail ceiling prices listed by Modern Sales Company, 5016 West Venice Boulevard, Los Angeles 19, California hereinafter referred to as the "applicant" in its application dated June 7, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Modern Sales Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10215; Filed, Aug. 21, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 539]

ZENITH RADIO CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Zenith Radio Corporation, 6001 West Dickens Avenue, Chicago 39, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of radio and television sets sold through wholesalers and retailers and having the brand name(s) "Zenith" shall be the proposed retail ceiling prices listed by "Zenith Radio Corporation, 6001 West Dickens Avenue, Chicago 39, Illinois hereinafter referred to as the "applicant" in its application dated June 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Zenith Radio Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers—(a) Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10216; Filed, Aug. 21, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 540]

PHILCO CORP.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Philco Corporation, Tioga and C Streets, Philadelphia 34, Pennsylvania has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of television receivers, radio receivers, and radio-phonograph combinations sold through wholesalers and retailers and having the brand name(s) "Philco" shall be the proposed retail ceiling prices listed by Philco Corporation, Tioga and C Streets, Philadelphia 34, Pennsylvania hereinafter referred to as the "applicant" in its application dated April 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated June 8, 1951 and August 10, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Philco Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner,

annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10217; Filed, Aug. 21, 1951; 5:06 p. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

AUGUST 20, 1951.

Notice is given that the plat of original survey of the following described lands, accepted June 5, 1951, will be officially filed in the Land Office, Fairbanks, Alaska, effective at 10:00 a. m., on the 35th day after the date of this notice:

T. 2 S., R. 1 E., Fairbanks Meridian:
Sec. 1; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.
Sec. 2; Lots 1, 2, 3, 4, 5, 6, 7, and NW¼NE¼.
Sec. 3; Lots 1, 2 and 3.
Sec. 12; Lot 1.

The area described aggregates 493.45 acres.

The lands lie on the Tanana River floodplain, along the right limit of the river, approximately 9 miles southeast of the city of Fairbanks, Alaska, on the Richardson Highway. The lands support a vegetative cover of black spruce, scrub birch and willow, with some large spruce, birch aspen, and cottonwood on the better drained lands along the watercourses. The soils are comprised largely of micaceous very fine sand generally underlain with permafrost at shallow depths.

At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this notice shall be subject only to (1) application under the homestead or the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended, home or headquarter site under the act of May 26, 1934 (48 Stat. 809, 48 U. S. C. 461), by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m., on the 35th day after the date of this notice shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m., on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m., on the 126th day after the date of this notice, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m., on the 126th day after the date of this notice, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statement in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office at Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations and applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office.

LOWELL M. PUCKETT,
Regional Administrator.

[F. R. Doc. 51-10238; Filed, Aug. 27, 1951; 8:45 a. m.]

Office of the Secretary

OIL AND GAS OPERATIONS IN THE SUBMERGED COASTAL LANDS OF THE GULF OF MEXICO

This is a fifth supplement to Part II of the notice issued by the Secretary of the

Interior on December 11, 1950 concerning "Oil and Gas Operations in the Submerged Coastal Lands of the Gulf of Mexico" (15 F. R. 8835), as previously supplemented by the notices issued by the Secretary of the Interior on February 2, 1951 (16 F. R. 1203), March 5, 1951 (16 F. R. 2195), April 23, 1951 (16 F. R. 3623), and June 25, 1951 (16 F. R. 6404).

Persons conducting oil and gas operations in accordance with Part II of the notice dated December 11, 1950, as previously supplemented, are hereby authorized to continue such operations to and including October 31, 1951. This supplementary authorization is subject to the conditions prescribed in Part II.

This does not authorize the drilling of, or production from, any oil or gas well the drilling of which had not been commenced on or before December 11, 1950.

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 22, 1951.

[F. R. Doc. 51-10239; Filed, Aug. 27, 1951; 8:45 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Bestwear Manufacturing Co., 421 Arch Street, Philadelphia 6, Pa., effective 8-17-51 to 8-16-52; for normal labor turnover, 10 percent of the productive factory force or 10 learners, whichever is greater (men's sportswear).

Byron Clothing Manufacturing Co., 48 Grove Street, West Somerville, Mass., effective 8-15-51 to 8-14-52; five learners for normal labor turnover (men's and boys' sportswear).

Goodman Manufacturing Co., 131 South Poplar Street, Shamokin, Pa., effective 8-15-51 to 8-14-52; 10 percent of the productive factory force for normal labor turnover (women's blouses).

Myles Manufacturing Co., Inc., Harrisville Factory, Harrisville, W. Va., effective 8-14-51 to 8-13-52; for normal labor turnover, 10 percent of the productive factory force or 10 learners, whichever is greater (blouses).

Portsmouth Mills, Inc., 923 Middle Street, Portsmouth, Va., effective 8-15-51 to 8-14-52; 10 percent of the productive factory force or five learners, whichever is greater (ladies' lingerie of woven rayon).

Sacony of St. Matthews, Inc., St. Matthews, S. C., effective 8-13-51 to 12-12-51; 10 percent of the productive factory force for normal labor turnover. This certificate does not authorize the employment of learners at subminimum wage rates engaged in the production of ladies' and children's skirts (women's sportswear).

Washco Corp., Washington County, Millry, Ala., effective 8-20-51 to 2-19-52; 35 learners may be employed for expansion purposes (men's and boys' pajamas).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Bear Brand Hosiery Co., Kankakee, Ill., effective 8-29-51 to 8-28-52; 5 percent of the total number of productive factory workers.

Francis-Louise Full Fashion Mills, Inc., Valdese, N. C., effective 8-15-51 to 4-14-52; 15 learners for expansion purposes only.

Strutwear, Inc., Clarksdale, Miss., effective 9-15-51 to 5-14-52; 20 learners for expansion purposes.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Advance Glove Manufacturing Co., 1700 Maple Street, Rome, Ga., effective 8-31-51 to 8-30-52; 10 percent of the productive factory force.

Indianapolis Glove Co., Inc., Marion, Ind., effective 8-22-51 to 7-24-52; 10 learners.

Indianapolis Glove Co., Inc., Richmond, Ind., effective 8-22-51 to 7-24-52; 10 learners.

Indianapolis Glove Co., Inc., Springfield, Ohio, effective 8-25-51 to 7-24-52; 10 learners.

Seattle Glove Co., 519 Twelfth Avenue, Seattle, Wash., effective 8-15-51 to 8-14-52; 10 learners.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Almont Manufacturing Co., Inc., 36 Whittier Street, Boston, Mass., effective 8-16-51 to 2-15-52; six learners; sewing machine operators; 320 hours; 60 cents per hour for first 160 hours and 65 cents per hour for remaining 160 hours (plastic film tablecovers, etc.).

Flower Products Co., Inc., 536 East Thirty-fifth Street, Chicago 16, Ill., effective 9-13-51 to 3-12-52; five learners; flower maker including only the operations of slipping-up, heading, tying, pasting, rose-making, branching and stemming; 160 hours at 60 cents per hour (artificial flowers, leaves, Christmas novelties).

Hoover Products, Inc., Youngstown, Ohio, effective 8-16-51 to 2-15-52; five learners; assemblers, painters, and spray operators; 160 hours each at 65 cents per hour (plastics).

Richards & Associates, Page Park, Fort Myers, Fla., effective 8-15-51 to 10-19-51; 10 additional learners; sewing machine operators; 480 hours; 60 cents per hour for first 320 hours and 65 cents per hour for remaining 160 hours (plastic films) (supplemental certificates).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260; 15 F. R. 6546).

Foot Caress Shoes, Inc., Ripley, Miss., effective 8-13-51 to 2-12-52; 50 learners for expansion purposes only.

The following special learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration date, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Atlas Products Corp., Toa Alta, P. R., effective 8-13-51 to 2-12-52; 43 learners; cutters leather gloves, 200 hours at 39 cents per hour; machine stitching, 160 hours at 34 cents per hour; operators leather, 160 hours at 39 cents per hour; gloves, 160 hours at 44 cents per hour (leather gloves).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 21st day of August 1951.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 51-10363; Filed, Aug. 27, 1951; 8:51 a. m.]

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

ISSUANCE OF SPECIAL CERTIFICATES

Notice of issuance of special certificates for the employment of handicapped clients by sheltered workshops under the Fair Labor Standards Act of 1938, as amended, and the Walsh-Healey Public Contracts Act, as amended.

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214, as amended, 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

The Merrimack Valley Goodwill Industries, 99 Willie Street, Lowell, Mass.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 25 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1951, and expires July 31, 1952.

Central Association for the Blind, Inc., 301 Court Street, Utica 4, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 10, 1951, and expires May 31, 1952.

Industrial Home for the Blind, 520 Gates Avenue, Brooklyn 16, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 10 cents per hour, whichever is higher, and a rate of not less than 5 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 13, 1951, and expires May 31, 1952.

The New York Association for the Blind, Bourne Workshop, 338 East Thirty-fifth Street, New York, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher, and a rate of not less than 40 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 16, 1951, and expires June 30, 1952.

The Volunteers of America, 37–11 Twenty-second Street, Long Island City, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 34 cents per hour, whichever is higher, and a rate of not less than 30 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 17, 1951, and expires July 31, 1952.

The Volunteers of America, 36–30 Thirteenth Street, Long Island City, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 34 cents per hour, whichever is higher, and a rate of not less than 30 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 17, 1951, and expires July 31, 1952.

Buffalo Goodwill Industries, Inc., 153 North Division Street, Buffalo 3, N. Y.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 30 cents per hour, whichever is higher, and a rate of not less than 20 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 22, 1951, and expires July 31, 1952.

Davis Memorial Goodwill Industries, 1218 New Hampshire Avenue, Washington, D. C.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher, and a rate of not less than 25 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1951, and expires July 31, 1952.

Cleveland Rehabilitation Center, 2239 East Fifty-fifth Street, Cleveland, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 15 cents per hour, whichever is higher, and a rate of not less than 5 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 15, 1951, and expires July 31, 1952.

Goodwill Industries of Toledo, Ohio, 601 Cherry Street, Toledo, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher, and a rate of not less than 40 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 15, 1951, and expires July 31, 1952.

Lincoln Goodwill Industries, Inc., 1822 N Street, Lincoln, Nebr.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour, whichever is higher; certificate is effective August 20, 1951, and expires February 29, 1952.

Northwest Missouri Association for the Blind, 307 South Fourth Street, St. Joseph, Mo., at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 30 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective September 1, 1951, and expires August 31, 1952.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provision of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 16th day of August 1951.

RAYMOND G. GARCEAU,
Assistant Administrator.

[F. R. Doc. 51–10362; Filed, Aug. 27, 1951; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4835]

CAPITAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Capital Airlines, Inc., for amendment of its certificate of public convenience and necessity for route No. 14 so as to authorize it to engage in scheduled air transportation between Chicago, Ill., Milwaukee, Wis., and Minneapolis-St. Paul, Minn., on all-cargo flights (carrying property and mail) subject to a restriction against carrying local cargo between Chicago, on the one hand, and Milwaukee and Minneapolis-St. Paul, on the other.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act that the above-entitled proceeding is assigned for hearing on Thursday, September 13, 1951, at 10:00 a. m., e. d. s. t., in Room 5042, Department of Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Without limiting the scope of the issues involved in this proceeding, particular attention will be directed to the question as to whether the public convenience and necessity require the amendment of the certificate of public convenience and necessity of Capital Airlines, Inc., for route No. 14 so as to authorize it to engage in scheduled air transportation between Chicago, Ill., Milwaukee, Wis., and Minneapolis-St. Paul, Minn., on all-cargo flights (carrying property and mail) subject to a restriction against carrying local cargo between Chicago, on the one hand, and Minneapolis-St. Paul, on the other.

Notice is further given, that any person desiring to be heard in opposition to the application, other than parties of record, must file with the Board on or before September 13, 1951, a statement setting forth the issues of fact or law which he desires to controvert.

For further details of the service proposed and the authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., August 21, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-10311; Filed, Aug. 27, 1951; 8:46 a. m.]

[Docket No. 5004]

SWISSAIR, SWISS AIR TRANSPORT CO., LTD.; SERVICE TO FRANKFURT AM MAIN, GERMANY

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Swissair, Swiss Air Transport Company, Limited, for amendment of its foreign air carrier permit so as to include Frankfurt am Main, Germany, as an additional intermediate point on its route between Geneva and Zurich, Switzerland, and New York, New York.

Notice is hereby given pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceding, previously assigned to be held on August 27, 1951, is postponed to September 4, 1951, at 10:00 a. m., e. d. s. t., in room 5040, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Dated at Washington, D. C., August 21, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-10320; Filed, Aug. 27, 1951; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1760]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATIONS

AUGUST 22, 1951.

Take notice that on August 10, 1951, Cities Service Gas Company (Applicant), a Delaware corporation with its principal office in Oklahoma City, Oklahoma, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of approximately 15,000 feet of 16-inch gas pipeline beginning at a point of connection with an existing 10-inch pipeline near Wichita station and extending to a proposed electric generating plant being constructed by Kansas Gas and Electric Company, all in Sedgwick County, Kansas.

Applicant proposes by means of the described facilties to serve the Gill Plant of Kansas Gas and Electric Company natural gas on an interruptible basis for use as fuel in its said plant; maximum daily demands, annual requirements, and annual sales are estimated as follows:

Year (Mcf)	Maximum daily demand	Annual requirements	Estimated annual sales
1952	12,000	3,600,000	3,188,406
1953-55, inclusive	32,000	9,600,000	8,309,179

The application recites that applicant proposes by reason of the proposed sale of gas to Kansas Gas and Electric Company to leave a portion of the existing 10-inch line in service which applicant had been authorized in Docket No. G-1589 to reclaim.

The estimated over-all capital cost of the facilities is $72,300, the cost of which will be defrayed from company funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 10th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-10299; Filed, Aug. 27, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26340]

PETROLEUM PRODUCTS FROM POINTS IN VIRGINIA TO HENDERSON, N. C.

APPLICATION FOR RELIEF

AUGUST 23, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent for the Atlantic Coast Line Railroad Company and Southern Railway Company.

Commodities involved: Gasoline and other petroleum products, in tank-car loads.

From: Norfolk and Portsmouth, Va.

To: Henderson, N. C.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1065, Supp. 244.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10315; Filed, Aug. 27, 1951; 8:46 a. m.]

[4th Sec. Application 26341]

MOLDING SAND FROM LITTLE RIVER, ALA., TO SWAN AND TYLER, TEX.

APPLICATION FOR RELIEF

AUGUST 23, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3736.

Commodities involved: Molding sand, carloads.

From: Little River, Ala.

To: Swan and Tyler, Tex.

Grounds for relief: Circuitous routes, competition with rail carriers, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3736, Supp. 175.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10316; Filed, Aug. 27, 1951; 8:46 a. m.]

[4th Sec. Application 26342]

SUGAR FROM SUGAR LAND, TEX., TO HUGO, OKLA.

APPLICATION FOR RELIEF

AUGUST 23, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for Sugar Land Railway Company and other carriers.

Commodities involved: Sugar, beet or cane, carloads.

From: Sugar Land, Tex.

To: Hugo, Okla.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates; D. Q. Marsh's tariff I. C. C. No. 3662, Supp. 87.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10317; Filed, Aug. 27, 1951; 8:46 a. m.]

[Application No. 36, Sec. 5a]

BARNEY SHAPIRO

WEARING APPAREL CARRIERS; AGREEMENT

AUGUST 23, 1951.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act. Filed August 22, 1951, by: Barney Shapiro, Attorney-in-Fact, 1060 Broad Street, Newark 2, N. J.

Agreement involved: An agreement between and among common carriers by motor vehicle relating to rates, charges, rules, regulations and practices for the transportation of wearing apparel between points in New York, New Jersey, Connecticut, Delaware, Maryland, Pennsylvania, and West Virginia, and procedures for the joint initiation, consideration, and establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10321; Filed, Aug. 27, 1951; 8:47 a. m.]

[S. O. 878, Gen. Permit 6-F]

CARLOAD FREIGHT

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to carload freight moving first by water in coastwise or intercoastal service to a port in the continental United States, and thence by rail in a single car, or moving first by water in coastwise or intercoastal service to a port in the continental United States, thence by an inland water carrier to another point in the continental United States, and thence by rail in a single car to destination when, in either case, such carload freight is loaded to at least railroad tariff minimum at the point it is reshipped by rail.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit and/or any carrier loading cars under this general permit shall furnish the Permit Agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., August 22, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 22d day of August 1951.

HOWARD S. KLINE, *Permit Agent.*

[F. R. Doc. 51-10314; Filed, Aug. 27, 1951; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2678]

COLUMBIA GAS SYSTEM, INC., AND OHIO FUEL GAS CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF 3¼ PERCENT NOTES TO PARENT COMPANY BY SUBSIDIARY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22d day of August A. D. 1951.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company and its wholly-owned subsidiary, The Ohio Fuel Gas Company ("Ohio Fuel"), having filed with this Commission a joint application pursuant to sections 6 (b), 9 and 10 of the Public Utility Holding Company Act of 1935 (the "act") regarding the following transactions:

Ohio Fuel proposes to issue and sell and Columbia proposes to acquire, from time to time prior to March 31, 1952, not to exceed $8,500,000 principal amount of Ohio Fuel's unsecured Installment Promissory Notes. Said notes will be registered and the principal amounts thereof are to be payable in equal annual installments on February 15th of each of the years 1953 to 1977, inclusive. The unpaid principal amounts on such notes will bear interest at the rate of 3¼ percent per annum, payable semi-annually on February 15 and August 15 of each year, during the time the notes are outstanding. The proceeds from the sale of said notes will be used by Ohio Fuel to finance a part of its proposed 1951 construction program.

Said joint application having been filed on July 30, 1951, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said joint application within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

The application having represented that the only State Commission having jurisdiction over the proposed issuance and sale of such notes by Ohio Fuel is the Public Utility Commission of the State of Ohio, and that Commission having authorized the issuance and sale of such notes, and the joint applicants having requested that the Commission's order herein with respect to said application be granted, effective forthwith and

The Commission finding with respect to the joint application that the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application be granted, effective forthwith, subject to the terms and conditions specified below:

It is ordered, Pursuant to Rule U-2 and the applicable provisions of the Public Utility Holding Company Act of 193

that said joint application be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10300; Filed, Aug. 27, 1951; 8:45 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation No. 3]

WOOD SCREWS

INVESTIGATION INSTITUTED

Investigation No. 3 under section 7, Trade Agreements Extension Act of 1951.

Upon application made August 15, 1951, by the United States Wood Screw Service Bureau, New York, N. Y., the United States Tariff Commission on the 22d day of August 1951, under the authority of section 7 of the Trade Agreements Extension Act of 1951, approved June 16, 1951, and section 332 of the Tariff Act of 1930, instituted an investigation to determine whether the product described below is, as a result, in whole or in part, of the duty or other customs treatment reflecting the concessions granted on such product under the General Agreement of Tariffs and Trade, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products.

Tariff Act of 1930: Par. 338.

Description of product: Screws, commonly called wood screws, of iron or steel.

Inspection of application. The application is available for public inspection at the office of the Secretary, United States Tariff Commission, Eighth and E Streets NW., Washington D. C., and in the New York Office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

I certify that the above investigation was instituted by the Tariff Commission on the 22d day of August 1951.

[SEAL] DONN N. BENT, *Secretary.*

[F. R. Doc. 51-10319; Filed, Aug. 27, 1951; 8:46 a. m.]

[Investigation No. 4]

EDIBLE TREE NUTS

POSTPONEMENT OF HEARING

Investigation No. 4 under section 22 of the Agricultural Adjustment Act, as amended.

The United States Tariff Commission on August 22, 1951, ordered that the public hearing in the investigation with respect to edible tree nuts heretofore scheduled for September 5, be postponed will open at 10 a. m. and will be held in to September 12, 1951. The hearing the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F. R. Doc. 51-10318; Filed, Aug. 27, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18332]

CHRISTIAN BORCHERS ET AL.

In re: Trust u/w of Christian Borchers, deceased. Louise W. Dixon v. Anna Murphy et al. File No. D-28-13043; E & T Sec. 17166.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friedrich (Frederick) Borchers, Anna Deeken (Decker), nee Borchers, Georg Reil, Anna Sophie Sobing, nee Reil, Gesine Helene Sassen, nee Reil, and Frieda Henriette Sassen, nee Reil, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to the trust under the will of Christian Borchers, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Warren N. Arnold and J. Paul Schmidt, Substituted cotrustees, acting under the judicial supervision of Circuit Court No. 2 of Baltimore City, Baltimore, Maryland;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F. R. Doc. 51-10332; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18331]

AGNES O. E. AMSLER

In re: estate of Agnes O. E. Amsler or Ansler, deceased. File No. D-28-13047.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsa Kaminski and Martha Thds, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Agnes O. E. Amsler or Ansler, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Hyman Wank, Public Administrator of Kings County, as administrator, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F. R. Doc. 51-10331; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18333]

PAUL FELTES

In re: Estate of Paul Feltes, deceased. File D–28–13045.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gertrude Guth, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the heirs, next-of-kin and distributees, names other than that of Gertrude Guth unknown, of Paul Feltes, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to the estate of Paul Feltes, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Ashford G. P. Murch and Mildred E. Bernhard, co-executors of the estate of the deceased Public Administrator, as co-executors, acting under the judicial supervision of the Surrogate's Court of Erie County, New York;

and it is hereby determined:

5. That to the extent that the person identified in subparagraph 1 hereof and the heirs, next-of-kin and distributees, names other than that of Gertrude Guth unknown, of Paul Feltes, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51–10333; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18334]

ELISE HEINZ

In re: Estate of Elise Heinz, deceased. File No. D–28–13032.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Antonia Heinz, Heinrich Heinz, Elisabeth Mueller, Jean Bechtold, George Mueller, Johann Heinz, Reeschen Heinz, Mrs. Peter Seliger, Mrs. Johanna Wagner and Mrs. Tilly Ruehl, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Peter Heinz, deceased, and of Barbara Siebert, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Elise Heinz, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a desigated enemy country (Germany);

4. That such property is in the process of administration by Henry Ammersbach, as executor, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Peter Heinz, deceased, and of Barbara Siebert, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51–10334; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18335]

FUMI ITO AND PAUL ITO

In re: Rights of Fumi Ito and of Paul Ito under insurance contract. File No. F–39–6381–H–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fumi Ito and Paul Ito, whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 33 077 981 issued by the Metropolitan Life Insurance Company, New York, New York to Fumi Ito, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Fumi Ito and Paul Ito, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51–10335; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18336]

EUGEN KUHN

In re: Estate of Eugen Kuhn, deceased, File No. F–28–19109.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mina Kuhn Winkler, Jakob Kuhn and Eugen Kuhn, whose last known address is Germany, are resi-

dents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mina Kuhn Winkler and of Jakob Kuhn, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Eugen Kuhn, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Arthur E. Tillmes, as administrator, d. b. n., acting under the judicial supervision of the Essex County Court, New Jersey;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof, and the domiciliary personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Mina Kuhn Winkler and of Jakob Kuhn, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10336; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18337]

TSUYOSHI MINO

In re: Rights of Tsuyoshi Mino also known as Joe T. Mino under insurance contracts. Files Nos. F-39-4447-H-1 and H-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tsuyoshi Mino, also known as Joe T. Mino, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contracts of insurance evidenced by Policies numbered 9 941 293 and 113 845 issued by the New York Life Insurance Company, New York, New York to Tsuyoshi Mino also known as Joe T. Mino, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Tsuyoshi Mino also known as Joe T. Mino, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10337; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18338]

TSUYOSHI J. MINO

In re: Rights of Tsuyoshi J. Mino under insurance contract. File No. F-39-4447-H-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tsuyoshi J. Mino, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. RA 1,163,441 issued by the Massachusetts Mutual Life Insurance Company, Springfield, Massachusetts to Tsuyoshi J. Mino, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid Massachusetts Mutual Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Tsuyoshi J. Mino, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10338; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18339]

MITSUGI NISHIKAWA

In re: Rights of Mitsugi Nishikawa under insurance contract. File No. F-39-4466-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mitsugi Nishikawa, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by Policy No. 11 845 518 issued by the New York Life Insurance Company, New York, New York, to Mitsugi Nishikawa, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid New York Life Insurance Company together with the right to demand, enforce, receive and collect the same is property within the United States owned

or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by Mitsugi Nishikawa, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10339; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18340]

CECIL CARL RYAN

In re: Estate of Cecil Carl Ryan, deceased. File No. D-28-13051: E. T. sec. 17173.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie Rauls, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof, in and to the estate of Cecil Carl Ryan, deceased, is property payable or deliverable to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by H. Melgard, as administrator, c. t. a., acting under the judicial supervision of the Probate Court of the County of Latah, State of Idaho;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof, is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10340; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18341]

KAMEKICHI UO

In re: Rights of Kamekichi Uo under insurance contract. File No. D-39-12881-H-1.

Under the authority of the Trading With the Enemy Act, as amended. Executive Order 9193, as amended, and Exccutive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kamekichi Uo, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under contract of insurance evidenced by Policy No. 15 163 488 issued by the New York Life Insurance Company, New York, New York, to Kamekichi Uo, together with the right to demand, receive and collect said net proceeds, is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kamekichi Uo, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10341; Filed, Aug. 27, 1951; 8:48 a. m.]

[Vesting Order 18342]

GEORGE FISCHER

In re: Stock owned by George Fischer. F-28-2169.

Under the Authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That George Fischer, whose last known address is Zumguten Hirten 35, Munster, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Thirty-seven (37) shares of capital stock of Student Camera Co., being a portion of seventy-four (74) shares of capital stock of the aforesaid company, evidenced by certificates numbered 1 for five (5) shares, 3 for sixteen (16) shares, 4 for five (5) shares, and 6 for forty-eight (48) shares, registered in the names of Daniel J. Tapley, Edward W. Dufft, Paul C. Tapley and Daniel J. Tapley, respectively, presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon;

b. Any and all rights and interests in B. J. Baker & Co., Inc., in Dissolution, National Rockland Bank, Boston, Massachusetts, Paying Agent, evidenced by a certificate or certificates for six shares of Class A common stock of said B. J. Baker & Co., Inc., presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, in a custody account, Account Number FS-88-588, entitled "George Fischer", together with all declared and unpaid dividends thereon, including particularly all liquidating dividends due or to become due on the aforesaid shares of stock, and

c. Two (2) shares of common capital stock of Stern Bros., 41 West 42nd Street, New York, New York, evidenced by a certificate or certificates presently in the custody of The Chase National Bank of the City of New York, 11 Broad Street, New York 15, New York, in a custody account, Account Number FS-88-588, entitled "George Fischer", together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, George Fischer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10342; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18343]

GERMANY

In re: Debt owing to Germany. D-28-10615-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the City of Duisburg, is a political subdivision of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, in the amount of $1,015.00 as of March 28, 1946, arising out of cash held by the aforesaid, The Chase National Bank, as Paying Agent, for payment of unpresented coupons, maturing on May 1, 1933, detached from and/or appurtenant to the City of Duisburg, Germany, Seven Per Cent Serial Gold Bonds of 1925, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, less all lawful charges, by the said The Chase National Bank of the City of New York, against the said account, accrued or made and heretofore or hereafter licensed under Executive Order 8389, as amended,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10343; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18346]

MAERKISCHES ELEKTRICITAETSWERK ATKTIENGESELLSCHAFT

In re: Claim owned by Maerkisches Elektricitaetswerk Atktiengesellschaft, and/or Conversion Office for German Foreign Debts, also known as Konversionskasse fuer Deutsche Auslandsschulden. F-28-26311-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maerkisches Elektricitaetswerk Aktiengesellschaft, the last known address of which is Keithstrasse 30, Berlin W 62, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

2. That Conversion Office for German Foreign Debts, also known as Konversionskasse fuer Deutsche Auslandsschulden, the last known address of which is Berlin, Germany, is a public corporation organized under the laws of Germany, and which has or, since the effectice date of Executive Order 8389, as amended, has had its principal place of business in Berlin, Germany, and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain claim against the State of New York and the Comptroller of the State of New York arising by reason of the collection of and receipt by the said Comptroller of the State of New York, pursuant to the provisions of Section 303 Article III of the Abandoned Property Law of the State of New York, of the following: That certain sum of money in the amount of $742.71, representing the amount on deposit, as of November 10, 1950, in blocked accounts maintained with Bank of the Manhattan Company, 40 Wall Street, New York 15, New York, entitled Maerkisches Elektricitaetswerk Atktiengesellschaft, which amount of money was paid or delivered to the said Comptroller of the State of New York, on or about November 10, 1950, by said Bank of the Manhattan Company, said sum being presently in the custody or control of the Comptroller of the State of New York, Department of Audit and Control, Albany, New York,

and any and all rights to file with said Comptroller of the State of New York, the aforesaid claim and to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Maerkisches Elektricitaetswerk Aktiengesellschaft and/or Conversion Office for German Foreign Debts, also known as Konversionskasse fuer Deutsche Auslandsschulden, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10346; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18345]

CAROLINE KNUDTSEN ET AL.

In re: Stock owned by Caroline Knudtsen, Katrina Ingermann, Simon Arfsten, Ida Arfsten and Chris Arfsten. F-28-31595, F-28-31596, F-28-31597, F-28-31598, F-28-31599.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Caroline Knudtsen, Katrina Ingermann, Simon Arfsten, Ida Arfsten and Chris Arfsten, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows: Twenty-five and two-tenths (25.2)

shares of $100.00 par value capital stock of Central Stockholders Corporation formerly Central Commercial and Savings Bank, a corporation organized under the laws of the State of California, evidenced by the certificate numbers set forth in Exhibit A, attached hereto and by reference made a part hereof, and registered in the names of the persons listed in Exhibit A, in the amounts appearing opposite each certificate number, said certificates presently in the custody of the Attorney General, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necssary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Registered owner	Certificate No.	Number of shares	OAP File No.
Caroline Knudtsen	666	8.4	F-28-31595
Katrina Ingermann	667	8.4	F-28-31596
Simon Arfsten	668	2.8	F-28-31597
Ida Arfsten	669	2.8	F-28-31598
Chris Arfsten	670	2.8	F-28-31599

[F. R. Doc. 51-10345; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18348]

MARIA SCHWARZER

In re: Cash owned by Maria Schwarzer. F-28-31556-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Schwarzer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Cash in the amount of $139.31, presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158881 "Unclaimed Monies of Individuals Whose Whereabouts are Unknown", in the name of Maria Schwarzer, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10348; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18349]

ERNST TRELLE ET AL.

In re: Securities owned by Ernst Trelle and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ernst Trelle, whose last known address is Meschede, Beringhauserstr. 26, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That Eugen Berger, whose last known address is Remagen, Fahrgasse, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

3. That Emma Marechke, whose last known address is Detmold, Bachstr. 39, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That the property described as follows:

a. Two (2) shares of $1.00 par value capital stock of Bancamerica-Blair Corporation, evidenced by a certificate numbered SFF 18504, owned by Ernst Trelle, together with all declared and unpaid dividends thereon,

b. Twenty-five (25) shares of $1.00 par value capital stock of Montana Belle Oil and Gas Company, evidenced by a certificate numbered 678, owned by Eugen Berger, together with all declared and unpaid dividends thereon, and

c. Twenty (20) shares of $1.00 par value capital stock of The Mammoth Lode Mining and Milling Company, evidenced by certificates numbered 534 and 536 for five shares each, and certificate number 2992 for 10 shares, owned by Emma Marechke, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraphs 1, 2 and 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made, and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10349; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18351]

ELIZABETH (ELISABETH) BORGMANN

In re: Accounts maintained in the name of Elizabeth (Elisabeth) Borgmann (deceased), Lausanne, Switzerland, and owned by persons whose names are unknown. F-63-1876.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and

9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

[Accounts maintained in the name of Elizabeth (Elisabeth) Borgmann (deceased), Lausanne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
Bank of the Manhattan Co., 40 Wall St., New York, N. Y.	(a) Bank deposit, as described by Bank of the Manhattan Co. in its report on Form OAP-700, bearing its Serial No. 9; (b) stocks, as described by Bank of the Manhattan Co. in its report on Form OAP-700, bearing its Serial No. 8.

[F. R. Doc. 51-10351; Filed, Aug. 27, 1951; 8:50 a. m.]

[Vesting Order 18352]

HELENE HIRSCHFELD

In Re: Accounts maintained in the name of Helene Hirschfeld c/o Banque Cantonale De Berne, Berne, Switzerland, and owned by persons whose names are unknown. F-63-5475.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: All property, rights and interests in the accounts identified in Exhibit A set forth below and by reference made a part hereof, together with

(a) Any other property, rights and interests which represent accumulations or accruals to, changes in form of, or substitutions for, any of the property, rights and interests in said identified accounts on October 2, 1950, and which are now held in other accounts being maintained as blocked or otherwise subject to the restrictions of Executive Order 8389, as amended, or regulations, rulings, orders or instructions issued thereunder, and

(b) Any and all rights in, to and under any securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) and any and all declared and unpaid dividends on any shares of stock in any of said accounts,

excepting from the foregoing, however, all lawful liens and setoffs of the respective institutions in the United States with whom the aforesaid accounts are maintained,

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

[Account maintained in the name of Helene Hirschfeld c/o Banque Cantonale De Berne, Berne, Switzerland]

Column I Name and address of institution which maintains account	Column II Designation of account
The National City Bank of New York, 55 Wall St., New 5, N. Y.	Current account, as described by The National City Bank of New York in its report on Form OAP-700, bearing its Serial No. 48.

[F. R. Doc. 51-10352; Filed, Aug. 27, 1951; 8:50 a. m.]

[Vesting Order 18353]

MAURICE DREUX

In re: Stock registered in the name of Maurice Dreux, Seine-et-Oise, France, and owned by persons whose names are unknown. F-27-8174.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, reg-

istered in the name of Maurice Dreux, together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

The Texas Company $25 par value capital stock evidenced by the certificates whose numbers are set forth below for the number of shares indicated:

1-share certificates. 588331, 601638, 673160, 673161.
2-share certificates. TO 494207, 700892.
3-share certificates. 588389, 593037, 599477.
4-share certificate. 534466.
5-share certificates. 464273, 513818, 551864, 564546, 665431.
7-share certificates. 576226, 597627.
12-share certificate. 648303.
15-share certificate. 751182.
18-share certificate. 791304.

[F. R. Doc. 51-10353; Filed, Aug. 27, 1951; 8:50 a. m.]

[Vesting Order 18354]

FERDINAND KAUFMAN & BENNO KAUFMANN

In re: Stock registered in the name of Ferdinand Kaufmann & Benno Kaufmann J/T with right of survivorship and not as tenants in common Basle, Switzerland, and owned by persons whose names are unknown. F-63-5212.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, 9788, and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of Ferdinand Kaufmann & Benno Kaufmann J/T with right of survivorship and not as tenants in common, together with all declared and unpaid dividends thereon, excepting from the foregoing, however those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

20 shares of The Texas Company $25 par value capital stock evidenced by Certificate numbered 711033.

[F. R. Doc. 51-10354; Filed, Aug. 27, 1951; 8:50 a. m.]

[Vesting Order 17903, Amdt.]

SWISS BANK CORP.

In re: Stock registered in the name of Swiss Bank Corporation, Bale, Switzerland, and owned by persons whose names are unknown. F-63-2748—Basle.

Vesting Order 17903, dated May 18, 1951, is hereby amended as follows and not otherwise:

By deleting from Exhibit A attached to said Vesting Order 17903 and by reference made a part thereof the number "D 214943" appearing under the heading "10 share certificates" and substituting therefor the number "D 215943".

All other provisions of said Vesting Order 17903 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10355; Filed, Aug. 27, 1951; 8:50 a. m.]

THE NATIONAL ARCHIVES
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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

OFFICE OF WAGE STABILIZATION

Effective upon publication in the FEDERAL REGISTER, new subparagraphs (7) and (8) are added to § 6.155 (c) as follows:

§ 6.155 *Economic Stabilization Agency.* * * *

(c) *Office of Wage Stabilization.* * * *

(7) One economist for the Tool and Die Industry Study Committee, Wage Stabilization Board.

(8) Positions of members of the National Enforcement Commission and of members of the Regional Enforcement Commissions of the Wage Stabilization Board.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CPR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 51-10379; Filed, Aug. 28, 1951; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter B—Federal Farm Loan System

PART 10—FEDERAL LAND BANKS GENERALLY

PART 14—JOINT STOCK LAND BANKS

REVOCATION AND WITHDRAWAL OF PART

Section 10.60 and §§ 14.1, 14.2, 14.3, 14.4 and 14.5 of Title 6 of the Code of Federal Regulations are hereby revoked and, inasmuch as all of the joint stock land banks have now completed liquidation and there will be no such banks in actual operation in the future, "Part 14—Joint Stock Land Banks" is hereby withdrawn from Title 6 of the Code of Federal Regulations.

[SEAL] E. DIEBEL,
Acting Land Bank Commissioner.

[F. R. Doc. 51-10411; Filed, Aug. 28, 1951; 8:51 a. m.]

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; IDAHO

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

IDAHO

County	Average value	Investment limit
Bannock	$18,000	$12,000
Bingham	20,000	12,000
Bonner	15,000	12,000
Bonneville	20,000	12,000
Fremont	20,000	12,000
Jefferson	18,000	12,000
Kootenai	15,000	12,000
Madison	20,000	12,000
Minidoka	16,000	12,000
Teton	18,000	12,000
Washington	16,000	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 23d day of August 1951.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10382; Filed, Aug. 28, 1951; 8:48 a. m.]

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FEDERAL REGISTER

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PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; INDIANA

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average value and the investment limit set forth below for said county.

INDIANA

County	Average value	Investment limit
Pike	$17,000	$12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 23d day of August 1951.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10383; Filed, Aug. 28, 1951; 8:48 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; UTAH

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

UTAH

County	Average value	Investment limit
Box Elder	$20,000	$12,000
Cache	18,000	12,000
Garfield	18,000	12,000
Kane	18,000	12,000
Morgan	16,000	12,000
Weber	20,000	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 23d day of August 1951.

[SEAL] K. T. HUTCHINSON,
Acting Secretary of Agriculture.

[F. R. Doc. 51-10384; Filed, Aug. 28, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

Subchapter A—Commodity Standards and Standard Container Regulations

PART 44—UNITED STATES STANDARDS FOR GRADES OF SUGARCANE SIRUP

EDITORIAL NOTE: Federal Register Document 51-7020 was inadvertently published in the Proposed Rule Making Section of the FEDERAL REGISTER dated Tuesday, June 19, 1951, at page 5842. Sections 44.21 to 44.26 were adopted and should have been published in the Rules and Regulations Section under Title 7, Chapter I, Subchapter A, Part 44, as set forth above.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs. Serial No. SR-369]

PART 40—AIR CARRIER OPERATING CERTIFICATION

PART 61—SCHEDULED AIR CARRIER RULES

SPECIAL CIVIL AIR REGULATION; ISSUANCE OF AIR CARRIER OPERATING CERTIFICATES TO PERSONS HOLDING TEMPORARY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 22d day of August 1951.

Special Civil Air Regulation SR-353 authorizes the Administrator to issue an air carrier operating certificate or amendments thereto, under conditions which do not fully meet requirements of Parts 40 and 61, to an air carrier holding a temporary certificate of public convenience and necessity issued by the Board. Such regulation will terminate August 31, 1951.

Although the authority contained in Special Civil Air Regulation SR-353 and similar prior regulations has not been extensively used by the Administrator, it has formed the basis for regulations covering air carrier operations by helicopter. It is, therefore, deemed desirable to extend this regulation for an additional period of time. A general revision of Parts 40 and 61 is shortly to be released for public comment; and it is expected that when such regulation is finally adopted, provision will be made for the authorization granted herein.

Since the extension of the authority as herein provided was requested by representatives of the persons primarily interested in the making of this regulation, the Board finds that notice and public procedure hereon are unnecessary and since it imposes no additional burden on any person, it may be made effective on less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation effective September 1, 1951;

An air carrier operating certificate, or amendments thereto, may be issued by the Administrator to an air carrier holding a temporary certificate of public convenience and necessity, issued by the Board, authorizing such carrier to engage in scheduled air carrier operations which do not fully meet the certification and operation requirements of Parts 40 and 61 of the Civil Air Regulations, if the Administrator finds that any of such requirements can be omitted or modified without adversely affecting safety. Such omissions or modifications, when approved by the Administrator, shall be listed in the air carrier operating certificate, and the Administrator shall promptly notify the Board of the omissions or modifications approved by him and the reasons therefor.

This regulation supersedes Special Civil Air Regulation SR-353 and shall terminate August 31, 1954, unless sooner terminated or rescinded by the Board.

(Secs. 205 (a), 601, 604; 52 Stat. 984, 1007, 1010; 62 Stat. 1216; 49 U. S. C. 425 (a), 551, 554; act of July 1, 1948)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 51-10401; Filed, Aug. 28, 1951; 8:50 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

MISCELLANEOUS AMENDMENTS

Statement of purpose. The Securities and Exchange Commission has amended certain of its rules under the Securities Act of 1933 with respect to the preparation and filing of registration statements and prospectuses under that act.

The Commission has found it necessary, because of budgetary limitations, to provide that in the future all registration statements shall be filed and processed at its principal office in Washington. Heretofore, where issuers or their underwriters have been situated in the Pacific Coast area or in Hawaii, they have been permitted to file registration statements with the Commission's San Francisco Regional Office. The registration unit in that office has now been abolished and all statements are processed in Washington.

Some of the other amendments relate to the formal requirements with respect to the preparation and filing of registration statements. For example, § 230.402 (Rule 402) is amended to provide that where the registration statement is typewritten, one of the copies filed with the Commission shall be the original "ribbon" copy and that such copy shall be signed.

Section 230.403 (Rule 403) was amended to permit registration statements to be printed, lithographed, mimeographed, typewritten or prepared by any other process which, in the opinion of the Commission, produces copies of the requisite clarity and permanence. Heretofore, the only processes permitted were printing, mimeographing or typing.

The rules relating to legibility of the prospectus were amended to make it clear that ten-point type is the minimum size of type which may be used in the body of prospectuses and that such type must be at least two points leaded. However, in the case of financial statements and other statistical or tabular data, the use of eight-point type is permitted. Section 230.426 (Rule 426) was amended to require a statement in the prospectus not only with respect to proposed stabilization but also with respect to proposed over-allotments. The prospectus is also required to include information with respect to the volume of transactions where stabilization began prior to the effective date of the registration statement.

Statutory basis. The amendments are adopted pursuant to the Securities Act of 1933, particularly sections 6, 7, 10 and 19 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out its functions under the act.

I. Paragraph (b) of § 230.402 (Rule 402) is amended to read as follows:

(b) At least one copy of every registration statement shall be manually signed by the persons specified in section 6 (a) of the act. If the registration statement is typewritten, the original "ribbon" copy shall be signed. Unsigned copies shall be conformed.

II. Paragraph (b) of § 230.403 (Rule 403) is amended to read as follows:

(b) The registration statement and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed or typewritten. However, the statement or any portion thereof may be prepared by any similar process which, in the opinion of the Commission, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable, and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

III. Paragraph (b) of § 230.411 (Rule 411) is amended to read as follows:

(b) Any financial statement or part thereof filed with the Commission pursuant to any act administered by the Commission may be incorporated by reference in any registration statement if it substantially conforms to the requirements of the appropriate form and is not required to be included in the prospectus.

IV. Section 230.420 (Rule 420) is amended to read as follows:

§ 230.420 *Legibility of prospectus.* The body of all printed prospectuses shall be in roman type at least as large as ten-point modern type. However, to the extent necessary for convenient presentation, financial statements and other statistical or tabular data and the notes thereto may be in roman type at least as large as eight-point modern type. All type shall be leaded at least two points.

V. Paragraphs (b) (c) and (d) of § 230.424 (Rule 424) are amended to read as follows:

(b) Within five days after the commencement of the public offering, 20 copies of each form of prospectus used in connection with such offering shall be filed with the Commission in the exact form in which it was used.

(c) No prospectus which purports to comply with section 10 of the act and which varies from any form of prospectus filed pursuant to paragraph (b) of this section shall be used until 20 copies thereof have been filed with the Commission, together with five copies of a cross reference sheet similar to that required by § 230.404 (c) (Rule 404 (c)).

(d) Every prospectus consisting of a radio broadcast shall be reduced to writing. Five copies of every such prospectus shall be filed with the Commission at least five days before it is broadcast or otherwise issued to the public.

VI. Sections 230.425 and 230.426 (Rules 425 and 426) are amended to read as follows:

§ 230.425 *Statement required in all prospectuses.* There shall be set forth on the outside front cover page of every prospectus the following statement in capital letters printed in bold-face roman type at least as large as ten-point modern type and at least two points leaded: "These securities have not been approved or disapproved by the Securities and Exchange Commission nor has the Commission passed upon the accuracy or adequacy of this prospectus. Any representation to the contrary is a criminal offense."

§ 230.426 *Statement as to stabilizing.* (a) If the registrant or any of the underwriters knows or has reasonable grounds to believe that there is an intention to over-allot or that the price of any security may be stabilized to facilitate the offering of the registered securities, there shall be set forth, either on the outside front cover page or on the inside front cover page of the prospectus, a statement in substantially the following form, subject to appropriate modifications where circumstances require. Such statement shall be in capital letters, printed in bold-face roman type at least as large as ten-point modern type and at least two points leaded: "In connection with this offering, the underwriters may over-allot or effect transactions which stabilize or maintain the market price of [identify each class of securities in which such transactions may be effected] at a level above that which might otherwise prevail in the open market. Such transactions may be effected on [identify each exchange on which stabilizing transactions may be effected. If none, omit this sentence.] Such stabilizing, if commenced, may be discontinued at any time."

(b) If the stabilizing began prior to the effective date of the registration statement, set forth in the prospectus the amount of securities bought, the prices at which bought and the period within which they were bought.

VII. Paragraph (a) of § 230.447 (Rule 447) is amended to read as follows:

(a) Any document or part thereof filed with the Commission pursuant to any act administered by the Commission may be incorporated by reference as an exhibit to any registration statement.

VIII. Sections 230.455, 230.456, 230.460, 230.471, 230.472 and 230.474 (Rules 455, 456, 460, 471, 472 and 474) are amended to read as follows:

§ 230.455 *Place of filing.* All registration statements and other papers filed with the Commission shall be filed at its principal office. Such material may be

filed by delivery to the Commission through the mails or otherwise.

§ 230.456. *Date of filing.* The date on which any papers are actually received by the Commission shall be the date of filing thereof, if all the requirements of the act and the rules with respect to such filing have been complied with and the required fee paid. The failure to pay an insignificant amount of the required fee at the time of filing, as the result of a bona fide error, shall not be deemed to affect the date of filing.

§ 230.460 *Supplementary statement of actual offering price.* Within ten days after registered securities are initially offered to the public, there shall be filed with the Commission a statement setting forth the actual price at which, and the date on which, the securities were so offered. If such price differs from the proposed price set forth in the registration statement, a brief explanation of such difference shall be made. Where the securities are to be offered first to existing security holders and then to the general public, a statement as required by this section shall be filed with respect to each of such offerings if made at different prices.

§ 230.471 *Signatures to amendments.* Except as provided in § 230.478 (Rule 478), every amendment to a registration statement shall be signed by the persons specified in section 6 (a) of the act. At least one copy of every amendment filed with the Commission shall be signed. If the amendment is typewritten, the original "ribbon" copy shall be signed. Unsigned copies shall be conformed.

§ 230.472 *Filing of amendments; number of copies.* (a) Three copies of every amendment, other than telegraphic amendments pursuant to § 230.473 (Rule 473), shall be filed with the Commission.

(b) Where an amendment relates to the prospectus, five copies of the amended prospectus shall be filed in addition to the three copies required by paragraph (a) of this section. If the amendment results in a change in the cross reference sheet filed pursuant to § 230.404 (c) (Rule 404 (c)) a copy of an amended cross reference sheet shall be filed with each copy of the amended prospectus.

§ 230.474 *Date of filing of amendments.* The date on which amendments are actually received by the Commission shall be the date of filing thereof, if all of the requirements of the act and the rules with respect to such filing have been complied with.

Insofar as the procedure specified in sections 4 (a) and 4 (b) of the Administrative Procedure Act has not been followed with respect to the foregoing amendments, the Commission finds that such amendments relate to matters of agency organization, procedure or practice and that compliance with such sections is unnecessary and is not required by such act.

The foregoing action shall become effective September 23, 1951, except that, insofar as such action relates to the place of filing, it shall be effective August 31, 1951.

(Sec. 19, 48 Stat. 85, as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 23, 1951.

[F. R. Doc. 51-10370; Filed, Aug. 28, 1951; 8:46 a. m.]

PART 260—GENERAL RULES AND REGULATIONS, TRUST INDENTURE ACT OF 1939

MISCELLANEOUS AMENDMENTS

Statement of purpose. The Securities and Exchange Commission has found it necessary, because of budgetary limitations, to provide that in the future all applications, statements and reports under the Trust Indenture Act of 1939 shall be filed and processed at its principal office in Washington. The Commission no longer has available the personnel or examination facilities necessary for processing such material in any regional office.

Accordingly, the Commission has amended certain of its rules under that act with respect to the preparation and filing of such applications, statements and reports.

Statutory basis. The amendments are adopted pursuant to the Trust Indenture Act of 1939, particularly section 319 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out its functions under the act.

I. Section 260.4c–3 (Rule T-4C–3) is hereby amended to read as follows:

§ 260.4c–3 *Number of copies; filing; signatures; binding.* (a) Three copies of every application and of every amendment thereto shall be filed with the Commission at its principal office.

(b) At least the original of each application or amendment filed with the Commission shall be signed in the manner prescribed by Form T-4.

(c) The application proper and the exhibits thereto shall be bound on the left side in one or more parts, but without stiff covers.

II. Paragraph (b) of § 260.5a–3 (Rule T-5A–3) is amended to read as follows:

(b) At least the original of each statement of eligibility and qualification filed with the Commission shall be signed in the manner prescribed by the particular form.

III. Section 260.7a–3 (Rule T-7A–3) is amended to read as follows:

§ 260.7a–3 *Number of copies; filing; signatures; binding.* (a) Three copies of the complete application shall be filed with the Commission at its principal office.

(b) At least the original of each application filed with the Commission shall be signed in the manner prescribed by Form T-3.

(c) The application proper and the exhibits thereto shall be bound on the left side in one or more parts, but without stiff covers. The binding shall be made in such manner as to leave the reading matter legible.

IV. Section 260.7a–5 (Rule T-7A–5) is amended to read as follows:

§ 260.7a–5 *Filing of amendments; number of copies.* Except as provided in § 260.7a–6 (Rule T-7A–6), three copies of every amendment to an application shall be filed with the Commission.

V. Section 260.7a–9 (Rule T-7A–9) is rescinded.

VI. Paragraph (a) of § 260.7a–29 (Rule T-7A–29) is amended to read as follows:

(a) Any exhibit or part thereof previously or concurrently filed with the Commission pursuant to any act administered by the Commission may be incorporated by reference as an exhibit to any application, statement or report filed with the Commission by the same or any other person. Any exhibit or part thereof so filed with a trustee pursuant to the Trust Indenture Act of 1939 may be incorporated by reference as an exhibit to any report filed with such trustee pursuant to section 314 (a) of that act by the same or any other person.

VII. Sections 260.7a–36 and 260.7a–37 (Rules T-7A–36 and T-7A–37) are amended to read as follows:

§ 260.7a–36 *Signatures to amendments.* Subject to § 260.7a–2 (Rule T-7A–2), at least the original of every amendment to an application, statement or report shall be signed in the manner prescribed by the particular form on which the application, statement or report was filed.

§ 260.7a–37 *Inspection of applications, statements and reports.* All applications, statements and reports are available for public inspection during business hours at the principal office of the Commission.

The Commission finds that the foregoing action relates to matters of agency organization, procedure and practice and that compliance with sections 4 (a) and 4 (b) of the Administrative Procedure Act is unnecessary and is not required.

The foregoing action shall become effective August 31, 1951.

(Sec. 19, 48 Stat. 85, as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 23, 1951.

[F. R. Doc. 51-10369; Filed, Aug. 28, 1951; 8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52801]

PART 17—PROTESTS AND REAPPRAISEMENTS

CERTIFICATION OF COPIES OF OFFICIAL DOCUMENTS FOR USE IN REAPPRAISEMENT PROCEEDINGS

In order to vest in the incumbents of the positions of director and acting di-

rector of the Customs Information Exchange, New York, N. Y., and in any other official designated by the Commissioner of Customs, the authority to certify copies of official documents for use as evidence in reappraisement proceedings, § 17.7, Customs Regulations of 1943 (19 CFR 17.7), as amended by T. D. 52393, is further amended as follows:

1. The headnote of this section is amended to read:

§ 17.7 *Appeal for reappraisement; form; samples; certification of documents.* * * *

2. The parenthetical matter at the end of paragraph (d) is deleted and the following new paragraph (e) is added:

(e) The director of the Customs Information Exchange, New York, N. Y., the person authorized to act in that capacity during the absence or disability of the director, and any other official designated by the Commissioner of Customs, shall certify copies of official documents for the purpose set forth in section 2633, 28 U. S. Code.[8a]

In view of the foregoing, the specific authorizations granted to Samuel S. Traiger and Peter J. Schug under dates of October 11, 1946, and May 26, 1948, and published in Treasury Decisions 51556 and 51935, respectively, are hereby revoked.

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624. Interprets or applies 62 Stat. 980; 28 U. S. C. 2633)

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: August 22, 1951.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10404; Filed, Aug. 28, 1951; 8:51 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Rent Stabilization, Economic Stabilization Agency

[Controlled Housing Rent Reg. Amdt. 396]

[Controlled Rooms in Rooming Houses and Other Establishments, Rent Reg. Amdt. 390]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

PENNSYLVANIA

Amendment 396 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 390 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

1. Schedule A, Item 272, is amended to describe the counties in the Defense-Rental Area as follows:

In Lycoming County, the City of Williamsport, the Boroughs of South Williamsport, Duboistown, Montgomery and Montoursville, and the Townships of Armstrong, Clinton, Loyalsock and Old Lycoming.

In Northumberland County, the Cities of Shamokin and Sunbury, the Borough of Northumberland, and the Townships of Coal, Upper Augusta, Point and Rockefeller; in Snyder County, the Borough of Selinsgrove, and the Townships of Monroe and Penn including Shamokin Dam; and in Union County, the Borough of Lewisburg and the Townships of Buffalo and East Buffalo.

In Clinton County, the City of Lock Haven, the Boroughs of Flemington, Mill Hall and Renovo, and the Townships of Bald Eagle, Castanea, Dunnstable, Allison, Pine Creek, Wayne and Woodward.

This recontrols the Borough of Montgomery and the Township of Clinton in Lycoming County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area, which localities were heretofore decontrolled as of December 21, 1949.

2. A new item is hereby incorporated in Schedule B to read as follows:

90.[1] *Provisions relating to the recontrol of the Borough of Montgomery and the Township of Clinton in Lycoming County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area.* Effective September 1, 1951, the provisions of §§ 825.1–825.12 and 825.81–825.92 shall apply to housing accommodations in the Borough of Montgomery and the Township of Clinton in Lycoming County, Pennsylvania, portions of the Williamsport, Pennsylvania, Defense-Rental Area, except as modified by the following provisions:

a. All orders in effect on December 20, 1949, in accordance with §§ 825.1 to 825.12 or 825.81 to 825.92, shall be in full force and effect.

b. If, on September 1, 1951, there was a ground for adjustment under § 825.5 (a) or § 825.85 (a) for which no order had previously been issued, and a petition for adjustment is filed on or before October 1, 1951, the adjustment shall be effective as of September 1, 1951.

c. In §§ 825.5 (a) (20) and 825.85 (a) (14), wherever the date July 31, 1951 appears the date September 1, 1951 shall be substituted.

d. If, on September 1, 1951, the services provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall either restore and maintain such minimum services or file a petition on or before October 1, 1951 requesting approval of the decreased services. If, on September 1, 1951, the furniture, furnishings, or equipment provided with any housing accommodations are less than the minimum required by § 825.3 or § 825.83, the landlord shall file, on or before October 1, 1951, a written report showing the decrease in furniture, furnishings, or equipment. Except as modified by this paragraph "d", the provisions of §§ 825.5 (b) and 825.85 (b) shall be applicable to all such cases.

e. In the case of any action which on September 1, 1951, was required or authorized by §§ 825.1–825.12 or §§ 825.81–825.92 to be taken within a specified period of time, the same time period shall be applicable but such time period shall be counted from September 1, 1951.

f. The provisions of §§ 825.6 and 825.86 shall not apply to any case in which judgment was entered prior to September 1, 1951 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall become effective September 1, 1951.

Issued this 24th day of August 1951.

TIGHE E. WOODS,
Director of Rent Stabilization.

[F. R. Doc. 51-10403; Filed, Aug. 28, 1951; 8:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

Subchapter D—Procurement, Property, Patents, and Contracts

PART 739—ADMINISTRATION OF A UNIFORM PATENT POLICY WITH RESPECT TO INVENTIONS MADE BY NAVY PERSONNEL

JULY 20, 1951.

1. By Executive Order 10096 dated January 23, 1950 (15 F. R. 389), the President established a basic Government patent policy with respect to inventions made by Government employees under which the Government may, under certain conditions, acquire title to inventions made by its employees while providing for partial or complete retention of rights by employees under other conditions. Determination by a Government agency that the Government has or is to take less than full title to an invention is subject to approval by the Chairman of the Government Patents Board established under the above-named Executive Order and sometimes referred to as the "Chairman" hereinafter.

2. With a view to obtaining uniform application of the policy set out in this order and uniform operations thereunder, the Chairman of the Government Patents Board is authorized and directed, after consultation with the Board, to formulate and submit to the President for approval such proposed rules and regulations as may be necessary or desirable to implement and effectuate the policy established. Each Government agency is also required to take all steps appropriate to effectuate the order, including the promulgation of necessary regulations which shall not be inconsistent with those approved by the President.

3. On April 26, 1951 the President approved certain rules and regulations under Executive Order 10096 which have been issued as Administrative Order No. 5 of the Chairman of the Government Patents Board (37 CFR Part 300, 16 F. R. 3927). These rules and regulations in § 300.6 thereof restate the basic Government patent policy established by the President; and in this section and cer-

[8a] In finding the value of merchandise, in reappraisement proceedings before a single judge of the Customs Court, affidavits and depositions of persons whose attendance cannot reasonably be had, price lists and catalogues, reports or depositions of consuls, customs agents, collectors, appraisers, assistant appraisers, examiners, and other officers of the Government may be admitted in evidence. Copies of official documents, when certified by an official duly authorized by the Secretary of the Treasury, may be admitted in evidence with the same force and effect as original documents. * * * 28 U. S. C. 2633.

[1] In the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81–825.92), the new Item is 89.

tain others set forth the responsibilities of Government agencies. The agency responsibilities, among others, include the determination of invention, the determination of rights in inventions, the determination of whether patent protection will be sought in the United States and the furnishing of certain reports.

Sec.
739.1 Department responsibilities.

DETERMINATION AND ASSERTION OF RIGHTS

739.2 Conditions for assignment.
739.3 Definitions of conditions.
739.4 When assignment is required.
739.5 When conditions are presumed.
739.6 Burden of proof.
739.7 Foreign rights.

APPEALS AND PETITIONS

739.8 Appeals.
739.9 Petitions.

PATENT PROTECTION

739.10 General.
739.11 Dispute as to rights.
739.12 Rights in the employee.

REPORTING OF INVENTIONS

739.13 Employee defined.
739.14 Reporting and forms.

DETERMINATION OF INVENTION

739.15 Invention defined.
739.16 When determined.

SCOPE OF DIRECTIVE

739.17 Inventions covered.

AUTHORITY: §§ 739.1 to 739.17 issued under E. O. 10096, Jan. 23, 1950, 15 F. R. 389; 3 CFR, 1950 Supp.

§ 739.1 *Department responsibilities.* In carrying out these agency responsibilities for the Department of the Navy, the Chief of Naval Research will be responsible for and, through his authorized representatives, will discharge the following functions:

(a) Determine whether the results of research, development or other activity within the Department of the Navy constitute invention within the purview of Executive Order 10096;

(b) Determine, subject to review by the Chairman of the Government Patents Board, the respective rights of the Government and of the inventor in and to any invention made by an employee of the Department of the Navy;

(c) Determine, subject to certain exceptions noted hereinafter, whether patent protection will be sought in the United States by the Department of the Navy for such inventions; and

(d) Furnish reports as required to the Chairman of the Government Patents Board relating to the determination of rights, the taking of appeals, the filing of applications and the issuance of patents.

DETERMINATION AND ASSERTION OF RIGHTS

§ 739.2 *Conditions for assignment.* The Department of the Navy may require assignment of title to inventions made by employees of the Naval Establishment and to any patents that may be issued on such inventions if any of the following conditions are present:

(a) If the invention was made during working hours; or

(b) If the invention was made with a contribution by the Government of facilities, equipment, materials, funds or information, or of time or services of other Government employees on official duty; or

(c) If the invention bears a direct relation to or was made in consequence of the official duties of the inventor.

§ 739.3 *Definitions of conditions.* In determining whether a condition set forth in § 739.2 was present in the making of the invention the following definitions shall apply:

(a) Working hours for civilian employees shall mean time spent during either the usual working hours, or overtime, or both, and for military personnel time spent during the hours actually engaged in officially assigned duties;

(b) A contribution of facilities shall mean that the facilities were used in the making of the invention and while so used were made unavailable for other purposes;

(c) A contribution of equipment shall mean that the equipment was used in the making of the invention and was thus made unavailable for other purposes;

(d) A contribution of materials shall mean that the materials were specifically obtained and used for the purpose of making the invention and were thus rendered unavailable for other use;

(e) A contribution of funds shall mean that Government funds were actually expended for the purpose of making the invention;

(f) A contribution of information shall mean that the information used in the making of the invention was available only by reason of the inventor's official duties and was obtained from sources not otherwise available;

(g) A contribution of time or services of other Government employees on official duty shall mean that their time or services was utilized during working hours as defined in paragraph (a) of this section;

(h) Bearing a direct relation to or made in consequence of the official duties of the inventor means that the duties to which the inventor had been assigned were such that the invention could reasonably be expected to arise therefrom.

§ 739.4 *When assignment is required.* (a) When any of the conditions set forth in § 739.2, as defined in § 739.3, are present, the domestic rights and, in the discretion of the Chief of Naval Research, foreign rights in and to the invention shall belong to the Government if:

(1) The conditions are equitably sufficient to justify assignment thereof by the employee to the Government; and

(2) The Government has sufficient interest in the invention to require assignment thereof by the employee.

(b) If it should be found that assignment is not required under subparagraphs (1) and (2) of paragraph (a) of this section, the employee nevertheless shall be required to grant to the Government a non-exclusive irrevocable, royalty-free license in the invention and under any patents which may issue thereon, with power to grant licenses for all governmental purposes. When none of the conditions set forth in § 739.2, as defined in § 739.3, are present, the entire right, title and interest in and to the invention shall be left in the employee, subject to law.

§ 739.5 *When conditions are presumed.* It is presumed that the conditions of § 739.2, as defined in § 739.3, are present, when the employee is employed or assigned:

(a) To invent or improve or perfect any art, machine, manufacture, design, or composition of matter;

(b) To conduct or perform research or development work, or both;

(c) To supervise, direct, coordinate or review Government financed or conducted research or development work, or both; or

(d) To act in a liaison capacity among governmental or non-governmental agencies or individuals engaged in such research or development work, or both.

§ 739.6 *Burden of proof.* Employees within the classes defined in § 739.5 may submit evidence that will enable the Chief of Naval Research to establish the absence of any one or more of the conditions of § 739.2, as defined in § 739.3, or that the conditions which are present are insufficient equitably to justify a requirement that assignment be made to the Government of the invention and any patent which may issue thereon. For employees not within the classes defined in § 739.5, the Government must establish that the conditions of § 739.2, as defined in § 739.3, if present, are sufficient equitably to require an assignment to the Government of the invention and to any patent which may issue thereon.

§ 739.7 *Foreign rights.* An assignment of the foreign rights in and to the invention shall be made by the employee, upon request, whenever an assignment of the domestic rights is required. Where, however, an assignment of the domestic rights is not required, an assignment of the foreign rights in and to the invention may be made by the employee, upon request.

APPEALS AND PETITIONS

§ 739.8 *Appeals.* (a) Any employee of the Department of the Navy who is aggrieved by a determination of the Chief of Naval Research pursuant to § 739.4 may obtain a review of the determination by filing, within 30 days (or such longer period as the Chairman may, for good cause, fix in any case), after receiving notice of such determination, a written appeal with the Chairman of the Government Patents Board and a copy of the appeal with the Chief of Naval Research.

(b) In the event of the filing of an appeal, the Chief of Naval Research, subject to considerations of national security, shall furnish the Chairman in writing, promptly upon the filing of the appeal, the information required by 37 CFR 300.7 (b) (16 F. R. 3927). The decision of the Chairman upon any appeal taken pursuant to paragraph (a) of this section shall be final.

§ 739.9 *Petitions.* (a) In the event that the Chief of Naval Research determines pursuant to § 739.4 that the do-

mestic rights in and to an invention will be left with an employee with or without a license in favor of the Government, a report of this determination is required to be submitted to the Chairman for review, subject to the right of the employee, if he acquiesces in the determination, to file a petition in the event of a decision less favorable to him.

(b) The Chairman will review such a determination of the Chief of Naval Research, and his decision respecting the matter shall be final, subject to the right of the employee to submit to the Chairman within 30 days, (or such longer period as the Chairman may, for good cause, fix in any case) after receiving notice of such decision, a petition for the reconsideration of the decision if it gives to the Government greater rights than the determination made by the Chief of Naval Research. A copy of any such petition must also be filed by the employee with the Chief of Naval Research within the prescribed period.

PATENT PROTECTION

§ 739.10 *General.* The Chief of Naval Research, upon determining that an invention was made under the conditions specified in § 739.2, as defined in § 739.3, shall thereupon determine whether patent protection will be sought in the United States by the Department of the Navy for such invention. A controversy over the respective rights of the Government and of the inventor in any case shall not delay the taking of any action seeking such patent protection. In cases pursuant to § 739.4 where it is determined that the domestic rights in and to the invention are to be left with the employee, action by the Department of the Navy looking toward such patent protection shall be contingent upon the consent of the inventor.

§ 739.11 *Dispute as to rights.* Where there is a dispute as to whether the Government is to obtain an assignment of the domestic rights in and to the invention or only a license thereunder, the Chief of Naval Research will determine whether patent protection will be sought in the United States pending the Chairman's decision on the dispute, and, if the Chief of Naval Research decides that an application for patent should be filed, will take such license rights as are specified in 37 CFR 300.6 (b) (2) (16 F. R. 3927), but this shall be without prejudice to acquiring an assignment of the domestic rights in and to the invention as specified in 37 CFR 300.6 (b) (1) (16 F. R. 3927) should the Chairman so decide.

§ 739.12 *Rights in the employee.* Where, however, the Chief of Naval Research has determined to leave the domestic rights in and to an invention with an employee subject to a license in favor of the Government and the employee acquiesces in this determination, the Chief of Naval Research will, upon the filing of an application for patent and pending review of the determination by the Chairman, take such license rights as are specified in 37 CFR 300.6 (b) (2) (16 F. R. 3927) without prejudice to the subsequent acquisition by the Government of the domestic rights in and to the invention as specified in 37 CFR 300.6 (b) (1) (16 F. R. 3927) should the Chairman so decide.

REPORTING OF INVENTIONS

§ 739.13 *Employee defined.* The term "employee" as used in this part means any officer or employee, civilian or military, of the Navay Establishment, including any part-time consultant or part-time employee except when special circumstances in a specific case require a departure from the provisions of this part to meet the needs of the Department of the Navy. Such circumstances shall be reported to the Chairman of the Government Patents Board and separately promulgated if approved by him.

§ 739.14 *Reporting and forms.* In order that the Department of the Navy may comply with the rules and regulations of the Chairman of the Government Patents Board issued as Administrative Order No. 5 (37 CFR Part 300, 16 F. R. 3927), all employees are required to report to the Office of Naval Research, through official channels, all inventions made by them on and after 23 January 1950 under the conditions set forth in § 739.2. The reporting of inventions not made under these conditions, while not required, is nevertheless urged. For reporting inventions use will be made of Forms NAVEXOS 2374 and 2375 or such revisions thereof or other forms as the Chief of Naval Research may prescribe.

DETERMINATION OF INVENTION

§ 739.15 *Invention defined.* The term "invention" as used in this part means any art, machine, manufacture, design or composition of matter, or any new and useful improvement thereof, or any variety of plant, which is or may be patentable under the patent laws of the United States.

§ 739.16 *When determined.* The Chief of Naval Research will be responsible for determining whether the results of research, development or other activity within the Department of the Navy constitute invention and, where practicable, will make this determination before determining the respective rights of the Government and the inventor on the basis of information furnished by the employee and such other information as he may require.

SCOPE OF DIRECTIVE

§ 739.17 *Inventions covered.* The foregoing provisions of this part apply to any invention made by an employee on or after January 23, 1950 and to any action taken with respect thereto. As to inventions made before January 23, 1950, the respective rights of the Government and the employee will be determined under the provisions of General Order No. 2 of the Navy Department dated May 13, 1935.

FRANCIS P. WHITEHAIR,
Acting Secretary of the Navy.

[F. R. Doc. 51-10378; Filed, Aug. 28, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter IV—Wage Stabilization Board, Economic Stabilization Agency

[General Wage Regulation No. 8, Revised]

GWR 8, REV.—COST-OF-LIVING INCREASES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.); Executive Order 10161 (15 F. R. 6105); Executive Order 10233 (16 F. R. 3503); and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 8 is hereby revised.

STATEMENT OF CONSIDERATIONS

This revised General Wage Regulation No. 8 permits certain cost-of-living increases in wages and salaries to be made without prior Board approval. Other cost-of-living increases under this regulation are permitted after approval by the Board. The increases permitted by this revised regulation must be based upon a Consumers Price Index published by the Bureau of Labor Statistics, or an index otherwise acceptable to the Board. The policies contained in this revised regulation will be subject to a later review by the Board.

The Economic Stabilization Administrator has been consulted in the formulation of this regulation. The Economic Stabilization Administrator has approved the resolution upon which this regulation is based through March 1, 1952. Due consideration has been given to the standards and procedures set forth in Title IV and Title VII of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. Definitions.
2. Cost-of-living provisions in effect on or before January 25, 1951.
3. Cost-of-living provisions put into effect after January 25, 1951.
4. Permissible increases in absence of cost-of-living provisions.
5. Exceptional cases.

AUTHORITY: Sections 1 through 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *Definitions.* As used in this regulation, the term—

(a) "Wages and salaries" means the straight-time rate of pay, including shift differentials but excluding compensation such as other fringe benefits and health, welfare and pension plans.

(b) "Acceptable index" means any Consumers Price Index (frequently referred to as the cost-of-living index) published by the Bureau of Labor Statistics or such other index as the Board has determined or many determine to be acceptable for the purpose of this regulation.[1]

[1] The Board published a list of approved indices on July 17. This list can be obtained at any Wage and Hour or Regional Board office.

(c) "Cost-of-living provision" means a provision, in a written collective bargaining agreement or in a written wage and salary plan, which establishes a defined relationship between the wages and salaries of employees covered by the provision and a national or applicable local acceptable index.

(d) Increases may include increases applied to existing single rates or to the minimum and maximum of existing rate ranges.

SEC. 2. *Cost-of-living provisions in effect on or before January 25, 1951.* (a) Increases required by cost-of-living provisions in (1) written collective bargaining agreements executed on or before January 25, 1951, or (2) written wage and salary plans formally determined and communicated to the employees on or before January 25, 1951, may be put into effect without further Board approval.

(b) Increases put into effect under this section based upon changes in an acceptable index up to and including January 15, 1951, shall be offset against the amount of increases permissible under General Wage Regulation No. 6 (16 F. R. 1951). Increases put into effect under this section based upon changes in an acceptable index after January 15, 1951, need not be offset against, and may exceed, the amount of increases permissible under General Wage Regulation No. 6.

(c) Four copies of reports of increases made under this section shall be filed with the nearest appropriate office of the Wage and Hour Division of the United States Department of Labor not more than thirty days after any general increases are put into effect under this section. Each report shall include a statement of the amount of the increases and the unit of employees to which they are applicable; and the following data, unless such data have heretofore been filed with the Wage Stabilization Board under any General Wage Regulation.

(1) A copy of the written wage and salary plans or collective bargaining agreements containing the cost-of-living provisions.

(2) An identification of the cost-of-living provision in the agreement; or of the cost-of-living provision in the wage and salary plan, and a statement of the manner in which it was communicated.

(3) A statement of any general increases applicable to the same wages, salaries and other compensations that have been put into effect after January 25, 1951.

SEC. 3. *Cost-of-living provisions put into effect after January 25, 1951.* Increases required by cost-of-living provisions adopted after January 25, 1951 may be put into effect without further Board approval, provided that:

(a) The average percentage increase in wages and salaries put into effect under such provision, after its adoption, shall not exceed the corresponding subsequent percentage increase in an acceptable index (as defined in section 1), dated on or after January 15, 1951. The application of the increase in cents or percentage may be determined by the parties involved; and

(b) The operation of the provision shall provide for adjustments in wages and salaries which reflect subsequent upward and downward fluctuations in a single predetermined acceptable index from the date of the adoption of the provision; provided, however, that downward fluctuations need not be reflected in reductions of wages and salaries below those in effect at the time of adoption of the provision; and

(c) Four copies of the written collective bargaining agreement or written wage and salary plan containing the cost-of-living provision shall be filed with the nearest appropriate office of the Wage and Hour Division within 30 days after the effective date of this General Wage Regulation or 30 days after the adoption of such a provision.

(d) Increases put into effect under this section need not be offset against the amount of increases permissible under General Wage Regulation No. 6. Increases permitted under General Wage Regulation No. 6 may be put into effect without affecting the increases permissible under this section.

SEC. 4. *Permissible increases in absence of cost-of-living provisions.* Any employer, or any employer and union, who find that the real value of wages and salaries has declined since January 25, 1951 (based upon an acceptable index dated on or after January 15, 1951), may put into effect no more frequently than every six months, increases to restore such loss in the real value of wages and salaries from January 25, 1951 to the date of the increases.

(a) If the amount permissible under General Wage Regulation No. 6 has been exceeded by an increase put into effect after January 25 1951, following Board approval, or if a petition for approval of such increases is pending before the Board, the increases provided by this section require prior Board approval. Otherwise, the increases provided by this section may be put into effect without further Board approval.

(b) If further Board approval is not required,

(1) Increases put into effect under this section need not be offset against the amount of increases permissible under General Wage Regulation No. 6. Increases permitted under General Wage Regulation No. 6 may be put into effect without affecting the increases permissible under this section; and

(2) Four copies of a report of the wage and salary increases made pursuant to this section shall be filed with the nearest appropriate office of the Wage and Hour Division within 30 days after the date of the increases.

SEC. 5. *Exceptional cases.* In an exceptional case, an employer, or an employer and a union, who believe that hardships or inequities exist because of a decline in the real value of wages and salaries, due to a rise in an acceptable index from a base period after January 15, 1950, may apply for approval of a subsequent base date for the purpose of correcting such hardships or inequities. The Board, in considering the approvability of such applications, will consider whether:

(a) There is a justifiable showing that the base date of January 15, 1950, established by the Board in General Wage Regulation No. 6, is, under the facts of the particular case, an inappropriate date; and

(b) The decline in the real value of wages and salaries since such base period, due to a rise in the acceptable index, has created demonstrable hardships or inequities, the correction of which will not be unstabilizing. Mere differences in wage and salary levels between plants or companies do not in themselves represent inequities.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Board on August 23, 1951.

GEORGE W. TAYLOR,
Chairman.

[F. R. Doc. 51-10443; Filed, Aug. 27, 1951; 8:07 p. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter A—General Rules and Regulations

PART 10—STEAM ROADS; UNIFORM SYSTEM OF ACCOUNTS

COMMUNICATION

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 14th day of August A. D. 1951.

The matter of modifying the "Uniform System of Accounts for Steam Railroads, Issue of 1943," being under consideration pursuant to section 20 of the Interstate Commerce Act, as amended, (24 Stat. 386, 54 Stat. 917, 49 U. S. C. 20 (3)); and

It appearing, that a notice dated July 6, 1951 was served on all steam railroads subject to the act, to the effect that the modification which is set forth below had been approved, such notice also being published in the FEDERAL REGISTER on July 14, 1951 (16 F. R. 6802) pursuant to the provisions of section 4 of the Administrative Procedure Act; and,

It further appearing, that according to the notice objections to such modification could be filed on or before August 10, 1951, but no representations of any kind respecting it were received during the prescribed period;

It is ordered, That:

(1) *Effective date.* The attached modification shall become effective October 1, 1951.

(2) *Notice.* A copy of this order including the attached modification shall be served on every steam railroad subject to the act and on every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Commission

at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

1. Cancel the title, text, and note of acounts 10.138, *Telegraph and telephone,* and substitute the following for them:

§ 10.138 *Communication.* This account shall include the revenue from commercial operation of telegraph, telephone, radio, and all other forms of communication systems. It shall also include amounts received from commercial operators of such systems, whether as a proportion of earnings or otherwise, for the privilege of transacting business in offices along the carrier's lines, but only when the carrier furnishes some service of employees whose pay is included in its operating expenses.

NOTE: When a commercial operator rents a communication system belonging to the carrier and pays all expenses incident to its maintenance and operation, the rent so received shall be credited to income account 510, "Miscellaneous rent income."

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

[F. R. Doc. 51–10396; Filed, Aug. 28, 1951; 8:50 a. m.]

Subchapter B—Carriers by Motor Vehicles

PART 182—COMMON AND CONTRACT CARRIERS OF PROPERTY

ALLOCATION OF EXPENSES BETWEEN LINE HAUL AND PICKUP AND DELIVERY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 17th day of August A. D. 1951.

The matter of modifying the "Uniform System of Accounts for Class I Common and Contract Motor Carriers of Property, Issue of 1948," being under consideration pursuant to Section 220 of the Interstate Commerce Act, as amended (49 Stat. 546, 49 U. S. C. 320); and

It appearing, that a notice dated July 9, 1951, was served on all motor carriers of property subject to the act, to the effect that the modification set forth below had been approved, such notice also being published in the FEDERAL REGISTER on July 13, 1951 (16 F. R. 6777) pursuant to the provisions of section 4 of the Administrative Procedure Act; and,

It further appearing, that although the notice provided that objections to such modification could be filed on or before August 15, 1951, no objections were received during the prescribed period;

It is ordered, That:

(1) *Effective* date. The attached modification shall become effective October 1, 1951.

(2) *Notice.* A copy of this order including the attached modification shall be served on every motor carrier of property subject to the act and on every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, Division 1.

[SEAL] W. P. BARTEL, *Secretary.*

INSTRUCTIONS

In § 182.01–27 *Allocation of expenses between line haul and pickup and delivery,* without altering the title of the instruction, cancel the text and substitute the following for it:

§ 182.01–27 *Allocation of expenses between line haul and pickup and delivery.* (a) Class I common carriers which derive an average of 75 percent or more of their revenues from the intercity transportation of general commodities and which have average annual gross revenues of $500,000 or more, based on the three calendar years ended December 31, 1950, and on the latest three calendar years thereafter, shall separate expenses between line haul and pickup and delivery as provided in this instruction. Class I motor carriers, other than those specified above, are not required to comply with the provisions of this instruction.

(b) Carriers required to comply with the provisions of this instruction shall separate the amounts includible in the following accounts between those applicable to line haul and those applicable to pickup and delivery:

4130, Repairs and Servicing — Revenue Equipment.
4160, Tires and Tubes—Revenue Equipment.
4230, Drivers and Helpers.
4250, Fuel for Revenue Equipment.
4260, Oil for Revenue Equipment.
4270, Purchased Transportation.
5020, Depreciation of Revenue Equipment.
5210, Gasoline, Other Fuel, and Oil Taxes.
5220, Vehicle License and Registration Fees.
5310, Equipment Rents—Debit.
5350, Equipment Rents—Credit.

(c) The separation between line haul and pickup and delivery expenses in the accounts listed above shall be made in the following manner:

(1) *Classification of expenses, other than wages of drivers and helpers.* (i) All expenses for vehicles classified (see paragraph (b) of this section) as "line haul" shall be entered in the line haul subdivisions of the accounts, and all the expenses for vehicles classified as "pickup and delivery" shall be entered in the pickup and delivery subdivisions of the accounts.

In no case shall the expenses of a vehicle be split between the two subdivisions of an account.

(ii) For the purpose of separating the expenses each revenue vehicle (truck, tractor or trailer) shall be classified as "line haul" or "pickup and delivery", according to the service in which it is predominantly employed.

Include in the "line haul" classification all revenue vehicles predominantly engaged in the transportation of property in terminal-to-terminal, peddle, and other intercity service. Peddle trips are trips operated out of a local area, consisting of a city or town and contiguous suburban districts, for the purpose of delivering freight to consignees and gathering freight from consignors at points outside such area. The incidental or occasional use in pickup and delivery or local cartage service of vehicles regularly employed in line-haul service would not affect their classification as "line haul".

Include in the "pickup and delivery" classification all revenue vehicles predominantly employed in pickup and delivery service and local cartage service within a local area as defined above. The incidental or occasional use in line-haul service of vehicles regularly employed in pickup and delivery or local cartage service would not affect their classification as "pickup and delivery".

Where a vehicle or fleet of vehicles is used with complete interchangeability in the carrier's regular line-haul and pickup and delivery services, and a separation based on predominant use is not feasible, such vehicle or fleet of vehicles should be classified as "line haul".

Where vehicles assigned to over-night intercity runs are also used more or less regularly during the day in the carrier's general pickup and delivery service, such vehicles should be classified as "line haul".

(2) *Classification of wages of drivers and helpers.* (i) The separation of drivers' and helpers' wages between the "line haul" and "pickup and delivery" subdivisions of account 4230, Drivers and Helpers, shall be made according to the type of service performed by the employee. Thus, if a driver makes a line haul trip, whether terminal-to-terminal, peddle, or other, his wages for the trip shall be charged to the "line haul" subdivision of the account, irrespective of whether the vehicle used for the trip has been classified as "line haul" or "pickup and delivery". Similarly, if a driver is engaged in the carrier's general pickup and delivery service, his wages while so employed shall be charged to the "pickup and delivery" subdivision of the account, irrespective of whether the vehicle used in making the pickups and deliveries has been classified as "pickup and delivery" or "line haul".

(ii) Where a driver making a line-haul trip picks up or delivers all or part of his load at point of origin or destination or points en route, the entire wages of the driver shall be charged to the "line haul" subdivision of account 4230, except that where the driver's compensation for the pickup and delivery work performed is computed separately for payroll purposes it shall be charged to the "pickup and delivery" subdivision.

(iii) Where a driver spends part of the day in making a line-haul trip after which he is assigned to the carrier's general pickup and delivery service, his wages for the line-haul trip shall be charged to the "line haul" subdivision of

the account and his wages for the pickup and delivery work performed shall be charged to the "pickup and delivery" subdivision.

(iv) Also, where a driver is employed in either line-haul or pickup and delivery service and, in addition, is regularly assigned for a part of his time to platform work at the carrier's terminal, including the loading or unloading of his own or other vehicles, his wages for the time so employed shall be charged to account 4340, Salaries and Wages, Platform Employees (see instruction 11).

(d) Any carrier which finds it impracticable to segregate expenses as required by this instruction should furnish the Commission with full particulars of the conditions which prevent the proper segregation. Upon receipt of such information carriers will be advised of the procedure to be followed.

(49 Stat. 546, a amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

[F. R. Doc. 51-10397; Filed, Aug. 28, 1951; 8:50 a. m.]

PROPOSED RULE MAKING

FEDERAL SECURITY AGENCY

Food and Drug Administration

[21 CFR Ch. 1]

[Docket No. FDC-56]

CANNED PINEAPPLE AND CANNED PINEAPPLE JUICE

NOTICE OF POSTPONEMENT OF HEARING AND REVISED PROPOSED STANDARDS

In the matter of fixing and establishing definitions and standards of identity, standards of quality, and standards of fill of container for canned pineapple and canned pineapple juice:

Upon an application of the Pineapple Research Institute of Hawaii, representing a substantial portion of the pineapple canning industry, a hearing was called upon their proposals to adopt definitions and standards of identity, standards of quality, and standards of fill of container for canned pineapple and canned pineapple juice. The National Canners Association, on behalf of the Pineapple Research Institute of Hawaii and the Puerto Rican Canners Association, now applies for postponement of this hearing until October 30, 1951. It is ordered that the public hearing for the purpose of receiving evidence upon the basis of which regulations may be promulgated fixing and establishing definitions and standards of identity, quality, and fill of container for canned pineapple and canned pineapple juice, heretofore announced to commence on October 15, 1951 (15 F. R. 2201), be postponed to commence at 10:00 o'clock in the morning of October 30, 1951, in room 5439, Federal Security Building, Fourth Street and Independence Avenue SW., Washington 25, D. C.

At the hearing evidence will be restricted to testimony and exhibits that are relevant and material to the proposals hereinafter set forth. The hearing will be conducted in accordance with the rules of practice provided therefor.

Mr. Bernard D. Levinson is hereby designated as presiding officer to conduct the hearing in place of the Federal Security Administrator, with full authority to administer oaths and affirmations and to do all other things appropriate to the conduct of the hearing. The presiding officer is hereby required to certify the entire record of the proceeding to the Administrator for initial decision.

Revised proposed regulations submitted by the National Canners Association on behalf of the Pineapple Research Institute of Hawaii and the Puerto Rican Canners Association are set forth below and will be considered at the hearing. These regulations are subject to adoption, rejection, or modification by the Federal Security Administrator, in whole or in part, as the evidence adduced at the hearing may require.

REVISED PROPOSED STANDARDS FOR CANNED PINEAPPLE

SECTION I. Canned pineapple, identity, label statement of optional ingredients.

Canned Pineapple is the food consisting of one of the optional pineapple ingredients specified in paragraph (a) (1) through (8), of this section, and one of the designated optional packing media specified in paragraph (b) of this section. Before or after sealing in a container such food is so processed by heat as to prevent spoilage.

(a) The optional pineapple ingredients consist of mature pineapple, peeled and cored, in one of the following forms of units:

(1) Sliced pineapple, consisting of whole slices cut across the axis of the fruit.

(2) Half sliced pineapple, consisting of half slices, or approximately half slices, cut across the axis of the fruit, of substantially uniform size, packed in regular fashion in the container.

(3) Broken sliced pineapple, consisting of portions of slices, broken, and varying in size from approximately one-quarter of a slice to three-quarters of a slice, random packed in the container.

(4) Pineapple tidbits, consisting of reasonably uniform sectors not larger than one-sixth of a whole slice, cut from slices, but predominantly consisting of pieces not exceeding ½ inch in thickness and not less than ¼ inch in thickness.

(5) Pineapple chunks, consisting of pieces not exceeding 1½ inches in any edge dimension, but predominantly consisting of pieces exceeding ½ inch in thickness and one edge of which exceeds 9/16 inch, and not necessarily symmetrical or uniform in size.

(6) Pineapple cubes or diced pineapple predominantly consisting of cube-like pieces not exceeding 9/16 of an inch in the longest dimension.

(7) Pineapple spears, consisting of longitudinal sections not larger than one-sixth of a cylinder, and more than 1½ inches in length measured along the axis of the fruit.

(8) Crushed pineapple, consisting of shredded or finely cut fruit, or both, in which the drained solid material, determined by the method specified in paragraph (f) of this section, is not less than 63% of the total contents of the container. If the drained solid material, so determined, is not less than 73%, this optional pineapple ingredient may additionally be designated as "heavy pack" crushed pineapple. If the drained solid material, so determined, is not less than 78%, this optional pineapple ingredient may additionally be designated as "solid pack" crushed pineapple.

For the purpose of paragraph (g) of this section, the names of such pineapple ingredients are the word "pineapple", preceded or followed by the word or words "sliced" or "slices", "half sliced" or "half slices", "broken sliced" or "broken slices", "tidbits", "chunks", "cubes" or "diced", "spears", "crushed", or, where applicable, as "heavy pack crushed" or "solid pack crushed".

(b) The optional packing media for the forms of pineapple ingredient referred to in paragraphs (a) (1)-(7) may be:

(1) Water.

(2) Pineapple juice expressed from the fruit.

(3) Pineapple juice expressed from the fruit and clarified or otherwise refined.

(4) Light sirup.

(5) Heavy sirup.

(6) Extra heavy sirup.

Each of the packing media designated in subparagraphs (4) to (6) of this paragraph, consists of a liquid ingredient and a sweetening ingredient as prescribed in paragraph (e) of this section. The liquid ingredient in each of the packing media designated in subparagraphs (4) to (6) may be either of the packing media designated in subparagraphs (1) through (3) of this paragraph, with or without further refinement or concentration.

The respective densities of the packing media designated in subparagraphs (4) to (6) of this paragraph, as measured on the Brix hydrometer 15 days or more after the pineapple is canned, are within the range prescribed for each in the following list:

Number of packing medium:	*Brix measurement*
(4)	14° or more but less than 18°.
(5)	18° or more but less than 22°.
(6)	22° or more but not more than 35°.

(c) If the optional form of pineapple ingredient referred to in paragraph (a) (1)-(7) of this section is packed in the optional packing medium designated in paragraph (b) (1) of this section, the product shall be deemed to be packed in "water". If the product is packed in the optional packing medium designated in paragraph (b) (2) of this section, the product shall be deemed to be packed in "pineapple juice". If the product is packed in the optional packing medium designated in (b) (3) of this section, the product shall be deemed to be packed in "juice". In the case of products packed in the optional packing media designated in paragraph (b) (4) to (6) of this section, the product shall be deemed to be packed in "light sirup", "heavy sirup" or "extra heavy sirup", as the case may be.

(d) The optional packing media for the form of pineapple ingredient referred to in paragraph (a) (8) may be any one of the optional packing media (2) through (6) specified in paragraph (b) of this section. If the drained liquid from the product, as measured on the Brix hydrometer 15 days or more after canning, is not less than 22° nor more than 35°, the product shall be deemed to be packed in "extra heavy sirup". If the drained liquid, similarly tested, is not less than 18° but less than 22°, the product shall

be deemed to be packed in "heavy sirup". If the drained liquid, similarly tested, is not less than 14° but less than 18°, the product shall be deemed to be packed in "light sirup". If such optional form of pineapple ingredient is packed with the use of either of the optional packing media designated (2) and (3) of paragraph (b) of this section, the product shall be deemed packed, respectively, in "pineapple juice" or in "juice", or as "unsweetened".

(e) The term "sweetening ingredient" means sucrose or invert sugar sirup. The term "invert sugar sirup" means an aqueous solution of inverted or partly inverted, refined or partly refined sucrose, the solids of which contain not more than 0.3 percent by weight of ash and which is relatively colorless, odorless, and flavorless except for sweetness.

(f) The method referred to in paragraph (a) (8) of this section is as follows: Take at random the least number of containers which will yield a total quantity of contents of not less than 100 ounces. Open the containers, carefully combine and weigh the contents. Without stirring, carefully place the contents so as to distribute them evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 12 inches, and the bottom consists of woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table 1 of "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and fruit. The weight so found, less the weight of the sieve, shall be considered to be the total drained weight of the fruit. The percentage of drained weight in the total weight should be calculated.

(g) In the case of the optional ingredients specified in paragraph (a) (1)–(7) of this section, the label shall bear the name of the pineapple ingredient used, and the name of the optional packing medium as designated in paragraph (c) of this section, preceded by "in" or "packed in".

In the case of the optional ingredient specified in paragraph (a) (8) of this section, the label shall bear the name of the pineapple ingredient used and one of the statements "pineapple juice", "juice", "extra heavy sirup", "heavy sirup", "light sirup" as designated in paragraph (d) of this section, preceded by "in" or "packed in" or where permitted by paragraph (d) as "unsweetened".

Wherever the name "pineapple" appears on the label so conspicuously as to be easily seen under the customary conditions of purchase, the words herein specified, showing the optional pineapple ingredients and packing media or sweetening agent used shall also be displayed, in any order desired, but placed with relatively equivalent prominence and with such conspicuousness as to render each term likely to be read and understood by the ordinary individual under customary conditions of purchase and use, without intervening written, printed or graphic matter, except that the name of the State, territory or possession of the United States in which the pineapples were grown may so intervene.

SECTION II. Canned pineapple; quality; label statement of substandard quality.

(a) The standard of quality for canned pineapple is as follows:

(1) In the case of sliced and half sliced, the outside diameter of the unit or of the two half units is not less than 2½ inches; the inside diameter of the unit or of the two half units is not less than ⅞ inch and not more than 1⅜ inches; the thickness of the unit is not less than ¼ inch and not more than 1 inch.

(2) In the case of broken sliced, not more than 5% by weight of the drained weight of the container (a) consist of pieces which measure in thickness less than ¼ inch or more than 1 inch, or (b) which measure less than ¾ inch in width, as measured from the outer edge to the inner edge; or (c) consist of pieces broken from slices of a diameter different from those in the rest of the container. Not more than 10% of the drained weight may consist of pieces smaller than ¼ of a slice or larger than ¾ of a slice.

(3) The drained weight of the largest unit in the container, as determined in accordance with the method prescribed in paragraph (b) (1) of this section, is:

(i) In the case of sliced and spears, not more than 1.33 times the smallest;

(ii) In the case of half slices, not more than 1.66 times the smallest (except for an occasional broken piece due to splitting);

(4) In the case of chunks, not more than 15% of the drained weight of the contents of the can consists of pieces less than 5/16 ounce each. In the case of cubes or diced, not more than 15% of such drained weight consists of pieces more than 3/32 ounce each. In the case of tidbits, not more than 15% of the drained weight may consist of pieces weighing less than three-quarters of the normal untrimmed tidbit of the container.

(5) In the case of sliced, half slices, broken sliced, tidbits, chunks, cubes or diced, and spears, not more than one unit of a container of five units or less, two units of a container of six to ten units, four units of a container of 11 to 20 units, and not more than 12½% of the units of a container of more than 20 units are blemished. A blemish shall include (1) eyes, brown spots and pieces of shell in excess of 1/16 inch in the longest dimension on the exposed area of the unit, (2) deep fruit eyes, (3) bruised portions and (4) other abnormalities which are possible of detection in good commercial practice before sealing in the container.

(6) In the case of crushed, not more than 1¼% of the drained weight of the contents of the can are blemished. (See Section II (a) (15).)

(7) In the case of slices and half slices, not more than one unit of a container of ten or less units, two units of a container of 11 to 20 units and not more than 7½% of the units of a container of more than 20 units are excessively trimmed. Excessive trimming shall constitute all trimming which in the particular unit substantially distorts or destroys the outer or inner edge of the hollow cylinder, or which in the aggregate in the particular unit exceeds 5% of the apparent physical bulk of the perfect hollow cylindrical section.

(8) In the case of broken sliced and spears, not more than 10% of the total units in the container are excessively trimmed. In the case of tidbits, not more than 15% of the drained weight consists of units excessively trimmed. Excessive trimming in the case of broken sliced, spears and tidbits includes all trimming which destroys the normal shape of the unit.

(9) In the case of sliced and half slices, not more than three units in containers of more than 25 units, or one unit in containers of 25 units or less, are mashed; in the case of broken sliced, not more than 5% of the units in a container are mashed; in the case of tidbits, not more than three of the units in containers of less than 150 units, or 2% of the units in containers of 150 units or more, are mashed; in the case of chunks, not more than three of the units in containers of less than 70 units, or 5% of the units in containers of 70 units or more, are mashed; in the case of spears, not more than one unit per container is mashed. (A unit which has lost its normal shape because of ripeness or which bears no mark of mechanical mashing shall not be considered to be mashed or broken.)

(10) In the case of pineapple cubes, or diced pineapple, not more than 10% by weight of the units in the container will pass through the meshes of a sieve designated as 5/16 inch in Table I of "Standard Specifications for Sieves" published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards.

(11) In the case of all forms of units, not more than 1¼ ounces of core is contained in 1 pound of drained fruit, as determined in accordance with the method prescribed in paragraph (b) (7) of this section.

(12) In the case of all forms of units, not more than 1.35 grams of acid calculated as anhydrous citric acid is contained in 100 milliliters of the liquid drained from the product 15 days or more after the pineapple is canned. The quantity of anhydrous citric acid is determined in accordance with the method prescribed in paragraph (b) (8) of this section.

(b) The methods to be employed to determine whether canned pineapple meets the requirements of paragraph (a) of this section are as follows:

(1) Determine the drained weight of the contents of the container in accordance with the method prescribed in Section III (b).

(2) In the case of sliced pineapple, next determine the weight of each slice remaining on the sieve.

(3) In the case of sliced, half sliced, broken slices, and spears, check the dimensions and weight of each unit against the requirements of paragraphs (a) (1), (2), and (3). In the case of chunks, tidbits, and cubes or diced, check the weight of the units against the requirements of paragraph (a) (4).

(4) Except in the case of crushed, determine the total number of units in the container, and the number of mashed units as specified in paragraph (a) (9) of this section.

(5) Except in the case of crushed pineapple, inspect all of the units in the container to determine those which have been excessively trimmed within paragraph (a) (7) or so trimmed as to destroy normal shape within paragraph (a) (8) of this section.

(6) Segregate and count, and in the case of crushed pineapple weigh the aggregate, each unit which is blemished in accordance with subparagraphs (a) (5) and (6) of this section.

(7) In the case of each form of optional pineapple ingredient, identify and separate the core material, if any, cleanly from each of the units in the container, and weigh the aggregate of this core material. Calculate the weight of the core material per pound of drained fruit.

(8) Determine the total acidity by titration using the official procedure in the Methods of Analysis of the A. O. A. C. latest edition. Calculate the results as grams of anhydrous citric acid per 100 milliliters of sample.

(c) If the quantity of canned pineapple falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.2 (a) of this chapter, in the manner and form therein specified; but in lieu of such general statement of substandard quality, the label may bear the alternative statement "Below standard in quality _____", the blank to be filled in with the words specified after the corresponding number of each subparagraph of paragraph (a) of this section which such canned pineapple fails to meet, as follows:

(1) "Small slices".

(2) "Small broken pieces" or "Large broken pieces".

(3) and (4) "Mixed sizes".

(5) and (6) "Blemished".

(7) and (8) "Excessively trimmed".
(9) "Mashed units".
(10) "Irregular small pieces".
(11) "Poorly cored".
(12) "Excessively tart".

Such alternative statement shall immediately and conspicuously precede or follow without intervening written, printed or graphic matter, the name "pineapple" and any words and statements required or authorized to appear with such name by section I.

SECTION III. Canned pineapple; fill of container; label statement of substandard fill.

(a) The standard of fill of container for the pineapple ingredient is, in the case of the following designated containers, the number of ounces of drained fruit for each form of unit specified in the designated containers:

	1 Tall 301 x 411	2½ 401 x 411	1¼ 401 x 207.5	2 Tall 307 x 409	1 Flat 307 x 203	211 Cyl. 211 x 414	Buff 211 x 304	No. 10 603 x 700
Sliced pineapple	10¼	18	9	12½	5			61¼
Broken slices								62¼
Half slices		17		12				
Pineapple tidbits		18		12½	4¾	7½	4½	65
Pineapple spears				12¼		8		
Pineapple chunks		18	9	12½		7½		65
Pineapple cubes								66
Crushed pineapple		19½		13½	6¾	8¾	6½	72
Crushed pineapple heavy pack								80
Crushed pineapple solid pack								85

(b) Determine the drained weight by the pricedure for "Canned Products, Preparation of Sample" in the Methods of Analysis of the A. O. A. C. latest edition.

(c) If the canned pineapple falls below the standard fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.2 (b) of this chapter, in the manner and form therein prescribed.

SECTION IV. Canned pineapple juice; identity; label statement of optional ingredients.

(a) Canned pineapple juice is the food consisting of the juice of the mature pineapple, without the addition of water thereto, which is free of coarse or hard substances and which contains finely divided insoluble solids, with or without an added sweetening ingredient. Before or after sealing in a container such food is so processed by heat as to prevent spoilage.

(b) For the purpose of this section, the term "sweetening ingredient" means refined sucrose.

(c) The label shall bear the name "Pineapple juice". Where no sweetening ingredient has been added, the label may additionally bear the statement "unsweetened". Where a sweetening ingredient has been added, the label shall bear the additional statement "sugar added".

SECTION V. Canned pineapple juice; quality; label statement of substandard quality.

(a) The standard of quality for canned pineapple juice is as follows:

(1) The Brix, as determined in accordance with the method prescribed in paragraph (b) (1) of this section is 10.5° Brix or more.

(2) The acidity, as determined in accordance with the method prescribed in paragraph (b) (2) of this section, is not more than 1.35 grams of acid calculated as anhydrous citric acid per 100 milliliters of juice.

(3 The ratio of Brix to acid, as determined in accordance with the method prescribed in paragraph (b) (3) of this section, is not less than 12 to 1.

(4) The quantity of finely divided insoluble solids is 5% or more but not more than 30%, as determined in accordance with the method prescribed in paragraph (b) (4) of this section.

(b) The methods specified in paragraph (a) of this section are as follows:

(1) Determine the degrees Brix of the liquid by the official procedure in the Methods of Analysis of the A. O. A. C. latest revision.

(2) Determine the total acidity by titration using the official procedure in the Methods of Analysis of the A. O. A. C. latest edition. Calculate the results as grams of anhydrous citric acid per 100 milliliters of sample.

(3) Divide the result obtained in subparagraph (1) of this paragraph by the result obtained in subparagraph (2) of this paragraph to obtain the ratio of Brix to acidity.

(4) Measure 50 milliliters of pineapple juice into a long, cone-shaped graduated centrifuge tube measuring approximately 4⅜6 inches from tip to top calibration, and having a capacity of 60 milliliters. Place tube in suitable centrifuge, the approximate speed of which is related to diameter of swing in accordance with the table immediately below. The word "diameter" means the over-all distance between the tips of opposing centrifuge tubes in operating position.

Diameter (inches):	*Approximate revolutions per minute*
10	1,609
10½	1,570
11	1,534
11½	1,500
12	1,468
12½	1,438
13	1,410
13½	1,384
14	1,359
14½	1,336
15	1,313
15½	1,292
16	1,271
16½	1,252
17	1,234
17½	1,216
18	1,199
18½	1,182
19	1,167
19½	1,152
20	1,137

After centrifuging exactly 3 minutes after reaching specified speed, the milliliter reading at the top of the layer of insoluble solids is multiplied by two to obtain the percent insoluble solids.

(c) If the quality of canned pineapple juice falls below the standard prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard quality specified in § 10.2 (a) of this chapter, in the manner and form therein specified.

SECTION VI. Canned pineapple juice; fill of container; label statement of substandard fill.

(a) The Standard of fill of container for canned pineapple juice is 90% of the volume capacity of the container.

(b) If canned pineapple juice falls below the standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of substandard fill specified in § 10.2 (b) of this chapter, in the manner and form therein specified.

Dated: August 23, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-10400; Filed, Aug. 28, 1951; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. I]

CHARGES TO CARRIER OPERATING EXPENSES REPRESENTING SERVICE LOSS OF EMERGENCY FACILITIES

NOTICE OF PROPOSED RULE MAKING

AUGUST 20, 1951.

The Commission, by division 1, having under consideration the matter of emergency facilities, the cost of which may be amortized over a 60-month period for Federal income tax purposes, under section 124 (a) of the Internal Revenue Code (Act of 1950), finds no justification for charges to carrier operating expenses representing the service loss of any such facility, in excess of those computed at prescribed or accepted depreciation rates, unless it can be shown definitely that the facility will have no use in transportation service after the emergency.

All carriers subject to accounting regulations prescribed by the Commission will be required to conform to this policy, which will be given effect by cancellation of any provisions which are contrary thereto in the accounting regulations now in effect for the different types of carrier. Accordingly, any interested person may on or before September 27, 1951, file with the Commission written views or arguments to be considered in that connection.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-10398; Filed, Aug. 28, 1951; 8:50 a. m.]

[49 CFR Part 10]

UNIFORM SYSTEM OF ACCOUNTS FOR STEAM ROADS

NOTICE OF PROPOSED RULE MAKING

AUGUST 20, 1951.

The Commission, by Division 1, having under consideration the modification of the Uniform System of Accounts for Steam Railroads pursuant to Section 20 (3) of the Interstate Commerce Act, has approved the cancellation effective January 1, 1952, of the following accounts which will by that date have served their purpose:

Account 270½, Road—Amortization of Defense Projects.

Account 331½, Equipment—Amortization of Defense Projects.

In keeping with the policy announced August 20, 1951, in connection with accounting for emergency facilities, steam railroads will be required to reverse

charges to accounts 270½ and 331½ applicable to those emergency facilities acquired subsequent to December 31, 1949, and certified under section 124 (a) of the Internal Revenue Code.

Upon application, any steam railroad will be granted authority to provide for accelerated depreciation for any facility that will not be used in transportation service after the present emergency period.

Any interested person may on or before September 27, 1951, file with the Commission written views or arguments to be considered in this connection, and may request oral argument thereon.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-10399; Filed, Aug. 28, 1951; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

AIR NAVIGATION SITE WITHDRAWAL NO. 189, ENLARGEMENT

AUGUST 21, 1951.

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 729; U. S. C. 214), and pursuant to § 2.22 (2), of Delegation Order No. 427, of August 16, 1950 (15 F. R. 5641), it is ordered as follows:

Subject to valid existing rights, the tract of public lands near Farewell, Alaska, described below by metes and bounds, is hereby withdrawn from all forms of appropriations under the public land laws, and reserved for the use of the Civil Aeronautics Administration, Department of Commerce, in the maintenance of Air-navigation facilities, the reservation to be known as Air Navigation Site Withdrawal No. 189, Enlargement:

Beginning at Corner No. 4 of U. S. Survey No. 2640, Fourth Judicial Division, Territory of Alaska, thence—
S. 75° 36' E. 2,640 feet,
S. 14° 27' W. 5,940 feet,
N. 75° 36' W. 5,940,
N. 14° 25' E. 5,940 feet to the south boundary line of Survey 2640 thence along said boundary line,
S. 75° 36' E. 3,300 feet to the point of beginning.

The tract described contains approximately 810 acres.

It is intended that the public land described herein shall be returned to the administration of the Department of the Interior when it is no longer needed for the purpose for which it is reserved.

LOWELL M. PUCKETT,
Regional Administrator, Region VII.

[F. R. Doc. 51-10359; Filed, Aug. 28, 1951; 8:45 a. m.]

Bureau of Reclamation

SHOSHONE PROJECT, WYOMING

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 23, 1951.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937) I hereby withdraw the following described land from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (38 Stat. 388):

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 53 N., R. 101 W.,
Sec. 12, Lot 6.

The above area aggregates 1.38 acres.

WESLEY R. NELSON,
Assistant Commissioner.

I concur. The records of the Bureau of Land Management will be noted accordingly.

WILLIAM ZIMMERMAN, Jr.,
Associate Director,
Bureau of Land Management.

JUNE 14, 1951.

Notice for Filing Objections to Order Withdrawing Public Lands for the Shoshone Project, Wyoming.

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Wyoming, for use in connection with the Shoshone Project, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WESLEY R. NELSON,
Assistant Commissioner,
Bureau of Reclamation.

[F. R. Doc. 51-10360; Filed, Aug. 28, 1951; 8:45 a. m.]

MISSOURI RIVER BASIN PROJECT, WYOMING

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 19, 1951.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937), I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

PAINTROCK UNIT

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 49 N., R. 91 W.,
Sec. 5, Lots 5, 6, 7, 8, W½SW¼, SE¼SW¼;
Sec. 9, Lots 1, 2, 3, 4, SW¼NW¼, SW¼, W½SE¼, SE¼SE¼;
Sec. 10, Lots 3, 6, SW¼SW¼;
Sec. 12, Lots 1, 2, 3, 6, NW¼, E½SW¼;
Sec. 13, Lots 1, 5, 6, 9;
Sec. 15, Lots 2, 3, 4, 5, W½;
Sec. 23, Lots 1, 2, 3, 4, W½SW¼, SE¼SW¼;
Sec. 24, Lots 1, 2, 3;
Sec. 25, Lots 1, 2, 3, 4, SW¼NW¼, SW¼, S½SE¼;
Tracts 37-A, B, C, 39-A, B, 41-A to F, inc., 46-A to D, incl., 47-A to D, incl., 52, 53-K, 58-B, 78-E, 80-Q, R. S. 87-C.
T. 50 N., R. 91 W.,
Sec. 29, N½;
Sec. 30, Lots 1, 2, NE¼, E½NW¼;
Sec. 31, Lot 4;
Tracts 74-A to D, incl., 79-A to D and G to J, incl., M, N, 80-A to P, incl.
T. 50 N., R. 92 W.,
Sec. 25, NE¼;
Sec. 30, Lot 1;
Sec. 33, W½SW¼, SE¼SW¼, S½SE¼;
Sec. 34, SW¼SW¼, SE¼SE¼.

CLARKS FORK UNIT

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 55 N., R. 104 W., Secs. 2 to 8, incl., all.
T. 56 N., R. 104 W., partly unsurveyed
Secs. 12, 13, 14, 15 and 18, all;
Secs. 19 and 20, all, exclusive of HES 47;
Secs. 22 to 27, incl., all;
Secs. 28 and 29, all, exclusive of HES 47 and 225;
Secs. 30 and 31, all;
Sec. 32, all, exclusive of HES 242;
Sec. 33, all exclusive of HES 225;
Secs. 34 and 35, all;
Sec. 36, Lots 1 to 4, incl., N½ and SW¼.
T. 55 N., R. 105 W., partly unsurveyed
Secs. 1 and 2, all;
Sec. 9, all, exclusive of HES 71 and 72;
Sec. 10, all, exclusive of HES 71 and 113;
Sec. 11, Lots 1 to 10, incl., SW¼NW¼, NW¼SW¼ and Tract A;
Sec. 12, all, exclusive of HES 45, 71, 86, 215 and 252;
Sec. 13, all, exclusive of HES 45;
Sec. 14, all, exclusive of HES 86 and 113;
Sec. 15, all, exclusive of HES 113;
Sec. 16, all, exclusive of HES 46, 72, 139, 163 and 174;
Sec. 17, Lots 1 to 7, incl., Lot 9, NW¼NE¼, N½NW¼;
Sec. 18, all, exclusive of HES 69, 70, 111, 112 and 234;
Sec. 19, all, exclusive of HES 111, 112, 234 and 244;
Sec. 20, all, exclusive of HES 112, 183, 140 and 161;
Sec. 21, all, exclusive of HES 183 and 140;
Sec. 22, all.
T. 56 N., R. 105 W., unsurveyed
Secs. 2 and 3, all;
Sec. 4, all, exclusive of HES 173;

Sec. 5, all;
Sec. 6, all, exclusive of HES 49;
Sec. 7, all, exclusive of HES 90;
Sec. 8, all;
Sec. 9, all, exclusive of HES 173;
Sec. 10, all, exclusive of HES 173 and 243;
Secs. 11, 12 and 13, all;
Sec. 14, all, exclusive of HES 243;
Sec. 15, all, exclusive of HES 243;
Secs. 23 and 24, all;
Sec. 25, all, exclusive of HES 148.
T. 57 N., R. 105 W., unsurveyed
Secs. 34 and 35, all.
T. 56 N., R. 106 W., partly unsurveyed
Sec. 1, all, exclusive of HES 49 and 90;
Secs. 2 and 3, all;
Sec. 4, all, exclusive of HES 40, 177 and 179;
Sec. 5, all, exclusive of HES 50, 51, 177, 227, and 179;
Sec. 9, all, exclusive of HES 51, 54, 92, 50, 178, and 180;
Sec. 10, all, exclusive of HES 92 and 180;
Sec. 11, all;
Sec. 12, all, exclusive of HES 90.
T. 57 N., R. 106 W., unsurveyed
Secs. 17 and 18, all, exclusive of HES 97;
Secs. 19 and 20, all, exclusive of HES 164;
Sec. 21, all, exclusive of patented homestead;
Sec. 22, all, exclusive of HES 96 and patented homestead;
Sec. 27, all, exclusive of HES 96 and 99;
Sec. 28, all, exclusive of HES 99;
Sec. 29, all, exclusive of HES 164;
Sec. 33, all, exclusive of HES 99 and 177;
Sec. 34, all, exclusive of HES 40, 99, 176, 179 and 227;
Sec. 35, all, exclusive of HES 40 and 179;
Sec. 36, all.
T. 57 N., R. 107 W., unsurveyed
Sec. 2, all, exclusive of HES 94;
Sec. 3, all, exclusive of HES 56 and 94;
Sec. 4, all, exclusive of HES 55;
Secs. 5, 9 and 10, all;
Sec. 11, all, exclusive of HES 48 and 94;
Secs. 12 to 15, incl., and 24, all.
T. 58 N., R. 107 W., unsurveyed
Secs. 32 and 33, all.

The above areas aggregate approximately 60,000 acres.

N. B. BENNETT, Jr.,
Acting Assistant Commissioner.

I concur. The records of the Bureau of Land Management will be noted accordingly.

WILLIAM ZIMMERMAN, Jr.,
Associate Director,
Bureau of Land Management.

JULY 9, 1951.

Notice for Filing Objections to Order Withdrawing Public Lands for the Missouri River Basin Project, Wyoming

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Wyoming, for use in connection with the Missouri River Basin Project, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

N. B. BENNETT, Jr.
Acting Assistant Commissioner,
Bureau of Reclamation.

[F. R. Doc. 51-10361; Filed, Aug. 28, 1951; 8:45 a. m.]

Petroleum Administration for Defense

WISCONSIN

NOTICE OF CERTIFICATION REGARDING THE RESTRICTION OF NATURAL GAS

Take notice that the Public Service Commission of the State of Wisconsin has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to section 704 Defense Production Act of 1950, as amended, the restrictions imposed by section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the State of Wisconsin.

A. P. FRAME,
Acting Deputy Administrator,
Petroleum Administration for Defense.

[F. R. Doc. 51-10414; Filed, Aug. 28, 1951; 8:51 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

SECRETARY OF THE ARMY

DELEGATION OF AUTHORITY TO ORDER MEMBERS AND UNITS OF RESERVE COMPONENTS INTO ACTIVE FEDERAL SERVICE

Pursuant to the authority vested in me by Executive Order 10271, dated July 7, 1951 (16 F. R. 6659) and by section 202 (f) of the National Security Act of 1947, 61 Stat. 495, as amended, Paragraph 1 of Delegation of Authority dated July 13, 1951 (16 F. R. 6968) is hereby amended to read as follows:

The Secretary of the Army is authorized to order into active military service units of the National Guard of the United States, including the members thereof, and other members and units of the Army of the United States, including those of the Organized Reserve Corps, as may be necessary. The Secretary of the Army is authorized to redelegate to the Continental Army Commanders the authority to order into the active military service of the United States such units of the National Guard of the United States as may be designated special security forces for critical installations.

ROBERT A. LOVETT,
Acting Secretary of Defense.

AUGUST 24, 1951.

[F. R. Doc. 51-10427; Filed, Aug. 28, 1951; 8:58 a. m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[T. D. 52802]

COMMISSIONER OF BUREAU OF CUSTOMS

DELEGATION OF AUTHORITY TO AUTHORIZE OFFICIALS TO CERTIFY COPIES OF CERTAIN DOCUMENTS

AUGUST 22, 1951.

Pursuant to the authority conferred upon the Secretary of the Treasury by the provisions of section 2, Reorganization Plan No. 26 of 1950, there is hereby delegated to the Commissioner of Customs the authority vested in the Secretary of the Treasury by section 2633, Title 28, U. S. Code, to authorize an official to certify copies of official documents so they may be admitted in evidence with the same force and effect as original documents in reappraisement proceedings before a single judge of the Customs Court.

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10405; Filed, Aug. 28, 1951; 8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 4985]

EL AL ISRAEL AIRLINES, LTD.; AMENDMENT OF PERMIT

NOTICE OF HEARING

In the matter of the application of El Al Israel Airlines Limited for amendment of its foreign air carrier permit pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of the said act, that a hearing in the above-entitled proceeding is assigned to be held on October 15, 1951, at 10:00 a. m., e. s. t., in Room E-214, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

El Al Israel Airlines Limited requests that its permit be amended so as to authorize service to intermediate points in the Netherlands, Belgium, Luxemburg and Turkey and so as to reflect a change in the corporate title of the applicant. Without limiting the scope of the issues presented by the application, particular attention will be directed to the questions:

1. Whether the proposed air transportation will be in the public interest.
2. Whether the applicant is fit, willing and able to perform such transportation.
3. Whether an authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention or agreement in force between the United States and the Republic of Israel.

Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding must file with the Board on or before October 15, 1951, a statement setting forth the

issues of fact or law raised by the application which he desires to controvert.

For further details of the service proposed and the amendment requested, interested persons are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., August 23, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-10402; Filed, Aug. 28, 1951; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18344]

EDUARD VON DER HEYDT

In re: Securities and other property owned by Eduard von der Heydt, also known as Edward von der Heydt, and Ratio, S. A. F-63-8838.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and Executive Order 9989, and pursuant to law, after investigation, it is hereby found:

1. That Eduard von der Heydt, also known as Edward von der Heydt, who since the effective date of Executive Order 8389, as amended, has acted or purported to act directly or indirectly for the benefit of or under the direction of an enemy country (Germany), is a national of a designated enemy country (Germany);

2. That Ratio, S. A. is a corporation organized under the laws of Switzerland, whose principal place of business is located at Fribourg, Switzerland and a substantial part of the stock or shares of which is or, since the effective date of Executive Order 8389, as amended, has been owned or controlled by, directly or indirectly, the aforesaid Eduard von der Heydt; also known as Edward von der Heydt, and is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. All securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) presently in the custody of the Guaranty Trust Company of New York, 140 Broadway, New York, New York, in custody accounts FC-20711 and XC-14366 in the names of Edward von der Heydt and Libertas Societe Anonyme, respectively, together with any and all rights thereunder and thereto, and any and all declared and unpaid dividends on shares of stock,

b. Those certain debts or other obligations of Guaranty Trust Company of New York, 140 Broadway, New York, New York, arising out of cash accounts FC-20711 and XC-14366 in the names of Edward von der Heydt and Libertas Societe Anonyme, respectively, and any and all rights to demand, enforce and collect the same, and

c. Those certain objects of art described in Exhibit A, attached hereto and by reference made a part hereof, on deposit with the Buffalo Museum of Science, Humboldt Park, Buffalo, New York, and held on behalf of Eduard von der Heydt,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eduard von der Heydt, also known as Edward von der Heydt, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows:

a. All securities (including, without limitation, bonds, coupons, mortgage participation certificates, shares of stock, scrip and warrants) presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in a custody account in the name of Ratio, S. A., together with any and all rights thereunder and thereto and any and all declared and unpaid dividends on shares of stock, and

b. That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a cash account in the name of Ratio, S. A., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ratio, S. A., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

5. That Eduard von der Heydt, also known as Edward von der Heydt and Ratio, S. A., are controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and are nationals of a designated enemy country (Germany).

6. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

(1) Deva riding on Garuda bird stone sculpture from Cambodia 12" high—9" wide—buff sandstone.

(2) Chicken bone jade pendant, in form of a mask, with motives finely carved and edged by flanges. Shang Dynasty 3" long.

(3) Bronze wine vessel, Tsun shap. Lower part with conventionalized bird design. Early Chou 11¾" high.

(4) Statue of water buffalo. Shang Dynasty. 5¾" long and 3¼" high.

(5) Decorated sarcophagus of slate. Incised decoration of dragon, tiger turtle and bird. T'ang Dynasty.

(6) Pair of squatting demons. Sandstone. From Buddhist cave temples in Hsiang Tang-shan, frontier of Honan and Hopei. About 700 A. D.

(7) Sandstone Bodhisattva.

(8) Sandstone torso of Bodhisattva. In full round. Late 6th Century 4' high.

(9) Bronze tripod vessel. Ting shape. Conventionalized Cicada decoration Shang Dynasty 7¾" ht.

(10) Bronze head Benin, Africa. About life size.

(11) Stone lion head. Amaravati Region, India. Andrha Dynasty Incomplete.

(12) Wine vessel with cover. Double-headed snake handle. Late Shang Dynasty 12½" ht 5½" width.

(13) Jade blade. Heavily mottled with brown. 3 round perforations. Shang Dynasty 10" x 4".

(14) Bronze tube flag stand. Middle Chou 7⅛" x 3⅝".

(15) Bronze mask. Middle Chou 10⅛" ht. 5¾" across eyes.

(16) Bronze k'o 9¾" x 3".

(17) Two pairs of rabbits or hares attached. Shang 1¾" x 6⅛" and 1¾" x 5½".

(18) Bronze mask. Early Chou 11½" x 12½".

(19) Two bronze and turquoise inlaid buttons Shang 1.75" x 2".

(20) Three bronze ornaments—animal motif. Shang Dynasty. 4.5" x 1.25", 4.75" x 1.25", 2⅝" x 1".

(21) Bronze ax head Shang 7" x 5¼".

(22) Bronze K'o Shang, 11⅛" x 3½".

(23) Seated stone figure Costa Rica.

(24) Stone figure Mexico.

(25) Stone figure Costa Rica.

(26) Stone figure Ecuador.

(27) Stone figure Mexico.

(28) Seated male figure Stone Aztec. From Valley of Mexico.

(29) Stone sculpture of standing figure. Arms missing 38" high. Sui Dynasty.

(30) Gray stone slab with relief, showing Maitreya the Buddha of the future flanked by two Bodhisattvas. 24¾" ht. T'ang Period.

(31) Bust of Kuan Yin, 19" high, 12" across. Grayish brown stone with traces of polychrome. T'ang Dynasty.

(32) Stela-polychrome stone figure. Sui 15¾" ht. 5" x 5½" base.

(33) Buddha head.

(34) Buddha head.

(35) Stone head. Khmer, Indo China.

(36) Boro Budur head. Java c. 1100 A. D.

(37) Stone figure of Caruda.

(38) Madura draped figure. India III cen. A. D.

(39) Dagger-axe or "Ko" Shang 9" long.

(40) Vehicle ornament Shang 8¼" long.

(41) Dagger-axe or "Ko" Shang 11" long.

(42) Chinese bronze vessel (so called sauce boat) Late Eastern Chou ht. 4".

(43) Chinese bronze knife. Shang period. 9¼" long.

(44) Pre-Columbian stone figure 13".

[F. R. Doc. 51-10344; Filed, Aug. 27, 1951; 8:49 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 144, Amendment 1]

TOWLE MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to Special Order 144 under section 43 of Ceiling Price Regulation 7 modifies those provisions relating to preticketing usually required by orders of this type. This amendment, designed to meet the particular requirements of the silverware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order. The preticketing method established by this amendment is necessary because the articles covered by the special order are characteristically not adaptable to the usual preticketing method.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

"3. On and after September 17, 1951, Towle Manufacturing Company must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. Such a sign, a price book, and a supply of tags and stickers shall also be sent, on or before the date of the first delivery of an article covered by paragraph 1 of this special order, to all other purchasers subsequent to the effective date of this special order. The sign must contain the following legend:

"The retail ceiling prices for Towle Manufacturing Company sterling silver and flatware have been approved by OPS and are shown in a price book we have available for your inspection.

"The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

"The retail ceiling prices in this Towle Manufacturing Company price book have been approved by OPS under Section 43, CPR 7,

"The tags and stickers must be in the following form:

Towle Manufacturing Company
OPS—Sec. 43—CPR 7
Price $_____

"On and after October 17, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed. This retail ceiling price must be written on the tag or sticker by the retailer.

"Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above to each seller for resale to whom a price book has been sent under the provisions of this special order. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60 day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order."

Effective date. This amendment shall become effective on August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10271; Filed, Aug. 22, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 151, Amdt. 1]

AMERICAN GIRL SHOE CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 151, issued under Section 43 of Ceiling Price Regulation 7, to American Girl Shoe Co., extends the date by which the applicant was required to mark, tag or ticket the articles covered by the special order. The extension is granted on applicant's demonstration of inability to preticket by the date specified in the special order.

Amendatory provisions. Special Order 151 under section 43 of Ceiling Price Regulation 7 is amended in the following respects:

1. In paragraph 3, substitute for the date "August 16, 1951," the date "October 15, 1951."

2. In paragraph 3, substitute for the date "September 15, 1951," wherever it appears, the date "November 15, 1951."

Effective date. This amendment shall become effective August 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10034; Filed, Aug. 17, 1951; 4:59 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 495]

DANVERS SHOE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulations have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Danvers Shoe Company, Inc., Manchester, New Hampshire.

Brand names: "Chico Moc".

Articles: men's and women's shearling-lined, moccasin hand-laced slipper.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices con-

tained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 18, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 17, 1951.

[F. R. Doc. 51-10040; Filed, Aug. 17, 1951; 5:00 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 541]

MIMAR PRODUCTS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Mimar Products, Inc., 138 Spencer Street, Brooklyn 5, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric fans, space heaters and hair dryers sold through wholesalers and retailers and having the brand name(s) "MP" and "Mimar" shall be the proposed retail ceiling prices listed by Mimar Products Inc., 138 Spencer Street, Brooklyn 5, N. Y., hereinafter referred to as the "applicant" in its application dated June 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Mimar Products Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective

date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10218; Filed, Aug. 21, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 542]

CONTINENTAL SCALE CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Continental Scale Corporation, 5701-5721 South Claremont Avenue, Chicago 36, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of bathroom scales and baby scales, school scales, physicians' office scales, diet scales sold through wholesalers and retailers and having the brand name(s) "Health-O-Meter", "Diet-O-Meter" shall be the proposed retail ceiling prices listed by Continental Scale Corporation, 5701-5721 South Claremont Avenue, Chicago 36, Illinois, hereinafter referred to as the "applicant" in its application dated June 12, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Continental Scale Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply

as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10219; Filed, Aug. 21, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 543]

H. T. CUSHMAN MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, H. T. Cushman Mfg. Co., North Bennington, Vermont, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of maple colonial furniture sold through wholesalers and retailers and having the brand name(s) "A Genuine Cushman Colonial Creation", "Cushman Colonial Creation", "Cushman" shall be the proposed retail ceiling prices listed by H. T. Cushman Mfg. Co., North Bennington, Vermont, hereinafter referred to as the "applicant" in its application dated June 27, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, H. T. Cushman Mfg. Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of

the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10220; Filed, Aug. 21, 1951; 5:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 544]

LOUIS WEISS UMBRELLAS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Louis Weiss Umbrellas, Inc., 258–260 Fifth Ave., New York 1, N. Y.

Brand names: "Walt Disney Alice in Wonderland".

Articles: Children's umbrellas.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later

than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 22nd of August 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10221; Filed, Aug. 21, 1951; 5:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 545]

DORBY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Dorby Company, 1106-A Merchandise Mart, Chicago 54, Illinois has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of broilers sold through wholesalers and retailers and having the brand name(s) "Dorby Infra-Red" shall be the proposed retail ceiling prices listed by Dorby Company, 1106-A Merchandise Mart, Chicago 54, Illinois, hereinafter referred to as the "applicant" in its application dated June 26, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Dorby Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom

within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10222; Filed, Aug. 21, 1951; 5:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 546]

GUSTAVE, INC.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Gustave, Inc., 350 Fifth Avenue, New York 1, N. Y. has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's handmade slippers sold through wholesalers and retailers and having the brand name(s) "Gustave Handmade Footwear" shall be the proposed retail ceiling prices listed by Gustave, Inc., 350 Fifth Avenue, New York 1, N. Y. hereinafter referred to as the "applicant" in its application dated June 22, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Gustave, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10223; Filed, Aug. 21, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 547]

G. LEBLANC CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, G. Leblanc Company, Kenosha, Wisconsin (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of woodwind, brass musical instruments, accessories, parts and supplies for musical instruments sold at wholesale by G. Leblanc Company, Kenosha, Wisconsin having the brand name(s) "Noblet", "Normandy", "Courtois" and "Leblanc" shall be the proposed retail ceiling prices listed by G. Leblanc Company in its application dated May 8, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 19, 1951, G. Leblanc Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of

any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10224; Filed, Aug. 21, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 548]

VAN RAALTE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, N. Y. (hereafter known as wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's underwear sold at wholesale by Van Raalte Company, Inc., 417 Fifth Avenue, New York 16, N. Y., having the brand name(s) "Van Raalte" shall be the proposed retail ceiling prices listed by Van Raalte Company, Inc. in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 19, 1951, Van Raalte Company, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of

any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10225; Filed, Aug. 21, 1951; 5:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 549]

A. ROSMARIN

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, A. Rosmarin, 1413 East 14th Street, Brooklyn 30, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has compiled with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of anti-tarnish paper tissues manufactured by A. Rosmarin, 1413 East 14th Street, Brooklyn 30, N. Y., having the brand name(s) "Silverbryte" shall be the proposed retail ceiling prices listed by A. Rosmarin in its application dated May 15, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 19, 1951, A. Rosmarin must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.}	Terms {net. / percent EOM. / etc.} $------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or

amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Colmbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10226; Filed, Aug. 21, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 550]

GORDON CHAPMAN CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers. 1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Gordon Chapman Company, 3976 "C" Street, Detroit 16, Michigan.

Brand names: "Serta Serta-rest", "Serta Perfect Sleeper", "Serta Coilux", "Serta Perfect Sleeper Deluxe", "Serta Perfect Sleeper Orthopedic", "Serta Perfect Sleeper Imperial", "Serta Sertafoam Sleep Set", "Serta Theralator", "Serta Homecraft", "Biltmore", "Hospital Special", and "The New Yorker".

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 22nd of August 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10227; Filed, Aug. 21, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 551]

BREARLEY CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Brearley Company, 2107 Kishwaukee Street, Rockford, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of bathroom scales and baby scales sold through wholesalers and retailers and having the brand name(s) "Counselor" shall be the proposed retail ceiling prices listed by The Brearley Company, 2107 Kishwaukee Street, Rockford, Illinois, hereinafter referred to as the "applicant" in its application dated April 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, The Brearley Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers.*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailer) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10228; Filed, Aug. 21, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 552]

BEACON CO.

CEILING PRICES AT RETAIL

Statement of considerations.—In accordance with section 43 of Ceiling Price

Regulation 7, the applicant named in the accompanying special order, The Beacon Company, 97 Bickford Street, Boston 30, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of floor wax and furniture wax sold through wholesalers and retailers and having the brand name(s) "Quick Gloss" shall be the proposed retail ceiling prices listed by The Beacon Company, 97 Bickford Street, Boston 30, Massachusetts, hereinafter referred to as the "applicant" in its application dated April 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's applications dated April 17, 1951, and April 24, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, The Beacon Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10229; Filed, Aug. 21, 1951; 5:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 553]

SANITARY PRODUCTS CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Sanitary Products Corporation, Taneytown, Mary-

land, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of sanitary goods, tampons sold through wholesalers and retailers and having the brand name(s) "Pursettes" shall be the proposed retail ceiling prices listed by Sanitary Products Corporation, Taneytown, Maryland, hereinafter referred to as the "applicant" in its application dated June 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 19, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 19, 1951, Sanitary Products Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 17, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 17, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 21, 1951.

[F. R. Doc. 51-10230; Filed, Aug. 21, 1951; 5:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 554]

CHAS. D. BRIDDELL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Chas. D. Briddell, Inc., Crisfield, Maryland, has applied to the Office of Price Stabiliza-

tion for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of cutlery sold through wholesalers and retailers and having the brand name(s) "Carvel Hall" shall be the proposed retail ceiling prices listed by Chas. D. Briddell, Inc., Crisfield, Maryland, hereinafter referred to as the "applicant" in its application dated June 1, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Chas. D. Briddell, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10272; Filed, Aug. 22, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 555]

FORSTNER CHAIN CORP.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Forstner Chain Corporation, 646 Nye Avenue, Irvington 11, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director

indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and women's jewelry sold through wholesalers and retailers and having the brand name(s) "Forstner" shall be the proposed retail ceiling prices listed by Forstner Chain Corporation, 646 Nye Avenue, Irvington 11, New Jersey, hereinafter referred to as the "applicant" in its application dated June 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Forstner Chain Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10273; Filed, Aug. 22, 1951; 5:02 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 556]

SESSIONS CLOCK CO.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Sessions Clock Company, 61 East Main Street, Forestville, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of clocks sold through wholesalers and retailers and having the brand name(s) "Sessions" shall be the proposed retail ceiling prices listed by The Sessions Clock Company, 61 East Main Street, Forestville, Connecticut, hereinafter referred to as the "applicant" in its application dated June 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, The Sessions Clock Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10274; Filed, Aug. 22, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 557]

B. F. GLADDING & CO., INC.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, B. F. Gladding & Company, Inc., South Otselic, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified con-

clusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of fishing lines and fly fishermen's kits sold through wholesalers and retailers and having the brand name(s) "Gladding" shall be the proposed retail ceiling prices listed by B. F. Gladding & Co., Inc., South Otselic, New York, hereinafter referred to as the "applicant" in its application dated June 21, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, B. F. Gladding & Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marketing, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10275; Filed, Aug. 22, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 558]

HERBERT GEORGE CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Herbert George Company, 311 North Des Plaines Street, Chicago, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of

ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of cameras, telescopes, binoculars sold through wholesalers and retailers and having the brand name(s) "Roy Rogers", "Insta-Flash", "Herco" and "Herco-Imperial" shall be the proposed retail ceiling prices listed by Herbert George Company, 311 North Des Plaines Street, Chicago, Illinois, hereinafter referred to as the "applicant" in its application dated July 19, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Herbert George Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10276; Filed, Aug. 22, 1951; 5:03 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 559]

WESTINGHOUSE ELECTRIC CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westinghouse Electric Corporation, 246 East Fourth Street, Mansfield, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric blankets, comforters and sheets sold through wholesalers and retailers and having the brand name(s) "Westinghouse" shall be the proposed retail ceiling prices listed by Westinghouse Electric Corporation, 246 East Fourth Street, Mansfield, Ohio, hereinafter referred to as the "applicant" in its application dated June 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Westinghouse Electric Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10277; Filed, Aug. 22, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 560]

VELVET TISSUE PRODUCTS CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Velvet Tissue Products Company, Inc., Fulton, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price

established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of cleansing tissues sold through wholesalers and retailers and having the brand name(s) "Velvet 300" and "Velvet" shall be the proposed retail ceiling prices listed by Velvet Tissue Products Company, Inc., Fulton, New York, hereinafter referred to as the "applicant" in its application dated May 28, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Velvet Tissue Products Company, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10278; Filed, Aug. 22, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 561]

ARISTOCRAT LEATHER PRODUCTS, INC.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Aristocrat Leather Products, Inc., 292 Fifth Avenue, New York 1, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this spe-

cial order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of men's and women's leather and plastic billfolds, purses and key cases sold through wholesalers and retailers and having the brand name(s) "Aristocrat" shall be the proposed retail ceiling prices listed by Aristocrat Leather Products, Inc., 292 Fifth Avenue, New York 1, New York, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Aristocrat Leather Products, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10279; Filed, Aug. 22, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 562]

O-CEDAR CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, O'Cedar Corporation, 2246 West Forty-ninth Street, Chicago 9, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceil-

ing prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of furniture, woodwork and enamel polish, sponge mops and mop re-fills sold through wholesalers and retailers and having the brand name(s) "O-Cedar" and "O-Cedar Dri-Glo" shall be the proposed retail ceiling prices listed by O'Cedar Corporation, 2246 West 49th Street, Chicago 9, Illinois, hereinafter referred to as the "applicant" in its application dated May 18, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, O'Cedar Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

5. Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. The special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10280; Filed, Aug. 22, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 563]

CAPEHART-FARNSWORTH CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Capehart-Farnsworth Corporation, 3700 East Pontiac Street, Fort Wayne, Indiana, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in

specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of radios, television and combination receivers sold through wholesalers and retailers and having the brand name(s) "Capehart" shall be the proposed retail ceiling prices listed by Capehart-Farnsworth Corporation, 3700 East Pontiac Street, Fort Wayne, Indiana, hereinafter referred to as the "applicant" in its application dated May 3, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Capehart-Farnsworth Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10281; Filed, Aug. 22, 1951; 5:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 564]

KNAPP-MONARCH CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Knapp-Monarch Company, Bent and Potomac Streets, St. Louis 16, Missouri, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in speci-

fied cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of electric hair dryers, blankets, massagers, vaporizers, heaters, combination fan and heater, irons, waffle irons, sandwich grids, double burner tables, heating pads, liquidizer, power mixers, toasters, coffee makers, coffee maker filter cloths, and corn poppers sold through wholesalers and retailers and having the brand name(s) "K-M" shall be the proposed retail ceiling prices listed by Knapp-Monarch Company, Bent and Potomac Streets, St. Louis 16, Missouri, hereinafter referred to as the "applicant" in its application dated June 25, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Knapp-Monarch Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51–10282; Filed, Aug. 22, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 565]

I. SMALLMAN AND SONS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, I. Smallman and Sons Co., 384 Trenton Avenue, Paterson, New Jersey, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this

special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of billfolds sold through wholesalers and retailers and having the brand name(s) "Craftsman Billfolds" shall be the proposed retail ceiling prices listed by I. Smallman and Sons Co., 384 Trenton Avenue, Paterson, New Jersey, hereinafter referred to as the "applicant" in its application dated July 6, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, I. Smallman and Sons Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10283; Filed, Aug. 22, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 566]

THE REVERE CLOCK CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Revere Clock Company, McMillan at Dover, Cincinnati 6, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified

cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of clocks sold through wholesalers and retailers and having the brand name(s) "Revere Clocks" shall be the proposed retail ceiling prices listed by The Revere Clock Company, McMillan at Dover, Cincinnati 6, Ohio, hereinafter referred to as the "applicant" in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, The Revere Clock Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10284; Filed, Aug. 22, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 567]

ALUMINUM COOKING UTENSIL CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Aluminum Cooking Utensil Company, Fifth Avenue and Eleventh Street, New Kensington, Pennsylvania, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reason set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of aluminum cooking utensils sold through wholesalers and retailers and having the brand name(s) "Wear-Ever" shall be the proposed retail ceiling prices listed by The Aluminum Cooking Utensil Company, Fifth Avenue and Eleventh Street, New Kensington, Pennsylvania, hereinafter referred to as the "applicant" in its application dated June 5, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, The Aluminum Cooking Utensil Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this specal order must comply as to each such article with the pretickeeting requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiraton of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Withing 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10285; Filed, Aug. 22, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 568]

OHIO MATTRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Ohio Mattress Company, 2841 East Thirty-seventh Street, Cleveland, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has de-

livered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of mattresses and box springs sold through wholesalers and retailers and having the brand name(s) "Sealy Orthopedic Firm-O-Rest" and "Sealy Junior Posture-Pedic" shall be the proposed retail ceiling prices listed by The Ohio Mattress Company, 2841 East Thirty-seventh Street, Cleveland, Ohio, hereinafter referred to as the "applicant" in its application dated May 31, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, The Ohio Mattress Company must mark each article for which a ceiling price has been established listed in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10286; Filed, Aug. 22, 1951; 5:05 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 569]

PORTER CHEMICAL CO.

CEILING PRICES AT WHOLESALE AND RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order. The Porter Chemical Company, Pennsylvania and Prospect Avenues, Hagerstown, Maryland, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has de-

livered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of student laboratory microscope, chemcraft outfit, microscope outfits, crystal color outfits, plantcraft outfits, traveling top, pilot-a-plane, and toolcraft tool sets sold through wholesalers and retailers and having the brand name(s) "Chemcraft" shall be the proposed retail ceiling prices listed by The Porter Chemical Company, Pennsylvania and Prospect Avenues, Hagerstown, Maryland, hereinafter referred to as the "applicant" in its application dated July 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, The Porter Chemical Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10287; Filed, Aug. 22, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 570]

LESCO LTD.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Lesco Ltd., 10 East Thirty-fourth Street, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the

provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of purses, spectacle cases, diaries, billfolds, cosmetic cases, key holders, brush, comb and file sets, compacts, cigaretiere, jewel carriers, cigaret cases, pill boxes, wallets, sewing kits, pullfolds, lighters, address and memo books, key cases, check folds, picture cases, money clips, and binoculars, manufactured by Lesco Ltd., 10 East Thirty-fourth Street, New York 16, New York, having the brand name(s) "Bond Street" and "Bond Street by Lesco" shall be the proposed retail ceiling prices listed by Lesco Ltd. in its application dated July 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 21, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 20, 1951, Lesco Ltd., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. / dozen. / etc.}	Terms{net. / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10288; Filed, Aug. 22, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 571]

PLIANTFORM FOUNDATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Pliantform Foundations, Inc., 1440 Broadway, New York 18, New York.

Brand names: "Breathinbra" and "Breathingirdle".

Articles: Women's brassieres, girdles, panty girdles and garter belts.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than

60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.}
$------;

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 23rd of August 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10289; Filed, Aug. 22, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 572]

HANSEN GLOVE CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hansen Glove Corporation, 715 North Van Buren Street, Milwaukee 1, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of women's gloves sold through wholesalers and retailers and having the brand name(s) "Hansen Gloves" shall be the proposed retail ceiling prices listed by Hansen Glove Corporation, 715 North Van Buren Street, Milwaukee 1, Wisconsin, hereinafter referred to as the "applicant" in its application dated July 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Hansen Glove Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumers Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10290; Filed, Aug. 22, 1951; 5:06 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 573]

WONDER PRODUCTS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wonder Products Company, Collierville, Tennessee, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail selling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of a hobby horse sold through wholesalers and retailers and having the brand name(s) "The Wonder Horse" shall be the proposed retail ceiling prices listed by Wonder Products Company, Collierville, Tennessee, hereinafter referred to as the "applicant" in its application dated August 14, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Wonder Products Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or

tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10291; Filed, Aug. 22, 1951; 5:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 574]

MONARK SILVER KING, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Monark Silver King, Inc., 6501 West Grand Avenue, Chicago 35, Illinois, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of bicycles and lawn mowers sold through wholesalers and retailers and having the brand name(s) "Monark", "Gene Autry" and "Majestic Rotomatic" shall be the proposed retail ceiling prices listed by Monark Silver King, Inc., 6501 West Grand Avenue, Chicago 35, Illinois, hereinafter referred to as the "applicant" in its application dated May 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than October 20, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 20, 1951, Monark Silver King, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $---------

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19,

1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10292; Filed, Aug. 22, 1951; 5:07 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 575]

HUSSCO SHOE CO.

CEILING PRICES AT WHOLESALE & RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hussco Shoe Company has applied to the Office of Price Stabilization for maximum resale prices for wholesale and retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order allows for establishment of a cost bracket to the wholesaler which applies to a specific retail price. The costs of the articles purchased by the retailer should, on the average, fall between the ends of each cost bracket and will thus maintain the general historical markup pattern. The establishment of such cost brackets permits minor changes in costs without influencing the general level of retail prices of the articles in question.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during that period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this Special Order is hereby issued.

1. The following ceiling prices are established for sales after the effective date of this special order by any seller at wholesale or retail of moccasins manufactured by Hussco Shoe Company, 1328 Broadway, New York, New York, having the brand names "Huskies" and "Huskie Pups," and described in the manufacturer's application dated May 8, 1951. Sales may, of course, be made at less than these ceiling prices. The manufacturer's prices to wholesalers listed below carry terms of Net 30; the wholesaler's prices to retailers listed below are sold Net, except department stores, 5 percent discount.

Manufacturer's selling price (per unit)	*Wholesaler's ceiling price (per unit)*	*Retail ceiling price (per unit)*
$2.00–$2.10	$2.50–$2.62	$3.95
2.11– 2.20	2.63– 2.75	4.20
2.21– 2.30	2.76– 2.87	4.45
2.31– 2.39	2.88– 2.98	4.70
2.40– 2.50	2.99– 3.12	4.95
2.51– 2.60	3.13– 3.24	5.20
2.61– 2.70	3.25– 3.38	5.45
2.71– 2.79	3.39– 3.49	5.70
2.80– 2.90	3.50– 3.63	5.95
2.91– 3.00	3.64– 3.75	6.20
3.01– 3.10	3.76– 3.88	6.45

2. The wholesale and retail ceiling prices of an article stated in paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price

Regulation 7 by retailers subject to that regulation, having the same selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 20, 1951, Hussco Shoe Company must mark each article listed in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after October 20, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in paragraph 1 of this special order or changes the retail ceiling price of a listed article, Hussco Shoe Company must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of the special order, and be accompanied by copies of each amendment thereto (if any) issued to the date of the delivery. Within 15 days after the effective date of any subsequent amendment to the special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the seller had delivered any article the sale of which is affected in any manner by the amendment.

Within 15 days of receipt of this special order, each person selling to retailers the articles covered by this order must send a copy of this order or any subsequent amendments thereto to each of his purchasers to whom, within 2 months prior to receipt of this special order his records indicate he had delivered any article covered by paragraph 1 of this special order. After receipt of this special order a copy of this special order shall be sent by each purchaser for resale to each of his purchasers on or before the date of the first delivery of any article covered by this special order or any subsequent amendment thereto. The manufacturer must provide an adequate supply of copies of this order or any subsequent amendment thereto to all of his purchasers selling to retailers to whom he had sold articles covered by this order or any subsequent amendments thereto within 60 days prior to the effective date of the special order or any subsequent amendments thereto.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail and wholesale of the articles covered by it regardless of whether the seller is otherwise subject to Ceiling Price Regulation 7.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10293; Filed, Aug. 22, 1951; 5:07 p. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1731]

REPUBLIC LIGHT, HEAT AND POWER CO., INC.

ORDER FIXING DATE OF HEARING

AUGUST 22, 1951.

On June 28, 1950, Republic Light, Heat and Power Company, Inc., a New York corporation having its principal place of business in Buffalo, New York, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of approximately nine miles of pipe line extending from Applicant's Sheridan Compressor Station to a point on the west side of the City of Dunkirk, both in Chautauqua County, New York, as fully described in the application which is on file with the Commission and open to public inspection.

The Commission finds:

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 17, 1951 (16 F. R. 6887).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on September 4, 1951, at 9:30 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) of the said rules of practice and procedure.

Date of issuance: August 23, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10366; Filed, Aug. 28, 1951; 8:46 a. m.]

[Docket No. G-1734]

SOUTHERN UNION GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 22, 1951.

On July 3, 1951, Southern Union Gas Company, a Delaware Corporation with its principal place of business in Dallas, Texas, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the construction and operation of a 300 horsepower service semi-portable compressor station in the Ute Dome Field, San Juan County, New Mexico, as fully described in the application which is on file with the Commission and open to public inspection.

The Commission finds:

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 21, 1951 (16 F. R. 7190).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Com-

mission's rules of practice and procedure, a hearing be held on September 5, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 23, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51–10367; Filed, Aug. 28, 1951; 8:46 a. m.]

[Docket No. G–1738]

CHICAGO DISTRICT PIPELNE CO.

ORDER FIXING DATE OF HEARING

AUGUST 22, 1951.

On July 9, 1951, Chicago District Pipeline Company (Applicant), an Illinois corporation having its principal place of business at Joliet, Illinois, filed an application for an order pursuant to section 7 (b) of the Natural Gas Act, authorizing and approving the abandonment of certain natural-gas facilities, all as more fully described in such application on file with the Commission and open to public inspection.

The Commission finds:

This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 25, 1951 (16 F. R. 7304).

The Commission *orders:*

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, a hearing be held on September 20, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 23, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51–10368; Filed, Aug. 28, 1951; 8:46 a. m.]

[Docket No. G–1756]

CHICAGO DISTRICT PIPELINE CO.

NOTICE OF APPLICATION

AUGUST 22, 1951.

Take notice that Chicago District Pipeline Company (Applicant), an Illinois corporation, address, Joliet, Illinois, filed on August 7, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 15 miles of 30-inch natural-gas transmission pipeline extending from a point on the 20-inch pipeline of Texas Illinois Natural Gas Pipeline Company east of Elgin, Illinois, to a point of connection with the gas distribution system of Public Service Company of Northern Illinois, together with valves, metering and appurtenant facilities.

Applicant proposes to construct and operate said facilities as the initial portion of facilities designed ultimately to connect the distribution systems of Public Service Company of Northern Illinois and Peoples Gas Light and Coke Company with the facilities of Texas Illinois Natural Gas Pipeline Company after the contemplated looping of said facilities has been completed. The facilities hereinbefore described are designed with an appropriate capacity of 426,000 Mcf per day and until additional supplies of gas are available Applicant proposes to operate said facilities to deliver from 35,000 Mcf to 66,000 Mcf per day of natural gas.

The estimated cost of the proposed facilities is $1,650,000 which Applicant proposes to pay for out of funds to be borrowed from its parent, Peoples Gas Light and Coke Company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 12th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51–10364; Filed, Aug. 28, 1951; 8:45 a. m.]

[Docket No. G–1759]

MISSISSIPPI POWER & LIGHT CO.

NOTICE OF APPLICATION

AUGUST 22, 1951.

Take notice that Mississippi Power and Light Company (Applicant), a Florida Corporation having its principal place of business at Jackson, Mississippi, filed on August 10, 1951, an application for a certificate of public convenience and necessity authorizing the construction and operation of a natural-gas 2-inch pipeline extending from a sales metering station of Texas Gas Transmission Corporation near the town of Jonestown, Mississippi, westward approximately 2½ miles to the town of Jonestown, Mississippi, for the purpose of delivering natural gas to consumers along the pipeline and in the town of Jonestown.

Applicant states that the proposed pipeline will be financed through a refunding advance of $13,000 made to Applicant for this purpose by interested citizens of the town of Jonestown. Applicant further states that gas will be received from Texas Gas Transmission Corporation under contract dated August 1, 1928, as amended, between Memphis Natural Gas Company, predecessor of Texas Gas Transmission Corporation, and Mississippi Power and Light Company. Sales of gas are estimated to total 20,850 Mcf in the first year and 27,385 Mcf in the fifth year.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 12th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51–10365; Filed, Aug. 28, 1951; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26343]

VARIOUS COMMODITIES BETWEEN POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

AUGUST 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to Agent C. W. Boin's tariff I. C. C. No. A–823 and other tariffs, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

Between: Specified points in official territory.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved

in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10390; Filed, Aug. 28, 1951; 8:49 a. m.]

[4th Sec. Application 26344]

ACID FROM BATON ROUGE AND NORTH BATON ROUGE, LA., TO ST. LOUIS, MO., AND EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

AUGUST 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for the Chicago, Rock Island and Pacific Railroad Company and other carriers, pursuant to fourth-section order No. 9800.

Commodities involved: Anhydrous hydrofluoric acid, in tank-car loads.

From: Baton Rouge and North Baton Rouge, La.

To: East St. Louis, Ill., and St. Louis, Mo.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10391; Filed, Aug. 28, 1951; 8:49 a. m.]

[4th Sec. Application 26345]

CRUDE RUBBER FROM TEXAS AND LOUISIANA TO RANDOLPH, MASS., AND GROVE CITY, OHIO

APPLICATION FOR RELIEF

AUGUST 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3906 and 3967.

Commodities involved: Rubber, artificial, synthetic or neoprene, crude, carloads.

From: Baytown, Borger, Houston, and Port Neches, Tex., Lake Charles and West Lake Charles, La.

To: Randolph, Mass., and Grove City, Ohio.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3906, Supp. 67; D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 24.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10392; Filed, Aug. 28, 1951; 8:49 a. m.]

[4th Sec. Application 26346]

PITCH AND TAR FROM DAINGERFIELD AND LONE STAR, TEX., TO GRANITE CITY, ILL.

APPLICATION FOR RELIEF

AUGUST 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3967.

Commodities involved: Pitch and tar, coal or petroleum, carloads.

From: Daingerfield and Lone Star, Tex.

To: Granite City, Ill.

Grounds for relief: Competition with rail carriers and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 25.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10393; Filed, Aug. 28, 1951; 8:49 a. m.]

[4th Sec. Application 26347]

FERTILIZER MATERIALS FROM NEW ORLEANS, LA., TO MEMPHIS, TENN., AND HELENA, ARK.

APPLICATION FOR RELIEF

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of the Chicago, Rock Island and Pacific Railroad Company and other carriers, pursuant to fourth-section order No. 16101.

Commodities involved: Fertilizer materials, carloads (import and intercoastal traffic).

From: New Orleans, La., and points grouped therewith.

To: Memphis, Tenn., and Helena, Ark.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10394; Filed, Aug. 28, 1951; 8:49 a. m.]

[4th Sec. Application 26348]

CAST IRON PIPE FROM ALABAMA TO FLORIDA PORTS

APPLICATION FOR RELIEF

AUGUST 24, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1138.

Commodities involved: Cast iron pipe and fittings, carloads.

From: Alabama City, Attalla, and Gadsden, Ala.

To: Tampa, Port Tampa, Miami, Port Everglades, Port of Palm Beach, and Fort Pierce, Fla., for export and for transshipment to Pacific Coast via Panama Canal.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10395; Filed, Aug. 28, 1951; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1320]

BOND STORES, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August, A. D. 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $1.00 Par Value, of Bond Stores, Inc., a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10374; Filed, Aug. 28, 1951; 8:47 a. m.]

[File No. 7-1321]

EASTERN AIRLINES, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $1.00 Par Value, of Eastern Air Lines, Incorporated, a security listed and registered on the New York Stock Exchange and on the Midwest Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10373; Filed, Aug. 28, 1951; 8:47 a. m.]

[File No. 7-1322]

MACK TRUCKS, INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $5.00 Par Value, of Mack Trucks, Inc., a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10372; Filed, Aug. 28, 1951; 8:47 a. m.]

[File No. 7-1323]

GLENN L. MARTIN CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $1.00 Par Value, of The Glenn L. Martin Company, a security listed and registered on the New York Stock Exchange, the Philadelphia-Baltimore Stock Exchange and the San Francisco Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public

inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10377; Filed, Aug. 28, 1951; 8:47 a. m.]

[File No. 7-1324]

NATIONAL GYPSUM CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $1.00 Par Value, of National Gypsum Company, a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10375; Filed, Aug. 28, 1951; 8:47 a. m.]

[File No. 7-1325]

J. C. PENNEY CO.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

The Los Angeles Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, No Par Value, of J. C. Penney Co., a security listed and registered on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to September 6, 1951, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10376; Filed, Aug. 28, 1951; 8:47 a. m.]

[File No. 70-2684]

MISSISSIPPI GAS CO.

NOTICE OF FILING REGARDING ISSUANCE OF NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August, A. D., 1951.

Notice is hereby given that Mississippi Gas Company ("Mississippi"), a gas utility subsidiary of Southern Natural Gas Company, a registered holding company, has filed a declaration with this Commission under the Public Utility Holding Company Act of 1935 ("act") and has designated section 7 thereof as being applicable to the proposed transactions.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Mississippi proposes to issue and sell on or before September 15, 1951 to The Chase National Bank of the City of New York its unsecured note in the principal amount of $500,000. The note will bear interest at the rate of 2¾ percent per annum and will mature one year after date of issue. The note may be prepaid, in whole or in part, without penalty or premium. Mississippi proposes to use the proceeds from such loan to pay off its present $200,000 note due September 15, 1951, and to finance the construction of additions to its properties and to reimburse its treasury for working capital heretofore expended for construction.

The declarant states that no fees, commissions or other remunerations are to be paid in connection with the issuance of the note and estimates its miscellaneous expenses at approximately $500.

Notice is further given that any interested person may, not later than September 5, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration, as filed or as amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after September 5, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10371; Filed, Aug. 28, 1951; 8:46 a. m.]

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LITTERA SCRIPTA MANET
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OF THE UNITED STATES 1934

VOLUME 16 NUMBER 169

Washington, Thursday, August 30, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10281

DEFENSE MATERIALS PROCUREMENT AND SUPPLY

By virtue of the authority vested in me by the Constitution and statutes, including the Defense Production Act of 1950, as amended, and Title II of the First War Powers Act, 1941, as amended, and as President of the United States and Commander in Chief of the armed forces of the United States, it is ordered as follows:

PART I. DEFENSE MATERIALS PROCUREMENT AGENCY

SECTION 101. (a) There is hereby created an agency which shall be known as the Defense Materials Procurement Agency. There shall be at the head of the said agency a Defense Materials Procurement Administrator, who shall perform his duties subject to direction, control, and coordination by the Director of Defense Mobilization.

(b) The Defense Materials Procurement Administrator shall be appointed by the President by and with the advice and consent of the Senate. There may be appointed to the office of Defense Materials Procurement Administrator any officer of the Executive branch of the Government designated by the President, to hold the office of Defense Materials Procurement Administrator in addition to his other office: *Provided*, That the office of Administrator shall have no compensation attached to it so long as it is held by any other officer of the Government.

PART II. FUNCTIONS OF THE DEFENSE MATERIALS PROCUREMENT ADMINISTRATOR

SEC. 201. Sections 303 and 304 of Executive Order No. 10161 of September 9, 1950 (15 F. R. 6105–6106), as amended, are hereby revoked, and there are hereby inserted in lieu thereof the following new sections:

"SEC. 303. The Defense Materials Procurement Administrator is hereby authorized and directed to purchase and make commitments to purchase metals, minerals, and other materials, for Government use or resale, as authorized by and subject to the provisions of section 303 of the Defense Production Act of 1950, as amended: *Provided*, That the Secretary of Agriculture is also authorized to exercise the said functions under section 303 of the said Act, as amended, with respect to food.

"SEC. 304. The Defense Materials Procurement Administrator is hereby authorized and directed to encourage the exploration, development, and mining of critical and strategic minerals and metals, as authorized by and subject to the provisions of section 303 of the Defense Production Act of 1950, as amended.

"SEC. 305. The Defense Materials Procurement Administrator is hereby authorized and directed to make subsidy payments, to determine the amounts, manner, terms, and conditions thereof, and to make findings, as authorized by and subject to the provisions of section 303 (c) of the Defense Production Act of 1950, as amended.

"SEC. 306. The functions conferred upon the President by section 303 (e) of the Defense Production Act of 1950, as amended, with respect to the installation of additional equipment, facilities, processes, or improvements to plants, factories, and other industrial facilities owned by the United States Government, and with respect to the installation of government-owned equipment in plants, factories, and other industrial facilities owned by private persons, are hereby delegated to the Defense Materials Procurement Administrator.

"SEC. 307. The functions conferred upon the Defense Materials Procurement Administrator by sections 303 to 306, inclusive, of this Executive order, shall be carried out in accordance with programs certified to the said Administrator by the Defense Production Administrator: *Provided*, That any exercise by the Defense Materials Procurement Administrator of the functions provided for in section 303 hereof with respect to food shall be carried out in accordance with programs certified to him by the Secretary of Agriculture.

"SEC. 308. All functions provided for in sections 303 to 306, inclusive, of this

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FEDERAL REGISTER

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Executive order shall be carried out within such amounts of funds as may be made available pursuant to the Defense Production Act of 1950, as amended.

"SEC. 309. The Economic Stabilization Administrator may from time to time recommend to appropriate agencies of the Government the use for stabilization purposes of subsidies authorized by the Defense Production Act of 1950, as amended."

SEC. 202. The Defense Materials Procurement Agency is hereby designated as an additional guaranteeing agency under section 301 of the Defense Production Act of 1950, as amended; and, accordingly, section 301 of Executive Order No. 10161 of September 9, 1950, as amended, is hereby amended by inserting therein, after the words "the Department of Agriculture", the words "the Defense Materials Procurement Agency,".

SEC. 203. The provisions of Part I of Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049), entitled "Authorizing the Department of Defense and the Department of Commerce To Exercise the Functions and Powers Set Forth in Title II of the First War Powers Act, 1941, as Amended by the Act of January 12, 1951, and Prescribing Regulations for the Exercise of Such Functions and Powers", are hereby extended to the Defense Materials Procurement Agency; and, subject to the limitations and regu-

lations contained in such Part I and under such regulations as he may prescribe, the Defense Materials Procurement Administrator is authorized to perform and exercise, as to the Defense Materials Procurement Agency, all the functions and authority vested in and granted by Part I of the said Executive Order No. 10210 to the Secretaries named therein: *Provided*, That the regulations so prescribed need not be approved by the Secretary of Defense: *And provided further*, That nothing contained herein shall prejudice any other authority which the Defense Materials Procurement Agency or the Defense Materials Procurement Administrator may have with respect to procurement.

PART III. LOANS TO PRIVATE BUSINESS ENTERPRISES

SEC. 301. Part III of Executive Order No. 10161 of September 9, 1950, as amended, is hereby further amended by adding after section 309 thereof (as added by Part II of this Executive order) the following new sections:

"SEC. 310. (a) The Reconstruction Finance Corporation is hereby authorized and directed to make loans (including participations in, or guarantees of, loans) to private business enterprises (including research corporations not organized for profit) for the expansion of capacity, the development of technological processes, and the production of essential materials, including the exploration, development, and mining of strategic and critical metals and minerals, exclusive of such expansion, development and production in foreign countries, as authorized by and subject to section 302 of the Defense Production Act of 1950, as amended, and within such amounts of funds as may be made available pursuant to the Defense Production Act of 1950, as amended.

"(b) Loans under section 310 (a) hereof (1) shall be made upon such terms and conditions as the Corporation shall determine, (2) shall be made only after the Corporation has determined in each instance that financial assistance is not available on reasonable terms from private sources or from other governmental sources, and (3) except in the case of working capital loans (involving no more than minor expansion of capacity which is incidental to a loan for working capital) shall be made only upon certificate of essentiality of the loan, which certificate shall be made by the Secretary of Agriculture with respect to food and food facilities and by the Defense Production Administrator with respect to all other materials and facilities.

"(c) Applications for loans under section 310 (a) hereof shall be received from applicants by the Corporation or by such agencies of the Government as the Corporation shall designate for this purpose.

"SEC. 311. (a) The Export-Import Bank of Washington is hereby authorized and directed to make loans (including participations in loans) to private business enterprises, for the expansion of capacity, the development of technological processes, and the production of essential materials, including the exploration, development, and mining of strategic and critical metals and minerals, in those cases where such expansion, development or production is carried on in foreign countries, as authorized by and subject to section 302 of the Defense Production Act of 1950, as amended, and within such amounts of funds as may be made available pursuant to the Defense Production Act of 1950, as amended.

"(b) Loans under section 311 (a) hereof (1) shall be made upon such terms and conditions as the said Bank shall determine, (2) shall be made only after the Bank has determined in each instance that financial assistance is not available on reasonable terms from private sources and that the loan involved cannot be made under the provisions of and from funds available to the Bank under the Export-Import Bank Act of 1945, as amended, and (3) shall be made only upon certificate of essentiality of the loan, which certificate shall be made by the Secretary of Agriculture with respect to food and food facilities and by the Defense Production Administrator with respect to all other materials and facilities.

"(c) Applications for loans under section 311 (a) hereof shall be received from applicants by the said Bank or by such agencies of the Government as the Bank shall designate for this purpose."

PART IV. MISCELLANEOUS AMENDMENTS OF PRIOR ORDERS

SEC. 401. Executive Order No. 10161 of September 9, 1950, as amended, is hereby further amended by inserting the following after section 801 thereof:

"SEC. 802. All functions delegated or assigned by or pursuant to this Executive order, or by or pursuant to any other Executive order provision amendatory or supplementary to this Executive order, including any such provision in an Executive order hereafter promulgated, shall be performed, by the respective officers and agencies concerned, subject to the direction, control, and coordination of the Director of Defense Mobilization."

SEC. 402. Section 901 of Executive Order No. 10161 of September 9, 1950, is hereby amended by adding after paragraph (k) thereof a new paragraph (l), to read as follows:

"(l) The term 'Defense Production Act of 1950' includes, except as may be inappropriate, the Defense Production Act of 1950, as amended."

SEC. 403. Section 201 (b) of Executive Order No. 10161 of September 9, 1950, is hereby amended to read as follows:

"(b) The functions conferred upon the President by sections 201 (c) and 201 (d) of the Defense Production Act of 1950, as amended, exclusive of determinations with respect to the termination of the need for the national defense of any property acquired under Title II of the said Act (before or after amendment of the said Title II), are hereby delegated to the Administrator of General Services."

SEC. 404. Section 301 of Executive Order No. 10161 of September 9, 1950, is hereby amended by inserting therein, after the words "the Department of the Air Force," the words "the Atomic Energy Commission,". Executive Order No. 10223 of March 10, 1951, is hereby revoked.

SEC. 405. (a) The term "Defense Production Act of 1950," wherever it occurs in Executive Order No. 10200 of January 3, 1951, shall be deemed to include, except as may be inappropriate, the Defense Production Act of 1950, as amended.

(b) The functions delegated to the Defense Production Administrator by section 2 (a) of Executive Order No. 10200 of January 3, 1951, shall be deemed to include the functions conferred upon the President by section 201 (b) of the Defense Production Act of 1950, as amended.

(c) Section 2 (b) of the said Executive Order No. 10200 is hereby revoked.

(d) Except as specifically provided in this Executive order, the provisions of Executive Order No. 10200 shall not be deemed to be revoked or superseded hereby.

PART V. GENERAL PROVISIONS

SEC. 501. (a) There shall be transferred to the Defense Materials Procurement Agency so much of the personnel, records, property, and unexpended balances of appropriations, allocations, and other funds of the various agencies now administering the activities under the Defense Production Act of 1950 which by this order are delegated or assigned to the Defense Materials Procurement Agency or the head thereof as the Director of the Bureau of the Budget deems to relate to the said functions and to be required by the Defense Materials Procurement Agency for the performance of the said functions.

(b) The Director of the Bureau of the Budget, with the approval of the President, shall make such determinations and dispositions and take such measures, which shall be carried out in such manner as the Director shall direct and by such agencies as he shall designate, as he shall deem to be necessary in order to effectuate the provisions of section 501 (a) hereof.

SEC. 502. (a) To the extent that any provision of any prior Executive order is inconsistent with the provisions of this order, the latter shall control and such prior provision is amended accordingly.

(b) All orders, regulations, rulings, certificates, directives, and other actions relating to any function affected by this Executive order shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

SEC. 503. Part II and section 501 of this Executive order shall not become effective until the Defense Materials Procurement Administrator first appointed hereunder enters upon office as Administrator.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 28, 1951, 12:31 p. m., e. d. t.

[F. R. Doc. 51-10484; Filed, Aug. 28, 1951; 4:00 p. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1950 CCC Peanut Bulletin, 721 (Peanuts 1950)-1, Amdt. 2]

PART 646—PEANUTS

SUBPART—1950 CROP PEANUT PRICE SUPPORT PROGRAM

The bulletin issued by Commodity Credit Corporation with respect to the 1950 crop peanut price support program (15 F. R. 6465) is amended, in order to establish the final date of August 31, 1951, for sales at oil prices of excess oil peanuts to shellers under contract with CCC, by revising paragraph (b) of § 646.203 so that such section reads as follows:

§ 646.203 *Availability*—(a) *Method of support.* CCC will support the price of the 1950 crop of peanuts by means of (1) contracts with shellers whereunder the sheller agrees to pay eligible producers not less than the support price for quota peanuts and the announced oil price for excess oil peanuts in consideration of CCC's agreement to purchase from the sheller any surplus inventory of farmers stock peanuts, to purchase No. 2 shelled peanuts produced by the sheller from farmers stock peanuts and to make the sheller eligible for direct or indirect loans to assist him in financing purchases from producers, (2) purchases of farmers stock peanuts from producers through receiving agencies, and (3) loans to producers on farm stored peanuts.

(b) *Time.* Purchases through CCC receiving agencies of farmers stock peanuts from producers will be made from August 1, 1950, through June 15, 1951. Shellers operating under the 1950 Peanut Program Sheller Contract may purchase excess oil peanuts from producers through August 31, 1951. Purchases by CCC of eligible farmers stock peanuts from shellers operating under the 1950 Peanut Program Sheller Contract will be made from August 1, 1950, through April 30, 1951. Purchases of No. 2 quality shelled peanuts (and other kernels contained therein) will be made from such shellers from August 1, 1950, until November 30, 1951, unless such purchases are terminated earlier by CCC, in accordance with the terms of the 1950 Peanut Program Sheller Contract. Producer loans maturing on or before June 1, 1951, will be available from August 1, 1950, through January 31, 1951. Properly executed notes and chattel mortgages must be delivered to the county committee on or before January 31, 1951. Sheller loans maturing on or before August 31, 1951, will be available from August 1, 1950, through June 15, 1951.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 359, 55 Stat. 90, as amended, sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 7 U. S. C. Sup. 1359, 1441, 1421, 15 U. S. C. 714c)

Issued this 24th day of August 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

HAROLD K. HILL,
Acting President,
Commodity Credit Corporation.

[F. R. Doc. 51-10448; Filed, Aug. 29, 1951; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Reg., Amdt. 71 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 375—BLT (BLANKET) LICENSE

PART 398—PRIORITY RATINGS AND SUPPLY ASSISTANCE ASSIGNED BY OIT

MISCELLANEOUS AMENDMENTS

1. Section 373.51 *Supplement 1: Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended to provide the following submission dates for the fourth calendar quarter, 1951:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES

Dept. of Commerce Schedule B No.	Commodity	Submission dates fourth quarter, 1951
	Hides and skins, raw, except furs	
020104	Cattle hides, wet	The first month of the current calendar quarter.
020602	Calf skins, dry [1]	
020604	Calf skins, wet (include shunk skins)	
020702	Kip skins, dry [1]	
020704	Kip skins, wet	
025098	Buffalo hides	
	Other nonmetallic minerals	
547300	Artificial graphite electrodes for furnace or electrolytic work, 1 inch in cross-sectional dimension and over.	Sept. 10-Sept. 21, 1951.[2]
547300	Carbon rods and electrodes for furnace or electrolytic work, 1 inch in cross-sectional dimension and over.	
548098	Artificial graphite blocks, bricks, or shapes	
548098	Carbon or artificial graphite rods and electrodes for other than furnace or electrolytic work, 1 inch in cross-sectional dimension and over.	
	Steel mill products	
600700-610800	Steel mill products, except carbon steel	June 1-June 15, 1951.[2]
	Carbon steel products	July 2-July 16, 1951.[2]
	Aluminum and manufactures	
629000-630998	Aluminum and manufactures with processing code NONF	July 2-July 16, 1951.[2]
	Copper and manufactures	
640100	Copper ore, concentrates, matte, unrefined copper as blister, converter copper, or anodes (copper content).	Sept. 1-Sept. 15, 1951.[2]
641300	Copper scrap	
641200; 642200-642500.	Other copper and manufactures	July 2-July 16, 1951.[2]
	Brass and bronze manufactures	
644000	Brass and bronze, scrap and old	Sept. 1-Sept. 15, 1951.[2]
644100-647998	Other brass and bronze manufactures with processing code NONF	July 2-July 16, 1951.[2]
	Lead, nickel, tin, zinc, and manufactures	
650500-651598	Lead and manufactures	Sept. 10-Sept. 21, 1951.[2]
654505-654998	Nickel and manufactures	
656502-656598	Tin and manufactures	
657050	Zinc scrap	
657101-657198	Zinc cast in slabs, pigs, or blocks	Aug. 31-Sept. 10, 1951.[2]
657206-657209	Zinc rolled in sheets, plates and strips	Sept. 10-Sept. 21, 1951.[2]
657305-657398	Zinc in other forms, n. e. s	
658600	Zinc dust	
658901-658998	Other zinc manufactures, containing 20 percent or more of zinc	
	Other nonferrous ores, metals, and alloys, except precious	
662000	Babbitt metal	Sept. 10-Sept. 21, 1951.[2]
664510	Bismuth matte, slimes, residues, and base bullion	
664515	Cadmium dross, flue dust, residues, and scrap	
664910	Bismuth metal and alloys	
664915	Cadmium metals (metallic shapes included)	
664917	Cadmium alloys	

[1] See footnotes at end of table.

[2] This amendment was published in Current Export Bulletin No. 635, dated August 23, 1951.

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES—Continued

Dept. of Commerce Schedule B No.	Commodity	Submission dates fourth quarter, 1951
	Electrical machinery and apparatus	
709810	Building wire and cable	July 2–July 16, 1951.[2]
709830	Weatherproof and slow-burning wire	
709850	Insulated copper wire, n. e. s.	

[1] Applications covering calf and kip skins, dry, imported, filed in accordance with § 373.6 (a), may be submitted at any time.
[2] These submission dates of these commodities are applicable to project license applications (see §§ 374.2 (f) and 374.3 (d) of this chapter).

This part of the amendment shall become effective as of August 23, 1951.

2. Section 375.2 *Commodities subject to procedure* is amended to read as follows:

§ 375.2 *Commodities subject to procedure.* The following commodities are subject to the BLT (Blanket) license procedure:

Commodity	Schedule B No.
Aluminum and aluminum-base alloy sheets, plates, and strips (0.006 inch and over in thickness)	630301
Plastics and resin materials:	
Synthetic gums and resins, including film, bristles and bristle filament, n. e. s.:	
Molding compositions:	
Polytetrafluproethylene (Teflon)	825910
Polytrifluorochloroethylene (Kel-F)	825910
Polyethylene	825910
All other unfinished forms:	
Polytetrafluoroethylene (Teflon)	825950
Polytrifluorochloroethylene (Kel-F)	825950
Polyethylene	825950
Other unfinished forms, n. e. s.	825950
Synthetic gums and resins, laminated (sheets, plates, strips, rods, and tubes):	
Polytetrafluoroethylene (Teflon)	826000
Polytrifluorochloroethylene (Kel-F)	826000
Polyethylene	826000
Polyacrylic	826000
Synthetic gums and resins, laminated (sheets, plates, strips, rods, and tubes), n.e.s.	826000
Cellulose acetate electrical insulating material in sheets, rods, tubes, and other similar forms	826520
Cellulose acetate electrical insulating material in other unfinished forms	826590
Potassium bichromate and chromate	835700
Sodium bichromate and chromate	863800
Chemical pigments:	
Carbon black, contact (including channel)	842310
Carbon black, furnace	842350
Barium chromate	842900
Cadmium pigments	842900
Cobalt containing pigments	842900
Cobalt-containing paint and varnish driers	843600
Polytetrafluoroethylene (Teflon) finishes and enamels	843800
Polytrifluorochloroethylene (Kef-F) dispersion	843800
All R commodities.	
All RO commodities with processing code STEE.	

This part of the amendment shall become effective as of August 23, 1951.

3. Section 398.4 *Priority assistance for essential export requirements* is amended to read as follows:

§ 398.4 *Special supply assistance for essential export requirements*—(a) *Establishment of procedure.* This action establishes a procedure whereby exporters may request special supply assistance to meet essential export requirements of friendly foreign countries other than Canada, where priority assistance is not provided for otherwise in this part.

(b) *Essentiality of end use.* Requests for supply assistance submitted under this section will be considered for approval on the basis of whether and to what extent the commodities involved will contribute to the following programs or objectives:

(1) Military production of the free world, and direct support for the expansion or improvement thereof;

(2) Promotion of increased supplies of all materials essential to strengthening the free world, and in particular the production and acquisition of those materials required for the current mobilization effort of the United States (including military reserves and immediately necessary additions to stockpiles) and for similar mobilization efforts of nations actively associated with the United States in the defense of the free world;

(3) Maintenance and necessary expansion of essential services and production facilities, and maintenance of minimum essential civilian consumption requirements, in the free nations and in areas which they control;

(4) Direct progress toward reduced future dependence upon military and economic assistance from the United States;

(5) Lessened dependence of the free nations upon supplies from areas or countries within the Soviet bloc;

(6) Prevention of political deterioration in nations or areas essential to the combined strength of the free world.

(c) *Submission of requests; copies.* Requests for supply assistance submitted under this section shall be made on Form IT–835. Requests submitted to the Office of International Trade shall be submitted in quadruplicate; two copies shall be signed by the applicant. Requests covering a proposed exportation for which a validated license is required must include a license application prepared in accordance with Parts 370 through 399 of this chapter unless a license application has been submitted already or an export license is outstanding covering the exportation. (For requests submitted to the Office of International Trade the request shall be accompanied by the license application; for requests submitted to the Economic Cooperation Administration, the applicant shall submit the license application to the Office of International Trade at the same time he submits the request to ECA.)

NOTE: Requests submitted to the Economic Cooperation Administration for special supply assistance described in this section shall be made on Form IT–835; nine copies should be submitted, two copies of which should be signed.

(d) *Where to submit requests.* (1) Where the exportation is to be made to a foreign country other than a country listed in § 398.1 (c), the request for supply assistance should be addressed to the Office of International Trade, Department of Commerce, Washington 25, D. C.:

(i) Where the request is submitted directly to the Office of International Trade by the exporter, it should be addressed to the attention of the licensing division responsible for the commodity on which supply assistance is requested; in case the exportation is to a project or program covered by an outstanding project license, to the attention of the Projects and Technical Data Division or the Petroleum Division. If the responsible licensing division is unknown, requests may be addressed to the attention of the processing code for such commodities. (Processing codes for all commodities are set forth in § 399.3, Appendix C, of this chapter.)

(ii) Where the request is submitted to the Office of International Trade through a representative of the foreign government or agency thereof, the request should be addressed to the attention of the geographic division having responsibility for the foreign country in question.

(2) Where the exportation is to be made to a country for which the Economic Cooperation Administration is claimant agency (listed in § 398.1 (c)), the request for supply assistance should be submitted through the Washington mission of the country of destination to the Economic Cooperation Administration, Washington 25, D. C.

(3) Where the exportation is to be made to Canada, the request for supply assistance should be submitted through the Priorities Division, Department of Defense Production, Ottawa, Canada, to the National Production Authority, Department of Commerce, Washington 25, D. C. (Ref. NPA Reg. 3), in accordance with National Production Authority Regulation 3.

(e) *Steel drums for shipments of petroleum products.* Requests for supply assistance for steel drums to contain petroleum products for export should be submitted pursuant to the provisions of this section, with the following modifications:

(1) Items 6 and 7 (a), (b), (c), and (e) of Form IT–835 shall relate to the petroleum products to be contained and exported in the drums. The information required by all other Items of Form IT–835 shall relate to the steel drums.

(2) In addition, the request for supply assistance for such steel drums shall state (in item 4 of Form IT–835 or on an attachment to Form IT–835) the name and address of the supplier from whom the applicant normally obtains his requirements for steel drums, the city or town in the United States where the drums will be filled, and a complete description of the petroleum products (including Schedule B number, quantity, and value) to be exported in the drums.

NOTE: Pursuant to a Directive by the National Production Authority, supply assistance will be granted for approximately 125,000 steel drums per month for use as export containers of petroleum products, during the months of June, July, August, and September 1951. Such drums will be 55 gallon capacity and of 18 gauge and lighter. It is estimated that 125,000 drums per month represent approximately 12.5% of the total number of drums necessary each month for the export of licensed quantities of petroleum products normally exported in drums.

The OIT will recommend action to be taken on individual requests (submitted to it) to the National Production Authority. Upon approval of the request, NPA will issue instructions to individual suppliers of steel drums to deliver a stated quantity of steel drums to a named exporter.

This part of the amendment shall become effective as of September 7, 1951.

4. Part 398 *Priority ratings and supply assistance assigned by OIT* is amended by adding thereto a new section (§ 398.6) to read as follows:

§ 398.6 *DO (priority) assistance by Office of International Trade for diochlorodiphenyl trichloroethane (DDT).*—(a) *Authority.* The National Production Authority has granted authority to the Office of International Trade, Department of Commerce, to assign DO priority ratings for the export of 15,000,000 pounds of DDT (100 percent equivalent) during the fiscal year July 1, 1951–June 30, 1952, to meet the essential requirements of certain governmental and other major health and agricultural programs in foreign countries. This priority assistance is intended to expedite the production and delivery of all or most of the stated quantity during the latter half of 1951, thereby preventing interference with domestic demand in the January–June peak period.

In approving requests for supply assistance, the Office of International Trade will assign DO–W4 ratings to licenses covering DDT for ECA countries, and DO–W2 ratings to those covering exports to OIT countries.

While the Office of International Trade may approve licenses for the export of more than 15,000,000 pounds of DDT, no priority assistance may be granted for quantities in excess of this amount under this authority.

(b) *Submission of requests to OIT for priority assistance.* (1) Requests for priority assistance to obtain DDT must be submitted (in duplicate) on Form IT–835. Instructions regarding the preparation of Form IT–835 are set forth in § 398.4 (c).

(2) If a validated export license is required for the proposed exportation, the request for priority assistance shall also include:

(i) An export license application prepared in accordance with Parts 370 through 399 of this chapter, unless a license application has been submitted previously.

(ii) Where the request for priority assistance is accompanied by a license application to export the DDT, items 1, 5, 7, and 8 only, of Form IT–835 need be filled in. (Other items on Form IT–835 are repetitive of items on the license application Form IT–419.) If, however, a license application has been submitted, all items on Form IT–835 must be answered.

(c) *When and where to submit requests for priority assistance.* (1) Under this priority rating procedure, exporters must place their orders with producers 15 days in advance of the month in which delivery is required. Exporters should, therefore, file their license applications and requests for priority asistance sufficiently in advance to allow time for processing in the Office of International Trade. The time for such processing is usually about three weeks.

(2) Requests for priority assistance to obtain DDT should be addressed to the Office of International Trade, Department of Commerce, Washington 25, D. C., attention: Agricultural Products Division.

NOTE: Inasmuch as the Office of International Trade is authorized to issue DO priority ratings for exports of DDT to both OIT and ECA countries, requests for priority assistance will be addressed in accordance with subparagraph (2) of this paragraph, notwithstanding the instructions on the face of Form IT–835.

This part of the amendment shall become effective as of August 23, 1951.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245; 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59; 3 CFR, 1948 Supp.)

LORING K. MACY,
Acting Director,
Office of International Trade.

[F. R. Doc. 51–10445; Filed, Aug. 29, 1951; 8:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4420]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BENGOR PRODUCTS CO.

Subpart—*Advertising falsely or misleadingly:* § 3.30 *Composition of goods;* § 3.90 *History of product or offering;* § 3.130 *Manufacture or preparation;* § 3.155 *Prices; exaggerated as regular and customary;* § 3.235 *Source or origin; place; domestic product as imported.* Subpart—*Using misleading name; goods:* § 3.2345 *Source or origin; place; domestic products as imported.* Subpart—*Using or selling lottery devices:* § 3.2475 *Devices for lottery selling.* I. In connection with the offering for sale, sale or distribution of any merchandise in commerce, (1) representing, directly or by implication, that any merchandise offered for sale or sold has a retail price in excess of the actual selling price at which such merchandise ordinarily is sold to consumers; (2) using the word "Doctor", or any abbreviation or simulation thereof, to designate, describe or refer to any merchandise not made in accordance with the formula or under the supervision of a member of the medical or dental profession; or otherwise representing, directly or by implication, that any such product has been so made; (3) using the term "Parfums Jockey Club de Paris", or any other term or word or words indicative of French origin, as a brand or trade name for perfumes manufactured or compounded in France; or, (4) representing, directly or by implication, that any merchandise is composed wholly or in part of silk when such is not the fact; and, II, selling or distributing in commerce, push cards, punchboards or other lottery devices which are to be used or may be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies, sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Louis Gordon et al. trading as Bengor Products Company, Docket 4420, June 20, 1951]

In the Matter of Louis Gordon and Ben Gordon, Individually and as Copartners Trading as Bengor Products Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the respondents' answer thereto, testimony and other evidence in support of the allegations of the complaint introduced before trial examiners of the Commission theretofore duly designated by it (respondents having presented no evidence in opposition to the allegations of the complaint), the recommended decision of the substitute trial examiner, the trial examiner originally designated herein being deceased, and brief in support of the complaint (no brief having been filed

on behalf of the respondents and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, Louis Gordon and Ben Gordon, individually and as copartners trading as Bengor Products Company, or trading under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of any merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that any merchandise offered for sale or sold has a retail price in excess of the actual selling price at which such merchandise ordinarily is sold to consumers.

2. Using the word "Doctor," or any abbreviation or simulation thereof, to designate, describe or refer to any merchandise not made in accordance with the formula or under the supervision of a member of the medical or dental profession; or otherwise, representing, directly or by implication, that any such product has been so made.

3. Using the term "Parfums Jockey Club de Paris," or any other term or word or words indicative of French origin, as a brand or trade name for perfumes manufactured or compounded in the United States; or representing in any other manner that perfumes so manufactured or compounded were manufactured or compounded in France.

4. Representing, directly or by implication, that any merchandise is composed wholly or in part of silk when such is not the fact.

It is further ordered, That said respondents and their agents, representatives and employees, directly or through any corporate or other device, do forthwith cease and desist from: Selling or distributing in commerce, as "commerce" is defined in the Federal Trade Commission Act, push cards, punch boards or other lottery devices which are to be used or may be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the allegations of the complaint relating to the use of the word "free" be, and they hereby are, dismissed without prejudice to the right of the Commission to institute a new proceeding or to take such further or other action at any time in the future with respect to the subject matter of such allegations as may be warranted by the then existing circumstances.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with said order.

Issued June 20, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-10442; Filed, Aug. 29, 1951; 8:52 a. m.]

[Docket 4697]

PART 3—DIGEST OF CEASE AND DESIST ORDER

NEW STANDARD PUBLISHING CO., INC., ET AL.

Subpart—*Misrepresenting oneself and goods; goods:* § 3.1625 *Free goods or services: Prices:* § 3.1795 *Coverage or extras;* § 3.1825 *Usual as reduced or to be increased.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.1955 *Free goods;* § 3.1985 *Individual's special selection or situation;* § 3.2000 *Limited offers or supply;* § 3.2080 *Terms and conditions.* In connection with the offering for sale, sale, and distribution of encyclopedias or other publications, and among other things, as in order set forth, representing, directly or by implication, (1) that the usual or customary price at which said publications are offered for sale is a special low price; or that any offer is for a limited time only when such offer is made continuously in the regular course of business; (2) that said publications are available only to selected individuals; (3) that said publications are given to purchasers as an advertising plan, or otherwise, in return for endorsements from such purchasers, when such is not a fact; (4) that said publications are free or in any sense a gratuity, when in fact payment therefor is included in the total price to be paid by the purchaser or when the purchaser is required to purchase another publication or publications or some other merchandise as a condition to the receipt of said publications; (5) that the total price which a purchaser is obligated to apply covers any publication, or other items, for which an additional charge is made; or, (6) that the amount which a purchaser is required to pay in order to receive any publicatiaon is a handling charge only, when such is not a fact; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies, (sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, New Standard Publishing Company, Inc., et al., Docket 4697, May 25, 1951]

Subpart—*Claiming indorsements or testimonials falsely or misleadingly:* § 3.330 *Claiming indorsements or testimonials falsely or misleadingly.* Subpart—*Misrepresenting oneself and goods; business status, advantages or connections:* § 3.1395 *Connections and arrangements with others;* § 3.1440 *Identity;* § 3.1520 *Personnel or staff; Misrepresenting oneself and goods; goods:* § 3.1645 *Government standards or specifications;* § 3.1665 *Indorsements;* § 3.1740 *Scientific or other relevant facts;* § 3.1755 *Success, use or standing.* In connection with the offering for sale, sale, and distribution of encyclopedias or any other publications, and among other things, as in order set forth, representing, directly or by implication, (1) that salesmen employed by respondents to sell encyclopedias or other publications are representatives of the publishers of said encyclopedias or other publications; (2) that respondent New Standard Publishing Company, Inc., is a subsidiary of the publisher of the encyclopedias which it sells, or that its relationship with said publisher is anything other than what it is in fact; (3) that said publications are approved by the State educational authorities, or are on the list of recommended reference books, of a particular State, unless said publications have in fact been so approved and listed; (4) that said publications have been sold to or recommended by any given person or persons, when such is not a fact; or, (5) that testimonials or recommendations are unsolicited and genuine, when such is not a fact; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, New Standard Publishing Company, Inc., et al., Docket 4697, May 25, 1951]

Subpart—*Coercing and intimidating:* § 3.350 *Customers or prospective customers; to purchase, make payment, or support product or service; by threatened suit or other intimidation.* Subpart—*Enforcing dealings or payments wrongfully:* § 3.1045 *Enforcing dealings or payments wrongfully.* Subpart—*Misrepresenting oneself and goods; business status, advantages or connections;* § 3.1385 *Concealed interest;* § 3.1390 *Concealed subsidiary or "alter ego";* § 3.1440 *Identity;* § 3.1520 *Personnel or staff;* § 3.1555 *Size, extent or equipment: Misrepresenting oneself and goods; goods:* § 3.1735 *Sample, offer, or order conformance;* § 3.1775 *Value.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal:* § 3.2060 *Sample, offer or order conformance;* § 3.2080 *Terms and conditions.* Subpart—*Using misleading name; vendor:* § 3.2365 *Concealed subsidiary or "alter ego";* § 3.2385 *Identity.* In connection with the offering for sale, sale and distribution of encyclopedias or any other publication, and among other things, as in order set forth, representing, directly or by implication (1) that pencils or any other merchandise supplied with said publications are of a greater value than they are in fact; or that said pencils or other merchandise will be the same as samples exhibited to purchasers, when such is not a fact; (2) that purchasers of said publications will not be required to make payments in accordance with the terms of the contracts signed by them, when such is not a fact; (3) that "Commercial Finance", or any other trade or fictitious name under which business is done by respondents, is a bona fide collection agency not connected with respondent New Standard Publishing Company, Inc.; (4) that any purchaser's contract has been assigned to or discounted with a bona fide collection agency, when such is not a

fact; or, (5) that respondent New Standard Publishing Company, Inc., is a large concern with numerous employees, through the use of fictitious names and titles of pseudo-employees or otherwise; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, New Standard Publishing Company, Inc., et al., Docket 4697, May 25, 1951]

In the Matter of New Standard Publishing Company, Inc., a Corporation, Trading Under Its Corporate Name and Also Doing Business as Publishers Guild, Foundation Press, Geological Publishing Company, Commercial Finance, National Research Bureau, Standard Research Bureau, Geological Society, and Modern Health Institute; Julius B. Lewis, Also Known as Jack Lewis, an Individual; and Doubleday-Doran & Company, Inc., a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, respondents' answers thereto, testimony and other evidence in support of and in opposition to the allegations of the complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence and exceptions thereto filed by counsel for certain of the respondents, and briefs and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that the respondents New Standard Publishing Company, Inc., and Julius B. Lewis have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent New Standard Publishing Company, Inc., a corporation, its officers, and respondent Julius B. Lewis, individually, and their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of encyclopedias or any other publications, cease and desist from representing, directly or by implication:

1. That the usual or customary price at which said publications are offered for sale is a special low price; or that any offer is for a limited time only when such offer is made continuously in the regular course of business.

2. That said publications are available only to selected individuals.

3. That said publications are given to purchasers as an advertising plan, or otherwise, in return for endorsement from such purchasers, when such is not a fact.

4. That said publications are free or in any sense a gratuity, when in fact payment therefor is included in the total price to be paid by the purchaser or when the purchaser is required to purchase another publication or publications or some other merchandise as a condition to the receipt of said publications.

5. That the total price which a purchaser is obligated to pay covers any publication, or other items, for which an additional charge is made.

6. That the amount which a purchaser is required to pay in order to receive any publication is a handling charge only, when such is not a fact.

7. That salesmen employed by said respondents to sell encyclopedias or other publications are representatives of the publishers of said encyclopedias or other publications.

8. That respondent New Standard Publishing Company, Inc., is a subsidiary of the publisher of the encylopedias which it sells, or that its relationship with said publisher is anything other than what it is in fact.

9. That said publications are approved by the State educational authorities, or are on the list of recommended reference books, of a particular State, unless said publications have in fact been so approved and listed.

10. That said publications have been sold to or recommended by any given person or persons, when such is not a fact.

11. That testimonials or recommendations are unsolicited and genuine, when such is not a fact.

12. That pencils or any other merchandise supplied with said publications are of a greater value than they are in fact; or that said pencils or other merchandise will be the same as samples exhibited to purchasers, when such is not a fact.

13. That purchasers of said publications will not be required to make payments in accordance with the terms of the contracts signed by them, when such is not a fact.

14. That "Commercial Finance", or any other trade or fictitious name under which business is done by respondents, is a bona fide collection agency not connected with respondent New Standard Publishing Company, Inc.

15. That any purchaser's contract has been assigned to or discounted with a bona fide collection agency, when such is not a fact.

16. That respondent New Standard Publishing Company, Inc., is a large concern with numerous employees, through the use of fictitious names and titles of pseudo-employees or otherwise.

It is further ordered, That respondents New Standard Publishing Company, Inc., and Julius B. Lewis shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: May 25, 1951.

By the Commission, Commissioner Mason not participating.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-10441; Filed, Aug. 29, 1951; 8:52 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52805]

PART 6—AIR COMMERCE REGULATIONS

AIRPORT OF ENTRY

AUGUST 24, 1951.

The Tampa International Airport, Tampa, Florida, is hereby designated as an airport of entry (international airport) for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)), effective September 1, 1951.

The list of airports of entry in § 6.12, Customs Regulations of 1943 (19 CFR 6.12), as amended, is hereby further amended to include the location and name of this airport.

Notice of the proposed designation of the Tampa International Airport as an airport of entry (international airport) was published in the FEDERAL REGISTER of July 31, 1951 (16 F. R. 7461), pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1003).

The designation of this airport is based on a determination that a sufficient need exists to justify such designation and the designation is made for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7, 44 Stat. 572, as amended; 49 U. S. C. 177)

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10461; Filed, Aug. 29, 1951; 8:54 a. m.]

[T. D. 52808]

PART 6—AIR COMMERCE REGULATIONS

AIRPORT OF ENTRY

AUGUST 24, 1951.

The Palm Beach International Airport, West Palm Beach, Florida, is hereby designated as an airport of entry (international airport) for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (49 U. S. C. 179 (b)), effective September 1, 1951.

The list of airports of entry in § 6.12, Customs Regulations of 1943 (19 CFR 6.12), as amended, is hereby further amended to include the location and name of this airport.

Notice of the proposed designation of the Palm Beach International Airport as an airport of entry (international airport) was published in the FEDERAL REGISTER of July 28, 1951 (16 F. R. 7421), pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1003).

The designation of this airport is based on a determination that a sufficient need exists to justify such designa-

tion and the designation is made for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7, 44 Stat. 572, as amended; 49 U. S. C. 177)

[SEAL] JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10462; Filed, Aug. 29, 1951; 8:54 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

REFUNDS

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1094, 1107; 45 U. S. C. 362), §§ 345.13 (c) and 345.13 (d) of the regulations of the Railroad Retirement Board under such act (4 F. R. 4370) are amended by Board Order 51-254, dated August 7, 1951, to read as follows:

§ 345.13 *Refunds.* * * *

(c) *Form of claim.* A claim for refund shall be made on Form DC-3 in accordance with the instructions and regulations applicable thereto. The prescribed form may be obtained from the Board. There shall be set forth all grounds in detail and all facts alleged in support of the claim, including the amount and date of each payment to the Board of the contribution for which refund is claimed, the name and address of the employer who paid the contribution to the Board, and the period covered by the contribution report on which such contribution was reported.

(d) *Claim by fiduciary.* If any contribution is paid by or on behalf of an individual who thereafter dies and a claim for refund or credit is filed by a legal representative of the deceased, certified copies of the letters testamentary, letters of administration, or other similar evidence shall be annexed to the claim, to show the authority of the executor, administrator, or other fiduciary by whom the claim was filed. If an executor, administrator, guardian, trustee, receiver or other fiduciary pays any contribution and thereafter a claim for refund or credit is filed by the same fiduciary, documentary evidence to establish the legal authority of the fiduciary need not accompany the claim, provided a statement is made in the claim showing that the contribution was paid by the fiduciary and that he is still acting. In such cases, if a refund or interest is to be paid, letters testamentary, letters of administration, or other evidence may be required but are required to be submitted only upon the receipt of a specific request therefor. If a claim is filed by a fiduciary or employer other than the one by whom the contribution was paid, the necessary documentary evidence shall accompany the claim. The claim form may be executed by an agent of the employer on whose behalf the claim is made, but in such case a power of attorney shall accompany the claim.

(Sec. 12, 52 Stat. 1107, as amended; 45 U. S. C. 362)

Dated: August 23, 1951.

By authority of the Board.

MARY B. LINKINS,
Secretary of the Board.

[F. R. Doc. 51-10419; Filed, Aug. 29, 1951; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 11, Amdt. 5]

CPR 11—RESTAURANTS

EXEMPTION FOR BONA FIDE CLUBS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Ceiling Price Regulation 11 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment provides that bona fide nonprofit membership clubs may apply, under certain conditions, for exemption from the provisions of Ceiling Price Regulation 11.

In order to qualify for an exemption, a club must be a non-profit membership organization, recognized as such by the Bureau of Internal Revenue and exempt from the payment of income tax by reason thereof, where no part of the net earnings of its restaurant operation inures to the benefit of any private shareholder or individual and the net profits of the restaurant, if any, are devoted to the purposes of the club. The club also must establish that its members are elected to membership by a governing board, membership committee or other body and that it sells meals, food items or beverages only to members and bona fide guests of members. In addition, the club must show that it is operated primarily as a non-profit club for one or more of the purposes specified in Section 101 of the Bureau of Internal Revenue Code and not primarily as an eating or drinking establishment.

Non-profit membership clubs, which do not sell to the general public, have no appreciable effect upon the general level of prices or upon the cost of living. Permitting these clubs to apply for exemption under this regulation will in no way defeat or impair the price stabilization program. However, no exemption will be granted to a club unless it meets all of the above requirements. It is not intended to exempt clubs which make their restaurant facilities available for general use by the public.

In the judgment of the Director of Price Stabilization, requiring these clubs to comply with the provisions of the restaurant regulations imposes an unnecessary administrative burden on the Office of Price Stabilization and on these clubs since imposition of ceiling prices on the restaurant sales of these clubs is not necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

In the formulation of this amendment, special circumstances have rendered impractical consultation with official advisory committees, including trade association representatives; however, the provisions of this amendment incorporate the recommendations of persons representing substantial segments of the industry. In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objective of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

Section 9 of Ceiling Price Regulation 11 is amended by adding a new paragraph (e) to read as follows:

(e) *Non-profit clubs.* Bona fide nonprofit membership clubs which file an application with their OPS District Office stating:

(1) The club is a non-profit organization, recognized as such by the Bureau of Internal Revenue, and exempt from the payment of income tax by reason thereof, where no part of the net earnings of its restaurant operations inures to the benefit of any private shareholder or individual; and the net profits, if any, are devoted to the purposes of the club;

(2) It sells meals, food items or beverages only to members and bona fide guests of members;

(3) Its members are elected to membership by a governing board, membership committee or other body; and

(4) It is operated primarily as a nonprofit club for one or more of the purposes specified in section 101 of the Bureau of Internal Revenue Code and not primarily as an eating or drinking establishment.

Bona fide clubs are exempt as soon as they have filed an application in accordance with this paragraph. The application, however, shall be subject to review by the OPS District Office. This exemption will be revoked if the OPS District Office, upon review, finds that the club does not satisfy all of the requirements of this paragraph.

No club, organized after the effective date of this amendment, shall be exempt under the provisions of this paragraph unless it has filed a request for exemption with its OPS District Office, furnishing the information required by subparagraphs (1), (2), (3) and (4) of this paragraph and until the OPS District Office has notified the club in writing that it is exempt from this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective September 4, 1951.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 29, 1951.

[F. R. Doc. 51-10519; Filed, Aug. 29, 1951; 4:00 p. m.]

[Ceiling Price Regulation 61, Amendment 1]

CPR 61—EXPORTS

EXPORT CEILING PRICE FOR PRODUCER EXPORTERS

Pursuant to the Defense Production Act of 1950 as amended by Defense Production Act Amendments of 1951 (Pub. Law 774, 81st Cong.; Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 61 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 61 is intended to offer the producer exporter an alternative domestic ceiling price to be used in computing his ceiling price for export sales. The producer exporter may now use either his domestic ceiling price to a buyer of the same class as the buyer for which he is presently pricing, or his domestic ceiling price to his largest buying class of domestic purchaser.

This amendment will make it possible for exporters who in the past determined their export sales by applying a markup over the price shown in their published lists, as determined for various classes of domestic purchasers, to continue to use this practice. As a result, the determination of their export price under Ceiling Price Regulation 61 will be much simplified and the clerical work involved in determining export prices considerably reduced.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Section 3 (b) (1) of Ceiling Price Regulation 61 is amended to read as follows:

(b) *Producer exporters.* (1) If you are a producer exporter, your ceiling price for the export sale of any commodity covered by this regulation to any class of foreign buyer, shall be either your domestic ceiling price, at point of delivery, applicable to a sale of the commodity for domestic consumption to a buyer of the same class as the buyer for which you are pricing, or your domestic ceiling price, at point of delivery, to your largest buying class of domestic purchaser. To the domestic ceiling price chosen by you, add a percentage markup used in the base period January 1, 1949, to June 30, 1950, inclusive, calculated in accordance with section 5 of this regulation, plus costs of exportation actually incurred by you in connection with such sale. If you made no base period sales of the commodity or product line you are pricing to foreign buyers of the class for which you are pricing, your markup shall be calculated in accordance with section 5 of this regulation but shall be based on other base period sales as provided for in section 6 of this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on August 28, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 28, 1951.

[F. R. Doc. 51-10485; Filed, Aug. 28, 1951; 4:02 p, m.]

[General Ceiling Price Regulation, Supplementary Regulation 53]

GCPR, SR 53—ADJUSTMENT OF CIGARETTE "LOSS-LEADER" PRICES COVERED BY ARKANSAS STATUTE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying supplementary regulation authorizes wholesalers and retailers of cigarettes, who are required under Act 101 of the General Assembly of the State of Arkansas to sell cigarettes at specified prices, to adjust their ceiling prices to the levels prescribed by that Act. The Act became effective June 6, 1951.

As is well known, cigarettes have for many years been popular with merchants as a "loss-leader". In some instances, they have actually taken an out-of-pocket loss, presumably on the view that that loss was a kind of advertising expense. Other merchants have not gone so far, restricting themselves to sales at invoice cost or at a price which obviously disregarded even minimum handling costs.

It has been called to the attention of the Director of Price Stabilization that the government of the State of Arkansas, having determined that this practice is disruptive of business and unfair to merchants who do not lose "loss-leaders", has enacted the above mentioned statute for the purpose of eliminating the practice. Wholesalers and retailers are required under the statute to sell cigarettes at or above "cost", which is defined (subject to a showing by the seller to the contrary) as invoice cost plus two percent for wholesalers and plus six percent for retailers.

Some of the sellers to whom the Arkansas statute applies were selling cigarettes in the base period (December 19, 1950 to January 26, 1951) at prices lower than the minimum prices now established by State law. The lower prices in effect in the base period, of course, became the ceiling prices for such sellers. The situation thus created arises from the general freeze character of the General Ceiling Price Regulation.

It would be obviously inconsistent with the purposes of the economic stabilization program for the Office of Price Stabilization to acquiesce in minimum prices established for whatever purposes by State or local legislative bodies. In this case, however, the State statute is of a very limited character, having been adopted for the purpose of dealing with the special problem of "loss-leader" cigarette sales. Moreover, the prices required to be charged under it are not so high as to indicate any purpose broader than the one avowed. Finally, available data indicate that the number of sellers whose ceiling prices are below the minimum State prices is small and that the very limited price adjustments required to permit compliance with the State statute will not have an important effect on the cost of living, the defense effort, or the general level of prices. Accordingly, the Director has determined that permitting sellers subject to the Arkansas statute to charge the prices required under it would not unduly impair the carrying out of the economic stabilization program. Should other laws comparable to the Arkansas statute be called to his attention, the Director will in like manner consider the relationship of such laws to the economic stabilization program and its effective execution, and take such action as his findings may then indicate.

FINDINGS OF THE DIRECTOR

In the judgment of the Director of Price Stabilization, the ceiling prices established by this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in the furtherance of the objectives of the Defense Production Act of 1950; to parity prices and the other minimum requirements of the law including prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to factors of general applicability.

Because wholesalers and retailers of cigarettes are found in many different trade groups, the Director has not found it practicable to consult formally with their representatives. However, the provisions of this regulation have been discussed with interested individuals and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.
1. To whom this regulation applies.
2. Adjustment of ceiling prices.
3. Continued applicability of the General Ceiling Price Regulation.

AUTHORITY: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *To whom this regulation applies.* You are covered by this regulation if you meet the following conditions:

(a) You sell cigarettes;

(b) You are required under Act 101 of the General Assembly of the State of Arkansas, effective June 6, 1951, to charge for cigarettes you sell the prices established under that act; and

(c) Your ceiling prices under the General Ceiling Price Regulation are lower than the prices you are required to charge under that act.

SEC. 2. *Adjustment of ceiling prices.* If you are covered by this regulation you may increase your ceiling prices for cigarettes up to the minimum prices required to be charged under the statute referred to in section 1 of this regulation.

SEC. 3. *Continued applicability of the General Ceiling Price Regulation.* All provisions of the General Ceiling Price Regulation, except as modified by this supplementary regulation, continue to apply to you even though you may be one of the sellers who are authorized under this regulation to increase their ceiling prices.

Effective date. This regulation shall be effective September 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 29, 1951.

[F. R. Doc. 51-10518; Filed, Aug. 29, 1951; 11:20 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[Implementation 1, NPA Gen. Administrative Order 16-06]

RULES OF PRACTICE BEFORE HEARING COMMISSIONERS

These rules are found necessary and appropriate to promote the national defense and are issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950, as extended by Pub. Law 96, 82nd Cong., and NPA General Administrative Order 16-06, July 21, 1951 (16 F. R. 8628). Consultation with industry representatives in advance of the issuance of these rules has been rendered impracticable by the fact that the rules apply to all trades and industries.

Sec.
1. Scope of rules.
2. Hearings in adversary proceedings.
3. Appeals from orders.
4. Stays pending appeals.
5. Temporary suspension orders and consent orders.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Supp. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Supp. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *Scope of rules.* (a) These general rules will govern the procedure of administrative adversary proceedings before hearing commissioners.

(b) The principal office of the Chief Hearing Commissioner is at Washington 25, D. C. All communications to him should be addressed to the Chief Hearing Commissioner, National Production Authority, Washington 25, D. C., unless otherwise specifically directed. [Rule 1]

SEC. 2. *Hearings in adversary proceedings.* (a) Administrative action by the Chief Hearing Commissioner will be taken in a case only when a statement of charges, in the form of a charging letter or telegram, has been prepared by the General Counsel of the National Production Authority and referred to the Chief Hearing Commissioner with recommendations for appropriate action.

(b) The statement of charges shall set forth the specific violations charged and the administrative action which may be taken.

(c) Following receipt of the statement of charges the Chief Hearing Commissioner will forthwith designate a commissioner to hear the matter. The Chief Hearing Commissioner will also transmit the statement of charges to the respondent by registered mail (return receipt requested) or by telegram. Accompanying the statement of charges, there will be a notice containing the following:

(1) The name and address of the commissioner designated to hear the matter.

(2) A statement that the respondent may:

(i) Submit a written denial or explanation of the charges, or

(ii) Appear at a hearing on a date and place to be fixed, when the charges will be considered, and

(3) A statement advising the respondent of the importance of presenting in defense or explanation all facts and circumstances bearing on his alleged violations.

(d) The hearing commissioner will be furnished by the Chief Hearing Commissioner with two copies of the statement of charges and a statement of the date and method of its transmission to the respondent.

(e) In the event the respondent desires to contest the charges, he shall, within ten calendar days from the date of receipt by him of the statement of charges, file an answer with the hearing commissioner designated to hear the matter. The answer shall contain a concise statement of the facts in the respondent's defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the statement of charges unless the respondent is without knowledge, in which case respondent shall so state. Five copies of the answer shall be filed with the hearing commissioner. The original shall be signed in ink by the respondent or an attorney at law who has been admitted to practice in any state or territory, or the District of Columbia. Where the respondent is a corporation or association, the answer may be filed through one of its officers or its attorney. An answer will show the office and post office address of respondent or his attorney.

(f) The hearing commissioner, unless a continuance is granted, shall proceed with the hearing whether or not the respondent has filed an answer or pleaded specifically to each charge in the statement of charges, and upon failure to file an answer, the hearing commissioner shall take action on the charges without further notice to the respondent. Each charge contained in the statement of charges shall be deemed to be denied unless the charge is specifically admitted by the respondent.

(g) At the close of the reception of evidence, or within a reasonable time thereafter fixed by the hearing commissioner, the parties may file for his consideration their proposed findings and conclusions, together with supporting briefs. Upon request of either party, oral argument thereon may be allowed by the hearing commissioner.

(h) All hearings shall be stenographically reported under supervision of the hearing commissioner. The transcript of the official reporter shall be made a part of the record and shall constitute the sole official transcript of the proceeding. Transcripts may be supplied to respondents and to the public by the official reporter at their cost and at rates not to exceed the maximum rates fixed by contract between the National Production Authority and the reporter.

(i) The hearing commissioner will issue findings and conclusions, and an order of disposition in each case. All orders shall be subject to appeal by the respondent or by the General Counsel of the National Production Authority.

(j) The hearing commissioner shall serve a copy of his findings and conclusions, and an order of disposition, upon each party to the proceeding.

(k) Where the hearing commissioner concludes that the facts found constitute:

(1) The acquisition, possession, production, use, or disposition by a respondent of materials or facilities in an amount or in a manner not permitted by the National Production Authority regulations, orders, or directives; or

(2) A material misrepresentation by a respondent or in his behalf, to the National Production Authority, or to an authorized agency thereof, in any matter within the jurisdiction of the National Production Authority relevant to the allocation or distribution of materials or facilities; or

(3) Any other violation by a respondent of the National Production Authority regulations, orders, or directives relevant to the allocation or distribution of materials or facilities,

he may issue a suspension order which may:

(4) Withdraw or withhold priority assistance from a respondent;

(5) Withdraw or withhold allocations or allotments of materials or facilities from a respondent;

(6) Prohibit or restrict a respondent in the acquisition, possession, production, use or disposition of materials or facilities;

(7) Otherwise require compliance with the provisions of Title I of the Defense Production Act or with regulations, orders or directives of the National Production Authority.

(l) The findings and conclusions and order of the hearing commissioner, together with the record, will be filed in duplicate with the Chief Hearing Commissioner.

(m) Where the hearing commissioner concludes that the facts found do not constitute violations as set forth in paragraph (k) (1), (k) (2), or (k) (3) of this section, he will so find and will close the case by issuing an appropriate order.

(n) In any matter before a hearing commissioner, he shall, at the instance of either party, issue subpoenas, requiring the attendance of witnesses for submission of testimony or for the production of documentary evidence relevant to the issues in such matter. Where the application for subpoena is for the production of documentary evidence, such application shall specify with reasonable particularity the books, papers or documents desired.

(o) Witnesses under subpoena shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witnesses whose depositions are taken, and the persons taking such depositions, shall severally be entitled to the same fees as are paid for like services in the courts of the United States. Witness fees and mileage, and fees for depositions, shall be paid by the party at whose instance witnesses appear. [Rule II]

SEC. 3. *Appeals from orders.* (a) Any person or corporation affected by the provisions of an order issued under section 2 (i) or of a temporary suspension order issued under section 5 (a), may appeal from any or all provisions of the order to the Chief Hearing Commissioner.

(b) The Government as well as the respondent, shall have the right of appeal in all proceedings under these rules.

(c) An appeal shall be initiated by filing an original and five copies of a notice of intention to appeal with the Chief Hearing Commissioner within ten calendar days from the date of service of an order upon the appellant. An original and five copies of an appeal brief shall be filed with the Chief Hearing Commissioner within thirty days from the date of service of an order upon the appellant. The appeal brief shall set forth points and arguments advanced by appellant in opposition to the order and the findings and conclusions. The appeal may also set forth the effect of the order upon the appellant's operations. Arguments bearing on the policy embodied in the orders or regulations which respondent has been found to have violated will not be considered.

(d) Within fifteen calendar days after the filing of an appeal brief the other party may file an original and five copies of an answer to the appeal. A copy of any such answer shall be furnished the appellant by the Chief Hearing Commissioner. Within five calendar days from the receipt of the answer, appellant may file with the Chief Hearing Commissioner an original and five copies of a reply, a copy of which shall be furnished by the Chief Hearing Commissioner to the other party.

(e) The Chief Hearing Commissioner may permit the parties to appear and make oral presentation of the matter of appeal. Both parties will be given notice of the time and place of the hearing.

(f) The Chief Hearing Commissioner shall hear an appeal which he may either grant or deny in whole or in part and his decision thereon shall be final; or he may designate an appellate commissioner to hear an appeal. The appellate commissioner so designated will recommend action to the Chief Hearing Commissioner or, where authorized by the Chief Hearing Commissioner, he will either grant or deny the appeal in whole or in part and his decision thereon shall be final [Rule III].

SEC. 4. Stays pending appeals. After the initiation of an appeal, the Chief Hearing Commissioner, or his deputy, upon a showing of irreparable harm, may in his discretion stay the provisions of the order appealed from, pending disposition of the appeal. An application for a stay must be made in writing to the Chief Hearing Commissioner [Rule IV].

SEC. 5. *Temporary suspension orders and consent orders.* (a) Upon application of the General Counsel and on showing of irreparable harm the Chief Hearing Commissioner, or his deputy, may in his discretion at any time issue a temporary suspension order. In any such case the application will be accompanied by a statement of charges. Whenever a temporary suspension order is issued, the respondent will be promptly advised of the issuance of such order and informed of the charges against him and of his right to be heard thereon. In every case where a temporary suspension order has been issued, a hearing will be held thereon before a hearing commissioner as soon as practicable. Following the issuance of a temporary suspension order, the matter will otherwise proceed in accordance with the other provisions of these rules.

(b) The Chief Hearing Commissioner or his deputy may, at any time, on the application of the General Counsel, direct the issuance of a suspension order upon the consent of the respondent, and the issuance of specific exceptions from, or authorizations under, suspension orders.

(c) The Chief Hearing Commissioner or his deputy may also, at any time, revoke or modify any suspension order by diminishing the period of suspension or the restrictions imposed though no appeal from the order has been taken by the respondent. [Rule V.]

Issued this 30th day of August 1951.

NATIONAL PRODUCTION AUTHORITY,
WALTER H. FOSTER,
Chief Hearing Commissioner.

[F. R. Doc. 51-10523; Filed, Aug. 29, 1951; 11:59 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

CLASSIFICATION ORDER

AUGUST 10, 1951.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 427 dated August 16, 1950, I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945, (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Los Angeles, California Land District, embracing 320 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 285

For lease and sale for homesites only:
T. 9 N., R. 1 E., S. B. M.,
Sec. 22, S½

The lands are situated in San Bernardino County, California, within one-half mile of the Town of Daggett. They can be reached over U. S. Highway 66. The nearest town where all community services may be obtained is Barstow, approximately six miles distance. The lands are in an area where there is a demand for homesites because of their nearness to the Barstow Marine Base.

2. As to applications regularly filed prior to 9:00 a. m., July 12, 1951, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., October 12, 1951. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m. October 12,, 1951, to close of business on January 10, 1952.

(b) Advance period for veterans' simultaneous filings from 9:00 a. m., July 12, 1951, to 10:00 a. m. October 12, 1951.

4. Any of the land remaining unappropriated shall become subject to ap-

plication under the Small Tract Act by the public generally, commencing January 11, 1952.

(a) Advance period for simultaneous non-preference filings from 9:00 a. m., July 12, 1951, to 10:00 a. m. January 11, 1952.

5. Applications filed within the period mentioned in paragraphs 3 (b) and 4 (a) will be treated as simultaneously filed.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimension to extend east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimension specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of three years at an annual rental of $5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of $25.00 per acre, application for which may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of issuance of the lease.

10. Tracts will be subject to rights-of-way not exceeding 33 feet in width along or near the edges thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued

11. All inquiries relating to these lands should be addressed to the Manager, Land Office, Los Angeles, California.

J. H. FAVORITE,
Acting Regional Administrator.

[F. R. Doc. 51-10444; Filed, Aug. 29, 1951; 8:52 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. S-28]

MISSISSIPPI SHIPPING CO., INC.

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference will be held in Room 4823, Commerce Building, Washington, D. C., on September 20, 1951, at 10 o'clock a. m., before Examiner A. L. Jordan, concerning review by the Board of the Operating-Differential Subsidy Agreement of Mississippi Shipping Company, Inc., with respect to combination passenger and freight vessels operated by the company on Trade Route No. 20 (U. S. Gulf/East Coast South America), under Title VI of the Merchant Marine Act, 1936, as amended.

The prehearing conference will be conducted under § 201.59 of the Board's rules of procedure, for the purpose of considering:

(1) Simplification of the issues;

(2) The necessity or desirability of amendments to the pleadings;

(3) The possibility of obtaining admission of fact and of documents which will avoid unnecessary proof;

(4) Limitations on the number of witnesses;

(5) The procedure at the hearing;

(6) The distribution to the parties prior to the hearing of written testimony and exhibits;

(7) Consolidation of the examination of witnesses by counsel; and

(8) Such other matters as may aid in the disposition of the proceeding.

Also at the prehearing conference a date will be set for the hearing to receive evidence to determine whether vessels during the period January 1, 1947, to date, were operated under the registry of a foreign country which were or are substantial competitors of the combination passenger and cargo vessels operated by Mississippi Shipping Company, Inc., on Trade Route No. 20, and whether and to what extent operating subsidy aid is necessary to place the operation of such combination vessels on a parity with vessels of foreign competitors, and is reasonably calculated to carry out effectively the purposes and policy of said act.

The hearing to receive such evidence will be conducted in conformity with the Board's rules of procedure (12 F. R. 6076), and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to participate in the prehearing conference and in the proceeding should notify the Board on or before September 17, 1951, and should file petitions promptly for leave to intervene in accordance with § 201.81 of the Board's rules of procedure.

Dated: August 6, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-10426; Filed, Aug. 29, 1951; 8:48 a. m.]

MEMBER LINES OF THE PACIFIC WESTBOUND CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 57-36, between the member lines of the Pacific Westbound Conference and the carriers comprising the O. S. K.—Shinnihon New York Line joint service, covers admission of said joint service to associate membership in said Conference. As an associate member the O. S. K.—Shinnihon New York Line will have no vote in Conference affairs, but will be permitted to participate in Conference contracts with shippers, and will be exempted from posting of the usual surety bond.

Agreement No. 7673-2, between the carriers comprising the A. P. Moller, Maersk Line joint service and United Fruit Company, modifies the parties' basic agreement (No. 7673) which covers transportation of cargo under through bills of lading in the trade from the Far East to New York or New Orleans, with transshipment at Cristobal, C. Z. Agreement No. 7673-2 eliminates from Agreement No. 7673 the provision specifying the net minimum proportion of through rates accruing to United Fruit Company, but leaves unchanged the percentage division of through rates between the parties.

Agreement No. 7829, between the carriers comprising the O. S. K.—Shinnihon New York Line joint service and United Fruit Company, covers transportation of general cargo under through bills of lading from Japan and the Philippine Islands to New York or New Orleans, with transshipment at Cristobal, C. Z.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: August 27, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-10431; Filed, Aug. 29, 1951; 8:49 a. m.]

National Production Authority

[NPA Notice 2]

SIGNATURE OF OFFICIAL NPA ACTIONS

This notice is issued under the authority of the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law. 96, 82d Cong.), Executive Orders 10161 and 10200 (15 F. R. 6105, 16 F. R. 61), Defense Production Administration Delegation 1, as amended (16 F. R. 738, 4594), and Department of Commerce Order 123, as amended (15 F. R. 6726, 16 F. R. 1129).

Sec.
1. Purpose of this notice.
2. Definitions.
3. Signature of official actions.
4. Effect on official actions taken prior to effective date of this notice.

SECTION 1. *Purpose of this notice.* This notice prescribes the exclusive methods of signature to be used on official actions of the National Production Authority, and of the Department of Commerce Field Service pursuant to NPA delegations. This notice does not apply to official actions of any other agency, or of any officer or employee thereof, even when such action is based on a regulation, order, or delegation of the National Production Authority.

SEC. 2. *Definitions.* As used in this notice, "official action" means the issuance of any NPA regulation or order and direction or supplement thereto, including any amendment, extension, or revocation thereof; and any action taken by letter, telegram, form, directive, or otherwise, which assigns or denies a preference rating or grants or denies an authorization, allocation, allotment, adjustment, or exception, to a named person or persons, or requires or permits a named person or persons to take or not to take any action relating to production, delivery, receipt, use, sale, or distribution of any material or facility; and any action which changes or refuses to change the effect of any of the above actions. For the purpose of this notice, "official action" does not include any action taken in the course of an investigation or compliance proceeding; or the issuance of a suspension order or any action taken in the course of a proceeding looking toward the issuance of such an order.

SEC. 3. *Signature of official actions.* (a) The Administrator and the Deputy Administrator of the National Production Authority may, in their respective names, perform the functions and exercise all the powers, authority, and discretion vested in the Administrator of the National Production Authority.

(b) All official actions taken in performance of the functions or in the exercise of the powers, authority, and discretion vested in the Administrator of the National Production Authority, which are not taken in the name of the Administrator, or in the name of the Deputy Administrator, shall be taken in the name of the National Production Authority, countersigned or attested by the Executive Secretary or the Recording Secretary of the National Production Authority. Unless otherwise ordered, all actions taken by countersignature or attestation of the Executive Secretary or Recording Secretary shall be in the following form:

NATIONAL PRODUCTION AUTHORITY

By _____
(Executive Secretary
or
Recording Secretary)

SEC. 4. *Effect on official actions taken prior to effective date of this notice.* Nothing contained herein shall impair or affect the validity of any official action taken prior to the effective date of this notice.

This notice shall take effect on September 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10522; Filed, Aug. 29, 1951; 11:59 a. m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 2724, 5008]

COLONIAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Colonial Airlines, Inc., over Routes 71, 71-F, 72 and 72-F, Docket No. 2724, and over its Bermuda routes, Docket No. 5008.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on August 30, 1951, at 10:00 a. m., e. d. s. t., in Room E-210, Temporary Building No. 5, Constitution Avenue between Sixteenth and Seventeenth Streets NW., Washington, D. C., before Examiner Barron Fredricks.

Dated at Washington, D. C., August 27, 1951.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-10447; Filed, Aug. 29, 1951; 8:53 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 70, Amendment 1]

INTERNATIONAL LATEX CORP.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 70, under section 43 of Ceiling Price Regulation 7, issued on June 5, 1951, established ceiling prices for sales at retail of girdles, infants' needs and pillows manufactured by International Latex Corp.

International Latex Corp., has filed an application for an amendment to this special order. The application for amendment points out that due to a partial duplication of items requested in the original application, the order inadvertently did not include tobacco pouches, gloves, swim and shower caps. In addition, the application points out that the special order makes no provision for two cost lines which were included in the original application; these cost lines are added by this amendment.

Further, the brand name "Playtex" was misspelled; this, too, is corrected by this amendment.

Applicant has also requested the establishment of a cost bracket to the retailer in lieu of the "cost-price" relationship by which the ceiling prices for pillows are determined in the special order. Each bracket is to be related to a specific retail price. The costs of the articles purchased by the retailer should on the average fall evenly between the ends of each cost bracket and will thus maintain the general historical markup pattern. The establishment of such cost bracket permits minor changes in costs without influencing the general level of retail prices of the articles in question.

Under the circumstances set forth by the applicant, the Director has determined that the requested amendment be granted.

Amendatory provisions. Special Order 70 under Ceiling Price Regulation 7, Section 43, is amended in the following respects:

1. In paragraph 1, insert the words "tobacco pouches, gloves, swim and shower caps" after the words "girdles, infants' needs."

2. In paragraph 1, following the phrase "having the brand name," delete the name "Play Tex" and substitute therefor the name "Playtex."

3. In paragraph 1, under the heading "Infants' Needs" add to the column headed "Manufacturer's selling price (per dozen)" the figures "$2.08" and "$3.52". Opposite these inserted figures, in the column headed "Ceiling price at retail (per unit)" add the figures "$.29" and "$.49," respectively.

4. Paragraph 1 is amended by adding the following after the listing of prices for "infants' needs":

TOBACCO POUCHES

Manufacturer's selling price (per dozen)	*Ceiling prices at retail (per unit)*
$7.20	$1.00

GLOVES

$5.68	$0.79

SWIM AND SHOWER CAPS

$4.96	$0.69
7.05	.98

5. In paragraph 1, delete all under "pillows" and substitute therefor:

Manufacturer's selling price (per dozen)	*Ceiling prices at retail (per unit)*
$50.04 to $57.23	$6.95
57.24 to 64.42	7.95
64.43 to 71.39	8.95
71.40 to 78.59	9.95
78.60 to 85.43	10.95
85.44 to 92.99	11.95
93.00 to 99.50	12.95

6. In paragraph 1, insert after the words "2/10 EOM, Net 30," the following

clause: "or if ordered through the Drug Division, 2/30, Net 45."

7. In paragraph 4, substitute a comma for the period at the end of the first sentence, delete the second sentence beginning with the words "This mark or statement," and add the following: "or print or stamp such mark or statement in a conspicuous place on the outside of the individual container in which the article is packaged. In the case of articles packaged in bottles with plastic tops, such mark or statement may be on a sticker affixed to the plastic top of the bottle." This mark or statement must be in one of the following forms:

OPS—Sec. 43—CPR 7
Price $--------

OPS—Sec. 43—CPR 7
Price --------¢

Effective date. This amendment shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10326; Filed, Aug. 23, 1951; 4:30 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 388, Amendment 1]

ALADDIN INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 388, issued under section 43 of Ceiling Price Regulation 7 to Aladdin Industries, Incorporated, establishes ceiling prices for sales at wholesale of vacuum bottles and lunch kits having the brand names "Hopalong Cassidy" and "Hy-lo."

Special Order 388 established ceiling prices at retail for these same items but did not establish ceiling prices at wholesale. Such wholesale ceiling prices were requested by Aladdin Industries, Incorporated, in its application dated May 29, 1951 and may be established under section 43 of Ceiling Price Regulation 7.

Amendatory provisions. Special Order 388 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete the title of the special order and substitute therefor the following: "Aladdin Industries, Incorporated, Ceiling Prices at Retail and Wholesale."

2. Delete paragraph "1" of the special order and substitute therefor the following:

1. *Ceiling prices.* The ceiling prices for sales at retail and wholesale of vacuum bottles and lunch kits sold through wholesalers and retailers and having the brand names "Hopalong Cassidy" and "Hy-lo" shall be the proposed retail and wholesale ceiling prices listed by Aladdin Industries, Incorporated, 703-705 Murfreesboro Road, Nashville, Tennessee, hereinafter referred to as the "applicant" in its application dated May 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of this special order, with notice of prices annexed, but in no event later than September 24, 1951, no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

3. Delete subparagraph 3 (a) (4) and substitute therefore the following:

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price and corresponding wholesale ceiling price. The notice shall be in substantially the following form:

Column 1	Column 2	Column 3
(Item style or lot number or other description)	Wholesaler's ceiling price for articles listed in column 1	Retailer's ceiling price for articles listed in column 1
----------	$----------	$----------

Effective date. This amendment shall become effective August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10327; Filed, Aug. 23, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 577]

FISHER, BRUCE & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Fisher, Bruce & Company, 219-221 Market Street, Philadelphia 6, Pennsylvania (hereafter called wholesaler), has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of china dinnerware sold at wholesale by Fisher, Bruce & Company, 219-221 Market Street, Philadelphia 6, Pennsylvania having the brand name(s) "Aynsley English Bone China" shall be the proposed retail ceiling prices listed by Fisher, Bruce & Co. in its application dated June 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 22, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 22, 1951, Fisher, Bruce & Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 20, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 20, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article,

with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in Paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The wholesaler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 23, 1951.

[F. R. Doc. 51-10328; Filed, Aug. 23, 1951; 4:31 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 576]

FISHER, BRUCE & CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Fisher, Bruce & Company, 219–221 Market Street, Philadelphia 6, Pa. (hereafter called wholesaler) has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of earthenware dinnerware sold at wholesale by Fisher, Bruce & Company, 219–221 Market Street, Philadelphia 6, Pa., having the brand name(s) "English Earthenware" shall be the proposed retail ceiling prices listed by Fisher, Bruce & Company in its application dated June 13, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 21, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the wholesaler after the effective date of this special order.

3. On and after October 20, 1951, Fisher, Bruce & Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS Sec. 43—CPR 7
Price $_____

On and after November 19, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 19, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the wholesaler's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the wholesaler shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the wholesaler had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The whole-

saler shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must be also be filed by the wholesaler with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the wholesaler shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the wholesaler had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the wholesaler shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 23, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 22, 1951.

[F. R. Doc. 51-10294; Filed, Aug. 22, 1951; 5:07 p. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6373]

BONNEVILLE POWER ADMINISTRATOR, DEPARTMENT OF THE INTERIOR

NOTICE OF REQUEST FOR CONFIRMATION AND APPROVAL OF RATES AND CHARGES FOR SALE OF POWER

AUGUST 22, 1951.

In the matter of United States of America, Department of the Interior, Bonneville Power Administrator.

Notice is hereby given that pursuant to the provisions of the Bonneville Act (50 Stat. 731) as amended, the Administrator of the Bonneville Project has filed with the Federal Power Commission for confirmation and approval a schedule of rates and charges for the sale of electric power and energy to the Aluminum Company of America for the proposed Wenatchee, Washington, aluminum plant, under a contract extending for a period of 20 years from May 22, 1951.

The contract provides for the sale of three classes of power, as follows:

1. Firm power under Rate Schedule C-4 beginning June 30, 1955, with the amount of 60,000 kw, and increasing to 120,000 kw. after June 30, 1957.

2. Interruptible power, as available, under Rate Schedule C-4 and section 15.1 of the General Rate Schedule Provisions, equal to Alcoa's needs, up to 170,000 kw., in excess of any firm power available to Alcoa from the units to be constructed by PUD No. 1 of Chelan County, Washington, at Rock Island.

3. "Firming up" power under Rate Schedule C-4 applied on a daily basis, to supply the deficiency during the reduction in capacity of the Rock Island units below 120,000 kw. at high water periods.

Bonneville also proposes to wheel power from the Rock Island units for the PUD at 11.3 cents per kw. per month.

Any person desiring to make comments or suggestions with respect to the above should submit the same on or before September 11, 1951, to the Federal Power Commission, Washington 25, D. C.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10420; Filed, Aug. 29, 1951; 8:46 a. m.]

[Docket No. G-1440]

LOUISIANA NEVADA TRANSIT CO.

ORDER FIXING DATE OF HEARING

AUGUST 22, 1951,

On June 1, 1951, Louisiana Nevada Transit Company, a Nevada corporation with its principal place of business at Ada, Oklahoma, filed an application for amendment and modification of the certificate of public convenience and necessity heretofore granted it by order of the Federal Power Commission issued September 19, 1950 (Docket No. G-1440), or in the alternative, for a certificate of public convenience and necessity authorizing it to sell and deliver an additional 2000 Mcf of natural gas per day to the City of DeQueen, Arkansas over and above the 3000 Mcf per day which it was authorized to sell and deliver by the Commission order of September 19, 1950. The application is on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided in the aforesaid rule for non-contested proceedings and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 21, 1951 (16 F. R. 5907-5908).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on September 5, 1951, at 9:30 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceedings pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: August 24, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10424; Filed, Aug. 29, 1951; 8:48 a. m.]

[Docket No. G-1733]

SOUTHERN NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 22, 1951.

On July 2, 1951, Southern Natural Gas Company, a Delaware corporation with its principal place of business at Birmingham, Alabama, filed an application for a certificate of public convenience and necessity authorizing the removal from Kemper, Mississippi of a 600-horsepower compressor station and its relocation in the Spider Gas Field in northern Louisiana, or, in the alternative, for a disclaimer of jurisdiction, as fully described in the application which is on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest, or petition to intervene having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 19, 1951 (16 F. R. 6984).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Com-

mission's rules of practice and procedure, a hearing be held on September 4, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceedings pursuant to § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 24, 1951.

By the Commission.

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10423; Filed, Aug. 29, 1951; 8:48 a. m.]

[Docket No. G-1767]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

AUGUST 23, 1951.

Take notice that on August 14, 1951, Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation with its principal office at Kansas City, Missouri, filed an application in the alternative seeking (a) a disclaimer by the Commission of its jurisdiction or (b) a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition and operation of the following described natural-gas facilities: Measuring station at the point of connection between the terminus of a 4.7 mile pipeline of the City of Lapel, Indiana, and a 4-inch stub line extending from said point some 3,800-feet to the glass plant Brockway Glass Company, Inc.

Applicant proposes to purchase the described facilities from the Brockway Glass Company, Inc., in accordance with its contract of August 8, 1951, under the terms of which Brockway will be served natural gas as a direct industrial customer of Applicant. The point of delivery will be at the connection between Applicant's main pipeline and the existing 4-inch lateral pipeline owned by the City of Lapel, Indiana, through which the City of Lapel will transport natural gas some 4.7 miles to the measuring station described above at which point gas will be taken into the stub pipeline of Brockway.

The application recites Brockway will purchase up to 1,500 Mcf daily for use as fuel in its glass plant located near the City of Lapel, Indiana, of which volume the first 150 Mcf will be firm gas, with the remaining 1,350 Mcf supplied on an interruptible basis.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 13th day of September, 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10421; Filed, Aug. 29, 1951; 8:47 a. m.]

[Docket No. G-1770]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF APPLICATION

AUGUST 23, 1951.

Take notice that New York State Natural Gas Corporation (Applicant) a New York corporation, address, New York City, filed on August 20, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of a new 3080 horsepower compressor station, to be known as its Leidy Compressor Station, at a point in the Leidy Gas Field, Leidy Township, Clinton County, Pennsylvania.

Applicant proposes to operate said compressor station in conjunction with its natural-gas transmission pipeline No. 280 which has an average transmission line pressure of 400 pounds. Said compressor station will be capable of taking natural gas from the Leidy Gas Field at a suction pressure of 200 pounds p. s. i. g. and discharging such gas into Applicant's transmission system at a pressure of 500 pounds p. s. i. g. Applicant states that the average wellhead pressure of producing wells in said field will have declined to the point by the end of 1951 where the proposed compressor station will be required to enable Applicant to take gas from the Leidy Field.

The estimated overall capital cost of installing the proposed facility is approximately $587,900, which Applicant proposes to finance from funds obtained by the sale of its securities to its parent, Consolidated Natural Gas Company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 13th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10422; Filed, Aug. 29, 1951; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26349]

GYPSUM OR PLASTER BLOCKS AND RELATED ARTICLES FROM GEORGIA, VIRGINIA AND JACKSONVILLE, FLA., TO POINTS IN FLORIDA

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1135.

Commodities involved: Gypsum or plaster blocks, slabs or tile, solid, hollow, or perforated, carloads.

From: Savannah and Port Wentworth, Ga., Plasterco and Saltville, Va., and Jacksonville, Fla.

To: Points in Florida.

Grounds for relief: Circuity, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1135, Supp. 12.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-10432; Filed, Aug. 29, 1951; 8:49 a. m.]

[4th Sec. Application 26350]

ALCOHOL FROM PORT NECHES, TEX., TO LOUISVILLE, KY.

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Alcohol and related articles, carloads.

From: Port Neches, Tex.

To: Louisville, Ky.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supp. 189.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Com-

mission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10433; Filed, Aug. 29, 1951; 8:49 a. m]

[4th Sec. Application 26351]

PAPER ARTICLES FROM AND TO POINTS IN THE SOUTHWEST

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3905.

Commodities involved: Paper cups, dishes, and other paper articles, carloads.

From: Points in southwestern, official, southern, and western trunk-line territories, etc.

To: Southwestern territory.

Grounds for relief: Additional commodities, rail and market competition, and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3905, Supp. 34.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10434; Filed, Aug. 29, 1951; 8:49 a. m.]

[4th Sec. Application 26352]

SULPHATE OF AMMONIA FROM POINTS IN OHIO, PENNSYLVANIA, AND NEW YORK TO NORTH ATLANTIC PORTS

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 3758 and other tariffs.

Commodities involved: Sulphate of ammonia, carloads.

From: Pittsburgh, Pa., and points taking same rates, Buffalo, N. Y., Youngstown, and Cleveland, Ohio, and other points in Ohio and Pennsylvania.

To: North Atlantic ports (for export).

Grounds for relief: Circuitous routes and to maintain port relations.

Schedules filed containing proposed rates: L. C. Schuldt's tariff I. C. C. No. 3758, Supp. 386, and other tariffs listed as follows:

	Tariff I. C. C. No.	Supp. No.
B&LE R. R.	1267	6
B&O R. R.	23911	22
	23682	92
DL&W R. R.	24217	32
Erie R. R.	MF-A-24	3
LV R. R.	C-9249	15
P&LE (NYC) R. R.	3379	114
P&W. Va. Ry.	497	8
NYC (E) R. R.	283	284
NYC (W) R. R.	430	161
NYC&St. L R. R.	5942	87
	1943	8

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10435; Filed Aug. 29, 1951; 8:50 a. m.]

[4th Sec. Application 26353]

STEEL CYLINDERS OR TANKS FROM BATON ROUGE, LA., TO EVANSVILLE, IND.

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Steel cylinders, for shipping air, gasses, or liquids under pressure, and tanks, carloads.

From: Baton Rouge, La.

To: Evansville, Ind.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: W. P. Emerson, Jr.'s tariff I. C. C. No. 378, Supp. 144.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10436; Filed, Aug. 29, 1951; 8:50 a. m.]

[4th Sec. Application 26354]

CRUDE SULPHUR FROM POINTS IN TEXAS AND LOUISIANA TO PENSACOLA AND COTTONDALE, FLA.

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3862.

Commodities involved: Crude sulphur, carloads.

From: Producing points in Texas and Louisiana.

To: Cottondale, Pensacola, and North Pensacola, Fla.

Grounds for relief: Circuitous routes and competition with water carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3862, Supp. 106.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to

take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10437; Filed, Aug. 29, 1951; 8:51 a. m.]

[4th Sec. Application 26355]

ACID FROM PULASKI, VA., TO BIRMINGHAM, ALA., GROUP

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent for The Alabama Great Southern Railroad Company and other carriers.

Commodities involved: Acid, sulphuric and electrolyte, carloads.

From: Pulaski, Va.

To: Birmingham, Ala., and points grouped therewith.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1200, Supp. 24.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10438; Filed, Aug. 29, 1951; 8:51 a. m.]

[4th Sec. Application 26356]

ALCOHOLS FROM LONGVIEW, TEX., TO KINGSPORT AND HOLSTON, TENN.

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariff I. C. C. No. 3721.

Commodities involved: Isobutyraldehyde, butyraldehyde, and butyl alcohol, in tank-car loads.

From: Longview, Tex.

To: Kingsport and Holston, Tenn.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3721, Supp. 188.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10439; Filed, Aug. 29, 1951; 8:51 a. m.]

[4th Sec. Application 26357]

LIQUID FORMALDEHYDE FROM TEXAS AND OKLAHOMA TO MOSS POINT, MISS.

APPLICATION FOR RELIEF

AUGUST 27, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3919 and 3967.

Commodities involved: Liquid formaldehyde, in tank-car loads.

From: Bishop and Winnie, Tex., and Tallant, Okla.

To: Moss Point, Miss.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3919, Supp. 53; D. Q. Marsh's tariff I. C. C. No. 3967, Supp. 26.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10440; Filed, Aug. 29, 1951; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 71-15]

PEOPLES NATURAL GAS CO.

ORDER APPROVING DISPOSITION OF ADJUSTMENTS RELATING TO GAS PLANT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

Peoples Natural Gas Company ("Peoples"), a gas utility subsidiary of Northern Natural Gas Company ("Northern"), a registered holding company, having filed studies, and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 15 and 20 (b) thereof and Rule U-27 thereunder, relative to the original cost and reclassification of its gas plant accounts as at December 31, 1948, including proposals for the disposition of adjustments relating to gas plant, which proposals are summarized as follows:

On October 2, 1950, Peoples filed original cost and reclassification studies for its gas plant in accordance with Plant Instruction 2-D of the Uniform System of Accounts recommended by the National Association of Railroad and Utilities Commissioners for gas companies (which system of accounts has been made applicable by this Commission's Rule U-27). In said studies Peoples represented that $10,483.89 had been reclassified to Account 100.5, Gas Plant Acquisition Adjustments and $2,896.80 had been credited to Account 107, Gas Plant Adjustments.

The staff of the Commission made a field examination and filed its report in connection therewith, copies of which report were duly served upon the company. Peoples has amended its studies to give effect to the recommendations contained in the staff's report and now proposes to classify an amount of $29,790.45 in Account 100.5, Gas Plant Acquisition Adjustments and an amount of $26,510.88 in Account 107, Gas Plant Adjustments.

Peoples now proposes to eliminate the amount of $29,790.45 as reclassified to Account 100.5 by charging $23,790.45 to Account 271, Earned Surplus, and the balance of $6,000.00 to Account 250, Reserve for Depreciation.

The amount of $26,510.88 as reclassified to Account 107, is proposed to be

eliminated by charging $11,251.32 to Account 146, Other Deferred Debits; $11,000.00 to Account 250, Reserve for Depreciation; and the balance of $4,-259.56 to Account 271, Earned Surplus.

Notice of filing of such studies, and amendments thereto, having been duly given and the Commission not having received a request for hearing with respect to said matters within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the proposals for the disposition of the amounts established in Account 100.5 and Account 107, in the manner described above, are consistent with the requirements of Rule U-27 of the general rules and regulations promulated under the act: *It is ordered*, That:

(A) Peoples record the proposed entries on its books in order to eliminate the balances in Accounts 100.5 and 107 which were remaining on its books at December 31, 1948;

(B) Peoples submit certified copies of the entries required by paragraph (A) within sixty days from the date of this order.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10415; Filed, Aug. 29, 1951; 8:45 a. m.]

[File No. 812-738]

FOUNDERS INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 24th day of August A. D. 1951.

Notice is hereby given that Founders Incorporated of 15 North Eighth Street, Minneapolis, Minn., filed on July 23, 1951, an application under section 3 (b) (2) of the Investment Company Act of 1940 for an order declaring Applicant to be primarily engaged directly, or through majority-owned subsidiaries or through controlled companies conducting similar types of businesses, in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities.

It appears that Applicant was engaged prior to November 1, 1946 in the business of furnishing a buying and merchandising service for affiliated companies. As of November 1, 1946, Applicant (controlled by B. C. Gamble and P. W. Skogmo) sold all of its business and assets to Gamble-Skogmo, Inc. (also controlled by B. C. Gamble and P. W. Skogmo) in exchange for 1,304,270 shares of the latter's common stock. Since such exchange, Gamble-Skogmo, Inc. has been until recently a majority-owned subsidiary of Applicant. Gamble-Skogmo, Inc., since its incorporation in 1928, has always been engaged in the operation of retail stores (of which there are now more than 500) and the wholesaling of merchandise to approximately 2,000 independently owned dealer stores. In 1950 its net sales were $129,739,249. From January 1, 1947, to May 31, 1951, Applicant also owned and operated in St. Paul, Minn., a department store under the firm name and style of "Bannon's" whose sales in 1950 amounted to $1,443,639. In May 1951, Applicant sold 304,270 shares of Gamble-Skogmo, Inc. common stock. The 1,000,000 shares of such stock which it retains amounts to 40.1 percent of the 2,491,226 shares of outstanding common stock of Gamble-Skogmo, Inc. As of May 31, 1951, said 1,000,000 shares of common stock of Gamble-Skogmo, Inc., valued at $7,370,-648.99 amounted to approximately 98 percent of Applicant's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. Presumptively, and according to its own declaration, Applicant controls Gamble-Skogmo, Inc.

It further appears that Applicant has acquired, or is about to acquire, the entire capital stock of F. S. Rasco & Co., the owner and operator of 49 variety stores. Applicant expects to own and directly operate said 49 variety stores and, through its new subsidiary, F. S. Rasco & Co., to engage in the business of owning and leasing fixtures and equipment and of conducting a buying, management, and merchandising service for said 49 stores and for independently owned dealer stores. It also appears that the value of Applicant's 1,000,000 shares of common stock of Gamble-Skogmo, Inc. will, after acquisition of F. S. Rasco & Co., amount to 80 percent or more of Applicant's total assets (exclusive of Government securities and cash items) on an unconsolidated basis.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after September 10, 1951, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than September 7, 1951, at 5:30 p. m. submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to contravert.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10416; Filed, Aug. 29, 1951; 8:45 a. m.]

THOMAS HUDDLESTON ET AL.

MEMORANDUM OPINION AND ORDER REVOKING REGISTRATIONS

In the matter of Thomas Huddleston, 111 West Jackson Street, Chicago, Illinois; The Marvon Corporation, International Bldg., Rockefeller Center, New York, N. Y.; Schuyler B. Terry, 120 So. LaSalle Street, Chicago, Illinois; Forrest Walker, 1112 Canterbury Court, Dallas, Texas; Thos. A. Wilson, 8 North First Street, Belleville, Illinois.

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 23d day of August A. D. 1951.

These are proceedings pursuant to section 15 (b) of the Securities Exchange Act of 1934 ("the act") to determine whether the registrants named above, each of whom is registered as broker and dealer or as a broker only, willfully violated section 17 (a) of the act and Rule X-17A-5 thereunder and, if so, whether it is in the public interest to revoke their registrations.[1]

The proceedings were instituted by the issuance of separate notices and orders for hearing, copies of which were sent by registered mail to the addresses last furnished us by the registrants in their registration applications or amendments thereto. These registered notices were returned to us by the Post Office Department with notations indicating that the registrants could not be found at the addresses given.[2] None of the registrants appeared in person or was represented by counsel on the dates set for hearing.

On November 28, 1942, we promulgated Rule X-17A-5 under section 17 (a) of the act, which provides, among other things, that every registered broker or dealer must file with this Commission a report of financial conditions during each calendar year commencing with the year 1943. Promulgation of the rule was announced by publication in the FEDERAL REGISTER, by release to the press, and by distribution to persons on our mailing list.

The registrations of the registrants became effective prior to 1943, have not been withdrawn, cancelled, revoked or suspended, and as of the institution of the proceedings were in full force and effect. Our records show that the registrants failed to file the required reports during all or some of the years from 1943 through 1950.

Upon review of the records in these proceedings we have concluded that each of the registrants violated section 17 (a)

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[1] Section 15 (b) provides in part: "The Commission shall, after appropriate notice and opportunity for hearing, by order * * * revoke the registration of any broker or dealer if it finds that such * * * revocation is in the public interest and that (1) such broker or dealer * * * (D) has willfully violated any provision * * * of this title, or of any rule or regulation thereunder."

[2] Our orders and notices instituting these proceedings provided that the same be published in the FEDERAL REGISTER not later than 15 days prior to the dates of hearing. Pursuant to this provision the orders and notices were published in the FEDERAL REGISTERS of April 10 and 25, 1951. (16 F. R. 3146-6, 3544-5.)

of the act and Rule X-17A-5 thereunder as a result of failure to file such reports. We conclude also that such violations were willful within the meaning of section 15 (b).[3]

On the basis of the foregoing, we are of the opinion that it is necessary in the public interest to revoke the registration of each of the registrants. However, in view of the fact that our records do not show whether any of them actually received personal notice of the scheduled hearings, and to avoid any possible prejudice to them, our order will provide that the revocation of registrations be without prejudice to a motion on the part of any registrant to reopen the proceedings and to seek, upon a proper showing, to set aside the order of revocation applicable to said registrant.[4]

Accordingly it is ordered, That the registrations of Thomas Huddleston, The Marvon Corporation, Schuyler B. Terry, Forrest Walker, and Thos. A. Wilson be, and they hereby are, revoked without prejudice to a motion by any of the said registrants to reopen the record in the proceeding naming such registrant and, upon a proper showing, to set aside the order of revocation applicable to said registrant.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-10417; Filed, Aug. 29, 1951; 8:45 a. m.]

[File No. 70-2687]

OHIO EDISON CO.

NOTICE OF PROPOSED SALE OF UTILITY ASSETS

At a regular session of the Securities and Exchange Commission, held at its offices in the City of Washington, D. C., on the 23d day of August A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 (the "act") by Ohio Edison Company ("Ohio Edison"), a public utility company and a registered holding company. Declarant has designated section 12 (d) of the act and Rule U-44 promulgated thereunder as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than September 6, 1951, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by such declaration, proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter such declaration, as filed or as hereafter amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized as follows:

Ohio Edison proposes to sell to Dayton Power & Light Co. ("Dayton"), a non-affiliated electric utility company, a portion of a certain 34,500 volt electric transmission line, right of way and related facilities, extending from the North Clark County line in Ohio to Waynesfield, Ohio. Said transmission line has heretofore been used by Ohio Edison solely for the purpose of supplying energy to Dayton and is located within an area served by Dayton. Said transmission line is stated to be unnecessary to the operation of Ohio Edison's business but useful in Dayton's business.

The purchase price to be paid for said property will be $268,326, in cash, which is stated to represent the reproduction cost new, less observed depreciation. Said reproduction cost new is stated to have been unanimously agreed upon by representatives of the contracting parties and a designee of the Public Utilities Commission of Ohio. The estimated original cost of said property as recorded on Ohio Edison's books, as at June 30, 1951, was $171,587, and the estimated depreciation reserve applicable thereto was $72,115.

It is further stated that the expenses to be incurred in connection with the proposed transaction will be approximately $5,092, including payments of $3,210 to Messrs. Jensen, Bowen and Farrell for appraisal services, $250 to Commonwealth Services, Inc. for services in connection with the release of the property from the lien of Ohio Edison's mortgage and $1,000 to Messrs. Winthrop, Stimson, Putnam & Roberts for legal services. After deduction of the foregoing expenses and Federal capital gains tax estimated at $45,750, Ohio Edison estimates it will realize a profit of $121,747 by the sale of the property and it proposes to credit this amount to earned surplus.

The proposed transaction has been approved by the Public Utilities Commission of Ohio.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-10418; Filed, Aug. 29, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18347]

WILHELM MEENEN ET AL.

In re: Securities owned by Wilhelm Meenen and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the individuals whose names are set forth as owners in Exhibits A and B attached hereto and by reference made a part hereof, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the enterprises whose names are set forth as owners in Exhibits A and B attached hereto and by reference made a part hereof, are corporations, partnerships, associations or other business organizations organized under the laws of Germany, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Germany, and are nationals of a designated enemy country (Germany);

3. That Karl Kleinesorge, whose last known address is Witten, Mannen 33, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

4. That Karl Texter, whose last known address is Essen-Sud, Werrastr. 8, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

5. That Marie Albert, whose last known address is Dortmund-Berghofen, Falterweg 28, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

6. That Hulda Ronte, whose last known address is Hagen, zur Niedenstr. 6 fur Erbangsmeinschaft Rente, Hagen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

7. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, owned by the persons identified therein as owners, together with any and all declared and unpaid dividends thereon,

b. Those certain debts or other obligations, matured or unmatured, evidenced by the bonds described in Exhibit B, owned by the persons identified therein as owners, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect same and any and all rights under said bonds,

c. All rights and interests in and under five (5) Certificates of Workingmen's Educational and Home Association, said certificates owned by Karl Kleinesorge, numbered and in the face amounts listed below:

Certificate Nos.:	*Face value*
10031	$25.00
11104	50.00
11169	50.00
11210	50.00
11411	100.00

d. All rights and interests in and under six (6) Certificates of Workingmen's Educational and Home Association, said certificates owned by Karl Texter, num-

[3] See Sidney Ascher — S. E. C. — (1950), Securities Exchange Act Release No. 4474.
[4] Ibid.

bered and in the face amounts listed below:

Certificate Nos.:	Face value
10075	$25.00
10129	25.00
10130	25.00
11010	50.00
11015	50.00
11336	100.00

e. All rights and interests in and under one (1) certificate for Dimont Realty Corporation guaranteed first mortgage 5½% bond of 1928, bond numbered 335601, said certificate issued by Title Guarantee and Trust Company in the face amount of $3,500.00, numbered B76520 and owned by Marie Albert, and

f. All rights and interests in and under one (1) Certificate of Deposit for American Insurance Union Building 6% mortgage bond, said certificate issued by The City National Bank and Trust Company of Columbus, Ohio, numbered 230 in the amount of $1,000.00 and owned by Hulda Ronte,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany).

and it is hereby determined:

7. That to the extent that the persons referred to in subparagraphs 1 and 2 hereof and the persons named in subparagraphs 3, 4 and 5 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name of issuer	Class of stock	Par value	Certificate No.	Number of shares	Owner
Turning Basin Compress Co.	Capital	$100.00	71	3	Wilhelm Meenen.
United Properties & Service Corp.	Common	None	127/31	960	Wilhelm Kremer.
United States Electric Power Corp.	do	1.00	JU 36595	11	Lilly Hayssen.
The Wabash R. R. Co.	do	100.00	A 2839, B 31078, B 31512, B 31667/73.	100	Dresdner Bank.
Western Light & Telephone Co.	do	1.00	C 3839	100	Ferdinand Mantal.
Do.	Preferred	25.00	PO 1355	10	Do.
The Wichita Church Supply Co.	Capital	100.00	11	2	Johann Brembach.
Wisconsin Memorial Park Co.	Preferred	1.00	150, 163	36	Wilhelm Bellmund.
Wollenberger & Co.	Preferred, Series A	100.00	117, 240	46	Wilhelm Kremer.
Do.	Preferred, Series AA.	100.00	20, 217	10	Do.
Do.	Common	10.00	31, 260, 340	24	Do.

EXHIBIT B

Description of issue	Face value	Certificate No.	Owner
United States Rubber Co. first and refunding mortgage 5-percent gold bond, Series A, due Jan. 1, 1947.	$1,000.00	M12396	Clara Corell.
Chicago & Southwestern Ry. Co. (Atchison Branch) first mortgage, 30-year, 7-percent gold bonds, due June 1, 1901.	1,000.00	616, 826	Iduna Hinrichs.

[F. R. Doc. 51-10347; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 18350]

KARL WISSMANN

In re: Bonds owned by Karl Wissmann. F-28-31592.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Wissman, who there is reasonable cause to believe, is a resident of Germany is a national of a designated enemy country (Germany);

2. That the property described as follows: Two (2) Alpine Montan Steel Corporation 7% Closed First Mortgage Thirty-year Sinking Fund Gold Bonds, in bearer form, bearing the numbers M 1609 and D 61 of $1,000.00 and $500.00 face value respectively, and presently in the custody of the Attorney General of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 21, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10350; Filed, Aug. 27, 1951; 8:49 a. m.]

[Vesting Order 500A-290]

COPYRIGHTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons (including individuals, partnerships, associations, corporations or other business organizations) referred to or named in Column 5 of Exhibit A set forth below and made a part hereof and whose last known addresses are listed in said Exhibit A as being in a foreign country (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and covering works the titles of which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are residents of, or are organized under the laws of, or have their principal places of business in, such foreign country and are nationals thereof;

2. That all right, title, interest and claim of whatever kind or nature, under the statutory and common law of the United States and of the several

States thereof, of the persons referred to in Column 5 of said Exhibit A, and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this order including said Exhibit A, who are residents of, or which are organized under the laws of or have their principal places of business in, Germany or Japan, and are nationals of such foreign countries, in, to and under the following:

a. The copyrights, if any, described in said Exhibit A,

b. Every copyright, claim of copyright and right to copyright in the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number,

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the foregoing,

d. All monies and amounts, and all rights to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the foregoing,

e. All rights of renewal, reversion or revesting, if any, in the foregoing, and

f. All causes of action accrued or to accrue at law or in equity with respect to the foregoing, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting the foregoing,

is property of, and is property payable or held with respect to copyrights or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of foreign countries.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 6, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Copyright Nos.	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
E. 592,039	Quartett in D-dur. (für obligate Laute, Violine, Bratsche und Violoncell), published: Dec. 31, 1923.	Franz Josef Haydn (composer) and Hans Dagobert Bruger (editor) nationality not established.	Julius Zwissler (G. Kallmeyer) Wolfenbuettel, Germany (nationality: German).	Owners.
Unknown	Franz Schubert Quartett für Floete, Gitarre, Bratsche und Violoncell Nach der Urschrift herausgegeben von Georg Kinsky, (c) 1926.	Franz Schubert (composer) and Georg Kinsky (editor) (nationality not estahlished).	Drei Masken Verlag A. G. München, Germany (nationality: German).	Do.

[F. R. Doc. 51-10446; Filed, Aug. 29, 1951; 8:53 a. m.]

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934
VOLUME 16 NUMBER 170
Washington, Friday, August 31, 1951

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10282

SUSPENSION OF THE EIGHT-HOUR LAW AS TO LABORERS AND MECHANICS EMPLOYED BY THE DEPARTMENT OF THE INTERIOR ON PUBLIC WORK ESSENTIAL TO THE NATIONAL DEFENSE

WHEREAS by Proclamation No. 2914 of December 16, 1950, I proclaimed the existence of a national emergency which requires that the military, naval, air, and civilian defenses of this country be strengthened as speedily as possible; and

WHEREAS by section 1 of the act of August 1, 1892, 27 Stat. 340, as amended by the act of March 3, 1913, 37 Stat. 726 (40 U. S. C. 321), the service or employment of all laborers and mechanics employed by the Government of the United States upon any public work of the United States is limited to eight hours in any one calendar day, except in case of extraordinary emergency; and

WHEREAS the Department of the Interior is engaged in public work which is essential to the defense program; and

WHEREAS I find that as to such public work being performed by the Department of the Interior an extraordinary emergency exists:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of August 1, 1892, as amended by the said act of March 3, 1913, and as President of the United States, I hereby suspend for the duration of the national emergency proclaimed by me on December 16, 1950, the above-mentioned provisions of law prohibiting more than eight hours of labor in any one calendar day by laborers and mechanics employed by the Government of the United States as to all work performed by laborers and mechanics employed by the Department of the Interior on any public work which is designated by the Secretary of the Interior as essential to the defense program: *Provided*, that the wages of all laborers and mechanics so employed by the Department of the Interior shall be computed on a basic day rate of eight hours of work with overtime to be paid at time and one-half for all hours of work in excess of eight hours in any one day.

Executive Order No. 9360 of July 7, 1943, entitled "Suspension of Eight-Hour Law as to Laborers and Mechanics Employed by the Department of the Interior on Public Works within the United States", and Executive Order No. 9368 of August 9, 1943, extending the provisions of the aforesaid order to certain public work within the Territory of Alaska, are hereby superseded; but nothing contained in this order shall prejudice any action heretofore taken under or pursuant to the said Executive Order No. 9360 or the said Executive Order No. 9368.

HARRY S. TRUMAN

THE WHITE HOUSE,
August 29, 1951.

[F. R. Doc. 51-10605; Filed, Aug. 30, 1951; 9:56 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[MQ-71 Peanuts (1950) Amdt. 2]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1950 CROP

Basis and purpose. Under section 359 (g) of the Agricultural Adjustment Act of 1938, as amended, if the total acreage of peanuts picked or threshed on a farm in 1950 did not exceed the total acreage of peanuts picked or threshed on the farm in 1947, payment of the marketing penalty is not required on any excess peanuts produced on such farm which are delivered to or marketed through an agency designated by the Secretary of Agriculture. Commodity Credit Corporation, which is the agency designated to receive such excess peanuts, purchased them through its receiving agencies through June 15, 1951, and is still purchasing them through peanut shellers.

The marketing year, as specified in section 359 (a) of the Agricultural Adjustment Act as amended, is from August 1 through July 31. Practically all peanuts of the 1950 crop, with the possible exception of a small quantity produced in the Virginia-Carolina area, have now been marketed by peanut producers. Peanut buyers in the southernmost areas of the peanut-producing belt are now

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buying peanuts of the 1951 crop for their own accounts and for the Commodity Credit Corporation. In order that these buyers and other peanut buyers may properly carry out their responsibilities under the marketing quota and price support programs with respect to the 1951 crop, it is necessary that they be relieved at the earliest possible date of the existing requirements that they accept any excess oil peanuts of the 1950 crop offered by farmers at oil prices without payment of the marketing penalty. Failure to relieve the buyers of such requirements will necessitate their maintaining a separate system of accounting and paying for excess oil peanuts purchased for the account of Commodity Credit Corporation, as well as separate records and reports to the State PMA Office and the office of the Designated Agency for the area. Accordingly, the amendment contained herein, establishing August 31, 1951, as the final date for farmers to deliver excess peanuts of the 1950 crop at their oil value in lieu of paying the marketing penalty on such peanuts, shall become effective upon publication of the amendment in the FEDERAL REGISTER.

Prior to preparing this amendment, public notice of its formulation was published in the FEDERAL REGISTER (16 F. R. 7876) in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003). No data, views or recommendations pertaining to the amendment were received within the time prescribed.

Section 729.153 of the Marketing Quota Regulations for the 1950 Crop of Peanuts (15 F. R. 4739) is hereby changed to read as follows:

§ 729.153 *Extent to which marketings from a farm are subject to penalty.* The marketing of peanuts in excess of the farm marketing quota for any farm shall be subject to a penalty at the rate prescribed in § 729.155 and the penalty shall be paid on each lot of peanuts marketed from the farm in an amount equal to the converted penalty rate multiplied by the number of pounds in the lot, except that payment of the penalty will not be required on any excess peanuts produced on a farm eligible for an excess oil card, if on or before August 31, 1951, such excess peanuts are delivered to or marketed through an agency designated by the Secretary. The converted penalty rate shall be determined as follows:

(a) Determine the percent excess for the farm by dividing the excess acreage by the farm peanut acreage.

(b) Determine the converted penalty rate by multiplying the percent excess by the rate of penalty prescribed in § 729.155.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 359, 55 Stat. 90, as amended; 7 U. S. C. and Sup 1359)

Done at Washington, D. C., this 29th day of August 1951. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51–10536; Filed, Aug. 30, 1951; 8:52 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO-226-A1]

Part 925—Milk in the Puget Sound, Washington Marketing Area

ORDER AMENDING ORDER

§ 925.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Washington, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order effective on September 1, 1951. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Accordingly, any further delay in the effective date of this order amending the order will seriously impair the orderly marketing of milk in the Puget Sound, Washington, marketing area. The provisions of the said amendatory order are well known to handlers and producers, the public hearing having been held on August 7-8, 1951, and a final decision on the amendment provisions having been issued August 20, 1951. Reasonable time under the circumstances has been afforded persons affected to prepare for its effective date. Therefore, it would be contrary to the public interest to delay the effective date of this amendatory order for 30 days after its publication in the Federal Register. (See sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of the milk covered by this order amending the order which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period (June 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Puget Sound, Washington, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended as follows:

1. Delete § 925.51 (a) and substitute therefor the following:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price plus $1.87 through March 1952 and thereafter the basic formula price plus $1.45: *Provided,* That the price for Class I milk for the months of April through June, inclusive, of any year shall not be higher than the price computed pursuant to the above provisions of this paragraph for the month of March immediately preceding, and the price for Class I milk for any October through January period, inclusive, shall not be lower than the price computed pursuant to the above provisions of this paragraph for the month of September immediately preceding.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 28th day of August 1951, to be effective on and after the 1st day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-10504; Filed, Aug. 30, 1951; 8:50 a. m.]

Part 965—Milk in the Cincinnati, Ohio, Marketing Area

ORDER AMENDING ORDER, AS AMENDED

§ 965.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Cincinnati, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk produced for sale in the said marketing area as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making effective not later than September 1, 1951, this order amending the said order, as amended. This action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk. Accordingly, any further delay in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the Cincinnati, Ohio, marketing area. The provisions of the said amendatory order are well known to handlers—the public hearing having been held June 12, 1951, and the decision having been executed by the Secretary on August 21, 1951. Reasonable time under the circum-

stances has been afforded persons affected to prepare for its effective date. Therefore, it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this amendatory order 30 days after its publication in the FEDERAL REGISTER (see sec. 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended, which is marketed within the Cincinnati, Ohio, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who during the determined representative period (June 1951), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Cincinnati, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

1. Amend § 965.41 (a) to read as follows:

(a) Class I milk shall be (1) all milk and skim milk disposed of in the form of milk and milk drinks; (2) all milk and skim milk used to produce concentrated milk (excluding those products commonly known as evaporated milk and condensed milk) for fluid consumption; (3) all milk and skim milk disposed of in the form of any product containing less than 8.0 percent of butterfat not specified in Class II milk, Class III milk, or Class IV milk; or (4) all shrinkage of butterfat in receipts of butterfat from producers and emergency milk in excess of 2.5 percent of such receipts.

2. Amend § 965.51 (a) and (b) to read as follows:

(a) The price for Class I milk shall be the basic formula price, plus $1.05 for the months of April through July and $1.35 for the months of August through March, plus or minus "a supply-demand adjustment" computed as follows:

(1) Divide the total gross volume of Class I milk (less interhandler transfers) in the second and third months preceding by total receipts of producer milk for the same months, multiply the result by 100, and round to the nearest whole number. The result shall be known as the Class I utilization percentage.

(2) Compute a "net utilization percentage" by subtracting from the utilization percentage as computed in subparagraph (1) of this paragraph, the Class I utilization percentage shown below:

Month for which the price is being computed:	*Class I utilization percentage*
January	73
February	75
March	74
April	70
May	63
June	56
July	47
August	44
September	45
October	47
November	54
December	64

(3) Determine the amount of the supply-demand adjustment as follows:

If net utilization percentage is—	Supply-demand adjustment for specified months is—		
	Jan., Feb., Mar., Aug., and Sept.	Apr., May, June, July	Oct., Nov., and Dec.
	Cents	*Cents*	*Cents*
+12 or over	+38	+25	+50
+9 or +10	+28	+19	+38
+6 or +7	+20	+13	+26
+3 or +4	+10	+7	+14
+1 or −1	0	0	0
−3 or −4	−10	−14	−7
−6 or −7	−20	−26	−13
−9 or −10	−28	−38	−19
−12 or −13	−38	−50	−25
−15 or −16	−38	−50	−31
−18 or −19	−38	−50	−37
−21 or −22	−38	−50	−43
−24 or under	−38	−50	−50

When the difference from the base period Class I utilization percentage does not fall within the tabulated brackets the adjustment shall be determined by the adjacent bracket which is the same as or nearest to the bracket used in the previous month: *Provided,* That the Class I differential adjusted pursuant to this subparagraph for the month of July shall not be more than such adjusted differential for the immediately preceding month of June and for each of the months of August and September the Class I differential adjusted pursuant to this subparagraph shall not be more than such adjusted differential for the immediately preceding month of June plus 30 cents; and the Class I differential adjusted pursuant to this subparagraph for each of the months of December, January and February shall not be less than the adjusted differential for the immediately preceding month of November.

(b) The price for Class II milk shall be the price for Class I milk minus $0.45.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 28th day of August 1951, to be effective on and after the 1st day of September 1951.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 51-10501; Filed, Aug. 30, 1951; 8:50 a. m.]

PART 968—MILK IN THE WICHITA, KANS., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 968.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make this order amending the order, as amended, effective not later than September 1, 1951, so as to reflect current marketing conditions. Any delay beyond September 1, 1951, in the effective date of this order amending the order, as amended, will seriously impair the orderly marketing of milk in the Wichita, Kansas, marketing area. The provisions of the said order are well known to handlers, the public hearing having been held August 9, 1950, and the decision of the Secretary having been issued on August 21, 1951. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order, as amended, effec-

tive September 1, 1951, and that it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order 30 days after its publication in the FEDERAL REGISTER (sec. 4 (c) Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237; 5 U. S. C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order amending the order, as amended) of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Wichita, Kansas, marketing area, refused or failed to sign the marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of the producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the representative period (January 1951), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Wichita, Kansas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Replace the period with a colon at the end of § 968.50 (a) and add the following: "*Provided,* That for September through December 1951, inclusive, the Class I price shall be that determined pursuant to § 968.51 plus $1.80."

2. Replace the period with a colon at the end of § 968.50 (b) and add the following: "*Provided,* That for September through December 1951, inclusive, the Class II price shall be that determined pursuant to § 968.51 plus $1.55."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 28th day of August 1951, to be effective on and after the 1st day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-10503; Filed, Aug. 30, 1951; 8:50 a. m.]

PART 978—MILK IN THE NASHVILLE, TENNESSEE, MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

§ 978.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and certain proposed amendments to the order regulating the handling of milk in the Nashville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as amended hereby, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act.

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as hereby amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order, amending the order effective September 1, 1951. Such action is necessary in the public interest in order to reflect current marketing conditions and to promote the orderly marketing of milk in the Nashville, Tennessee, marketing area. Any further delay in the effective date of this order amending the order will seriously threaten the orderly marketing of milk in the Nashville, Tennessee, marketing area. The provisions of the said order are well known to handlers, the public hearing having been held May 31–June 5, 1951, the recommended decision having been published in the FEDERAL REGISTER (16 F. R. 7717) August 7, 1951, and the final decision having been executed by the Acting Secretary on August 22, 1951. Therefore, reasonable time under the circumstances, has been afforded persons affected to prepare for its effective date and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4 (c), Administrative Procedure Act, Pub. Law 404, 79th Cong., 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of the milk covered by this order amending the order which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who, during the determined representative period (June 1951) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Nashville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 978.2 (c) (10) and substitute the following:

(10) Publicly announce the prices and butterfat differentials determined for each delivery period as follows: (i) On or before the 6th day after the end of such delivery period, the prices and butterfat differentials for Class II milk computed pursuant to § 978.5; and (ii) on or before the 10th day after the end of such delivery period, the uniform price, computed pursuant to § 978.7 (b), the butterfat differential to be paid pursuant to § 978.8 (f) and the Class I price and the Class I butterfat differential for the next following delivery period pursuant to § 978.5.

2. Add as § 978.3 (d) the following:

(d) *Reports from the market administrator to cooperative associations.* On or before the 15th day after the end of each delivery period, the market administrator shall report to each cooperative association as described in § 978.10 (b), upon request by such association, the percentage of milk caused to be delivered by such association or by its members which was used in each class by each handler receiving any such milk. For the purpose of this report the milk so received shall be prorated to each class in the proportion that the total receipts of milk from producers by such handler were used in each class.

3. Delete § 978.4 and substitute the following:

§ 978.4 *Classification of milk*—(a) *Basis of classification.* All skim milk and butterfat contained in (1) milk, skim milk, cream, and milk products received at a fluid milk plant and (2) producer milk diverted pursuant to § 978.1 (j) (2) shall be classified by the market administrator in the classes set forth in paragraph (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in paragraphs (c), (d), (e), and (f) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat: (i) Disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, flavored milk drinks, cream, eggnog, yoghurt, and any other milk product which is required by the Nashville Health Department to be made from approved butterfat and skim milk, and (ii) not specifically accounted for as Class II milk.

(2) Class II milk shall be all skim milk and butterfat: (i) Used to produce any item other than those specified in subparagraph (1) of this paragraph; (ii) in inventory variations; (iii) disposed of for livestock feed; (iv) in actual plant shrinkage of skim milk and butterfat received in producer milk, but not in excess of 3 percent of such receipts of skim milk and butterfat, respectively, hereinafter known as allowable shrinkage; and (v) in actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided,* That if producer milk is utilized as milk, skim milk, or cream in conjunction with other source milk the shrinkage of skim milk and butterfat, respectively, allocated to producer milk and other source milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

(c) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified in another class.

(2) Any skim milk or butterfat classified (except that transferred to a producer-handler) in one class shall be reclassified if used or reused by such handler or by another handler in another class.

(d) *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(1) As Class I milk if transferred or diverted to a fluid milk plant of another handler (except a producer-handler), unless utilization in Class II milk is mutually indicated in writing to the market administrator by both handlers on or before the 6th day after the end of the delivery period within which such transaction occurred: *Provided,* That skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to paragraph (f) of this section, and any excess of such skim milk or butterfat, respectively, shall be assigned to Class I milk.

(2) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section to a producer-handler.

(3) As Class I milk if transferred or diverted to a nonfluid milk plant located less than 85 miles from the City Hall at Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless (i) the handler claims Class II milk on the basis of a utilization mutually indicated in writing to the market administrator by both the operator of the nonfluid milk plant and the handler on or before the 6th day after the end of the delivery period within which such transaction occurred, (ii) the operator of the nonfluid milk plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (iii) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided,* That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified as Class I milk.

(4) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section to a nonfluid milk plant located 85 miles or more from the City Hall in Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, unless in the case of bulk fluid cream only (i) the handler claims Class II utilization, (ii) such cream is disposed of other than as Grade A cream under a Grade A certification or label of the handler or the health authority(s) having jurisdiction over inspection of the handler's plant, (iii) the handler tags or otherwise labels such cream "for manufacturing uses" and (iv) the handler notifies the market administrator 24 hours in advance of his intention to make such Class II disposition.

(e) *Computation of skim milk and butterfat in each class.* For each delivery period, the market administrator shall correct for mathematical and other obvious errors the delivery period report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk and Class II milk for such handler.

(f) *Allocation of skim milk and butterfat classified.* (1) The pounds of skim milk remaining in each class after making the following computations for each handler for each delivery period shall be the pounds in such class allocated to producer milk received by such handler;

(i) Subtract allowable shrinkage of skim milk from the total pounds of skim milk in Class II milk;

(ii) Subtract from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced available use, the pounds of skim milk in other source milk;

(iii) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received from other handlers and assigned to such class pursuant to paragraph (d) (1) of this section;

(iv) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subdivision (i) of this subparagraph; or if the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class, in series beginning with the lowest-priced utilization.

(2) Allocate the pounds of butterfat in each class to producer milk in the same manner prescribed for skim milk in subparagraph (1) of this paragraph.

(3) Add the pounds of skim milk and the pounds of butterfat allocated to producer milk in each class, respectively, as computed pursuant to subparagraphs (1) and (2) of this paragraph, and determine the percentage of butterfat in each class.

4. Delete § 978.5 and substitute the following:

§ 978.5 *Minimum prices*—(a) *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the price for Class I milk and pursuant to paragraph (b) of this section shall be the highest of the prices per hundredweight for milk of 4.0 percent butterfat content computed pursuant to subparagraphs (1), (2), or (3) of this paragraph, or paragraph (b) (2) of this section, all for the preceding delivery period.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 10th day after the end of the delivery period by the companies listed below:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Add an amount computed by multiplying the butterfat differential computed pursuant to § 978.8 (f) by 5.

(2) The price per hundredweight computed as follows:

(i) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the delivery period on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(3) The price per hundredweight computed as follows: Multiply by 4.0 the arithmetical average of daily wholesale prices per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, add 20 percent thereof, and add to such sum 3¾ cents for each full ½ cent that the arithmetical average of carlot prices per pound of nonfat dry milk solids (not including that specifically designated animal feed) spray and roller process, f. o. b. Chicago area manufacturing plants, as reported by the Department of Agriculture during the delivery period, is above 5 cents: *Provided*, That if such f. o. b. manufacturing plant prices of nonfat dry milk solids are not reported there shall be used for the purpose of such computation, the arithmetical average of the carlot prices of nonfat dry milk solids delivered at Chicago, Illinois, as reported weekly by the Department of Agriculture during the delivery period; and in the latter event the "5 cents" shall be increased by 1 cent.

(b) *Class prices.* Subject to the provisions of paragraph (c) of this section, each handler shall pay producers, at the time and in the manner set forth in § 978.8 not less than the prices per hundredweight computed as follows for the respective quantities of Class I milk and Class II milk computed pursuant to § 978.4 (f).

(1) *Class I milk.* The price for Class I milk shall be the basic formula price plus a differential of $1.25, plus or minus a supply-demand adjustment computed as follows:

(i) Divide the total receipts of producer milk in the first and second preceding delivery periods by the total gross volume of Class I milk (less interhandler transfers) for such period, multiply the result by 100, and round to the nearest whole number. The result shall be known as the "current supply-demand relationship."

(ii) Compute a net deviation percentage by subtracting from the "current supply-demand relationship" computed pursuant to subdivision (i) of this subparagraph, the "base period supply-demand index" shown below:

Delivery period for which the Class I price is computed (month)	Delivery periods used to compute relationship (months)	Base period supply-demand index (percent)
January	November–December	109
February	December–January	111
March	January–February	113
April	February–March	119
May	March–April	132
June	April–May	145
July	May–June	147
August	June–July	144
September	July–August	140
October	August–September	128
November	September–October	115
December	October–November	109

(iii) Determine the amount of the supply-demand adjustment from the following schedule:

Net deviation (percentage points):	*Adjustment amount (cents)*
−24 or more	+49
−21 or −22	+43
−18 or −19	+37
−15 or −16	+31
−12 or −13	+25
− 9 or −10	+19
− 6 or − 7	+13
− 3 or − 4	+ 7
−1, 0, or +1	0
+ 3 or + 4	− 7
+ 6 or + 7	−13
+ 9 or +10	−19
+12 or +13	−25
+15 or +16	−31
+18 or +19	−37
+21 or +22	−43
+24 or more	−49

In case the net deviation percentage does not fall within the tabulated brackets, the adjustment amount shall be determined by the adjacent net deviation bracket which is the same as or nearest to the bracket used in the previous month: *Provided*, That the Class I differential adjusted pursuant to this subdivision for each of the months of May, June, and July shall not be more than such adjusted differential for the immediately preceding month of April; and that the Class I differential adjusted pursuant to this subdivision for each of the months of November, December, and January shall not be less than such adjusted differential for the month of October.

(2) *Class II milk.* The price per hundredweight for Class II milk shall be the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 6th day after the end of the delivery period by the companies indicated below:

Company and Location

Cudahy Packing Co., Lafayette, Tenn.
Carnation Co., Murfreesboro, Tenn.
Kraft Foods Co., Gallatin, Tenn.
Borden Co., Fayetteville, Tenn.
Swift & Co., Lebanon, Tenn.
Borden Co., Lewisburg, Tenn.
Kraft Foods Co., Pulaski, Tenn.
Lakeshire-Marty Cheese Co., Carthage, Tenn.
Swift & Co., Lawrenceburg, Tenn.
Wilson & Co., Murfreesboro, Tenn.

(c) *Butterfat differential to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 978.4 (f), is more or less than 4.0 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such weighted average butterfat test is above or below, respectively, 4.0 percent, a butterfat differential (computed to the nearest 10th of a cent), calculated for each class of utilization as follows:

(1) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the preceding delivery period, and divide the result by 10.

(2) *Class II milk.* Multiply by 1.15 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the delivery period, and divide the result by 10.

5. In § 978.9 delete the words "and Class II milk."

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 28th day of August 1951, to be effective on and after the 1st day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51–10502; Filed, Aug. 30, 1951; 8:50 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

NEWSPAPER PROSPECTUSES FOR FOREIGN GOVERNMENTS

Statement of purpose. On August 2, 1951, the Securities and Exchange Commission published notice that it had under consideration a proposal for the adoption of a rule under the Securities Act of 1933 with respect to newspaper prospectuses relating to securities issued by foreign national governments. The Commission has considered all comments and suggestions received in connection with the proposed rule and has determined that the rule should be adopted in the form set forth below.

Statutory basis. The new rule is adopted pursuant to the Securities Act of 1933, particularly sections 7, 10 and 19 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out its functions under the act.

The text of the rule hereby adopted is as follows:

§ 230.494 *Newspaper prospectuses.* (a) This section shall apply only to newspaper prospectuses relating to securities

issued by a foreign national government with which the United States maintains diplomatic relations. The term "newspaper prospectus" means an advertisement of securities in newspapers, magazines or other periodicals which are admitted to the mails as second-class matter and which are not distributed by the advertiser. The terms does not include reprints, reproductions or detached copies of such advertisements. A newspaper prospectus shall not be deemed a prospectus meeting the requirements of section 10 for the purpose of section 2 (10) (a) or 5 (b) (2) of the act.

(b) All information included in a newspaper prospectus may be expressed in such condensed or summarized form as may be necessary in the light of the circumstances under which newspaper prospectuses are authorized to be used. The information need not follow the order in which the information is set forth in the registration statement or in the full prospectus. No information need be set forth in tabular form.

(c) The following statement shall be set forth at the head of every newspaper prospectus in conspicuous print:

These securities, though registered, have not been approved or disapproved by the Securities and Exchange Commission, which does not pass on the merits of any registered securities.

(d) There shall be set forth at the foot of every newspaper prospectus in conspicuous print a statement to the following effect:

Further information, particularly financial information, is contained in the registration statement filed with the Commission and in a more complete prospectus which must be furnished to each purchaser and is obtainable from the following persons: (Insert names.)

(e) If the registrant or any of the underwriters knows or has reasonable grounds to believe that it is intended to stabilize the price of any security to facilitate the offering of the registered security, there shall be placed in the newspaper prospectus, in capital letters, the statement required by § 230.426 (Rule 426) to be included in the full prospectus.

(f) A newspaper prospectus shall contain the information specified in subparagraphs (1) to (9) of this paragraph. All other information and documents contained in the registration statement may be omitted. The following information shall be included:

(1) The name of the borrowing government;

(2) A brief description of the securities to be offered;

(3) The price at which it is proposed to offer the security to the public in the United States;

(4) The purpose and approximate amounts to be devoted to such purposes, so far as determinable, for which the security to be offered is to supply funds; and if funds for such purposes are to be raised in part from other sources, the amounts and the sources thereof;

(5) A brief statement as to the amount of funded and floating debt outstanding and to be created, excluding inter-governmental debt;

(6) A condensed or summarized statement of receipts and expenditures for the last three fiscal years for which data are available;

(7) A condensed or summarized statement of the balance of international payments for the last three fiscal years for which data are available;

(8) If the issuer or its predecessor has defaulted on the principal or interest of any external debt, excluding intergovernmental debt, during the last twenty years, the date, amount and circumstances of such default and the general effect of any succeeding arrangement;

(9) Underwriting discounts and commissons per unit and in the aggregate.

(g) A newspaper prospectus may also include, in condensed, summarized or graphic form, additional information the substance of which is contained in the registration statement. A newspaper prospectus shall not contain any information the substance of which is not set forth in the registration statement.

(h) All information included in a newspaper prospectus shall be set forth in type at least as large as seven-point modern type: *Provided, however,* That such information shall not be so arranged as to be misleading or obscure the information required to be included in such a prospectus.

(i) Five copies of every proposed newspaper prospectus, in the size and form in which it is intended to be published, shall be filed with the Commission at least three business days before definitive copies thereof are submitted to the newspaper, magazine or other periodical for publication. Within seven days after publication, five additional copies shall be filed in the exact form in which it was published and shall be accompanied by a statement of the date and manner of its publication.

Inasmuch as the use of a newspaper prospectus is optional, and in order to make the rule available immediately for any person desiring to use it, the rule shall become effective August 27, 1951.

(Sec. 19, 48 Stat. 85, as amended; 15 U. S. C. 77s. Interprets or applies secs. 7, 10, 48 Stat. 78, 81; 15 U. S. C. 77g, 77j)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 27, 1951.

[F. R. Doc. 51-10470; Filed, Aug. 30, 1951; 8:46 a. m.]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

REPORTS BY CANADIAN BANKS

Statement of purpose. On July 5, 1951, the Securities and Exchange Commission published notice that it had under consideration a proposal for the adoption of a rule dealing with reports filed pursuant to section 15 (d) of the Securities Exchange Act of 1934 by Canadian banks. The Commission has now considered the matter and has determined that the rule should be adopted in the form in which it was published. The rule permits Canadian banks to file as their annual reports under the act the information and documents which they are required by the Bank Act of Canada to furnish to their stockholders. The rule further provides that current and quarterly reports need not be filed by such banks.

Statutory basis. The rule is adopted pursuant to the Securities Exchange Act of 1934, particularly sections 15 (d) and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out its functions under the act.

The text of the rule is as follows:

§ 240.15d-14 *Reports by Canadian banks.* (a) Any bank existing under the laws of the Dominion of Canada and subject to the Bank Act of Canada may file as its annual report pursuant to this section (Rule X-15D-14) the information and documents which such bank is required by section 53 of such act, or any section superseding such section, to furnish to its stockholders. Such information and documents, if not in the English language, shall be accompanied by an English translation, shall be filed under cover of the facing sheet of Form 10-K, and shall be accompanied by the signatures required by that form. Such annual report shall be filed with the Commission not later than the expiration of the period specified in the act within which such information and documents are required to be sent to stockholders.

(b) Any such bank filing annual reports pursuant to this section need not file current reports pursuant to § 240.15d-11 (Rule X-15D-11) or quarterly reports pursuant to § 240.15d-13 (Rule X-15D-13).

(Sec. 23, 48 Stat. 901, as amended; 15 U. S. C. 78w. Interprets or applies sec. 15, 48 Stat. 895, as amended; 15 U. S. C. 78o)

The foregoing rule shall become effective September 27, 1951.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

AUGUST 27, 1951.

[F. R. Doc. 51-10471; Filed, Aug. 30, 1951; 8:46 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq. and

1950 Supp.) are amended as indicated below:

1. Section 146.45 (c) (1) (iii) is amended to read:

(c) *Labeling.* * * *

(1) * * *

(iii) The statement "Expiration date ----------," the blank being filled in with the date which is 24 months after the month during which the batch was certified, except that the blank may be filled in with the date which is 36 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for such period of time such drug as prepared by him complies with the standards prescribed by paragraph (a) of this section; or if packaged in a single-dose suitable plastic container, with the date which is 12 months after the month during which the batch was certified;

2. Section 146.51 is amended in the following respects:

a. The headnote is changed to read "§ 146.51 *Buffered penicillin powder, penicillin powder with buffered aqueous diluent.*"

b. Paragraph (a) *Standards of identity* * * * is amended by inserting the following sentence between the first and second sentences: "Penicillin powder with buffered aqueous diluent is a packaged combination of one immediate container of crystalline penicillin or procaine penicillin, with or without suitable and harmless diluents, and one immediate container of an aqueous diluent containing suitable buffer substances and suitable and harmless preservatives, colorings, and flavorings."

c. Paragraph (c) and (c) (1) (iv) and (vi) are amended to read:

(c) *Labeling.* Each package of buffered penicillin powder or penicillin powder shall bear on its label or labeling, as hereinafter indicated, the following:

(1) * * *

(iv) If it is a packaged combination of one immediate container of buffered penicillin powder or penicillin powder and one immediate container of a vehicle, a statement giving the method of dissolving the penicillin;

* * * * *

(vi) The statement "Expiration date ----------," the blank being filled in with the date which is 18 months, or if it is crystalline penicillin with no other ingredients, with the date which is 36 months after the month during which the batch was certified; and

* * * * *

d. Section 146.51 (d) (2) (i) is amended to read:

(d) *Request for certification; samples.* * * *

(2) * * *

(i) The batch; if buffered penicillin powder or penicillin powder with diluents: potency and moisture; if penicillin powder with no other ingredients: potency toxicity, moisture, pH, penicillin K content (unless it is crystalline penicillin G), crystallinity, heat stability if it is crystalline sodium or potassium penicillin, the penicillin G content if it is crystalline sodium or potassium penicillin G, and the procaine penicillin G content if it is procaine penicillin G.

e. Section 146.51 (d) (2) (ii), first clause, is amended to read "If buffered penicillin powder or penicillin powder with diluents, the penicillin used in making the batch;" * * *

f. Section 146.51 (d) (3) (ii), first clause, is amended to read "If buffered penicillin powder or penicillin powder with diluents, the penicillin used in making the batch;" * * *

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

This order, which provides for an expiration date of 36 months after the date of certification of procaine penicillin in oil if the person who requests certification has submitted to the Commissioner suitable data showing the product is stable for this period of time and for a 12-month expiration date if the procaine penicillin in oil is packaged in a single-dose suitable plastic container and for a packaged combination of one immediate container of crystalline or procaine penicillin, with or without suitable and harmless diluents, and one immediate container of an aqueous diluent containing suitable buffer substances and suitable and harmless preservatives, colorings, and flavorings, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will benefit by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay providing for an expiration date of 36 months after the date of certification of procaine penicillin in oil if the person who requests certification has submitted to the Commissioner suitable data showing the product is stable for this period of time and for a 12-month expiration date if the procaine penicillin in oil is packaged in a single-dose suitable plastic container and for a packaged combination of one immediate container of crystalline or procaine penicillin, with or without suitable and harmless diluents, and one immediate container of an aqueous diluent containing suitable buffer substances and suitable and harmless preservatives, colorings, and flavorings.

Dated: August 27, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-10481; Filed, Aug. 30, 1951; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XVII—Federal Civil Defense Administration

PART 1701—CONTRIBUTIONS FOR ORGANIZATIONAL EQUIPMENT

CONDITIONS OF CONTRIBUTIONS

Section 1701.3 is amended to read as follows:

§ 1701.3 *Conditions of contributions.* The Administrator will make contributions to States for organizational equipment, which shall be understood to include related expendable supplies functionally essential thereto, subject to the following conditions:

(a) *Administrative expenses and personal equipment.* No contributions shall be made for State or local personnel or administrative expenses or for items of personal equipment for State or local workers.

(b) *Matching State funds.* The amounts authorized to be contributed to each State for organizational equipment shall be matched by such State from any source it determines is consistent with its laws. The making of an application for a contribution shall constitute an assurance by the State that funds to match the proposed Federal contribution are available and shall be used for the purposes indicated.

(c) *Specifications.* Specifications for organizational equipment shall be approved by the Administrator.

(d) *Allocation of organizational equipment purchases.* The Administrator will allocate organizational equipment contributions, purchases and deliveries with respect to item, program, and area priorities as determined from time to time by him.

(e) *Cancellation or breach.* If for any reason the State should revoke or cancel its request for a financial contribution for the purchase of any organizational equipment for which the administrator has agreed to make a contribution, or breaches any condition of this regulation, it will promptly reimburse the Federal Government for any loss, as determined by the Administrator, occasioned to the Federal Government thereby.

(f) *Inspection and accounting.* Organizational equipment will be controlled in accordance with accepted or prescribed methods of accounting, identification, and administrative responsibility. The Administrator or his representatives shall have access to the equipment at all reasonable times for purposes of inspection. The Administrator or his representatives shall also be granted ready access to the books and records of the State relating to such equipment.

(g) *Use and disposal.* Organizational equipment shall be distributed, maintained, and used only for civil defense purposes unless the Administrator prescribes or authorizes otherwise and such equipment shall not be disposed of without the prior approval of the Administrator: *Provided, however,* That equipment subject to deterioration shall be rotated or replaced in advance of expiration dates in such a manner as to minimize loss by deterioration.

(h) *Distribution and maintenance.* Organizational equipment will be protected and maintained in such a way as to assure its ready availability at the times and places required. Such equipment shall also be distributed and stored to the extent possible in such a manner as to minimize its loss in the event of an attack and at the same time assure

its availability for use at the places required immediately after an attack.

(i) *Information and reports.* The State will transmit to the Administrator, as required, a statement of its plan for meeting the conditions of this regulation and such reports as the Administrator may from time to time request.

(j) *Insignia.* Organizational equipment will, whenever practical, be marked with the official civil defense insignia.

(k) *Shipment.* If organizational equipment should be lost in transit between the manufacturer and the consignee in the State in such manner that neither the manufacturer nor the carrier is liable, the loss will be shared by the Federal Government and the State in the percentage contribution has been made.

(l) *Sale of organizational equipment.* In the event organizational equipment is sold, except as provided in paragraph (g) of this section, the State will remit to FCDA, or credit FCDA with, a percentage of the selling price or trade-in allowance equal to the percentage of Federal contribution toward the original purchase price and transportation costs thereof.

(m) *Reimbursable loss.* If any identifiable reimbursable loss of organizational equipment is suffered by the State it will remit to FCDA, or credit FCDA with, a percentage of any reimbursement equal to the percentage of Federal contribution toward the original purchase price and transportation costs thereof, except when the reimbursement is applied to the replacement of such equipment.

(n) *Title.* Title to organizational equipment procured by FCDA will pass to the State upon delivery of such equipment to the State. The State will also furnish to FCDA the name or names of such person or persons who has or have been authorized in the name of the State to execute the necessary receiving reports, fiscal transactions, and other necessary documents in the name of the State in connection with such equipment.

(o) *Loyalty oath.* No request for organizational equipment shall be approved by the Administrator unless (1) the State law requires that each person, other than a Federal employee, who is appointed to serve in a State or local organization for civil defense shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths, which oath shall be substantially as follows:

I ----------, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member or an affiliate of any organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member or an affiliate of an organization, group, or combination of persons that advocates the overthrow of the Government of the United States by force or violence.

or (2) the State certifies that it has directed the State civil defense agency to require that each person, other than a Federal employee, who is appointed to serve in a State or local organization for civil defense, shall, before entering upon his duties, take such an oath in writing before a person authorized to administer oaths.

(p) *Failure to expend funds.* Where a State acts as its own purchasing agent, and the Administrator, after reasonable notice and opportunity for hearing, finds that the State has failed or is failing to expend funds in accordance with the terms and conditions of the Act or the Administrator's rules and requirements thereunder, all such findings shall be final, and the State shall have no claim or right of action against the Federal Government, the Administration, or any other Agency of or individual employed by the Federal Government by reason of any action taken by the Administrator based on one or more of such findings.

(Sec. 401, Pub. Law 920, 81st Cong.)

This regulation shall be effective on August 31, 1951.

MILLARD CALDWELL,
Administrator.

[F. R. Doc. 51-10506; Filed, Aug. 29, 1951; 9:14 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 5, Interpretation 1]

CPR 5—IRON AND STEEL SCRAP

INT. 1—USE OF WATER RATES IN DETERMINATION OF SHIPPING POINT PRICES FOR STEEL SCRAP

It has come to the attention of the Office of Price Stabilization that some confusion has persisted in the iron and steel scrap industry regarding the proper use of vessel rates in computing ceiling shipping point prices for steel scrap under Ceiling Price Regulation 5.

The intent of CPR 5 has been to recognize and make provisions for the shipment of scrap by vessel where such a method of shipment was the well established practice of shippers in a particular locality as of the effective date of the regulation.

The regulation does not permit the use of water rates, even though such published rates are currently available, to determine a shipping point price where, for reasons other than seasonal restrictions, it had ceased to be the customary practice at that point, to ship by water and had subsequently become the customary practice prior to February 7, 1951, to ship by rail.

Section 21 (c) reads as follows:

"No vessel charge shall be deemed as an established charge within the provisions of this regulation unless regular vessel movement of scrap, except for seasonal restrictions, is being made to the most favorable basing point as of the effective date of this regulation, as a customary business practice."

This provision embodies three basic requirements, all of which must be met. The first is that shipments of steel scrap by vessel must have been made regularly and as a customary business practice and not merely in a few isolated cases. Secondly, such shipments must have been made to the most favorable basing point as defined in this regulation. Finally, such shipments must have been made as of February 7, 1951, except for seasonal restrictions. The provisions of section 21 (c) recognize, however, that normal water movement of scrap might have been temporarily suspended as of February 7 due to bad winter weather, and such temporary suspension due to seasonal restrictions does not in and of itself preclude the use of water rates in determining the ceiling shipping point price in such locations.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10611; Filed, Aug. 30, 1951; 11:59 a. m.]

[Ceiling Price Regulation 7]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

Correction

Due to a clerical error, the markup for category 860 in Appendix E of Ceiling Price Regulation 7 (16 F. R. 1872) was printed as "58" instead of "85." Accordingly, Appendix E of Ceiling Price Regulation 7 is corrected by substituting the figure "85" for the figure "58" opposite category 860.

[Ceiling Price Regulation 7, Amdt. 6 to Supplementary Regulation 1]

CPR 7—RETAIL CEILING PRICES FOR CERTAIN CONSUMER GOODS

SR 1—SPECIAL PRICING METHODS FOR CERTAIN CHAIN STORES AND MAIL ORDER ESTABLISHMENTS.

ALTERNATIVE METHOD OF CHART PREPARATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this amendment to Supplementary Regulation 1 of Ceiling Price Regulation 7 (16 F. R. 1895) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Supplementary Regulation 1 is required in order to permit certain chain stores to consider as offered for sale on the "list date" articles which they charged to their outlets within an alternate specified period of

time to that already allowed by Supplementary Regulation 1. The same provision affecting all retailers is added to Supplementary Regulation 2 to Ceiling Price Regulation 7 by an amendment thereto issued simultaneously herewith.

This action is taken pursuant to recommendations of persons affected by it. Because of its routine character, it was not deemed practical to consult further with industry representatives.

AMENDATORY PROVISIONS

Supplementary Regulation 1 of Ceiling Price Regulation 7 is amended as follows:

In section 2 (b) (4) insert the following phrase: "or between July 1, 1950 and December 10, 1950" after the phrase "Between October 1, 1950 and December 10, 1950."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10612; Filed, Aug. 30, 1951; 11:59 a. m.]

[Ceiling Price Regulation 7, Amdt. 3 to Supplementary Regulation 2]

CPR 7—RETAIL CEILING PRICES FOR CONSUMER GOODS

SR 2—ALTERNATIVE AND SPECIAL METHODS FOR PREPARING LIST DATE PRICING CHARTS AND PRICING

ESTABLISHMENT OF ALTERNATE PERIOD FOR THE PURPOSE OF PREPARING PRICING CHARTS FOR TOYS, GAMES AND CHRISTMAS DECORATIONS

Pursuant to the Defense Production Act of 1950 as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this amendment to Supplementary Regulation 2 of Ceiling Price Regulation 7 (13 F. R. 1897) is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment is designed to give the retailer an opportunity of choosing July 1 through December 10, 1950 as an alternate period to October 1 through December 10, 1950 for purposes of preparing a pricing chart for each of the categories of toys, games and Christmas decorations. This is deemed necessary since many retailers as well as most mail order establishments and chain stores in the regular course of purchasing these articles during the year customarily receive their merchandise far earlier than October 1. It was not the intent to prevent these sellers from preparing charts, and this amendment provides a method whereby such sellers who had purchased most of their stock prior to October 1 can prepare charts.

This action is taken pursuant to recommendations of persons affected by it. Because of its routine character, it was not deemed practical to consult further with industry representatives.

AMENDATORY PROVISIONS

Supplementary Regulation 2 to Ceiling Price Regulation 7 is amended in the following respects:

1. At the end of section 7 (a) add the following sentence: "As an alternative, you may elect to prepare your list date pricing chart for each of these categories as if you were offering for sale on the list date each different article, style, model, or lot number covered by these categories for which you received an invoice in the period July 1 through December 10, 1950."

2. In section 7 (b) after the phrase "October 1 through December 10, 1950," add a comma and insert the following: "or in the period July 1 through December 10, 1950 (whichever is elected under paragraph (a) of this section)."

3. At the end of the second sentence of section 7 (c) substitute a comma for the period and add the following: "or in the period July 1 through December 10, 1950 (whichever is elected under paragraph (a) of this section)."

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10613; Filed, Aug. 30, 1951; 11:59 a. m.]

[Ceiling Price Regulation 14, Amdt. 7]

CPR 14—CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

ADJUSTMENT OF CEILING PRICES FOR CERTAIN INSTITUTIONAL SELLERS

Pursuant to the Defense Production Act of 1950, as amended, E. O. 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to Ceiling Price Regulation 14 is issued.

STATEMENT OF CONSIDERATIONS

This amendment to CPR 14 provides for an adjustment procedure whereby certain institutional wholesalers or service wholesalers with a separate institutional department may be authorized, under specific conditions, to add a specific percentage markup to the "net cost" for an item of food falling within certain commodity groups in Table A of CPR 14 before applying the markup in Table A for institutional wholesalers.

The Statement of Considerations to CPR 14 makes reference to the fact that before the issuance of CPR 14 consultation with wholesalers of dry groceries indicated that they generally believed the OPA markups used in CPR 14 would return adequate gross margins. Since that time, however, the Director of Price Stabilization has been advised that the markups permitted in CPR 14 are inadequate for certain institutional wholesalers. Institutional wholesalers within the meaning of CPR 14 are those food distributors, the larger part of whose food sales are made to commercial, industrial and institutional users, such as hotels, restaurants, hospitals and large feeding establishments. In addition, some service wholesalers have strictly institutional departments. Some institutional wholesalers and some institutional departments cater to the smaller institutional customers and, therefore, have tailored their methods of doing business to fit the requirements of these customers. Special services rendered smaller institutional buyers resulted in increasing the cost of selling to them. It is this group of institutional sellers which is considered here.

Data received from wholesalers selling principally to small institutional buyers indicate that the markups in Table A of CPR 14 have reduced the gross margins experienced by these operators prior to the war in Korea. It has been reported that these markups were sufficient during World War II because then many of the commodities were then on an allocation basis and because of rationing and shortages very little extra service or selling efforts and expense were required to dispose of inventories which these institutional sellers were able to obtain. However, since the end of World War II the supply of foods has been relatively plentiful and competition has necessitated added and important expenses in their distribution programs which must be maintained at the present time if they are to survive and continue to operate as they have in the past. In addition, a good many of the services which this type of wholesaler must offer at the present time were eliminated as a measure of national necessity during the war years. A study conducted by the Office of Price Stabilization indicates that because of peculiarities of their business this group of institutional sellers incurs added expenses in distribution because they make sales of items in less than case lots, they repackage such items, they provide frequent delivery to customers who do not have appropriate storage facilities, and they extend more liberal credit terms than are normally offered by other institutional sellers.

On the basis of the data submitted by a representative group of such institutional sellers, the Director of Price Stabilization finds that it is appropriate to provide for an adjustment procedure in the manner prescribed in this amendment as a form of interim relief to these sellers pending the results of the food margin survey now being organized by the Office of Price Stabilization. This amendment permits institutional sellers to apply and to qualify for an additional amount to be added to their net cost prior to using their markups under Table A of CPR 14. The extent of the addition permitted has been based upon the information submitted and is designed to place these institutional sellers in a reasonable relationship to their pre-Korea positions until the survey is completed. In the event that the more comprehensive survey now being prepared should indicate that the markups permitted under this adjustment provision are either too low or too high the regulation will be revised to reflect the results of the survey.

In formulating this amendment the Director of Price Stabilization has consulted extensively with the Industry Advisory Committee and with industry representatives and has given full consideration to their recommendations. In his judgment the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950 as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objective of the Defense Production Act of 1950 as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

AMENDATORY PROVISIONS

1. A new section, 28c, is added to read as follows:

SEC. 28c. *How institutional wholesalers or service wholesalers with a separate institutional department may, under certain conditions, apply for an additional allowance for performing certain services not generally performed by institutional wholesalers.* (a) If you are an institutional wholesaler or a service wholesaler with a separate institutional department covered by this regulation, you may file an application for authority to add a specific percentage markup to your "net cost" of an item of food falling within a commodity group in Table A before applying the markup in Table A for institutional wholesalers, if you can establish for each warehouse (you must consider each warehouse as a separate wholesaler) that during the calendar year 1950, or if not in business during all of 1950 for your most recent fiscal year prior to May 14, 1951.

(1) The total gross margin on all institutional sales made by you of commodities covered by this regulation was at least 19 percent on gross sales.

(2) Your operations and functions differed substantially from those of the usual institutional wholesaler in that: you regularly distributed institutional size goods in less than case lots; you made special and more frequent deliveries of sales of small dollar amounts; you operated a repacking department for purposes of packaging those sales of institutional size goods in less than full case lots; and your credit terms were more liberal than those generally offered by institutional wholesalers.

(3) You are currently distributing food commodities to the same type of customers with the same services outlined above.

(b) Your application must set forth the following for each warehouse for which the application for adjustment is filed for the calendar year 1950, or if not in business during all of 1950 for your most recent fiscal year prior to May 14, 1951:

(1) Total dollar amount of institutional sales of food commodities covered by Table A.

(2) Cost of food commodities which are covered by Table A sold to institutions.

(3) Percentage of total sales of institutional size goods made in less than case lots.

(4) Average dollar value of all institutional sales, average number of deliveries per customer per month and percentage of total deliveries that were other than regularly scheduled deliveries.

(5) Estimate of your cost of operating a repacking department.

(6) Statement showing regular credit terms to institutions; customary length of credit extended and percentage of credit sales that go beyond (i) 30 days, (ii) 60 days, and (iii) 90 days.

(7) Profit and loss statement.

(8) Balance sheet.

(c) Such application must be filed with the Distribution Branch, Food and Restaurant Division, OPS, Washington 25, D. C. You may not use these requested markup figures until you have received specific authorization from such OPS office. A form for this purpose may be obtained from your nearest OPS District office. If your application is approved you will be authorized by the Director of Price Stabilization to add to your net cost the percentage markup set forth below for the food commodities group which includes the items which you are pricing before applying the markup in Table A for institutional wholesalers. If, at any time, after you are authorized to use such additional markup, your method of distribution changes in any material respect, you must report immediately the circumstances to the Distribution Branch, Food and Restaurant Division, OPS, Washington 25, D. C., and upon a review of the facts, if it be determined that you no longer conduct your business in the manner required by this section, this authority may be withdrawn.

	Food commodities	*Percentage markup*
2	Cereals, breakfast	.02
3	Cocoa, chocolate and cereal drink preparations	.04
6	Corn meal, hominy, and flour mixes	.03
11	Fruits, berries, fruit juices (canned) except fruit cocktail, pineapple, peaches and pears	.04
12	Fruit cocktail, pineapple, peaches, pears, canned except juices	.085
14	Gelatin and pudding mixtures	.09
15	Jams, jellies, preserves, honey and peanut butter	.05
18	Mayonnaise and salad dressing	.05
19	Meat, canned	.10
23	Pickles and relishes	.05
25	Shortening, hydrogenated	.04
27	Soups, canned	.05
28	Soups, dehydrated	.05
29	Spices	.10
30	Syrups	.03
31	Tea	.10
32	Vegetables and vegetable juices (canned) except corn, green beans, tomatoes and tomato juice	.04
33	Corn, green beans, tomatoes, tomato juice (canned)	.085
34	Vegetables, dried and hydrated	.03
36	Miscellaneous foods	.05

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective on the 4th day of September 1951.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10614; Filed, Aug. 30, 1951; 12:00 m.]

[Ceiling Price Regulation 22, Amdt. 3 to Supplementary Regulation 6]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 6—CEILING PRICES FOR MANUFACTURERS FOR THE SALE OF PAINTS, VARNISHES, AND LACQUERS

ADDITION OF LACQUER THINNERS; EXCLUSION OF MANUFACTURERS IN THE TERRITORIES OR POSSESSIONS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this amendment to Supplementary Regulation 6 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds lacquer thinners to the commodities covered by SR 6. The production of lacquer thinners is an essential and integral part of the lacquer manufacturing process and lends itself to similar pricing procedure.

Supplementary Regulation 6 incorrectly states that manufacturers of paints, varnishes, and lacquers in the territories and possessions as well as the United States, and the District of Columbia are covered thereunder. Manufacturers in the territories or possessions are not covered under CPR 22 and it was intended that SR 6 should be consistent in this respect. Accordingly, this amendment removes manufacturers in the territories or possessions from coverage under this supplementary regulation.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

Supplementary Regulation 6 to Ceiling Price Regulation 22 is amended in the following respects:

1. Section 1 is amended by changing item 3 to read as follows:

3. Lacquers; lacquer thinners, and enamels.

2. Section 2 is amended by deleting the words "its territories or possessions," therefrom, so as to make the section read as follows:

Sec. 2. *Sellers and sales covered.* This supplementary regulation covers you if you are a manufacturer of paints, varnishes, and lacquers, and if you are located in the United States or the District of Columbia. It applies to all your sales of paints, varnishes, and lacquers which you manufacture, including your sales at retail. All the provisions of Ceiling Price Regulation 22 shall be applicable to you in your sales of the commodities covered by this supplementary regulation except as those provi-

sions are modified and supplemented by the alternative pricing provisions set forth in sections 4, 5 and 6 of this supplementary regulation. You must notice also that this supplementary regulation does not exempt any sales by you nor may you elect not to use this supplementary regulation. To this extent section 1 of Ceiling Price Regulation 22 is superseded.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

This amendment shall become effective September 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10615; Filed, Aug. 30, 1951; 12:00 m.]

[Ceiling Price Regulation 31, Amdt. 7]

CPR 31—IMPORTS

PRICING FOR RETAILERS OF IMPORTED GOODS: PRICING FOR NEW GOODS AND NEW SELLERS: ADJUSTMENT CLAUSE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 31 provides a new method by which retailers of imported goods shall determine their markups under the regulation; amends section 7, to accommodate the changes made for the pricing of imported goods by retailers and to simplify the pricing by sellers of new commodities; and provides an adjustment clause for use in cases of hardship.

The changes made in section 5, the section prescribing the manner in which retailers will price under Ceiling Price Regulation 31, have been written in an effort to simplify the pricing by retailers of their imports. The retailer will now have a choice among four different bases on which to determine his markup: A commodity by commodity basis, a category by category basis, a country of origin basis, and a store selling unit basis. The retailer will now determine his markup on one of these bases by reference, not to his sales in a representative quarter, but by reference to his initial offering prices in such a quarter. The use of offerings rather than sales has been dictated by the fact that retailers often have no way in which to determine the import character of goods already sold by them. Their only record indicating that a commodity was imported is, frequently, the invoice received from their supplier and their practice is to note on this invoice the markup they intend to charge. In the circumstances, the use of these invoices in place of sales slips, and of offering prices rather than sales prices, appears to be the only practicable procedure available.

The procedure now provided the retail trade should make it easier for retailers to determine their markups for a commodity not offered by them during the base period. For example: A retailer using a departmental markup as his markup basis under amended section 5 will now employ that departmental markup for any commodity now being offered for the first time by the department in question.

Retailers who sell imported commodities bought from an importer in this country will, in general, determine their markup in the same manner as importer-retailers for those commodities which they price under Ceiling Price Regulation 31.

Current inventory will be priced on the basis of the last purchase invoice prior to January 26, 1951. Lacking such invoice, the basis will be the first purchase invoice after January 26, 1951.

The changes made in section 7 (a) and (b) are minor changes intended to make their provisions correspond with those changes which have been made in section 5. Because of the changes in section 5, it is probable that section 7 will be little used by retailers. Indeed, it would appear that only those retailers using a commodity by commodity basis for determining their markups would turn to section 7 for their pricing of a commodity not handled by them during the base period.

Heretofore, persons pricing under section 7 were required to await the approval of their proposed ceiling price before they could sell the commodity being priced. The present amendment authorizes sales to be made after a waiting period of ten days.

Section 20, which is now being added to Ceiling Price Regulation 31, is an adjustment clause intended to allow relief in those situations in which the importer has an abnormally low markup. Relief will not be given under this clause unless substantial hardship can be shown and, in general, consideration will not be given to an application for relief with respect to the markup of a commodity unless the sales of the commodity have made up a substantial part of the applicant's import business.

Formal consultation with representatives of industry has not been practicable although many individual views expressed informally to this Office requested action in the nature of this amendment.

AMENDATORY PROVISIONS

1. Section 5 is amended to read as follows:

SEC. 5. *Retailers*—(a) *Importing retailer.* If you are an importer who sells at retail the commodities imported by you in essentially the same form in which imported, your ceiling price for any sale to retail customers shall be the landed cost of the commodity plus a base period percentage markup determined as follows:

(1) Choose one of the following bases for computing your markup:

(i) A commodity by commodity basis, e. g., a specific doll;

(ii) A category by category basis, e. g., all toys;

(iii) A country of origin basis, e. g., imports from the United Kingdom, Switzerland, etc.;

(iv) A storewide, departmental or smaller selling unit basis, e. g., a markup for the furniture sales department;

You may elect a different basis for computing a markup for each department or other selling unit. Once you have elected one of the bases of this subparagraph for a department or other selling unit, you must use that basis in determining the markup for all imported commodities you price under this section which that selling unit offered or would have offered for sale during the base period.

(2) You shall next choose from the base period a representative quarter for your import business for the purpose of calculating your markups. However, if, during this representative quarter, you received no invoices and made no initial offerings of the commodity for which a markup is being determined, you shall refer to your invoices and initial offerings for that commodity in a quarter within the base period nearest in time to the representative quarter.

(3) Determine your percentage markup by reference to those records available to you from the quarter chosen by you which show all your landed costs and initial offering prices. This percentage markup shall be the markup computed on one of the four bases referred to in subparagraph (1) of this paragraph.

For example, if you elect a commodity by commodity basis for the men's and boys' shoe department, the markup on each commodity offered for sale by that department must be computed separately. If, however, you elect a category by category basis for the men's and boys' shoe department, and if you divide that department into two categories—e. g., the category of men's shoes and the category of boys' shoes—then, in determining the markup of the commodities included in each category, you must refer to the invoices of all the commodities in that category. Each commodity in the same category will have the same markup. If you elect a country of origin basis for a particular department, then all imported commodities in that department must be grouped according to their country of origin. The markup will then be determined for each country of origin grouping so that all commodities from the same country that are offered for sale by that department will have the same markup. If you elect a storewide, departmental or smaller selling unit basis, then, in determining the markup of the commodities offered for sale by that unit during the base period, you must refer to the purchase invoices of all those commodities. Each commodity will have the same markup.

All new commodities—that is, commodities that were not offered for sale during the base period—will have their markup determined in the following manner: Ascertain the department or selling unit which, in the base period would probably have been designated as the unit for selling that commodity. If that selling unit uses a commodity by commodity basis, then the new commodity must determine its markup under section 7 of this regulation. If that selling unit uses a category by category basis or a country of origin basis, then

the new commodity must use the markup of that category or country of origin to which it belongs. If that selling unit uses the fourth basis,—the selling unit basis,—then the new commodity must use the markup of that selling unit to which it belongs.

To compute your percentage markup you shall:

(i) Total your landed costs as shown on your invoices;

(ii) Total your dollars and cents markups as calculated from the initial offering prices as shown on your invoices;

(iii) Divide your total dollars and cents markups by your total landed costs.

(4) You shall report all the base period percentage markups for imported commodities calculated by you under subparagraphs (1), (2) and (3) of this paragraph, not later than October 1, 1951. You shall furnish the Office of Price Stabilization District Office in your area by registered letter with the following information:

(i) The commodity or commodities you are pricing;

(ii) The department or selling unit selling the commodity or commodities during the base period;

(iii) Your basis elected under subparagraph (1) of this paragraph and described by you;

(iv) Your representative quarter elected under subparagraph (2) of this paragraph;

(v) The percentage markup per unit you have calculated under this regulation.

(5) For commodities not reported by you under subparagraph (4) of this paragraph and priced after October 1, 1951, you shall determine a percentage markup as provided in subparagraphs (1), (2), (3) of this paragraph, and report your percentage markup for each such commodity at the end of the calendar quarter during which it was first priced or offered for sale. You shall furnish the Office of Price Stabilization District Office in your area by registered letter with the following information:

(i) The commodity or commodities you are pricing;

(ii) The department or selling unit selling the commodity or commodities during the base period;

(iii) Your basis elected under subparagraph (1) of this paragraph, and described by you;

(iv) Your representative quarter elected under subparagraph (2) of this paragraph;

(v) The percentage markup per unit you have calculated under this regulation.

(6) If you are unable to determine a markup for such a commodity under subparagraphs (1), (2) and (3) of this paragraph, you shall determine your ceiling price and markup under the provisions of section 7 of this regulation.

(b) *Non-importing retailer.* (1) If you are a retailer (but not the importer) of imported commodities which you sell in essentially the same form in which imported, your ceiling price for any such commodity, except imported non-food commodities specifically covered by name or category by Ceiling Price Regulation 7, and except imported food commodities specifically covered by name or category by Ceiling Price Regulations 15 and 16, shall be your cost of acquisition plus a percentage markup calculated and reported in accordance with the provisions of paragraph (a) of this section. Use your cost of acquisition wherever "landed costs" is referred to in paragraph (a) of this section.

(2) If you have no records from the base period enabling you to price under the above provisions, you may either use your store markup or your departmental or other selling unit markup applicable to the imported commodity, reporting this markup pursuant to the provisions of paragraph (a) (4) of this section, or you may determine your ceiling price and markup for that commodity under the provisions of section 7 of this regulation.

(c) *Imported commodities in inventory at the effective date.* In determining your landed costs or cost of acquisition for your imported commodities in inventory on the effective date of this regulation, you shall take the invoice cost on the last invoice you received before January 26, 1951 for the particular commodity being priced. If you had no invoices for the commodity before January 26, 1951, you shall take the invoice cost from the first invoice received by you thereafter.

2. Section 7 is amended to read as follows:

SEC. 7. *Sellers who cannot price under other sections.* (a) If you are unable to compute your markup and ceiling price under any of the other sections of this regulation, then your markup and ceiling price shall be the landed cost or cost of acquisition, as the case may be, plus a base period markup as calculated under section 5 or section 6 of this regulation, whichever is applicable, based on sales, if you are an importer or wholesaler, or initial offerings, if you are a retailer, during the base period of the type set forth below in the following order of preference:

(1) Sales of the commodity you are pricing to buyers of the next most closely related class;

(2) Sales, if you are an importer or wholesaler, or initial offerings if you are a retailer, of a comparison commodity to buyers of the class for which you are pricing;

(3) Sales of a comparison commodity to buyers of the next most closely related class.

If you calculate your base period markup and ceiling price by reference to one of the types of base period sales or offerings set forth above, you shall, before making sales of the commodity you are pricing, advise the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., by registered letter, what markup and ceiling price you propose to use, showing how they were computed and describing the "comparison commodity" and/or "class of buyer" used. Unless this proposed markup and ceiling price are rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

(b) If you are unable to compute a markup and ceiling price for the commodity you are pricing, under paragraph (a) of this section, or under any provisions of this regulation, you may apply in writing to the Office of Price Stabilization, Export-Import Branch, Washington 25, D. C., for the establishment of a markup and ceiling price. Your application shall contain: (1) An explanation of why you are unable to compute a markup and ceiling price under this regulation; (2) a complete description of the commodity; (3) the nature of your business; (4) your landed costs or cost of acquisition broken down into the elements thereof; (5) your proposed markup, indicating how it was computed; (6) your proposed ceiling price, indicating how it was computed; (7) a reasonable markup and ceiling price, if any exists currently, and can be ascertained, in the trade for the commodity or for a comparison commodity. If your proposed markup and ceiling price are not rejected by the Office of Price Stabilization within ten days of the postmarked date of your letter, you may proceed with sales until advised to the contrary.

(c) Once you have determined under the provisions of this section a markup which has not been disapproved by the Office of Price Stabilization, you may continue to use that markup for future sales of the same commodity to the same class of buyer.

3. Section 18 (a) is amended to include the following additions thereto:

(10) *Category.* This term means a group of commodties which are normally classed together in your industry for purposes of accounting or sales.

(11) *Selling unit.* This term means an organizational grouping selling one or more commodities that are classed together in your business for purposes of accounting or sales.

4. A new section 20 is added to read as follows:

SEC. 20. *Adjustments.* (a) Application for adjustment of price under this regulation shall be filed in accordance with Price Procedural Regulation No. 1, Revised. The Office of Price Stabilization may adjust by order any markup established under this regulation for any seller or group of sellers when it can be shown that the applicant had a markup for a commodity substantially below the normal markup in the trade so as to create a situation of hardship; or that the applicant's dollars and cents markup has become so small because of increased landed costs as to create a situation of hardship.

(b) The applicant in filing under this provision shall provide the following information:

(1) The percentage the sales of the commodity in question bore to the applicant's total sales of imports during the six months prior to the date of application for adjustment;

(2) An explanation of the abnormality of the markup and of the hardship resulting therefrom;

(3) His ceiling price under Ceiling Price Regulation 31;

(4) His markup under Ceiling Price Regulation 31;

(5) His ceiling price under the General Ceiling Price Regulation;

(6) His markup under the General Ceiling Price Regulation;

(7) His proposed ceiling price;

(8) His proposed markup;

(9) An explanation of the method by which he determined his proposed markup.

(c) The relief granted under this provision shall be no more than may bring the applicant's markup in line with markups prevailing in the trade.

5. A new section 21 is added to read as follows:

SEC. 21. *Reports.* Copies of forms that may be used in filing under this regulation may be obtained from any Regional or District Office of the Office of Price Stabilization.

Effective date. This amendment shall become effective October 1, 1951, but if you wish you may begin to use its provisions at any earlier date.

(Sec 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10616; Filed, Aug. 30, 1951; 12:00 m.]

[Ceiling Price Regulation 34, Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 3 to Ceiling Price Regulation 34 is hereby issued.

STATEMENT OF CONSIDERATIONS

Paragraph (g) of section 12 of Ceiling Price Regulation 34, provides that if during the base period December 19, 1950, to January 25, 1951, inclusive, a person subject to the regulation used a flat rate manual to determine a price, such person must continue to use the same manual and that he may not use a new edition of such manual unless the use of that manual has been approved by the Director of Price Stabilization.

This Supplementary Regulation 3 to Ceiling Price Regulation 34 is being issued to provide a single repository for such flat rate manuals or labor schedules as the Director of Price Stabilization may approve. In addition to the manuals or labor schedules which are initially approved in this supplementary regulation, a provision is made to expand the list issued since the base period, when the publishers of such manuals or labor schedules submit them for approval.

The flat rate manuals or labor schedules, for which approval has been requested and which by this Supplementary Regulation 3 is granted are:

(a) Motor's Factory Flat Rate and Shop Manual, 23rd Edition 1951;

(b) Packard Flat Rate Manual, 24th Series, Form L-207A, March, 1951;

(c) Allis-Chalmers Farm Tractor Manual for Models WC, CA and G, March, 1951;

(d) Implement and Tractor Shop Book, Volume II, 1951 Edition.

(e) Chilton's Motor Age Flat Rate and Service Manual, 22nd Edition, 1951.

Under the provisions of this supplementary regulation, the user of the flat rate manuals or labor schedules is required to apply his customers' hourly rate established under Ceiling Price Regulation 34 to the labor time allowances listed for the various automotive and farm tractor jobs in the manuals or schedules.

The publisher of each flat rate manual or labor schedule, which is approved in this supplementary regulation, shall notify each user of such approval.

A new user of a new edition or new flat rate manual or labor schedule must file a statement with his local OPS district office setting forth the name and edition of the manual or labor schedule, the services to be priced thereunder and his customers' hourly rate. The OPS, however, reserves the right within 10 days thereafter to disapprove of that rate. A user of an existing manual or schedule for certain services, who applies to his local OPS district office for permission to substitute therefor a new edition of a flat rate manual or labor schedule may do so after a waiting period of 10 days, if within that time his application is not disapproved by that district office. A provision is included in the regulation permitting a dealer who adds a make of vehicle to his dealership, or who changes his dealership from one manufacturer to another, to use the manufacturers' approved factory manuals or labor schedules for the make of vehicle added to the dealership or to which the dealer has changed.

A new seller establishing his price under sections 6 or 7 of Ceiling Price Regulation 34 must use approved editions of the flat rate manuals or labor schedules used by his closest competitor if his closest competitor uses flat rate manuals or labor schedules.

Consideration of the labor time allowances listed in these publications shows that the use of these manuals or schedules will not generally increase the level of prices for automotive and farm tractor repair services, and will permit the users of such manuals or schedules to use their customary pricing method in determining the price for various repair jobs for which the labor time allowance may be modified or changed due to changes in late model equipment.

The routine character of the provisions of this supplementary regulation made it unnecessary to consult formally with industry representatives, although wherever feasible various representatives from service fields were informally consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Manuals or labor schedules affected.
3. Persons using manuals or labor schedules.
4. Amendments.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Supp. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation permits sellers of automotive and farm tractor repair services to establish ceiling prices for such services by multiplying their established customers' hourly rate by the applicable labor time allowances specified in the respective manuals and labor schedules as permitted in sections 2 or 3 of this supplementary regulation, provided such sellers comply with all the conditions of the "Notices" set forth in the Appendices.

SEC. 2. *Manuals or labor schedules affected.* Approval for the use of the following manuals or labor schedules is hereby granted by the Director of Price Stabilization:

(a) Motor's Factory Flat Rate and Shop Manual, 23rd Edition, 1951.

(b) Packard Flat Rate Manual, 24th Series, Form L-207A, March, 1951.

(c) Allis-Chalmers Farm Tractor Manual for Models WC, CA and G, March, 1951.

(d) Implement and Tractor, Shop Book, Volume II, 1951 Edition.

(e) Chilton's Motor Age Flat Rate and Service Manual, 22nd Edition, 1951.

Provided, however, That no manual or schedule is approved for use unless the appropriate "Notice" set forth in full in the Appendices of this Supplementary Regulation 3 shall be attached thereto.

SEC. 3. *Persons using manuals or labor schedules*—(a) *Sellers who did not use a flat rate manual or labor schedule during the base period.* If you are a seller of automotive or farm tractor repair services and during the base period you did not use a flat rate manual or labor schedule to determine the hourly time allowance for all or a part of your services but desire to do so now you may select a specific edition of a flat rate manual or labor schedule that has been approved by this supplementary regulation. After selecting such edition or such new manual or schedule, you must file with your district office of the Office of Price Stabilization a statement or supplementary statement identifying the manual or schedule selected and the types of repair services not previously priced by this method to which your selection applies and showing your customers' hourly rate.

You must then use the edition or new manual or schedule that you have selected to determine the time allowance

for those repair services, unless you are notified by your district office within 10 days after filing your statement that such use has been disapproved, in which event you shall immediately discontinue the use of that edition or new manual or schedule for the named services and otherwise comply with the terms of that notice. You may not, however, in any event increase the customers' hourly rate which you charged in the base period.

(b) *Sellers who used a flat rate manual or labor schedule during the base period.* If you are a seller of automotive or farm tractor repair services and during the base period you used flat rate manuals or labor schedules to determine the hourly time allowance for all or part of your such services, you must continue to use the same manuals or schedules now, for the same services. You may substitute therefor a subsequent edition of any such manual or schedule which is approved by this supplementary regulation, for the same services. Such substitution may be made 10 days after you file with your district office of the Office of Price Stabilization a statement identifying the new edition of the manual or schedule to be used, and stating that the repair services to be priced by reference to the manual are identical with those theretofore determined by the manual or schedule being replaced as reported to the Office of Price Stabilization by you under section 18 of Ceiling Price Regulation 34 unless within that period of time such district office notifies you that such use has been disapproved. You may not however in any event increase the customers' hourly rate which you charged in the base period and reported to the Office of Price Stabilization under section 18 of Ceiling Price Regulation 34.

(c) *Dealers.* If you are a dealer who used a flat rate manual or labor schedule issued by the manufacturer for whom you are a dealer to determine the hourly time allowance for certain automotive or farm tractor repair services of a manufacturer's products during the base period, and since January 25, 1951 you have become a dealer for another manufacturer, you may use a flat rate manual or labor schedule which such other manufacturer issues to determine the hourly rate applicable to his products for repair services you sell, if such manuals or labor schedules or additions thereof were issued prior to January 26, 1951 or are approved by this supplementary regulation. If no such approval has been had you must in determining the hourly time allowance for such services comply with the provisions of paragraph (a) of this section.

For all other repair services for which you use or desire to use a flat rate manual or labor schedule to determine the time allowance during the base period you will be governed by the provisions of paragraph (a) or (b) of this section.

(d) *New seller.* If you are a new seller of automotive or farm tractor repair services and establish your ceiling price pursuant to sections 6 or 7 of Ceiling Price Regulation 34, you must, if your closest competitor uses a flat rate manual or labor schedule to determine the time allowance for such repair services, use the editions thereof approved by this supplementary regulation and otherwise comply with the applicable provisions of paragraph (a) of this section.

SEC. 4. *Approval of additional manuals and schedules and amendments.* Any publisher of a flat rate manual or labor schedule who issues a new edition of such flat rate manual or labor schedule which supersedes, supplements or modifies the labor time allowance in previous editions of such flat rate manual or labor schedule in use during the base period, December 19, 1950 to January 25, 1951 inclusive, or a publisher of a new flat rate manual or labor schedule may apply to the Director of Price Stabilization for approval of such flat rate manual or labor schedule, which approval if the requirements are met, will be granted through an amendment of this supplementary regulation, and an additional appendix setting forth the requirements for the use of such manual will be added to this supplementary regulation.

Effective date. This Supplementary Regulation shall become effective on September 4, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

AUGUST 30, 1951.

APPENDIX A

This is the "Notice" for Motor's Factory Flat Rate and Shop Manual, 1951 edition:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the inside back cover and its opposite page and reduce the price list here for that job to one based upon your own customers' hourly rate if it is below $3.50; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1950 Blank Cars, $_____. Quick tune-up, all Blank Models, $_____); and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices on page 1 of this Manual; and

(4) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX B

This is the "Notice" for Packard Flat Rate Manuals:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on pages 74 and 75 of Packard Flat Rate Manual for models 1941 to 1949 dated January 1950 and reduce the price listed here for that job to one based on your own customers' hourly rate; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Example: Quick tune-up, all Blank Models, $_____, relining brakes on 1950 Blank Cars, $_____); and

(3) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX C

This is the "Notice" for Allis-Chalmers Farm Tractor Flat Rate Manual:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on Page D and reduce the price list here for that job to one based on your own customers' hourly rate; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Example: Quick tune-up, all Blank Models, $_____); and

(3) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX D

This is the "Notice" for Implement and Tractor's Shop Book, Volume II, 1951 edition, containing farm tractor flat rates:

NOTICE

You are permitted by OPS to use this manual to arrive at your ceiling price for a given job:

If—

(1) You use the conversion table on the inside back cover and reduce the price listed here for that job to one based on your own customers' hourly rate if it is below $2.50; and

(2) Your present ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual (a fixed charge is a charge not computed on the basis of an hourly rate. Example: Quick tune-up, all Blank Models, $_____); and

(3) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case you are in doubt about your ceiling prices, consult your District OPS Office.

APPENDIX E

This is the "Notice" for Chilton's Motor Age Flat Rate and Service Manual, 22nd Edition, 1951:

NOTICE

You are permitted by OPS to use this manual to arrive at your maximum labor charge for a given job:

If—

(1) You use the conversion table on pages 1228 and 1229 and reduce the price list here for that job to one based upon your own authorized customers' hourly rate if it is below $3.00; and

(2) Your present legal ceiling price for that job is not a "fixed charge" which is lower than the price set for you by this Manual. (A fixed charge is a charge not computed on the basis of an hourly rate. Examples: Relining brakes on 1950 Blank Cars, $_____. Quick tune-up, all Blank Models, $_____); and

(3) On a towing charge, your present ceiling price is not lower than the price set for you by the use of the suggested schedule of towing prices on page 1227 of this Manual; and

(4) The supplementary statement which you file shows that the job is included among those jobs which you will hereafter price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 your intention to use all or any part of this Manual for pricing purposes.)

Important: In case of any doubt about your ceiling prices always consult your District OPS Office.

[F. R. Doc. 51-10621; Filed, Aug. 30, 1951; 4:00 p. m.]

[Ceiling Price Regulation 57, Amdt. 1]

CPR 57—CEILING PRICES FOR ANTI-FREEZE

CLARIFICATION OF MARKING OR LABELING REQUIREMENTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 57, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to Ceiling Price Regulation 57 makes it clear that after September 5, 1951, packagers of anti-freeze must commence marking or labeling containers with the type, strength and retail ceiling price of the anti-freeze contained therein.

The original intent of the regulation was to require such marking or labeling as to any anti-freeze packaged after 30 days from the effective date of the regulation, which was August 6, 1951. Some confusion arose as to this intent because of the word "within", which appeared in section 12 (a). The inclusion of this word was a typographical error. This amendment, by inserting a definite date, leaves no doubt as to when packagers of anti-freeze must commence marking or labeling containers.

Section 12 (b) regarding the size of type used in such container labels is also clarified.

In view of the corrective and routine nature of this amendment, the Director has not found it practicable or necessary to consult formally with industry representatives.

AMENDATORY PROVISIONS

Ceiling Price Regulation 57 is amended in the following respects:

1. The first sentence of section 12 (a) is amended to read as follows:

(a) After September 5, 1951, you may not package anti-freeze in containers unless the following information is marked on the containers or on labels securely affixed thereto:

(1) The type of anti-freeze contained therein.

(2) The strength of the anti-freeze contained therein.

2. Section 12 (b) is amended to read as follows:

(b) The type of anti-freeze and the applicable retail ceiling price established by this regulation must be printed in letters at least two inches high on containers of more than 5 gallons. On containers of 5 gallons or less, the letters must be at least as large as the largest letters of any other printed matter thereon other than the trade-mark or trade name.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective September 4, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10618; Filed, Aug. 30, 1951; 12:01 p. m.]

[General Overriding Regulation 18]

GOR 18—ADJUSTMENTS TO RECONCILE OPS REGULATIONS WITH THE ROBINSON-PATMAN ACT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation 18 is hereby issued.

STATEMENT OF CONSIDERATIONS

A number of OPS regulations provide that a seller must maintain his customary price relationships between various classes of purchasers which existed during an earlier base period. On occasion, this requirement may create an apparent conflict between OPS regulations and the Robinson-Patman Act. This is true in those instances in which the differentials for various purchasers or classes of purchasers constitute discrimination, the effect of which is substantially to lessen competition or tend to create a monopoly.

The unlawful discrimination can, of course, be corrected by either increasing the price to the lowest price customer, or decreasing the price to the highest price customer. Complying with the Robinson-Patman Act by increasing prices to some purchasers may in a given situation violate an OPS regulation. Compliance by decreasing prices to purchasers discriminated against may, on the other hand, impose a substantial hardship on a seller.

This General Overriding Regulation provides an equitable solution to the dilemma. A seller with serious grounds to believe that his frozen prices are established in violation of the Robinson-Patman Act may increase some prices providing that at the same time he decreases others. He must make a showing that the proposed price differentials on a weighted basis restore his approximately to the same total sales position that he had during a representative period prior to the freeze.

Prior to the issuance of this regulation, the Director of Price Stabilization conferred with representatives of the Department of Justice and the Federal Trade Commission, as well as with persons in industry who may be involved, and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this General Overriding Regulation does.
2. Who may apply.
3. What an application should contain.
4. The adjustment order.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101—2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this General Overriding Regulation does.* This General Overriding Regulation provides for the adjustment of ceiling prices on the part of sellers whose ceiling prices under any OPS regulation involve an unlawful discrimination under the Robinson-Patman Act (49 Stat. 1526).

Sec. 2. *Who may apply.* Applications for adjustment may be filed under this General Overriding Regulation by any seller:

(a) Who has been found by the Federal Trade Commission or any court of competent jurisdiction to have discriminated in price between different purchasers in violation of the Robinson-Patman Act; or

(b) Who has reasonable grounds, supported by an opinion of counsel, to believe that the maintenance of his existing price differentials would be a discrimination in price between different purchasers in violation of the Robinson-Patman Act; and

(c) Who finds that the elimination of such discrimination by increasing his prices to the purchasers favored by such discrimination is prohibited by OPS regulations.

SEC. 3. *What an application should contain.* An application under this General Overriding Regulation shall be filed with the Director of Price Stabilization, Washington 25, D. C., and shall contain the following:

(a) A statement of the commodities or services for which the application is made.

(b) If the Federal Trade Commission or any court has found the applicant to have violated the Robinson-Patman Act, a copy of such finding; if not, the grounds upon which the applicant be-

lieves that such a violation would take place, supported by an opinion of counsel.

(c) A statement of the ceiling prices of the commodities or services affected by the application to each class of purchaser, together with a statement of the gross volume of sales to each class of purchaser for the period during which the price structure was in effect or for one full calendar or fiscal year prior to the application, whichever is shorter.

(d) Proposed adjusted ceiling prices and the assumptions which lead you to expect that the proposed price decreases to one or more classes of purchasers will balance the proposed increases to other classes of purchasers.

SEC. 4. *The adjustment order.* The Director of Price Stabilization may by order adjust the ceiling prices to various classes of purchasers in such a fashion as to balance decreases against increases, giving due weight to the volume of sales to each class of purchaser. In appropriate cases, the adjustment order may provide for notification to resellers and for changes in the ceiling prices of resellers.

Effective date. This General Overriding Regulation 18 is effective September 4, 1951.

NOTE: The record-keeping and reporting requirements of this General Overriding Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 3, 1951.

[F. R. Doc. 51-10620; Filed, Aug. 30, 1951; 12:01 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-21, Revocation]

M-21—METHYLENE CHLORIDE

NPA Order M-21 is hereby revoked.

Methylene chloride has been placed under allocation by Schedule 9 to NPA Order M-45.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-21, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

This revocation is effective August 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10575; Filed, Aug. 29, 1951; 4:43 p. m.]

[NPA Order M-45, Schedule 9]

M-45—ALLOCATION OF CHEMICALS AND ALLIED PRODUCTS

SCHEDULE 9—METHYLENE CHLORIDE

This schedule is found necessary and appropriate to promote the national defense and is issued under NPA Order M-45 pursuant to the authority of section 101 of the Defense Production Act of 1950, as amended. In the formulation of this schedule there has been consultation with industry representatives and consideration has been given to their recommendations. Since there is no trade association in this industry, consultation with trade association representatives was not possible.

Sec.
1. Definition.
2. General provisions.
3. Filing date and unit of measure.
4. Termination of NPA authorization to use.
5. Limitation on inventory.
6. Purchaser's application on Form NPAF-45.
7. Supplier's application on Form NPAF-46.
8. Communications.

AUTHORITY: Sections 1 to 8 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154.

SECTION 1. *Definition.* "Methylene chloride" means the pure, colorless organic liquid possessing the formula CH_2Cl_2 (known in the trade as "refined grade").

SEC. 2. *General Provisions.* Methylene chloride is hereby made subject to NPA Order M-45 as an Appendix A material. This schedule supersedes the provisions of NPA Order M-32 which relate to methylene chloride. The initial allocation date is September 1, 1951. The allocation period is the calendar month. The small order exemption is a 550-pound drum, per person, per month. No producer of methylene chloride may accept small orders therefor, however, aggregating more than 3 percent of his monthly production of methylene chloride.

SEC. 3. *Filing date and unit of measure.* The filing date for Form NPAF-45 is the fifteenth day of the month before the proposed delivery month. The filing date for Form NPAF-46 is the twentieth day of the month before the proposed delivery month. Applications relating to the allocation period commencing September 1, 1951, should be filed as soon as possible. The unit of measure is the pound.

SEC. 4. *Termination of NPA authorization to use.* An authorization by NPA to any person to use methylene chloride shall terminate at the close of the calendar month immediately following the allocation period for which such use was authorized.

SEC. 5. *Limitation on inventory.* The provisions of NPA Reg. 1 shall apply to methylene chloride.

SEC. 6. *Purchaser's application on Form NPAF-45.* Every person who purchases methylene chloride from a supplier is required to apply for authorization to accept delivery on Form NPAF-45. General instruction on the preparation of Form NPAF-45 are set forth in Appendix D of NPA Order M-45. Each applicant should specify in column (2), the quantity required for each end-use and should show in column (3) the product to be made from methylene chloride, such as photographic film, and so forth, specifying the chemical name, if any, for each such product. In column (4) he should show the ultimate product end-use such as paint remover, refrigerant, or extraction medium for oils and fats, and so forth, and also the DO rating, CMP allotment number, Government contract number and specification number, if any.

SEC. 7. *Supplier's application on Form NPAF-46.* Every supplier of methylene chloride is required to apply on Form NPAF-46 for authorization to deliver or to use any quantity of methylene chloride. General instructions on the preparation of Form NPAF-46 are set forth in Appendix D of NPA Order M-45.

SEC. 8. *Communications.* All communications concerning this schedule shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-45, Schedule 9.

NOTE: All reporting requirements of this schedule have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139-139F).

This schedule shall take effect, except as otherwise provided herein, on August 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10576; Filed, Aug. 29, 1951; 4:43 p. m.]

[NPA Reg. 5 as Amended August 29, 1951]

REG. 5—APPEALS

This regulation as amended is found necessary and appropriate to promote the national defense and is issued under the authority granted by the Defense Production Act of 1950, as amended. Consultation with industry representatives in advance of the issuance of this regulation as amended has been rendered impracticable by the fact that the regulation applies to all trades and industries.

This amendment affects NPA Reg. 5, dated April 25, 1951, in the following respects: It amends paragraph (a) of section 2 to permit an appeal to the NPA Appeals Board from the decision on an application for adjustment or exception from NPA action taken on an application for a CMP allotment or an allocation authorization; amends paragraph (c) of section 2 and subparagraph (2) of section 4 (b) to conform to the amendment to paragraph (a) of section 2; adds a new paragraph (d) in section 2 defining "CMP allotment" and "allocation authorization"; adds a new paragraph (a) in section 5 to provide that in any case in which the NPA Appeals Board determines that relief is justified, it will grant appropriate relief to the extent permitted by the availability of materials; and makes certain other changes of a technical or clarifying nature. As so amended, NPA Reg. 5 reads as follows:

Sec.
1. What this regulation covers.
2. Grounds for appeal.
3. NPA Appeals Board.

Sec.
4. Rules for filing appeals.
5. Decisions.
6. Procedures of the NPA Appeals Board.
7. Hearings by the NPA Appeals Board.
8. Presentation of case at a hearing.
9. Interested parties.

AUTHORITY: Sections 1 to 9 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this regulation covers.* This regulation specifies the "appeals" procedure of the National Production Authority and the operations of the NPA Appeals Board. It does not apply to appeals from suspension orders issued, or other action taken in connection with compliance proceedings.

SEC. 2. *Grounds for appeal.* Orders and regulations issued by NPA provide for applications for adjustment or exception. Such an application is granted or denied on the decision of the NPA official administering the particular order or regulation.

(a) Any person who has filed an application for adjustment or exception requesting relief from a provision of an order or regulation issued by NPA, and any person who has applied to NPA for a CMP allotment or an allocation authorization pursuant to an order or regulation issued by NPA and who has thereafter filed an application for adjustment or exception requesting relief from the action taken on his application for a CMP allotment or an allocation authorization, may appeal to the NPA Appeals Board from the decision on his application for adjustment or exception, upon the ground that such decision:

(1) Works an exceptional and unreasonable hardship on him which is not suffered generally by others in the same trade or industry, or in the same relative position; or

(2) Results in unreasonable discrimination against him; or

(3) Is not in the public interest or the interest of the national defense.

(b) If a person has new and substantial facts to submit which were not included in his application for adjustment or exception, he should not file an appeal to the NPA Appeals Board, but first should apply to the NPA official administering the applicable order or regulation for reconsideration of his application for adjustment or exception upon the basis of these new facts. Then, if the reconsideration does not result in a decision satisfactory to him, he may file an appeal on the grounds stated in paragraph (a) of this section.

(c) An application for reconsideration may not be made more than 30 days after the date of the NPA decision with respect to the application for adjustment or exception except that, in the case of a decision made before the effective date of this regulation, as amended, with respect to an application for adjustment or exception requesting relief from the action taken on an application for a CMP allotment or an allocation authorization, such application for reconsideration may be filed within 30 days after the effective date of this regulation, as amended.

(d) As used in this regulation, "CMP allotment" means an authorized production schedule and a related allotment of controlled materials or an authorized construction schedule and a related allotment of controlled materials; and "allocation authorization" means an authorization to deliver, accept delivery, or use a specified quantity of a particular material.

SEC. 3. *NPA Appeals Board.* The NPA Appeals Board is established as an impartial body consisting of three officials of the NPA. It acts as the final agency authority in considering appeals permitted under section 2 of this regulation.

SEC. 4. *Rules for filing appeals*—(a) *Form of appeal.* An appeal is instituted by the filing of four copies of a written notice, the original of which will be signed by the appellant or his authorized representative, setting forth:

(1) The name, address, and business of the appellant.

(2) The nature of the NPA action appealed from, including, but not limited to, its date, case number, and the order or regulation under which it was taken.

(3) The grounds of appeal.

(4) A copy of the documents evidencing the NPA action from which the appeal is taken.

(5) If the appellant requests a hearing, the notice of appeal should so state.

(b) *Filing of appeal.* (1) The notice of appeal shall be filed with the Secretary of the NPA Appeals Board, Office of the Administrator, National Production Authority, Washington 25, D. C. A notice of appeal shall be considered filed when it is delivered to the office of the Secretary.

(2) A notice of appeal may not be filed more than 45 days after the date of the NPA decision with respect to the application for adjustment or exception except that, in the case of an appeal from an NPA decision made before the effective date of this regulation, as amended, on an application for adjustment or exception requesting relief from the action taken on an application for a CMP allotment or an allocation authorization, the notice of appeal may be filed within 45 days after the effective date of this regulation, as amended.

(c) *Additional data.* The NPA Appeals Board may request the filing of additional data whenever it considers it necessary.

SEC. 5. *Decisions.* (a) In any case in which the NPA Appeals Board determines that relief is justified, it will grant appropriate relief to the extent permitted by the availability of materials.

(b) The decision of the NPA Appeals Board shall be made by a majority vote of its members. In the event of a tie vote, the appeal shall be considered to be denied.

(c) The decision of the NPA Appeals Board shall be final. Decisions may be reconsidered in the discretion of the Board.

(d) The NPA Appeals Board shall not be required to furnish written opinions.

(e) Every party to an appeal shall be notified in writing of the decision of the NPA Appeals Board.

SEC. 6. *Procedures of the NPA Appeals Board.* The Board will issue and publish rules of procedure from time to time.

SEC. 7. *Hearings by the NPA Appeals Board.* In its discretion, the NPA Appeals Board may hold a hearing on any appeal, either upon its own initiative, or upon request by the appellant. The appellant's case is not prejudiced by the fact that he does not request a hearing. Hearings by the Board shall be public unless otherwise ordered by the Board. If a hearing is to be held, the NPA Appeals Board will fix the date, time, and place, and will notify the appellant thereof.

SEC. 8. *Presentation of case at a hearing.* The NPA Appeals Board is not a judicial body. Hearings before the Board are informal. It is not required that the appellant be represented by counsel, but he may be if he desires. If he is represented by counsel but is not present at the hearing, the appellant must notify the NPA Appeals Board in writing that he has authorized counsel to represent him at the hearing and has furnished counsel with the information necessary for presenting the appellant's case. Any misrepresentation of fact, or any withholding of fact, is punishable under the applicable Federal statutes.

SEC. 9. *Interested parties.* In the discretion of the NPA Appeals Board, interested persons or Government agencies, offices, or departments, may intervene as parties to an appeal, to the extent determined by the Board.

This regulation, as amended, shall take effect on August 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10577; Filed, Aug. 29, 1951; 4:43 p. m.]

[NPA Order M-2 as Amended August 29, 1951]

M-2—RUBBER

This order as amended is found necessary and appropriate to promote the national defense. It is issued pursuant to both the Defense Production Act of 1950, as amended, and the Rubber Act of 1948. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

NPA Order M-2 as last amended July 17, 1951, is amended to read as follows:

EXPLANATORY PROVISIONS

Sec.
1. Purpose and effect.
2. Definitions.

RESTRICTIONS ON CONSUMPTION

3. Limit on total new rubber consumption (except natural rubber latex).
4. Rubber to fill certain rated orders.

IMPORTATION AND DISTRIBUTION OF NATURAL RUBBER

Sec.
5. Private importation of natural rubber prohibited.
6. Purchase of natural rubber.

ALLOCATION OF SYNTHETIC RUBBER

7. Limitation on acquisition of synthetic rubber.
8. Allocation procedure.
9. Basis of allocations.

RUBBER PRODUCT REQUIREMENTS AND LIMITATIONS

10. Required production of certain tires or tubes.
11. Rubber product simplification and manufacturing specifications.
12. Limitation on high-tenacity rayon for rubber products.

GENERAL PROVISIONS

13. Monthly reports of rubber consumption and stocks.
14. Reports by tire, tube, and camelback manufacturers.
15. Reports by latex importers.
16. Records and reports.
17. Applications for adjustment or exception.
18. Communications.
19. Violations.

Authority: Sections 1 to 19 issued under sec. 10, 62 Stat. 105, as amended; sec. 704, 64 Stat. 816, as amended, 50 U. S. C. App. Sup. 1929, 2154. Interpret or apply sec. 3, 62 Stat. 102; sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 1922, 2071; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; E. O. 9942, Apr. 1, 1948, 13 F. R. 1823; 3 CFR, 1948 Supp.

EXPLANATORY PROVISIONS

SECTION 1. *Purpose and effect.* The purpose of this order is to conserve the supply of rubber for the needs of national defense and to provide for its equitable distribution. The order places over-all limits on the consumption of new rubber (including both natural and synthetic, but excluding natural rubber latex). It prohibits private importation of natural rubber, provides for allocation of Government-produced synthetic rubber, and for the distribution of natural rubber. It also makes provisions for maintaining production of camelback and other more essential rubber products; for directing production of rubber products into standard lines, and for restricting the use of natural rubber in certain listed products.

SEC. 2. *Definitions.* As used in this order:

(a) "Natural rubber" means all forms and types of tree, vine, or shrub rubber, both dry and latex, including the following grades of wild rubber (cut, uncut, washed, or dried); upriver fine, acre fine, Bolivian fine, beni fine, island fine, and all other types of fine para, which are of equivalent quality regardless of name or origin; but excluding all other South American, Central American, or West African grades of wild rubber, and all rubber from guayule, balata, or gutta percha, as well as reclaimed natural rubber.

(b) "Dry natural rubber" means all natural rubber in solid form.

(c) "Natural rubber latex" means the dry latex solids contained in natural rubber liquid latex.

(d) "Synthetic rubber" means all new RHC products of chemical synthesis similar in general properties and applications to natural rubber and specifically capable of vulcanization, including synthetic rubber latex, but excluding reclaimed synthetic rubber.

(e) "GR–S" means a general-purpose synthetic rubber of the butadiene styrene type produced in the United States generally suitable for use in the manufacture of transportation items such as tires or camelback, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camelback, as determined from time to time by the NPA, but excluding reclaimed general-purpose synthetic rubber.

(f) "Butyl" or "GR–I" means a special-purpose synthetic rubber produced in the United States, suitable for use in the manufacture of transportation items such as pneumatic inner tubes, but excluding reclaimed special-purpose synthetic rubber.

(g) "New RHC" means total new rubber hydrocarbon. This is the total content of dry natural rubber, natural rubber latex, synthetic rubber, uncured scrap rubber, and uncured in-process materials.

(h) "Consume" means, in the case of dry natural rubber, natural rubber latex, or synthetic rubber, to compound, expend, formulate, or in any manner make any substantial change in the form, shape, or chemical composition.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(j) "Reclaimed rubber" means any rubber derived from the processing or treatment of vulcanized rubber or cured scrap rubber.

(k) "NPA" means the National Production Authority in the Department of Commerce.

RESTRICTIONS ON CONSUMPTION

SEC. 3. *Limit on total new rubber consumption (except natural rubber latex).* (a) No person shall (except on prior written authorization of NPA) consume in any calendar quarter a total amount of new rubber (including all synthetic both dry and latex and all natural except latex) in excess of 100 percent of his base quarterly new rubber consumption as computed under paragraph (c) of this section: *Provided, however,* That no person shall consume in the manufacture of any item listed in Appendix B of this order, in any calendar quarter, any new rubber in excess of 90 percent of the proportion of his base quarterly new rubber consumption devoted to the manufacture of each such item during the year ending June 30, 1950.

(b) No person shall (except on prior written authorization of NPA) consume in any calendar month a total amount of new rubber (including all synthetic both dry and latex and all natural except latex) in excess of 40 percent of his base quarterly new rubber consumption as computed under paragraph (c) of this section.

(c) Each person's base quarterly new rubber consumption shall be one-fourth of his actual new rubber consumption (including all synthetic both dry and latex and all natural except latex) during the year ending June 30, 1950, as adjusted by NPA.

(d) Notwithstanding the preceding provisions of this section, any person may consume in any calendar quarter a quantity of new rubber (including all synthetic both dry and latex and all natural except latex) not exceeding 150,000 pounds, but subject to the following conditions:

(1) Any such person remains subject to the proviso in paragraph (a) of this section. That is, he may not in any calendar quarter consume in the manufacture of any item listed in Appendix B more than 90 percent of the proportion of his base quarterly new rubber consumption devoted to the manufacture of each such item during the year ending June 30, 1950.

(2) The purpose of this paragraph being to assist smaller businesses in production of their own lines of rubber products, and not to enable them to divert additional rubber to other manufacturers, any person who consumes more new rubber in any calender quarter than would be permitted if he were limited by paragraph (a) of this section is accordingly prohibited from transferring during such quarter, to consumers of rubber or for export more new RHC (whether or not compounded, expended, or formulated into masterbatches) than he transferred to such persons or for such purpose during the second calender quarter of 1951.

(3) In order to conserve the limited supplies of natural rubber, any quantities of new rubber to be consumed pursuant to this paragraph, in addition to those quantities which would otherwise be permitted by paragraph (a) of this section, will be made available only in the form of GR–S. NPA will accordingly instruct the Office of Rubber Reserve of the Reconstruction Finance Corporation to increase by 25 percent the previously determined GR–S allocations of all rubber consumers for the third quarter 1951, if their permitted new rubber consumption (exclusive of natural rubber latex) is not thereby made to exceed 150,000 pounds. Subsequent quarterly allocations of GR–S will be made on this increased basis. Any additional GR–S required and allowable under this paragraph must be secured by special application to NPA and will be allocated to the extent permitted by available supplies.

(4) No person who, pursuant to this paragraph, consumes in any calendar quarter more new rubber than would be permitted if he were limited by paragraph (a) of this section, shall purchase or consume in any such quarter a quantity of dry natural rubber which exceeds 64 percent of one-quarter of his dry natural rubber base as determined and adjusted by NPA and heretofore reported to him by NPA (since the consumption of dry natural rubber by the entire rubber industry is currently averaging 64 percent of its total dry natural rubber base). Neither shall any

such person purchase or consume more synthetic rubber, other than GR–S, than approved and allocated by NPA.

SEC. 4. *Rubber to fill certain rated orders.* (a) Such quantities of new rubber as are used to fill an order bearing any of the ratings listed in Appendix C of this order or to fill any order required by one of the programs listed in Appendix C whether or not it bears such a rating, are hereby exempted from the limitations on consumption contained in section 3 of this order. All such quantities shall accordingly be excluded in computing consumption under that section. Allocations of synthetic rubber and permission to consume natural rubber will be granted for such purposes, upon application in writing to NPA, and such allocations of synthetic rubber shall be in addition to the allocations for which provision is made in sections 7, 8, and 9 of this order. Such applications shall constitute a representation to NPA that the quantities and types of rubber applied for have been or will be used only to fill the orders specified.

(b) Any person filing an application for an allocation of 500 pounds or more of new rubber to fill one of the orders described in paragraph (a) of this section, must show (1) the DO rating number or symbol applied to the order, (2) the Government contract or purchase order numbers, (3) the identity and quantity of the product ordered, (4) the Government specifications for the product insofar as they concern the rubber content, (5) the name and address of the customer, and (6) the types (natural rubber, GR–S, or GR–I) and quantities of rubber required by the contract specifications, by month, to fill the order.

(c) Any person filing an application for an allocation of rubber to fill any of the orders described in paragraph (a) of this section, where each of such orders requires less than 500 pounds of new rubber, must set forth (1) the number of orders with each rating or contract number, (2) the types (natural rubber, GR–S, or GR–I) and quantities of rubber required by the contract specifications to fill each group of such orders, and (3) a statement signed by an authorized officer or member of the company to the effect that he has received rated orders or contracts which are on file and which require the amount of rubber applied for.

IMPORTATION AND DISTRIBUTION OF NATURAL RUBBER

SEC. 5. *Private importation of natural rubber prohibited.* (a) On and after December 29, 1950, no person, other than the Administrator of General Services, shall import into the United States, including its territories and possessions, any natural rubber as defined in section 2 (a) of this order, except as specifically authorized in writing by the Administrator of General Services: *Provided, however,* That this prohibition shall not apply to any private importation required by a contract which was made prior to December 29, 1950, and which is registered with the General Services Administration on or before January 5, 1951, except, as any such private importation may be disapproved by said Administrator. For purposes of this section, the term "import" includes any physical movement of rubber into the United States, whether placed in general order or in a foreign-trade zone, or whether entered for consumption, bonded customs custody, or otherwise, except where the rubber moves through the United States in transit, under bond, from a consignor in one foreign country to a consignee in another foreign country.

(b) The prohibition in paragraph (a) of this section does not apply to the types and grades of natural rubber excluded from the definition in section 2 (a) of this order.

SEC. 6. *Purchase of natural rubber.* (a) No person shall purchase any natural rubber if his total inventory of natural rubber exceeds, or by the delivery of such purchase would be made to exceed, the amount of natural rubber which he may under this order, consume during the next succeeding 60 calendar days. If his inventory of any particular grade is less than his requirements for such grade for a 60-calendar day period, he may purchase the balance of his requirements for that grade for that period.

(b) Each person who desires to purchase any natural rubber shall furnish the Administrator of General Services a certificate reading substantially as follows:

> I hereby certify, subject to the criminal penalties for misrepresentation contained in Title 18, U. S. Code (Crimes), section 1001, that after receipt of the rubber called for by this order, my inventory will not exceed the limitations of NPA Order M–2.

ALLOCATION OF SYNTHETIC RUBBER

SEC. 7. *Limitation on acquisition of synthetic rubber.* No person shall acquire more Government-produced GR–S or butyl (GR–I) than is allocated to him by NPA. No person shall sell or transfer any synthetic rubber acquired from the Government to any person other than the Office of Rubber Reserve, Reconstruction Finance Corporation: *Provided, however,* That this prohibition shall not apply to any transfer of Government-produced synthetic rubber which is part of a bona fide subcontracting arrangement by which the transferee is required to return the equivalent amount of synthetic rubber to the transferor, or where there is no transfer of the right ultimately to dispose of or sell the rubber or rubber product made therefrom.

SEC. 8. *Allocation procedure.* NPA will allocate quarterly, to each consumer of GR–S or butyl, the amounts of Government-produced GR–S and butyl that he may purchase during a specified calendar quarter. The allocation will reflect the total quantity of hot rubber and the total quantity of cold rubber which the consumer may purchase, but will not specify particular types within these two categories. NPA will notify the Office of Rubber Reserve, Reconstruction Finance Corporation, of such allocations and the Office of Rubber Reserve will not issue purchase permits in any calendar month to anyone for more than one-third of his quarterly allocation of GR–S or butyl. Persons desiring to purchase GR–S or butyl will submit purchase requests to the Office of Rubber Reserve in accordance with its established procedure.

SEC. 9. *Basis of allocation.* GR–S and butyl for nondefense purposes will be separately allocated by NPA for each calendar quarter on the following basis:

(a) *GR–S.* Subject to the provisions of paragraphs (d) and (e) of this section, each consumer of GR–S will be allocated a fair and proportionate share of the total available Government-produced GR–S (after a reasonable amount has been reserved for rated orders, for such other programs as may be approved by NPA, and for adjustments under section 17 of this order).

(b) *Butyl for tire tubes.* Subject to the provisions of paragraphs (d) and (e) of this section, each manufacturer of tire tubes will be allocated his pro rata share of total available Government-produced butyl (after a reasonable amount has been reserved for rated orders, for such other programs as may be approved by NPA, and for adjustments under section 17 of this order), based on the proportion which his total new rubber consumption for tire tubes during the year ending June 30, 1950, bears to the total new rubber consumption of the industry for tire tubes during that period as determined by NPA.

(c) *Butyl for other uses.* Subject to the provisions of paragraphs (d) and (e) of this section, each consumer of butyl for purposes other than the manufacture of tire tubes will be allocated, for each calendar quarter, his average quarterly consumption of butyl for such other purposes during the year ending June 30, 1950, as determined by NPA.

(d) *Imports to be considered.* In making the allocations described in paragraphs (a), (b), and (c) of this section, NPA will ascertain the quantities of imported GR–S and butyl acquired for each consumer, and will reduce by the amounts of such imported rubber the allocations which would otherwise be made.

(e) *Inventories to be considered.* In making the allocations described in paragraphs (a), (b), and (c) of this section, NPA will ascertain and take into account each consumer's inventory of GR–S and butyl, and will adjust the allocations insofar as practicable so that inventories (including rubber in warehouse and in transit) will not be increased beyond a 30-working-day supply.

(f) *GR–S plant clean-up and dried latex drainings, coagulum, and preflox materials.* Only 50 percent of the quantity of GR–S plant clean-up material purchased from the Office of Rubber Reserve, and only 25 percent of the GR–S dried latex drainings, coagulum, and

preflox purchased from the Office of Rubber Reserve, need be considered in computing and reporting the total quantity of synthetic rubber acquired or consumed.

SEC. 10. *Required production of certain tires or tubes.* No person who, during the second calendar quarter of 1951, manufactured any camelback, tires or tubes for use on trucks, buses, and truck trailers, in sizes 8.25 and up, for use on tractors or farm equipment, or any tires or tubes 10-ply rated and up, shall, during any month, devote less than the same proportion of his total new rubber consumption as limited by section 3 of this order to the manufacture of each of these items than he did in the second calendar quarter of 1951.

SEC. 11. *Rubber product simplification and manufacturing specifications.* (a) *Manufacture except in accordance with Appendix A prohibited.* No person shall manufacture any rubber product except in accordance with the specifications and other terms and conditions prescribed in Appendix A of this order. More specifically, (1) no person shall consume any natural rubber (dry or latex) in the manufacture of any product not listed in column II of Appendix A; (2) no person shall consume more natural rubber (dry or latex) in the manufacture of any listed product than prescribed in column III (as qualified by column IV) of Appendix A, and (3) no person shall consume any new RHC (natural or synthetic) in the manufacture of any listed product in more or different lines, types, qualities, styles, or colors than those prescribed in column IV of Appendix A.

(b) *Exceptions to limitations of Appendix A.* (1) *Defense orders.* Notwithstanding the provisions of Appendix A, any product manufactured to fill a rated order may be manufactured to the specifications of the order if and to the extent that such specifications are required by the Government. Efforts will be made, however, to obtain maximum standardization of rubber products for Government defense requirements as well as between defense and nondefense requirements.

(2) *Tire experimentation.* Notwithstanding the provision of Appendix A, any person may use up to a total of 2,000 pounds of dry natural rubber during any calendar quarter for experimentation in the manufacture of those sizes and types of tires for which specifications are provided in Appendix A.

SEC. 12. *Limitation on high-tenacity rayon for rubber products.* (a) No person shall, in the third quarter of 1951, or in any calendar quarter thereafter, use a greater quantity by weight of high-tenacity rayon in the manufacture of rubber products (other than those products required to fill any contract of the Department of Defense or any division thereof or of the Atomic Energy Commission) than his average quarterly use of high-tenacity rayon in such manufacture during 6 months ending June 30, 1951.

(b) No person shall, during any such quarter, order more high-tenacity rayon than the quantity he is permitted to use during such quarter pursuant to paragraph (a) of this section.

(c) "High-tenacity rayon" as used in this section includes singles yarn, plies, cord, and cord fabric.

GENERAL PROVISIONS

SEC. 13. *Monthly reports of rubber consumption and stocks.* Every person who consumes or owns, at any time during any month, any type of rubber listed below shall file a monthly report on Form NPAF–3 with NPA in accordance with the instructions accompanying the form. This report form covers consumption, stocks, receipts, production, and shipments. Any person who consumes rubber as part of a scientific laboratory experimental program only shall file his report annually on Form NPAF–4.

Types to be reported

Dry natural rubber.
Natural rubber latex.
Reclaimed rubber.
GR–S types, excluding latex.[1]
GR–S type latex.[1]
Butyl types.[1]
Neoprene, excluding latex.
Neoprene, latex.
Butadiene-acrylonitrile types (N-type) excluding latex.
Butadiene-acrylonitrile types (N-type) latex.
Scrap rubber, uncured.

SEC. 14. *Reports by tire, tube, and camelback manufacturers*—(a) *Monthly reports.* Each manufacturer of tires, tubes, and camelback shall file with NPA a report of his production, shipments, and inventory for each calendar month on Form NPAF–5 in accordance with the instructions accompanying the form.

(b) *Weekly reports of cured tires.* Each manufacturer of tires shall file with NPA a report of his production of cured tires for each week on Form NPAF–6 in accordance with the instructions accompanying the form.

SEC. 15. *Reports by latex importers.* Every importer of natural rubber latex shall report by letter to NPA by the 15th of each month in long tons of dry latex solids (a) his imports for the current month (actual receipts plus material due to arrive), (b) his scheduled imports for the next succeeding month, and (c) his estimate of his imports for the second and third succeeding months.

SEC. 16. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit an audit that determines that the provisions of this order have been met. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have or who may maintain such microfilm or other photographic records in the regular and usual course of business. All records required by this order shall be made available at the usual place of business where maintained, for inspection and audit by duly authorized representatives of the National Production Authority. All persons subject to this order shall keep such records and file such other reports as may be required subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

(b) Each consumer of rubber shall complete and return to NPA, Forms NPAF–58 and NPAF–59. These forms will be mailed to each consumer of rubber and shall be filed in accordance with the instructions accompanying them.

SEC. 17. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, in duplicate, and shall set forth all pertinent facts, the nature of relief sought, and the justification therefor.

SEC. 18. *Communications.* All applications, reports, and other communications, relating to this order should be addressed to the National Production Authority, Washington 25, D. C., Ref.: Order M–2.

SEC. 19. *Violations.* Any person who wilfully violates any provision of this order, or who furnishes false information or conceals any material fact in the course of operation under it, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to compel necessary adjustment of his inventories or consumption or to suspend his privilege of making or receiving further deliveries of, or from processing or using, materials subject to this order.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order as amended shall take effect on August 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[1] Includes all types whether obtained from Government or other sources, including imports.

APPENDIX A—RUBBER PRODUCTS SUBJECT TO SIMPLIFICATION AND MANUFACTURING SPECIFICATIONS AS PROVIDED IN SECTION 14 OF NPA ORDER M-2

EXPLANATION OF COLUMNS AND SYMBOLS

Column 1: The code number indicated in column 1 is the numerical identification of a similar class of products.

Column 2: The product or product class to which the restrictions apply is described in column 2.

Column 3: The figures and symbols in column 3 specify the amount of natural rubber, if any, that may be used in the listed products.

For product codes 1 through 8 and 14, 15, 16, 17, 23, and 24, the figures in column 3 represent maximum percent of dry natural rubber and/or natural rubber latex to the total weight of new RHC. For product codes 9 through 13 and 18 through 22, such figures represent maximum percent of dry natural rubber and/or natural rubber latex to the total volume of the compound *except* where provided in column 4 that the percent is expressed in terms of total weight of new RHC.

The figure "0" in column 3 means that the use of dry natural rubber or natural rubber latex is prohibited except as may be provided in column 4.

The symbol "X" in column 3 means that dry natural rubber or natural rubber latex may be used in the minimum amount required except as may be provided in column 4.

Column 4: The provisions in column 4 are in some instances qualifications on the use of dry natural rubber or natural rubber latex as otherwise permitted by column 3. These qualifications take precedence over column 3 where there is any apparent inconsistency. Column 4 also contains the simplication and standardization provisions governing the manufacture of the product or product class. These latter provisions do not relate merely to the use of natural rubber but limit the lines, types, qualities, styles, and colors in which the listed products may be manufactured with the use of any kind of new rubber. There are no such limitations on the manufacture of listed products except as indicated in column 4.

Code No. (1)	Product (2)	Percent natural rubber to total new RHC (3)	Special restrictions or provisions (4)
1	Pneumatic tires	(1)	The group average of any product in code 1 may be exceeded, provided the aggregate natural rubber consumed in all products in this code does not exceed the total amount of natural rubber which would have been consumed if calculated on the maximum group averages for code 1.
	Airplane tires	100	Maximum individual tire—100 percent.
	Bicycle tires	13	Black side-walls only. Maximum individual tire—95 percent.
	Motorcycle tires	15	Black side-walls only. Maximum individual tire—95 percent.
	Passenger: Highway, mud-snow, taxi		Passenger car tires are restricted as follows: All types—black side-walls only. Standard tread depth highway tires—one line and one quality only. Extra tread depth highway tires—one line only; and no greater quantity may be produced by any manufacturer in any calendar quarter, in proportion to his total production of passenger car tires in that quarter, than the proportion of his extra depth highway passenger car tire production to his total passenger car tire production in the last 6 months of 1950. Special purpose tires—no more or different lines may be produced by any manufacturer than he was producing on Feb. 19, 1951.
	Through 7.10 and 6.50	15	Maximum individual tire—95 percent.
	Over 7.10 and 6.50	22	Maximum individual tire—95 percent.
	Industrial pneumatic	13	Maximum individual tire—95 percent.
	Tractor implement	13	Maximum individual tire—95 percent. Restricted to one line of tires.
	Truck: Highway, heavy highway, traction, off-the-road trailer, flotation type, trailer type.		Truck tire production is restricted as follows: Standard tread depth highway tires—one line only. Extra tread depth highway tires—one line only. Special purpose tires—no more or different lines may be produced by any manufacturer than he was producing on Feb. 19, 1951.
	7.50 and under	38	Maximum individual tire—95 percent.
	8.25 through 9.00	75	Maximum individual tire—99 percent.
	10.00 through 12.00	90	Maximum individual tire—99 percent.
	Over 12.00	92	Maximum individual tire—99 percent.
2	Solid tires:		
	Airplane tires	X	
	Bogie, idler, and support rollers	X	
	Pressed on	50	
	Cured on, 4 x 1½ and up	50	
3	Tire tubes		Any color, but one color only, except that every tube containing butyl must be marked with one or more circumferential light blue stripes, applied on the base section of the tubes, any one of which stripes must be 3/16 inch minimum width. No other tube shall be so marked.
	Airplane	100	
	Bicycle	5	Including valves.
	Industrial pneumatic	X	
	Passenger	X	
	Puncture seal	X	
	Safety tubes	X	
	Tractor implement	X	
	Truck, 8.25 cross-section and under	X	
	Above 8.25 and up to 14.00	X	
	14.00 cross-section and over	X	
4	Tire tube valves and curing bags:		
	Tire tube valves (including repair valves)	X	
	Tire tube valve inside washers	X	
	Curing bags	50	May be averaged with groups in code 1.
5	Tire flaps		May be averaged with groups in code 1.
	10.00 and up	100	
	All others	50	
6	Tire retreading materials:		
	Air bags, full circle for retreading	X	
	Camelback for airplane tires	100	
	Camelback for 9.00 cross-sections and larger, in die sizes 6½-inch crown width and 1 9/32-inch gage and up.	X	
	Camelback, die sizes under 6½-inch crown width and under 1 9/32-inch gage.	0	
	Camelback cushion gum	100	1/32-inch gage maximum for synthetic camelback.
	Padding stock	X	
	Stripping stock	X	
	Filler stock	X	
	Cushion repair gum	100	
	Tread repair gum	X	
	Tire vulcanizing cement	X	
7	Tire and tube repair materials:		
	Air bags, sectional	X	
	Bulk tire repair materials	X	
	Tire patches	X	
	Tube patches	X	
	Patching cement	X	
8	Tank blocks, treads, and hand tracks	X	

[1] Maximum group average.

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
9	Belting: Belting must be manufactured in accordance with the following regulations: Rubber belting utilizing a solid woven carcass is permitted, provided such construction uses no more natural rubber than is permitted in laminated belting of equivalent size and thickness. Constructions using combinations of fabric and other reinforcing materials such as cord or wire are permitted provided total natural rubber does not exceed that which is used in an equivalent grade, cotton fabric ply construction belt.		Color optional. Restrictions on line, type, quality, and style do not apply.
9-A	Conveyor and elevator belting	X	
9-B	Miscellaneous belt and related products, as follows	X	
	Hay baler belts		
	Other agricultural implement belts		
	Belt splicing and repair material		
	Chute lining		
	Conveyor skirting or skirt board		
	Cigar machine aprons		
	Concentrator belts		
	Escalator hand rails		
	Feed belts for paper box machinery		
	Hatter belts		
	Hog beater belts		
	Last puller belts		
	Paper machine aprons		
	Paper making screen diaphragms		
	Postal meter and letter opening feed belts		
	Powder explosives belts		
	Pulley lagging		
	Rubber scrapers for conveyor belts		
	Safety belts, linemen's		
	Sling or lifting belts		
	Special molded conveyor belts		
	Street sweeper belts		
	Tube winding belts		
	Tobacco stemmer belts		
	Molded discs for conveyor belt idlers		
	Ozalid seals		
9-C	Flat transmission belting		Maximum pounds of natural rubber per 1,200 square inches per ply.
	For severe service, or high speed or to operate over small pulleys		0.95 pound.
	For moderate service		0.40 pound.
	Hammermill belt		0.95 pound.
	Axle generator belt		0.95 pound.
	Rubber covers for above, maximum thickness 3/64 inch	40	
	Sheeting type, slab belting:		
	Using fabric weighing between 10 and 16.50 ounces per square yard		0.95 pound.
	Using fabric weighing less than 10 ounces per square yard		0.40 pound.
9-D	V belts		Percent based on total volume of belt. In determining belt volume, the published nominal cross-sectional dimensions shall be used where these exist and mold cross-sectional dimensions shall be used in all other cases.
	Fractional horsepower	25	
	Household equipment	25	
	Automotive:		
	Passenger cars for pulley groove top width more than 0.500 inches	25	
	Trucks under 1½ tons for pulley groove top width more than 0.500 inch	25	
	Passenger and truck for pulley groove top width 0.500 inch or less	40	
	Trucks 1½ tons and over	40	
	Busses	40	
	Police cars and taxis	40	
	Airplane	40	
	Stationary gas and diesel engines	40	
	Industrial, including agricultural:		
	Heavy duty	40	
	Standard	40	
	Speed changers	40	
	Double V	50	
	Open end	25	
	Round belts	40	
	Railroad axle-drive	55	
10	Hose		All hose color optional. Restrictions on line, type, quality, and style do not apply.
10-A	Aircraft hose:		
	Crash truck AAF 26611 (−65° F.)	X	
	Ducts	X	
	Oxygen hose	X	
	Airbrake (20-147) (a)	15	
	(b)	X	
	Aircraft hose not elsewhere listed	10	
10-B	Automotive hose:		
	Air brake	15	
	Air cleaner	15	
	Hydraulic actuating boot	X	
	Car heater	5	
	Coolant (radiator):		
	Curved	20	
	All other radiator	10	
	Defroster	15	
	Hydraulic brake, S. A. E. R-41	40	
	Windshield wiper	15	
	Vacuum brake	15	
	Automotive hose not elsewhere listed	10	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
10-C	General industrial hose		
	Acid	X	
	Air and air tool: Air drill for mining and quarrying and heavy duty industrial.	50	
	Gas mask air hose	40	
	All other air hose not elsewhere listed	20	
	Alcohol, beverage, brewers, wine, vinegar, food, and milk conveying	60	
	Ammonia	X	
	Arbor pipe forming	35	
	Booster and chemical engine	40	
	Braided cover tubing	5	
	Cable covering, electric	30	
	Cloth inserted tubing	15	
	Coupling, flexible	10	
	Creamery	40	
	Divers:		
	Floating	X	
	Sinking	X	
	Dredging sleeves	X	
	Expansion joints	X	
	Fire:		
	Cotton rubber lined and rubber covered	35	
	Wrapped duck	X	
	Fire engine suction:		
	Hard	35	
	Soft	35	
	Fire extinguisher tubing	25	
	Flanged flexible pipe	X	
	Garden and lawn	5	
	Jetting	25	
	Marine exhaust	50	
	Material handling—including grain	X	
	Cement and concrete	X	
	Phosphate flexibles	X	
	Rock dusting	X	
	Insulation blowing	15	
	Paint spray, fluid line	10	
	Paper mill hose	10	
	Petroleum products:		
	Gasoline service station	45	
	Oil suction and discharge	15	
	Butane and propane	30	
	Tank wagon	45	
	All other not elsewhere listed	0	
	Pinch valve	X	
	Rotary drilling:		
	Vibrator	35	
	Mud suction	35	
	Rotary drilling hose	35	
	Sand blast	X	
	Sand placing and sand suction	X	
	Shaft covering, flexible	50	
	Spray, horticultural and car washing		For car washing service where pressure exceeds 250 p. s. i.
	Over 400 pounds working pressure	50	
	400 pounds and under working pressure	15	
	Steam:		
	Over 50 pounds working pressure	X	
	50 pounds and under working pressure	40	
	Steam ironing	X	
	Suction, water:		
	Hard rubber and rough bore	15	
	Smooth bore	35	
	Vacuum:		
	Household, including hotels, office buildings, etc	35	
	Industrial dust collector and blower exhaust	X	
	Nontextile reinforced	60	
	Washing machine	5	
	Water:		
	Radiator filling	5	
	Industrial:		
	Severe service	60	
	Moderate service	25	
	Welding	25	
	Hose not elsewhere listed	10	
10-D	Railroad hose:		
	Air brake and signal, M-601	25	
	Air pneumatic tool, M-608	25	
	Paint spray, M-610	10	
	Pantograph	50	
	Sand, M-615 and M-616	X	
	Sand pipe nozzles	X	
	Steam, hot water and car heat, M-605	X	
	Tender tank, M-606	35	
	Water, cold, M-604	25	
	Welding, M-603	25	
	Railroad hose not elsewhere listed	10	
11	Packing and gaskets not elsewhere listed		Color optional. Restrictions on line, type, quality, and style do not apply.
11-A	Packings without fabric or high percent of fiber, including sheet and also strip, discs, gaskets, rings, cups, U packings, V rings, O rings, non-fabric diaphragms, etc., made by extruding, cutting, or molding:		
	Below 45 durometer	X	
	45 durometer and above	10	
	Pipe coupling gaskets	X	
	Molded and extruded gaskets spliced endless after initial vulcanization.	25	
	Electrical transformer sheet rubber for packing seals	X	
	O rings for sliding contact against steam and chemicals	X	
	Acid carboy gaskets	X	
	Air brake gaskets	X	
	Vulcanizer door gaskets	X	
	All others not elsewhere listed	10	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
11-B	Packings with high fiber content:		
	Sheet (generally known as "compressed asbestos sheet") and gaskets cut from same.	5	By weight.
	Molded gaskets, discs, rings, etc.	5	By weight.
	Rod packing coil, spiral ring form (generally known as "rubber-bonded plastic packing").	5	By weight.
11-C	Packing with fabric or wire insertion:		
	Sheet gasketing (generally known as "C. I. or B. W. I. Sheet") and gaskets cut from same:		
	Cotton insert	10	
	Wire insert	15	
	Asbestos insert	25	
	Rolled or molded gaskets:		
	Cotton insert	25	
	Asbestos insert	25	
	Diaphragm sheet including diaphragms cut from same or molded:		
	Supersensitive gas regulation	X	
	Molded other than above	X	
	Cut other than above	X	
	Rectangular piston packing	X	
	Rod packing including molded cups, U packings, and V rings:		
	Cotton insert	25	
	Asbestos insert	25	
11-D	Valve and valve discs:		
	45 durometer and under	X	
	Over 45 durometer	25	
	Loaded ball valves	X	
	Fabric hydrant valves	25	
	All other valves and valve parts	10	
11-E	Sealing compounds for food containers:		
	Beverage container gaskets, molded, extruded, or latex-cut	10	
	Food container gaskets, extruded and latex-cut	----------	15 percent natural rubber by weight of compound permitted;
	Gasket-lined home canning lids	----------	5 percent natural rubber by weight of compound permitted.
	Jar rings, cut rings	25	
	Molded stoppers for food and beverage containers	10	
	Food closure gasket	----------	30 percent natural rubber by weight of compound permitted for food gaskets formed and vulcanized in the closure.
	Sealing compounds, food closures and can ends ("flowed-in" type for glass and metal containers).	X	Natural rubber latex permitted.
12	Other mechanicals	----------	All products in code 12, color optional, unless otherwise specified. Restrictions on line, type, quality, and style do not apply.
12-A	Aircraft equipment:		
	Boots, de-icer and integral parts including hose	X	
	Bumpers	X	
	Cords, alighting gear	X	
	Conductive rubber parts	X	
	Flexible couplings, functional	X	
	Engine instrument mountings and vibration insulators	X	
	Oxygen mask, pilot	X	
	All parts 45 durometer or less	X	
	All other parts not elsewhere listed	10	
12-B	Automotive equipment:		
	Windshield wiper blade	X	
	Bumper, retaining and check (molded)	35	
	Bumpers, functional:		
	Suspension	X	
	Crash	40	
	Bushing:		
	Suspension	X	
	Torque rod	X	
	Coupling, flexible	X	
	Weatherstrips and body seals, extruded, under 50 durometer	40	
	Weatherstrip, injection compound for splicing and forming	X	
	Molded ventilator strips	40	
	Glass run	10	
	Crankshaft torsion dampers	X	
	Transmission and engine mountings:		
	50 durometer and over	X	
	Under 50 durometer	X	
	Body and chassis mountings:		
	50 durometer and over	30	
	Under 50 durometer	X	
	Tail pipe insulator, under 50 durometer	X	
	Torsion springs	X	
	Grommet, core molded-retaining, for dashboard insulation	40	
	Fuel tank, filler neck seal	35	
	Mats:		
	Contour, front compartment only	20	
	Sill with retaining buttons	25	
	All other automotive mats	10	
	Cowl and dash liners	10	
	Seal beam headlights	X	
	Steering wheels	10	
	Pads, no insertion with retaining buttons	25	
	Fender flaps or splash guards	10	
	Silencers, coil spring	30	
	Rear spring seat insulator	X	
	Tubing:		
	Drain	10	
	Windshield wiper, non-reinforced	10	
	Spring tying suspension seat cord	X	
	Hydraulic, air brake and vacuum brake cups, diaphragms, valves, and seals.	X	
	Seals:		
	Valve stem, tire	X	
	Valve stem, motor	X	
	All other parts not elsewhere listed	10	
12-C	Railroad and streetcar equipment:		
	Car spring snubbers	X	
	Refrigerator friction drive wheel	X	
	Refrigerator car door seal	25	
	Molded seal for double-glazed windows	X	
	Bumpers	----------	Same as automotive.
	Streetcar wheel	X	
	Windshield wiper blades	X	
	Door shoes	15	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
12-C	Railroad and streetcar equipment—Continued		
	Draft gears	X	
	Vibrational insulators, functioual	X	
	All other parts not elsewhere listed	10	
12-D	Farm equipment:		
	Flax roll, 50 durometer or under	X	
	Corn husking roll	40	
	Feed conveyor	40	
	Corn snapper roll	40	
	Draper apron roll	10	
	Cotton rubber roll	40	
	Hay baler roll	40	
	Rubber covered cauvas	20	
	Cotton picker doffer	X	
	Press wheel tires	X	
	Gauge wheel tires	X	
	Shoe pitman arm torque bushing and torsion bushings	X	
	Bearing cushion cups, non-oil-resisting	X	
	Cotton drier flaps	X	
	Pneumatic seats	10	
	Steering wheels	10	
	Rubber covered heater bars	X	
	All other parts not elsewhere listed	10	
12-E	Electrical products and industrial equipment:		
	Telephone and telegraph insulators	25	
	Lineman protective devices	X	
	Friction tape	----------	15 pounds of natural rubber for 100 square yards.
	Splicing compounds	X	
	Underground cable connectors	X	
	Flexible connections for vacuum and exhaust equipment	X	
	Mandrels for surgical tubing	X	
	Molds	X	
	Sand and shot blast equipment	X	
	Press die pads, draw sheets, and embossing beds	X	
	Bulging rubbers	X	
12-F	Household and appliance products:		
	Refrigerator and freezer parts:		
	Gasket, door	X	
	Gasket, liner opeuing	X	
	Collars, throat	X	
	Glass and panel seals	40	
	Tubing, drain, molded	40	
	Termiual seal bushings for compressors	X	
	Rollers, tray	30	
	Freezer lid assembly	40	
	All other parts not elsewhere listed	10	
	Vaeuum cleaner and sweeper parts:		
	Extensible drive helt	X	
	Bag seal	40	
	Flexing bellows and diaphragms	X	
	Brush guards, collars, and holders	40	
	Sweeper tires and wheels	20	
	Electrieal conducting parts	X	
	Grips	10	
	Funetional bumper guards with undercuts and retaining buttons	25	
	All other parts not elsewhere listed	10	
	Clothes-washing, dish-washing, drying, and ironing machine parts:		
	Wringer rolls	10	
	Agitators	25	
	Tuh and lid gaskets	40	
	Extensible belts, drive	X	
	Drive pulley	X	
	Collapsible tubs	X	
	Flexing boots and diaphragms	X	
	Extruded drain hose or tuhing	15	
	Formed pressure tuhing	30	
	Couplings and nozzles	15	
	Unconfined lip door gasket	X	
	Water seals	30	
	Flexible pump rotors	X	
	Pump valves, flexing	X	
	All other parts not elsewhere listed	10	
	Mlscellaneous houseware accessories:		
	Strain relief grommets, electric irons, and simllar appliances	--	
	Light colored molded parts	10	
	Chair tips	10	
	Strainers, sink and drain	10	
	Pans, dust	10	
	Water aerator	X	
	Sewing machine drive pulley and helts	X	
	All other parts not elsewhere listed	10	
	Plumbing specialties:		
	Ball cock washers	X	
	Force cups	25	
	Gaskets and valves designed for back flow preventors	X	
	Tank halls designed for flush valves core molded:		
	With base opening ¾-inch and less	X	
	With base opening over ¾-inch	X	
	Floor flange gaskets	X	
	All other plumbing specialties	10	
12-G	Milk and food handling equipment:		
	Milk and milking equipment:		
	Bottle filler rubbers	25	
	Bowl rings	X	
	Parlor milking gasket	X	
	Gaskets, washers, and couplings:		
	45 durometer or under	X	
	Over 45 durometer	25	
	Milking inflations and cup caps	X	
	Teats for calf feeder pails	X	
	Tubing including duplex, milk, vacuum, air, and stanchion:		
	45 durometer or under	X	
	Over 45 durometer	25	
	Straps, surcingle	40	
	Milk, pasteurizer plate gaskets	X	

Code No.	Product	Percent natural rubber by volume	Special restrictions or provisions
(1)	(2)	(3)	(4)
12-G	Milk and food handling equipment—Continued		
	Food and beverage processing and dispensing equipment:		
	Chicken pickers	X	
	Cherry and peach pitters	X	
	Corn husking roll (canning), under 45 durometer	X	
	Can testers	X	
	Gaskets for bulk handling food equipment	X	
	Molded fittings and tubing for beverage handling	X	
	Stop for ice cream cone dispenser	X	
	Rice polishing blocks	X	
	Rubber-covered metal baskets	X	Natural rubber latex only permitted.
	All other parts not elsewhere listed	10	
12-H	Mining equipment:		
	Air chambers for conset jigs	X	
	Flotation parts, including liners for cells, impellers, and shafts	X	
	Stator and rotor tubes	X	
	Ore car liners	X	
	All other parts not elsewhere listed	10	
12-I	Oil field specialties, as follows	X	
	Drill pipe protectors	----------	
	Packers, production and test without fabric	----------	
	With fabric	----------	
	Packers, open hole	----------	
	Packers, cement retaining	----------	
	Packers, casing	----------	
	Blowout preventers	----------	
	Gland packings	----------	
	Slush pump, pistons and liners for fluid packed pumps	----------	
	Stabilizers and wire line guides	----------	
	Stuffing box rings, polished rod	----------	
	Slip pads	----------	
	Strippers, pressure pack off	----------	
	Pipe and wire line wipers	----------	
	Swab rubbers and lining bumpers	----------	
	Testing and cementing equipment	----------	
	Valves, cups, and discs	----------	
	Valve inserts	----------	
12-J	Miscellaneous mechanical goods and textile industry equipment:		
	Parts for manufacture of rayon:		
	Parts that come in contact with rayon filament	X	
	All other parts	10	
	Parts for Cellophane	10	
	Textile equipment:		
	Pickers, all types	X	
	Lug straps	X	
	T-strap	10	
	Card clothing	X	
	Draw rolls, 30 durometer	X	
	Bolsters, fabric shrinking	X	
	Take-up roll covering	X	
	Hold-ups, and sweep sticks	12	
	All other parts not elsewhere listed	10	
	Miscellaneous mechanical goods:		
	Laboratory supplies:		
	Tubing:		
	45 durometer and under	X	
	Over 45 durometer	50	
	All other parts not elsewhere listed	10	
	Industrial tubing:		
	45 durometer and under	X	
	Over 45 durometer	25	
	Traffic counter tubing	X	
	Soft rubber alkaline storage batteries and parts	X	
	Billiard and pool table cushions	X	
	Brake, clutch, and hydrant expander tubing	X	
	Brush setting compounds	X	
	Budding strips	X	
	Cast rubber products	50	Natural rubber latex only permitted.
	Caster and molded wheels:		
	Under 4 inches diameter	35	By weight.
	4 inches and over	35	By weight.
	Conductive caster wheels	X	
	Core molded parts not elsewhere listed	35	
	Cutting rubbers not elsewhere listed	X	
	Dam and lock-gate seals	X	
	Fish net floats or bladders	X	
	Flexible bags and parts for forming operations in manufacturing plants.	X	
	Flexible couplings, torque	X	
	Flexible sanding and buffing pads	X	
	Gas main bags	X	
	Goggles and parts	40	
	Industrial balls:		
	45 durometer and under	X	
	Over 45 durometer	25	
	Industrial vacuum or suction cups	X	
	Insulation tubing	X	Cork or fiber loaded.
	Labels	X	
	Mine safety lamp parts	X	
	Molded annular tires	----------	Black only.
	Light and medium duty	10	
	Heavy duty	40	
	Molded boots and dust seals	X	
	Rebound discs for well drilling	X	
	Molded parts attached to adjacent parts by integral undercut buttons, and grommets, not elsewhere listed.	25	
	Mountings, shock absorbers, dampers, and vibration insulators:		
	Under 50 durometer	X	
	50 durometer and over	X	
	Pressure sensitive signal controls	25	
	Sandblast stencil sheet for monument work	25	
	Seals for electrolytic condensers	X	
	Tubular grips, including cork or fiber-loaded	10	
	Windshield wiper blades, squeegee rubber and wiper dies	X	
	X-ray sheets	X	
	Belt idler channel	10	
	Parts for ladders	10	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provision. (4)
12-J	Miscellaneous mechanical goods and textile industry equipment—Con.		
	Miscellaneous mechanical goods—Con.		
	Mallets	10	
	Traffic cones and markers	10	
	All other parts not elsewhere listed	10	
	Tires, parts for bicycles, toy vehicles, and lawn mowers	----------	Black only.
	Handle grips	10	
	Fender flaps or splash guards	10	
	Pedal pads	0	
	Dodgem bumpers	X	
	All other parts not elsewhere listed	10	
12-K	Printing rubber products:		
	Printing rollers, all types	X	
	Printing rubbers, all types	X	
	Printing blankets for offset, newspaper, and lithograph	X	
	Rubber solution for wet plate negative	X	
	Paper pick-up suction cups	X	For printing press only.
	Paper feed rolls and pads for duplicating machines	X	
12-L	Rolls and roll coverings, not elsewhere listed	X	
12-M	Rubber protected or lined equipment:		
	Tank cars, barges, and trucks	X	
	All other	X	
12-N	Mats and matting:		
	Switchboard, not less than ¼ inch thick for 3,000 volts and over	X	Black only.
	Roll matting and stair treads	6	
	Perforated mats, ⅜-inch thick and over	25	
	Link and molded door mats	10	
	Bath mats	10	
	All other mats not elsewhere listed	5	
12-O	Safety respiratory equipment: Breathing apparatus, safety masks, and respirators, including parts.	X	
12-P	Hard rubber products	----------	Restrictions on line, type, quality, and style do not apply.
	Ball gages and molded tie rods	50	
	Baskets (etching), beakers, buckets, dippers, frames, funnels, measures, pails, packs, and trays.	30	
	Bleaching rods	X	
	Blown work	X	
	Combs	50	
	Component hard rubber parts for the manufacture and handling of rayon, explosives, and corrosive chemicals.	65	
	Knife handles	65	
	Dye sticks	X	
	Bowling balls	20	
	Industrial flashlight parts	65	
	Insulated tools	20	
	Jack strips	30	
	Microporous battery separators	X	
	Mouthpieces for musical instruments	X	
	Parts not elsewhere listed for storing, conveying, and processing corrosive chemicals.	65	
	Pipe and fittings	30	
	Pipe bits	15	
	Plating barrels and parts	30	
	Potentiometer cards	X	
	Refrigerator parts	X	
	Rod and tubing for fountain pen parts	X	
	Rods up to 0.040-inch diameter	X	
	Rods 0.040-inch to ½-inch diameter, inclusive	35	
	Rods over ½-inch diameter	20	
	Sheets 1/16-inch thick or less	X	
	Sheets over 1/16-inch to ¼-inch thick, inclusive	50	
	Sheets over ¼-inch thick	45	
	Tubing up to and including 1/32-inch wall	X	
	Tubing over 1/32 inch to ⅛-inch wall, inclusive	50	
	Tubing over ⅛-inch wall	30	
	Cafeteria trays	50	
	Hard rubber parts for alkaline storage batteries	35	
	Heavy duty battery cases over 15 pounds	50	
	Hand-wrapped battery cases	50	
	Submarine battery jars	50	
	Storage battery cases and covers where product of tensile and elongation is 10,000 or more.	60	
	Ventilating parts for submarines, band wrapped	X	
	Ventilating parts for submarines, molded	50	
	Parts for submarines not elsewhere listed	50	
	Telephone commutator inserts	50	
	Tubular retainers	60	
	Parts for water meters	X	
	X-ray and photo tanks	30	
	Forming tanks	40	
	Connector stocks	30	
	Stuffed work	50	
	Parts not elsewhere listed	0	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
12-Q	Industrial equipment: Industrial abrasive implements	X	Restrictions on line, type, quality, style, and color do not apply.
12-R	Brake linings, brake blocks, and clutch facings	X	Restrictions on line, type, quality, style, and color do not apply.
13	Wire and cable	----------	Restrictions on line, type, quality, style, and color do not apply.
13-A	Insulation compounds:		
	Insulation for power and for building wire rated at 2,000 volts (phase to phase) or less and which has insulation wall thickness of more than 25 mils.	0	
	Insulation compounds for signal and control cables	70	
	Insulation compounds having thickness of 25 mils or less	X	
	For all types of insulated wire and cable in excess of 2,000 volts (phase to phase).	70	
13-B	Sheaths and jackets:		
	Sheaths and jackets for operation at temperature of −40° C. or higher	70	
	Sheaths and jackets for operation at temperatures lower than −40° C.	X	
13-C	Cements and nonreinforced tapes incidental to manufacture, repair, or installation of cables.	70	

Code No. (1)	Product (2)	Percent natural rubber to total new RHC (3)	Special restrictions or provisions (4)
14	Rubber footwear	80	Group average percent. No type rubber footwear shall contain more than 98 percent natural rubber. Line, type, quality, style, and color optional.
15	Shoe products	----------	Line, type, quality, style, and color optional.
15-A	Heels and soles:		
	Heels, soles, and other specialized materials, manufactured by rubber heel and sole manufacturers used in the manufacture and repair of shoes, and excluding those items covered by other subsections of this code.	25	
	Soles	X	DO orders for black, full length, cleated soles or "Tropical Army Combat Boots" and "Ski-Mountain Army Boots."
	Heels	X	DO orders for tan, neutral, white, and nonmarking black heels, except whole heels. For the Armed Forces, Fed. Spec. ZZH141A.
	Soling	X	DO orders for Arctic boot soling for the Armed Forces (U. S. Army Spec. Mil-B-2289).
	Heels	X	DO orders for Arctic Boot Toplifts for the Armed Forces (U. S. Army Spec. Mil-B-2289).
	Crepe soles, heels, welting, and wrappers	0	The consumption, production, or sale (other than to G. S. A., unless specifically authorized by G. S. A.) of natural RHC, for crepe soles, heels, welting, and wrappers is prohibited. Only exception: Existing inventories as of March 15, 1951, in the actual possession of shoe manufacturers and shoe repairmen may be consumed.
15-B	Inner shoe cushions and pads:		
	Rubber, molded or sheet	----------	Natural rubber content to be no greater than that in a comparable product produced during the base period.
	Sponge rubber, nitrogen blown, molded or sheet	X	Gas chamber method only.
	Sponge rubber, chemically blown, molded or sheet	----------	75 percent natural rubber to total RHC permitted. Maximum monthly average.
	Latex foam, uncored slab sheets	----------	80 percent natural rubber to total RHC permitted.
	Latex foam, molded	----------	75 percent natural rubber to total RHC permitted.
	Sponge rubber-cork granule sheets	0	
15-C	Orthopedic appliances	X	For corrective devices required for deformed, injured, and crippled feet only.
15-D	Impregnated non-woven fibrous shoe components:		
	Insole materials	----------	Natural rubber latex only may be used.
	Welting and stripping	----------	Natural rubber latex only may be used.
	Midsole materials	----------	Natural rubber latex only may be used.
	Sock lining, heel pad, plumper, and backing materials	----------	Natural rubber latex only may be used.
	High strength stay and reinforcing materials	X	Natural rubber content to be no greater than that in a comparable product produced during the base period.
	Hair and fulled felts	----------	Natural rubber latex only may be used.
	Box toes	X	Natural rubber content to be no greater than that in a comparable product produced during the base period.
15-E	Combining cements and rubberized woven fabrics for shoes	----------	The over-all monthly consumption of natural rubber shall not exceed 75 percent of the total new RHC consumed in all code 15E products.
	Cements for custom combining piece goods	----------	
	Cements and compounds for coating, finishing, laminating, impregnating, and proofing fabrics used as uppers, linings, sock linings, heel pads, reinforcements, and backers in shoes.	----------	
15-F	Shoe tapes:		
	Bindings, including French cord	X	
	Reinforcing and stay tapes	X	
	Tapes for applied sewing ribs and economy lips	X	
	Pressure sensitive tapes, cloth backed	----------	20 percent of natural rubber by volume permitted.
	Pressure sensitive tapes, paper backed	----------	50 percent of natural rubber by volume permitted.
15-G	Cements for manufacture and repair of shoes and component parts:		
	Shoe factory cements	X	
	Shoe repair cements	X	
	Cements for manufacture of shoe components	X	Except custom combining cements, code 15E; and cement for welting, code 15H.
	Cements and adhesives for anchoring flock	X	Natural rubber content to be no greater than that in a comparable product produced during the base period.
15-H	Cements for manufacturing welting for shoes	----------	Natural rubber latex only may be used.
15-I	Protective coatings for shoes during manufacture	0	Production, consumption, and sale of protective coatings to keep shoes clean during manufacture containing natural rubber is prohibited. Only exception: Existing inventories as of May 1, 1951, in actual possession of shoe manufacturers may be consumed.
15-J	Bonded cork granule material for shoes: Composition cork sheets, not sponge rubber bonded.	0	
15-K	Elastic fabric and tape for shoes:		
	Elasticized fabrics for uppers and linings	X	
	Goring and elastic shoe tapes	X	

Code No. (1)	Product (2)	Percent natural rubber to total new RHC (3)	Special restrictions or provisions (4)
15-L	Bottom filler for shoes:		
	Hot-type thermoplastic fillers	0	Natural rubber content to be no greater than that in a comparable product produced during the base period.
	Cold-type fillers	----------	Color optional.
16	Cements	----------	The over-all monthly consumption of natural rubber shall not exceed 67 percent of the total new RHC. Natural rubber latex permitted.
16-A	Cements for all purposes	----------	
16-B	Miscellaneous cement uses: For manufacture of products covered by all code numbers in this appendix A.	X	
17	Proofing, combining, or coating of fabric	----------	In products where natural rubber is permitted, no product shall contain a higher percent of natural rubber than a comparable product produced during the base period. Color optional. Restrictions on line, type, quality, and style do not apply.
	Covering material for transportation equipment	20	
	Film and coated materials for medical, health, and safety products	100	
	Anchor coats: spread, frictioned, or impregnated directly on fabric or other material to be later calendered or spread.	100	
	Seaming tapes and strapping	100	
	Cements used in assembly of other products here listed	100	
	Diving and life-saving equipment	100	
	Industrial and protective apparel	60	
	Industrial specialty products	70	
	Except low temperature diaphragm material	100	
	Flocked and imitation sueded materials	20	
	Except adhesive coating for anchoring the flock	100	
	Aprons or liners for handling in-process stock	60	
	Civilian utility products	20	
	Hospital sheeting	70	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
18	Drug sundries, medical, surgical, dental, veterinary, and mortuary	----------	Line, type, quality, style, and color optional.
18-A	Adhesive plaster products:		
	Medicated body plasters	50	
	Plain and medicated foot pads and plasters	50	
	Surgical adhesive tape	50	
18-B	Bulbs, including parts	65	
	Medicine dropper bulbs	65	
	Household bulbs	65	
18-C	Dental products:		
	Dental dam	X	
	Dental polishing tips	X	
	Denture rubber	65	
	Orthodontic bands	X	
	Denture suction and model formers	60	
18-D	Flat goods:		
	Fountain syringe bags, molded, and tubing	55	Average.
	Fountain syringe bags, hand-made, and tubing	75	
	Ice bags, molded	55	Average.
	Ice bags, hand-made	70	
	Invalid cushions, molded	55	
	Invalid cushions, hand-made	70	
	Operating cushions	70	
	Water bottles and combinations, molded and tubing	55	
	Water bottles, hand-made	70	
	Latex fountain syringe bags and tubing, ice bags, and bulbs	0	Natural rubber latex permitted.
18-E	Gloves and cots:		
	Finger cots, including industrial and agricultural	X	
	Surgeons gloves	X	
	Net-lined hand-made gloves	75	
	Electricians' gloves, sleeves, and climber guards	X	
	Industrial and general-purpose gloves	X	
18-F	Infant goods:		
	Infant feeding nipples	X	
	Nurser bottle caps	X	
	Pacifiers	X	
	Breast shields	X	
	Teethers and teething rings	35	
	Baby pants	X	
	Parts for baby bath seats	X	
	Unsupported rubber sheeting	45	By weight of compound.
18-G	Miscellaneous sundries:		
	Bath caps:		
	Hand-made	X	
	Molded	90	
	Dipped	0	Natural rubber latex only permitted.
	Blood pressure bags	X	
	Catheters, glass molded	65	
	Catheters, latex	X	
	Castrator rings	45	
	Garter buttons	70	
	Hard rubber pipes, connections, and accessories	30	
	Penrose tubing	X	
	Colostomy outfits	X	
	Crutch pads	X	
	Crutch pads, sponge	60	
	Crutch tips	45	
	Dilators	X	
	Inhalation bags and face pieces	X	
	Mattresses, inflatable	65	
	Miscellaneous medical instrument parts	X	
	Plaster bowls	35	
	Prostatic bags	X	
	Prosthetic devices	X	
	Orthopedic parts, sponge	60	
	Respirator seal for iron lungs, sponge	X	
	Rubber bands and cushions for artificial limbs	X	
	Medical stopples	X	
	Self-adhering tape and gauze bandage	X	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
18-G	Miscellaneous sundries—Continued		
	Tourniquets	X	
	Truss pads	X	
	Urinals	X	
	Vaccine caps	X	
	Veterinary sleeves	X	
	Bath sprays and parts	30	Average.
	Toilet and bath sponges	25	
	Bath socks	X	
	Tension tape	85	
	Rubber sheets for mortuary garments	X	
18-H	Pessaries and prophylactics	X	
18-I	Sheet goods:		
	Bandage gum	X	
	Oxygen tent canopies	X	
18-J	Tubing: Surgical tubes and tubing	X	
18-K	Ladies' personal sanitary items:		
	Dress shields	X	
	Bloomer protective plates	X	
	Sanitary belts	X	
	Sanitary aprons	X	
	Unsupported girdles	X	
	Supported girdles	X	
	All items not elsewhere listed	0	
19	Flotation equipment: Pontoons, rafts, boats, and buoys	----------	Government orders only. Natural rubber permitted as required.
20	Life-saving equipment: Suits, jackets, vests, and belts	----------	Government orders only. Natural rubber permitted as required.
21	Bullet sealing fuel cells	X	
22	Miscellaneous:		
22-A	Athletic goods	----------	Line, type, quality, style, and color optional.
	Golf balls	85	
	Golf club grips	25	
	Tennis balls	81	
	Inflatable athletic balls	65	
	Inflatable playground balls	65	Maximum diameter 10 inches.
	Squash balls	70	
	Hand balls	70	
	Lacrosse balls	60	
	Rubber-covered baseballs	60	
	Baseball centers	10	
	Rubber-covered soft balls	60	
	Ear and nose protective plugs	X	
	Cement for repair kits	X	
	Boxers' teeth protectors	80	
	Athletic bladders	20	Maximum monthly average.
	Athletic bladder valves	85	
	Athletic trunks	90	
	Gun pads	90	
	Lead tennis racquet weights	40	
	Sheet rubber	X	
	Swim fins and mits	40	
	Swim masks and goggles	40	
	Nose clips	----------	Natural rubber latex permitted.
	All items not elsewhere listed	0	
22-B	Balloons	----------	Line, type, quality, style, and color optional. Natural rubber latex only permitted.
22-C	Sponge rubber	----------	Line, type, quality, style, and color optional.
	Nitrogen blown	X	Gas chamber method only.
	Chemically blown	----------	75 percent natural rubber to total RHC permitted. Maximum monthly average.
	Kneeling pads	50	
	Church kneelers	50	
	Wallpaper cleaners	50	
	Floor mops	50	
	Seat cushions	50	
	Firemen's landing pads	50	
	Typewriter pads	50	
	Breast pads	50	
	Sponge balls	50	
	Sponge toys	50	
	Sponge novelties	50	
22-E	Miscellaneous products:		
	Radio, radar, and fire control instruments	X	
	Parachute bands and ventilating rings	X	
	Chlorinated and cyclized rubber	X	
	Flavored masticating gum	X	
	Lubricating greases	X	Natural rubber latex only permitted.
22-F	Pressure sensitive tape	----------	Line, type, quality, style, and color optional.
	Color decorative tapes	10	For household use sold in lengths less than 1.292 inches.
	General purpose cloth-backed tapes	30	
	Double-faced cloth-backed tapes	30	Adhesive only.
	Nonfibrous film-backed tapes	60	Adhesive only.
	Sand blast stencil tapes	40	Adhesive plus backing.
	Cloth-backed photographic tapes	36	Combined adhesive and impregnating compositions.
	Paper-backed tapes, as follows	50	Combined adhesive and impregnating compositions.
	General purpose masking tapes		
	Frozen food packaging tapes		
	Photographic tapes		
	Double-faced tapes		
	Drafting tapes		
	Shoe tapes		
	Extra-strength tapes		
	Super-strength tapes		
	Printed utility tapes and sheets		
	Tapes with backings of nonfibrous film laminated to paper	50	Combined adhesive laminating and impregnating compositions.
	Electrical tapes	X	Not elsewhere listed.
	High-temperature tapes	X	
	Non staining tapes	X	
	High-strength tapes	X	Tensile strength more than 100 pounds per inch width.
	Protective paper and cloth tapes	X	
	Other tapes	X	Purchased by Government to Federal specifications.
22-G	Stationers' supplies	----------	Line, type, quality, style, and color optional.
	Erasers	20	Percent of natural rubber to total new RHC.
	Pen sacs	X	Natural rubber latex only permitted.
	Rubber bands	90	
	Finger tips	35	
	Mucilage spreaders	50	

Code No. (1)	Product (2)	Percent natural rubber by volume (3)	Special restrictions or provisions (4)
22-H	Thread and related products:		
	Rubber thread	X	Natural rubber latex permitted. Six colors permitted;
	Garment tape	X	Color optional.
22-K	Toys		Line, type, quality, style, and color optional.
	Latex toys		Natural rubber latex only permitted.
	Doll skins	X	
	Dipped beach balls	X	
	Slush-molded toys	X	
	Crib toys	X	
	Molded (dry rubber) toys:		
	Core molded dolls and parts	55	
	Inflated dolls	55	
	Inflated balls	65	
	Hand-made water toys	65	
	Pet balls	55	
	Die-cut toys	88	
	All items not elsewhere listed	0	
22-L	Rubber flooring, floor covering, wall covering		Line, type, quality, style, and color optional.
	Rubber tile flooring	0	
	Coating for fiber floor covering	0	Natural rubber latex permitted.
	Wall covering	0	
22-M	Rubberized fiber and hair cushioning	0	Color optional. Natural rubber latex only permitted.

Code No. (1)	Product (2)	Percent natural rubber to total RHC (3)	Special restrictions or provisions (4)
23	Latex foam products		Line, type, quality, style, and color optional.
	Bedding:		
	Mattresses	X	
	Mattress toppers	X	
	Pillows	X	
	Automotive toppers	60	
	Furniture—transportation seating	X	
	Uncored slab	80	
	Miscellaneous molded parts	X	
24	Any product other than products listed in codes 1 to 23, inclusive	0	

APPENDIX B

The following is the list of products referred to in section 3:

Appendix A

Code No.	*Product*
1	Replacement passenger tires: highway, mud-snow, and taxi.
1	Replacement bicycle tires.
1	Replacement motorcycle tires.
3	Replacement tubes: passenger (including puncture-seal and safety tubes).
3	Replacement tubes: bicycle and motorcycle.
10-C	Garden and lawn hose.
12-B	Replacement automotive equipment (including all items listed thereunder in appendix A).
12-F	Household and appliance products (except for those functional parts which are manufactured for replacement purposes).
12-J	Billiard and pool-table cushions.
12-N	Mats and matting (including all items listed thereunder in appendix A except switchboard matting).
12-P	Bowling balls, knife handles, cafeteria trays, pipe bits, mouthpieces for musical instruments, and rods and tubing for fountain pen parts.
18-G	Bath caps.
18-K	Ladies' personal sanitary items (including all items listed thereunder in appendix A).
22-A	Athletic goods (including all items listed thereunder in appendix A).
22-B	Balloons.
22-C	Sponge rubber products (including all items listed thereunder in appendix A, except firemen's landing pads).
22-E	Flavored masticating gum.
22-G	Stationers' supplies (including all items listed thereunder in appendix A).
22-K	Toys (including all items listed thereunder in appendix A).
22-L	Rubber flooring, floor covering, wall covering (including all items listed thereunder in appendix A, except coating for fiber floor covering).

Appendix A

Code No.	*Product*
22-M	Rubberized fiber and hair cushioning.

APPENDIX C

On application to the Rubber Division, NPA, and in accordance with instructions in section 5 of Order M-2, additional quantities of rubber will be made available to fill contracts with the following symbols or allotments:

Allotment and/or DO rating symbol	*Program*
A-1 through A-9, B-1 through B-9, C-1 through C-9, Z-9.	Department of Defense and United States Coast Guard.
D-1 through D-9	Department of the Army.
E-1 through E-9	Atomic Energy Commission.
J-7	Department of State (Voice of America).
DO-22	Department of Defense.
DO-41	Atomic Energy Commission.
DO-62	United States Coast Guard.

[F. R. Doc. 51-10574; Filed, Aug. 29, 1951; 4:43 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Subchapter K—Security of Vessels

[CGFR 51-40]

PART 121—SECURITY CHECK AND CLEARANCE OF MERCHANT MARINE PERSONNEL

REQUIREMENTS FOR DOCUMENTS BEARING SECURITY CLEARANCE INDORSEMENT

Pursuant to the authority of 33 CFR 6.10-3 in Executive Order No. 10173 (15 F. R. 7007, 3 CFR, 1950 Supp.), the Commandant may require that all licensed officers and certificated men employed on other than exempted designated categories of merchant vessels of the United States be holders of specially validated documents. The purpose of the following amendment to 33 CFR 121.16 (b) is to postpone the effective date from "September 1, 1951" to "October 1, 1951" because it has been determined that the average percentage of crews holding validated documents is approximately 71 percent. The regulation, designated as § 121.16 (b), was published in the FEDERAL REGISTER dated July 18, 1951 (16 F. R. 6868), and requires that all persons employed on merchant vessels of the United States of 100 gross tons and upwards engaged in (1) foreign trade, or (2) the intercoastal trade, or (3) the coastwise trade to Alaska or the Hawaiian Islands, shall be holders of specially validated documents as a condition precedent to employment thereon. Since the security interests of the United States called for the aforesaid application of the provisions of 33 CFR 6.10-3 at the earliest practicable date and because of the national emergency declared by the President, it is found that compliance with the notice of proposed rule making, public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Executive Order No. 10173, as amended by Executive Order No. 10277, § 121.16 (b) is amended by changing the effective date from "September 1, 1951"

to "October 1, 1951" so that it will read as follows:

§ 121.16 *Requirements for documents bearing security clearance indorsement.* * * *

(b) On and after October 1, 1951, all persons employed on merchant vessels of the United States of 100 gross tons and upwards engaged in (1) the foreign trade, or (2) the intercoastal trade, or (3) the coastwise trade to Alaska or the Hawaiian Islands, shall be required as a condition of employment to be in possession of a document bearing a special validation indorsement for emergency service prior to acceptance of employment as members of crews of such vessels. The issuance of documents bearing security clearance shall be in the form and manner prescribed by § 121.15.

(40 Stat. 220, as amended; 50 U. S. C. 191. E. O. 10173, Oct. 18, 1950, 15 F. R. 7005, as amended by E. O. 10277, Aug. 1, 1951, 16 F. R. 7537; 3 CFR, 1950 Supp.)

Dated: August 29, 1951.

[SEAL] A. C. RICHMOND,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 51-10526; Filed, Aug. 30, 1951; 8:50 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

INCREASE OF MONTHLY RATES OF PENSION

A new § 3.1512 is added as follows:

§ 3.1512 *Instructions relating to increase of monthly rates of pension for veterans and the adjudication of applications for pension or increase of pension*—(a) *Law.* Provisions of the act: Public Law 108, 82d Congress provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in determining eligibility to service pension for veterans of the war with Spain, the Philippine Insurrection, or the Boxer Rebellion, and dependents of such veterans, which are payable under the laws reenacted by the Act of August 13, 1935 (49 Stat. 614; 38 U. S. C. 368, 369), or under Acts amendatory or supplemental to such laws, the following additional rules shall obtain: (a) The delimiting dates of the war with Spain, the Philippine Insurrection, or the Boxer Rebellion shall be from April 21, 1898, to July 4, 1902, inclusive: *Provided*, That if the person was serving with the United States military forces engaged in the hostilities in the Moro Province the period herein stated shall extend to July 15, 1903. (b) In computing active service there shall be counted continuous active service which commenced prior to and extended into the applicable period specified in (a) hereof or which commenced within such applicable period. (c) A discharge or release from active service under conditions other than dishonorable shall be a prerequisite to entitlement to service pension.

SEC. 2. The minimum monthly rates of pension payable to veterans by virtue of the laws referred to in section 1 as modified by this Act shall be $90 in cases where the veteran served ninety days or more or was discharged for disability incurred in service in line of duty unless such veteran is now or hereafter becomes on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the monthly rate shall be $120; and $60 in cases where the veteran served seventy days or more unless such veteran is now or hereafter becomes on account of age or physical or mental disabilities, helpless or blind, or so nearly helpless or blind as to need or require the regular aid and attendance of another person, the monthly rate shall be $78.

SEC. 3. Except as provided in section 4 hereof, where eligibility for pension or increase of pension is established by virtue of this Act, pension shall be paid from date of receipt of application therefor in the Veterans' Administration, but in no event prior to the first day of the second calendar month following the enactment of this Act: *Provided*, That payment of death pension may be made from date of death of a veteran where claim therefor is filed within one year after date of death of the veteran, but no payment shall cover a period prior to the first day of the second calendar month following the enactment of this Act.

SEC. 4. All persons receiving pensions on the day prior to the effective date of this Act under the laws referred to in sections 1 and 5 of this Act shall, effective the first day of the second calendar month following the enactment of this Act, receive the benefits of this Act without the necessity of filing a claim therefor.

SEC. 5. Subparagraphs I (g), I (h), and III (a) of Part III, Veterans Regulation Numbered 1 (a), as amended (38 U. S. C., ch. 12), are hereby repealed: *Provided*, That in the event any person receiving pension on the day prior to the effective date of this Act under the provisions of any of the laws mentioned in this section is not entitled to receive a higher rate of pension by reason of the enactment of this Act, pension shall continue to be paid to such person under such laws.

SEC. 6. The provisions of this Act shall be effective the first day of the second calendar month following its enactment.

(b) *Identification of claims of veterans to be considered without the requirements of an application.* The chief, claims division, veterans claims service, will receive from the machine records and accounting division, administrative service, TMS cards for those groups of veterans as follows: (1) Those veterans of the Spanish American War, Philippine Insurrection, or Boxer Rebellion of the 90 days' service group who are receiving service pension for disability or age at a rate less than $90 monthly, (2) those veterans of the 70 days' service group who are receiving less that $60 monthly, (3) those veterans of the 70 days' service group who are receiving $60 or $78 monthly, (4) those veterans receiving pension under Part III, Veterans Regulation No. 1 (a), at the $15 rate.

(c) *Review of claims.* These claims will be drawn from the files and observing the regular awards procedure and effective from October 1, 1951, the effective date of this act, the rate of the 90 day veteran will be increased to $90 monthly and the rate of the 70 day veteran will be increased to $60 monthly. The veterans receiving $15 monthly under Part III, Paragraph I (g) or I (h), Veterans Regulation 1 (a), will be increased to $90 monthly. Next those claims where $60 or $78 monthly for 70 days' service is being paid will be reviewed to determine if under the present law credit may be given for 90 days' service, and, if so, the award will be increased to $90 or $120 monthly if the $78 rate for aid and attendance was in effect.

(d) *Apportionments.* Where apportionments are currently in effect the increase to the $60 or $90 rate will be prorated between the veteran and the apportionee or apportionees. If there is evidence of estrangement or loss of custody of children in a case where the rate of less than $30 monthly is increased to $60 or $90 monthly, an apportionment for the estranged wife or children not in the veteran's custody will be withheld pending development. The difference between the $60 and $78 rate for aid and attendance for 70 day veterans and the $90 and $120 rate for aid in attendance for 90 day veterans is not subject to regular apportionment.

(e) *Applications.* Applications for pension or increase of pension are required by those receiving pension at the $60 or $72 rate under Part III, Veterans Regulation 1 (a), those receiving compensation in lieu of pension, those who have not heretofore applied for pension, and any other veteran not receiving pension under the laws enumerated in sections 1 and 5, Public Law 108, 82d Congress on the day prior to the effective date of the act. Where no prior application has been filed, a formal application is required. Where a formal application has been previously filed, an informal claim for reconsideration is sufficient. Claims pending on the date of approval of this act (August 4, 1951), will be adjudicated under the prior acts to the effective date of payment under this act (October 1, 1951), and under this act thereafter. If a disallowance is required under prior acts but entitlement is shown under this act the pending claim is sufficient.

(f) *Character of discharge.* Since an honorable discharge from all periods of service is no longer required but a discharge or release from active service under conditions other than dishonorable, the same procedure and criteria will be followed as is applicable under sections 300 and 1503, Public Law 346, 78th Congress.

(g) *Rate for aid and attendance.* For periods from the effective day of this act the $78 or $120 rate for aid and attendance will be effective from the date of claim or date the evidence shows entitlement, whichever is the later. The $78 or the $103.68 rate for aid and attendance under prior laws will not be awarded retroactively based upon evidence received on or after the effective date for payment under this act.

(h) *Cases involving Public Law 314, 78th Congress.* If it is found that a veteran entitled to an increase in pension has waived a portion of his retirement pay in order to receive pension, VA Forms 8-651 in duplicate will be dispatched to the service department showing the new rate of pension, and upon return of the report from the service department showing the effective date of the reduction in retirement pay the increased pension will be awarded from

that date, but in no event prior to the effective date for payment under this act. (Instruction No. 1, Pub. Law 108, 82d Cong.).

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective October 1, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51-10475; Filed, Aug. 30, 1951; 8:47 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 749]

ALASKA

CORRECTING THE DESCRIPTION OF THE LOCATION OF HOMESITE NO. 893 CONTAINED IN PUBLIC LAND ORDER 700 OF FEBRUARY 16, 1951

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, the description of the location of Homesite No. 893 contained in Public Land Order No. 700 of February 16, 1951, is hereby corrected to read as follows:

On west shore of Wrangell Narrows, Kupreanof Island, in sec. 33, T. 58 S., R. 79 E., C. R. M., 4.27 acres (Homesite No. 893).

R. D. SEARLES,
Acting Secretary of the Interior.

AUGUST 27, 1951.

[F. R. Doc. 51-10463; Filed, Aug. 30, 1951; 8:45 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter I—General Services Administration

PART 99—STOCK PILING OF STRATEGIC AND CRITICAL MATERIALS

PURCHASE PROGRAM FOR DOMESTIC CHROME ORE AND CONCENTRATES AT GRANTS PASS, OREGON

Correction

In Federal Register Document 51-10410, appearing at page 8680 of the issue for Tuesday, August 28, 1951, the date "June 30, 1955" in the first proviso of § 99.104 should read "December 31, 1954." Section 99.104 as so corrected reads as follows:

§ 99.104 *Termination of the Program.* The Program shall terminate and be of no further force or effect as of the close of business on June 30, 1955: *Provided, however,* That the Administrator may terminate the Program as of the close of business on December 31, 1954, upon giving advance public notice of such termination not later than December 31, 1953: *Provided, further,* That the Administrator may terminate the Program as of the date when the Government has received and accepted 200,000 tons of chrome ore and/or concentrates under the Program.

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter K—Seamen

[CGFR 51-15]

PART 136—MARINE INVESTIGATION REGULATIONS

PART 137—SUSPENSION AND REVOCATION PROCEEDINGS

COAST GUARD PERSONNEL AS WITNESSES IN JUDICIAL PROCEEDINGS

The purpose of the following amendments to 46 CFR 136.15-1 and 137.17-25 is to clarify the regulations and to resolve conflicting interpretations of what is required in the giving of testimony by persons in the service of the Coast Guard in civil or criminal court cases. It is necessary to distinguish those cases in which definitive affidavits are required as a condition precedent to the appearance of Coast Guard personnel in judicial proceedings from those cases in which such affidavits are not required. Because conflicting interpretations of the requirements have resulted in inequities to the public as well as the Government in the handling of various judicial proceedings and because no additional requirements are added to the regulations, it is hereby found that compliance with the notice of proposed rule making, the public rule making procedure thereon, and effective date requirements of the Administrative Procedure Act is impracticable and contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), as well as the statutes cited with the regulations below, the following amendments to the regulations are prescribed which shall become effective on the date of publication of this document in the FEDERAL REGISTER:

1. Section 136.15-1 is amended to read as follows:

§ 136.15-1 *Persons in service of Coast Guard.* (a) No person in the service of the Coast Guard shall, without prior approval of the Commandant, give any testimony with respect to any investigation or any other official proceedings in any suit or action in the courts. This applies equally to cases in state or Federal courts and to civil as well as criminal cases.

(b) In cases involving (1) civil litigation between private parties; or, (2) criminal matters before state courts; or, (3) civil litigation for or against the United States where Coast Guard personnel are called by parties opposing the United States; an affidavit by the litigant or his attorney setting forth the interest of the litigant and the information with respect to which the testimony of such Coast Guard officer or employee is desired must be submitted before permission to testify will be granted. Permission to testify will, in all cases, be limited to the information set forth in the affidavit, or to such portions thereof as may be deemed proper. In addition to the permission required by this paragraph, the Commandant may insist that the appearance of the Coast Guard officer or employee as a witness be conditioned on the issuance of a subpena or subpena duces tecum (as appropriate) from a court of competent jurisdiction.

(c) In cases where the appearance of Coast Guard personnel is desired by counsel representing the United States to support the affirmative claims or defenses of the United States in civil matters or on behalf of the United States in criminal matters, no affidavit as described in paragraph (b) of this section shall be required, but the Commandant's prior approval must nevertheless be obtained, except in those cases where the Coast Guard personnel desired as witnesses file the original complaint.

(R. S. 4405, as amended, secs. 1, 2, 49 Stat. 1544, sec. 5, 55 Stat. 244, as amended; 46 U. S. C. 375, 367, 50 U. S. C. 1275. Interprets or applies R. S. 4450, as amended; 46 U. S. C. 239)

2. Section 137.17-25 is amended to read as follows:

§ 137.17-25 *Testimony by Coast Guard personnel.* (a) No person in the service of the Coast Guard shall, without prior approval of the Commandant, give any testimony with respect to any investigation or any other official proceedings in any suit or action in the courts. This applies equally to cases in state or Federal courts and to civil as well as criminal cases.

(b) In cases involving (1) civil litigation between private parties; or, (2) criminal matters before state courts; or, (3) civil litigation for or against the United States where Coast Guard personnel are called by parties opposing the United States; an affidavit by the litigant or his attorney setting forth the interest of the litigant and the information with respect to which the testimony of such Coast Guard officer or employee is desired must be submitted before permission to testify will be granted. Permission to testify will, in all cases, be limited to the information set forth in the affidavit, or to such portions thereof as may be deemed proper. In addition to the permission required by this paragraph, the Commandant may insist that the appearance of the Coast Guard officer or employee as a witness be conditioned on the issuance of a subpena or subpena duces tecum (as appropriate) from a court of competent jurisdiction.

(c) In cases where the appearance of Coast Guard personnel is desired by counsel representing the United States to support the affirmative claims or defenses of the United States in civil matters or on behalf of the United States in criminal matters, no affidavit as described in paragraph (b) of this section shall be required, but the Commandant's prior approval must nevertheless be obtained, except in those cases where the Coast Guard personnel desired as witnesses file the original complaint.

(R. S. 4405, as amended, secs. 1, 2, 49 Stat. 1544, sec. 5, 55 Stat. 244, as amended; 46 U. S. C. 375, 367, 50 U. S. C. 1275. Interprets or applies R. S. 4450, as amended; 46 U. S. C. 239)

Dated: August 24, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51-10483; Filed, Aug. 30, 1951; 8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 36—ALASKA REGION

SUBPART—ALEUTIAN ISLANDS NATIONAL WILDLIFE REFUGE

HUNTING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that the continuation of waterfowl and ptarmigan hunting can be permitted on a part of Adak Island in the Aleutian Islands National Wildlife Refuge, without interfering with the primary purpose of the Refuge.

Inasmuch as the following regulation is a relaxation of existing regulations applicable to the Aleutian Islands National Wildlife Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, §§ 36.11 and 36.13 are revised to read as follows:

§ 36.11 *Waterfowl and ptarmigan hunting permitted.* Hunting migratory waterfowl and ptarmigan is permitted on all of Adak Island of the Aleutian Islands National Wildlife Refuge except that part south and west of a line extending from the head of the South Arm of Three Arm Bay to the head of the Bay of Waterfalls, as designated by posting by the officer in charge of the refuge, subject to the provisions, restrictions, and requirements of §§ 36.12 and 36.13. Migratory waterfowl may be taken during the season prescribed and in accordance with the provisions of applicable Federal laws and regulations during the 1951 calendar year. Ptarmigan may be hunted in the daylight hours during the period September 1, 1951, to February 28, 1952, inclusive, in accordance with the provisions of current Alaska Game Law Regulations.

§ 36.13 *Territory hunting laws.* All hunters must comply with the provisions of the Alaska Game Law and regulations issued pursuant thereto, and must have on their person and exhibit at the request of any authorized Federal officer, whatever license may be required by such law and regulations, which license shall serve as a Federal permit for hunting on the refuge. If hunting waterfowl, each hunter must have in his possession a current Migratory Bird Hunting Stamp.

(Sec. 10, 45 Stat. 1224; 16 U. S. C. 715i)

Dated: August 20, 1951.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 51-10464; Filed, Aug. 30, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 997]

HANDLING OF FILBERTS GROWN IN OREGON AND WASHINGTON

SALABLE, SURPLUS, AND WITHHOLDING PERCENTAGES

Notice is hereby given that the Department is considering the issuance of the proposed administrative rule herein set forth pursuant to the provisions of Marketing Agreement No. 115 and Order No. 97 regulating the handling of filberts grown in Oregon and Washington (7 CFR Part 997), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Prior to the final issuance of such administrative rule, consideration will be given to data, views, or arguments pertaining thereto which are submitted in writing to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., and which are received not later than the close of business on the tenth day after date of publication of this notice in the FEDERAL REGISTER, except that, if said tenth day after publication should fall on a holiday, Saturday, or Sunday, such submission may be received by the Director not later than the close of business on the next following work day.

Pursuant to the provisions of the aforesaid agreement and order the Filbert Control Board, the administrative agency thereunder, recommended that the salable percentage of merchantable in-shell filberts for the fiscal year beginning August 1, 1951, be fixed at 85 percent and the surplus percentage at 15 percent.

Following is a summary of the supply and demand situation for merchantable in-shell filberts for the fiscal year beginning August 1, 1951, based on estimates of the Filbert Control Board: (1) Production from the 1951 crop, 13,561,600 pounds; (2) trade demand, 10,780,000 pounds; (3) handler carryover, August 1, 1951 (all certified for shipment), 609,700 pounds; (4) trade demand to be supplied from the 1951 crop (item 2–item 3), 10,170,300 pounds; (5) salable quantity computed at 85 percent of item 1, 11,527,360 pounds; (6) carryover as of August 1, 1952 (item 5–item 4), 1,357,060.

The Filbert Control Board's estimates have been studied along with other pertinent information and appear reasonable. In accordance with its recommendation, it is proposed to fix the salable percentage at 85 percent and the surplus percentage at 15 percent. On this basis, the withholding percentage, which is the ratio of the surplus percentage to the salable percentage, would be 18 percent, when adjusted to the nearest whole number.

The proposed rule is as follows:

§ 997.201 *Salable, surplus, and withholding percentages.* For the fiscal year beginning August 1, 1951, the salable percentage of merchantable in-shell filberts shall be 85 percent, the surplus percentage shall be 15 percent, and the withholding percentage shall be 18 percent.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 28th day of August 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch.

[F. R. Doc. 51-10505; Filed, Aug. 30, 1951; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[Commissioner's Order 6]

REGIONAL DIRECTORS AND PROJECT HEADS

REDELEGATION OF AUTHORITY WITH RESPECT TO ADMINISTRATION OF WITHDRAWN AND ACQUIRED LANDS

AUGUST 24, 1951.

1. Pursuant to authority contained in the act of May 26, 1926 (44 Stat. 657), the act of December 19, 1941 (55 Stat. 842), and Departmental Order No. 2548 (14 F. R. 7598), and subject to the limitations hereinafter set forth, the following powers and authorities are designated to be exercised by Regional Directors, District Managers and project heads as herein specified, when authorized by the Regional Director, as to matters within their respective administrative jurisdictions:

1.1 To lease for grazing, agricultural or recreational uses or development, exclusive of summer homesites at Bureau reservoirs, for periods not exceeding 5 years, public lands under reclamation withdrawal and lands acquired for reclamation purposes, to consent to subleases thereunder, and to modify, consent to assignment of, terminate or cancel such leases. The authority delegated under this section with respect to leases for summer homesites at Bureau reservoirs is limited to leases for periods of 10 years or less.

1.2 To lease and grant licenses for specified rights, for periods not exceeding 50 years, to the use of Government right-of-way and other public lands under reclamation withdrawal and lands acquired for reclamation purposes, to consent to subleases and sublicenses thereunder, and to modify, consent to assignment of, terminate or cancel such leases and licenses. In respect to the development or transmission of electric power and energy, the authority delegated under this section is limited to the issuance of licenses for the construction or operation of lines of a voltage of 15 kilovolts or less, for a period not exceeding 10 years, for the distribution of electric power and energy.

1.3 To grant permits for the removal of sand, gravel, or building materials from public lands under reclamation withdrawal or lands acquired for reclamation purposes, and to modify, consent to assignment of, terminate or cancel such permits.

2. No lease, license, or permit shall be issued for a period in excess of 5 years without a prior determination to the effect that the land is presently required for the protection of Bureau projects or will be required for future reclamation development.

3. All actions relating to leases, licenses, or permits pursuant to this authority may be performed on behalf of the United States by the Regional Director or by the officer in charge of any district or project (herein called the project head) when authorized in writing by the Regional Director.

4. All leases, licenses, or permits executed pursuant to these authorities shall be on terms and conditions that are deemed by the executing officer to be adequate to protect the interests of the United States and the project for which the particular lands are being administered and to be compatible with the purposes for which the lands were withdrawn or acquired.

5. There shall be advance legal review and approval of the legal phases of all documents, matters, and transactions (other than those involving the use, without deviations, of approved standard forms of leases, licenses, and permits) handled pursuant to the authorities herein redelegated. The Chief Counsel delegates authority, subject to his technical supervision, for this final legal review and approval to the Regional Counsel for the region having administrative jurisdiction over the activity or project concerned. Regional Counsel may redelegate final authority for legal review and approval to the ranking district or project attorneys, as he may designate, in connection with matters which are to be handled hereunder with administrative finality by project heads.

6. All existing regulations and instructions in conflict herewith, including any informal directions or instructions heretofore incorporated in the correspondence between this office and the field, are hereby revoked and superseded to the extent of such conflict. This redelegation is not intended to supersede authorities, policies, and procedures contained in Circular Letters Nos. 3387, 3388, and 3389 and amendments thereof relating to the Columbia Basin Project.

7. The authorities delegated by this order shall be exercised in accordance with the provisions of Part 3, Public Land Management, of Volume XVIII, Land Acquisition and Management, of the Reclamation Manual.

8. *Revocation.* This order supersedes 43 CFR, 1947 Supp., 406.20 (f), (g), (h), and Circular Letter No. 3503, June 3, 1947.

MICHAEL W. STRAUS,
Commissioner of Reclamation.

[F. R. Doc. 51-10465; Filed, Aug. 30, 1951; 8:45 a. m.]

[Commissioner's Order 7]

REGIONAL DIRECTORS AND PROJECT HEADS

REDELEGATION OF AUTHORITY WITH RESPECT TO ACQUISITION OF LANDS AND WATER RIGHTS

AUGUST 24, 1951.

SECTION 1. *Acquisition of lands and water rights.* (a) In connection with the development, construction, operation and maintenance of reclamation and water conservation and utilization projects and pursuant to the authority contained in Order No. 2625, dated April 6, 1951 (16 F. R. 3311), subject to the limitations hereinafter set forth, Regional Directors may:

(1) Authorize and approve the appraisal or reappraisal of lands or interests therein and water rights, by appraisers or appraisal boards;

(2) Contract for and effect or authorize the officer in charge of any district or project (herein called the project head) to contract for and effect the purchase or exchange of lands or interests therein and water rights at appraised values, but any exchange involving withdrawn public lands, except in the case of public lands within the Columbia Basin Project, shall be effected only with the concurrence of the Director of the Bureau of Land Management;

(3) Effect, at approved appraised values, the acquisition or, through exercise of the power of attorney, the sale of lands or interests therein under the provisions of recordable contracts entered into in accordance with the Columbia Basin Project Act (16 U. S. C., 1946 ed., sec. 835, et seq.);

(4) Enter into contracts for the relocation of properties where the amount involved does not exceed $200,000;

(5) Enter into contracts for the right to construct project facilities across private property, including the property of States and political subdivisions thereof where the amount involved does not exceed $200,000;

(6) Enter into contracts for the exchange or replacement of water rights where the amount involved does not exceed $200,000; and

(7) Enter into contracts for the adjustment of water rights where the amount involved does not exceed $200,000.

(b) In connection with the authority granted under subsection (a) (4), (5), (6), (7), the Regional Director may execute, in the name of the Secretary, all necessary grants or conveyances, but any grant or conveyance involving withdrawn public lands shall be executed only with the concurrence of the Director of the Bureau of Land Management.

(c) All grants, conveyances, and contracts shall be on standard forms approved by the Commissioner, except that only the basic provisions of forms used in transactions on the Columbia Basin Project pursuant to the authority granted in subsection (a) (2) and (3) shall be first approved by the Commissioner.

SEC. 2. In connection with the authority granted under subsection (a) (1) of section 1, Regional Directors may, in writing, redelegate such authority to District Managers and project heads where the amount involved does not exceed $500.

SEC. 3. There shall be advance legal review and approval of the legal phases of all documents, contracts and transactions handled pursuant to the authorities herein delegated. The Chief Counsel

delegates authority, subject to his technical supervision, for this final legal review and approval to the Regional Counsel for the region having administrative jurisdiction over the activity or project concerned. Regional Counsel may redelegate final authority for legal review and approval to the ranking attorneys of the district or project, as he may designate, in connection with matters which are to be handled hereunder with administrative finality by project heads.

SEC. 4. All existing regulations and instructions in conflict herewith, including any informal directions or instructions heretofore incorporated in the correspondence between this office and the field, are hereby revoked and superseded to the extent of such conflict.

SEC. 5. *Revocation.* This order supersedes 43 CFR, 1947 Supp., 406.10 (a), Circular Letter No. 3285, January 12, 1945, 43 CFR, 1947 Supp., 406.20 (a), (b), Circular Letter No. 3280, January 5, 1945, Circular Letter No. 3280, Supplement No. 1, October 11, 1946, Circular Letter No. 3508, August 7, 1947.

MICHAEL W. STRAUS,
Commissioner of Reclamation.

[F. R. Doc. 51-10466; Filed, Aug. 30, 1951; 8:45 a. m.]

Petroleum Administration for Defense

WEST VIRGINIA

NOTICE OF CERTIFICATION REGARDING RESTRICTION OF NATURAL GAS

Take notice that the Public Service Commission of the State of West Virginia has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to section 704 Defense Production Act of 1950, as amended, the restrictions imposed by section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the State of West Virginia.

BRUCE K. BROWN,
Deputy Administrator, Petroleum Administration for Defense.

[F. R. Doc. 51-10528; Filed, Aug. 30, 1951; 9:11 a. m.]

DEFENSE PRODUCTION ADMINISTRATION

[D. P. A. Request No. 11]

REQUEST TO PEORIA CONSOLIDATED MANUFACTURERS, INCORPORATED, TO OPERATE AS A SMALL BUSINESS ENTERPRISE PRODUCTION POOL AND REQUEST TO CERTAIN COMPANIES TO PARTICIPATE IN OPERATIONS OF SUCH POOL

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request to Peoria Consolidated Manufacturers, Incorporated, to operate as a small business enterprise production pool and the request to the companies hereinafter listed to participate in the operations of such pool, set forth below, were approved by the Attorney General, after consultations with respect thereto between representatives of the Attorney General, representatives of the Chairman of the Federal Trade Commission and representatives of the Administrator of the Defense Production Administration. The voluntary program, as modified, in accordance with which the pool shall operate, has been approved by the Director of the Office of Defense Mobilization[1] and found to be in the public interest as contributing to the national defense.

REQUEST TO PEORIA CONSOLIDATED MANUFACTURERS, INCORPORATED

You are requested to operate as a small business enterprise production pool in accordance with the voluntary program, as set forth in the papers attached to your letter addressed to the Office of Small Business, National Production Authority, U. S. Department of Commerce, as modified by your letters of May 23, 1951, and June 8, 1951.

In my opinion, the operations of your corporation as a small business enterprise production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect to this matter between his representatives, representatives of the Chairman of the Federal Trade Commission and representatives of the Administrator of the Defense Production Administration, pursuant to section 708 of the Defense Production Act of 1950 (Public Law 774—81st Cong.).

I approve the voluntary program, as modified, and find it to be in the public interest as contributing to the national defense.

You will become a participant upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given only upon such acceptance, provided that the activities of this corporation and your participation therein are within the limits set forth in the approved voluntary program, as modified.

Your cooperation in this matter will be appreciated.

Sincerely,

CHARLES E. WILSON.[1]

REQUEST TO COMPANIES

You are requested to participate in the operations of Peoria Consolidated Manufacturers, Incorporated, as a member thereof, which will operate as a small business enterprise production pool in accordance with the voluntary program, as modified, submitted to the Office of Small Business, National Production Authority, U. S. Department of Commerce, by Peoria Consolidated Manufacturers, Incorporated.

In my opinion, your participation in the operations of this corporation as a small business enterprise production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect to this matter between his representatives, representatives of the Chairman of the Federal Trade Commission and representatives of the Administrator of the Defense Production Administration, pursuant to section 708 of the Defense Production Act of 1950 (Public Law 774—81st Cong.).

I approve the voluntary program, as modified, and find it to be in the public interest as contributing to the national defense.

You will become a participant upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given only upon such acceptance, provided that the activities of this corporation and your participation therein are within the limits set forth in the approved voluntary program, as modified.

Your cooperation in this matter will be appreciated.

Sincerely,

CHARLES E. WILSON.[1]

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Little Giant Products, Inc., 1530–50 North Adams Street, Peoria 3, Ill.

McBride & Shoff Machine Shop, 830 Fayette Street, Peoria, Ill.

Ornamental Metalworks Co., 440 South Franklin Street, Decatur, Ill.

Ostrom & Maguire Construction Co., Inc., 140½ East Main (P. O. Box 991) Galesburg, Ill.

Standard Sheet Metal Works, 1619 North Sheridan Road, Peoria, Ill.

J. G. Jacob & Sons, 125 North Fourth Avenue, Morton, Ill.

Hohulin Bros., Goodfield, Ill.

Faries Lamp Works, Inc., Warrensburg, Ill.

Roy G. Miller, Inc., P. O. Box 518, Warrensburg, Ill.

Peoria Undercoating Co., Inc., 816 Main Street, Peoria, Ill.

Hotchkiss Steel Products Co., Bradford, Ill.

Allied Wood Products, Inc., 2300 South Adams Street, Peoria, Ill.

Rock Island Bridge & Iron Works, Inc., 1603 Mill Street, Rock Island, Ill.

Schmidgall Manufacturing Co., 307–9–11 Cass Street, Peoria 2, Ill.

Illinois Culvert & Tank Co., Peoria, Ill.

Home Comfort Manufacturing Co., 609 Spencer Street, Peoria 3, Ill.

B. B. Butler Manufacturing Co., Inc., 3432 North Avondale Avenue, Chicago 18, Ill.

Rochelle Manufacturing Corp., 620 West Ninth Avenue, P. O. Box 597, Monmouth, Ill.

Illinois Valley Awning & Tent Co., 111 Main Street, Peoria 2, Ill.

Peoria Consolidated Manufacturers, Incorporated, accepted the request, set forth above, to operate as a small business enterprise production pool.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-10578; Filed, Aug. 29, 1951; 4:44 p. m.]

[1] The letter from the President, dated Apr. 27, 1951, to the Director of the Office of Defense Mobilization, conferred upon the Director of the Office of Defense Mobilization the powers delegated to the Defense Production Administrator by E. O. 10200 of Jan. 3, 1951, 16 F. R. 61, relating to voluntary agreements and programs under Sec. 708 of the Defense Production Act of 1950, Pub. Law 774, 81st Cong., during the incumbency of the Acting Defense Production Administrator. On July 23, 1951, these powers were assumed by the present Administrator of the Defense Production Administration.

[D. P. A. Request No. 12]

REQUEST TO CERTAIN COMPANIES TO PARTICIPATE IN OPERATIONS OF GREATER NEW YORK MANUFACTURING POOL

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request to the companies hereinafter

listed to participate in the operations of the Greater New York Manufacturing Pool was approved by the Attorney General, after consultations with respect thereto between representatives of the Attorney General, representatives of the Chairman of the Federal Trade Commission and representatives of the Director of the Office of Defense Mobilization.[1] The Voluntary Program, in accordance with which the pool shall operate, has been approved by the Director of the Office of Defense Mobilization[1] and found to be in the public interest as contributing to the national defense.

REQUEST TO COMPANIES

You are requested to participate in the operations of the Greater New York Manufacturing Pool which will operate as a small business enterprise production pool in accordance with the Voluntary Program, as set forth in the papers submitted by the International Banding Machine Company to the Office of Small Business, Pooling Section, National Production Authority, Department of Commerce, Washington, D. C.

In my opinion, your participation in the operations of this small business enterprise production pool will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect to this matter between his representatives, representatives of the Chairman of the Federal Trade Commission and my representatives, pursuant to section 708 of the Defense Production Act of 1950 (Public Law 774—81st Cong.).

I approve the Voluntary Program and find it to be in the public interest as contributing to the national defense.

You will become a participant upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given only upon such acceptance, provided that the operations of this production pool and your participation therein are within the limits set forth in the approved Voluntary Program.

Your cooperation in this matter will be appreciated.

Sincerely,

CHARLES E. WILSON.[1]

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Airol Engineering & Manufacturing Co., 10–38 Jackson Avenue, Long Island City 1, N. Y.

Advance Machine Works, 2036 Washington Avenue, New York 57, N. Y.

Alka Precision Tools & Experimental Work, 12–44 One Hundred and Twenty-second Street, College Point, N. Y.

Alto Spring & Metal Manufacturing Co., 515 East One Hundred and Sixty-fourth Street, New York 56, N. Y.

Amrum Metal Industries, 470 Flushing Avenue, Brooklyn 5, N. Y.

Arenco Machine Co., Inc., 25 West Forty-third Street, New York 18, N. Y.

Arma Tool & Manufacturing Corp., 190 Emerson Place, Brooklyn 5, N. Y.

Armode Precision Products Co., 31 Coenties Slip, New York 4, N. Y.

Automatic Metal Products Corp., 315–323 Berry Street, Brooklyn 11, N. Y.

Automatic Steam Products Corp., 140 West Thirty-first Street, New York 1, N. Y.

A. & W. Machine Co., 203 Lafayette Street, New York 12, N. Y.

Bayonne Tool & Manufacturing Co., 37–43 South Avenue, Garwood, N. J.

Berner Machine & Tool Co., Inc., 337 East One Hundred and Sixty-second Street, New York 56, N. Y.

Brooklyn Gear Co., Inc., 252 Pennsylvania Avenue, Brooklyn 7, N. Y.

C. B. C. Welding Corp., 422 East One Hundred and Second Street, New York 29, N. Y.

Delbros Machine Shop, 2535 Tilden Avenue, Brooklyn 26, N. Y.

Dermac Machine Co., 4–6 Wood Street, Albany, N. Y.

Doellgast & Sons, 1795 Atlantic Avenue, Brooklyn 33, N. Y.

Eastern Casting Corp. Division, South Williams Street, Newburgh, N. Y.

Empire State Laboratories, 161 Maiden Lane, New York 7, N. Y.

Federal Machine Works, 206 Lafayette Street, New York 12, N. Y.

General Machine Works, 322 Bleecker Street, New York 14, N. Y.

J. F. Gerken & Sons, 210–08 Jamaica Avenue, Queens Village 9, N. Y.

G. & H. Machine Works Inc., 573 Johnson Avenue, Brooklyn 6, N. Y.

Herlot Tool & Die Co., 2342 Amsterdam Avenue, New York 33, N. Y.

H. & H. Thermostats, Inc., 682 Broadway, New York 12, N. Y.

International Banding Machine Co., 1 West Thirty-seventh Street, New York 18, N. Y.

International Mutoscope Co., 44–02 Eleventh Street, Long Island City 1, N. Y.

Johnson Foundry & Machine Co., Inc., 68 Jay Street, Brooklyn 1, N. Y.

Koch & Lowy Manufacturing Co., 211–215 West Twentieth Street, New York 11, N. Y.

K & T Motor & Generator Repairs, 1415 Bedford Avenue, Brooklyn 16, N. Y.

Lafayette Laboratories, 236 Lafayette Street, New York 12, N. Y.

Lenkeit Machine & Tool Co., 40 South Eighth Street, Brooklyn 11, N. Y.

Lincoln Machine Parts Corp., 732 East One Hundred and Forty-fourth Street, New York 54, N. Y.

Lindstrom Manufacturing Co., 173 Water Street, New York 7, N. Y.

Liverpool Machine Tool Co., Inc., 109–11 Broad Street, New York 4, N. Y.

Joseph Madonna, 11–38 Thirty-first Avenue, Long Island City 2, N. Y.

Manhattan Engineering Co., 270 Lafayette Street, New York 12, N. Y.

Metro Machine Works Co., 2366 Westchester Avenue, New York 61, N. Y.

M. L. M. Machine & Metal Products Corp., 2714 Gerritson Avenue, Brooklyn, N. Y.

Monarch Metal Products, Inc., 724 South Columbus Avenue, Mount Vernon, N. Y.

Murbert Manufacturing Co., 2475 Atlantic Avenue, Brooklyn 7, N. Y.

National Diamond Hone & Wheel Co., 108 Fulton Street, New York 7, N. Y.

Nelson Machine Co., 1614 Stephen Street, Ridgewood, Long Island, N. Y.

R. Olleo & Sons Machine Co., 152 West Twenty-sixth Street, New York 1, N. Y.

Packer Machinery Corp., 30 Irving Place, New York 3, N. Y.

Perl Machine Manufacturing Co., 68 Jay Street, Brooklyn 1, N. Y.

Precision Cam Co., 125 Lincoln Avenue, New York 54, N. Y.

Premier Metal Products Co., 3160 Webster Avenue, Bronx 67, N. Y.

Progressive Labeling Machine, Inc., 137 West Twenty-second Street, New York 1, N. Y.

Fred Renz & Sons, Inc., 7025 Eighty-third Street, Glendale, Long Island, N. Y.

The Robroyce Co., 21 Washington Street, West Orange, N. J.

Sal Metal Products Co., 120 Freeman Street, Brooklyn 22, N. Y.

S. & D. Machine & Tool Co., 96 Harrison Avenue, Jersey City 4, N. J.

Shelley Brass Products, Inc., 217–219 Centre Street, New York 13, N. Y.

Silver Record Pressing Corp., 469 West Broadway, New York 12, N. Y.

S. M. S. Manufacturing Co., 68 Beekman Street, New York 7, N. Y.

S and S Manufacturing Co., 520 Seventieth Street, Guttenberg, N. J.

Staplex Co., 66–72 Jay Street, Brooklyn 1, N. Y.

I. S. Stoddard, 323 Broadway, Newburgh, N. Y.

Aurelio Tanzi Corp., 430 Jefferson Street, Brooklyn 37, N. Y.

Universal Brass Turning Co., Inc., 912 Courtlandt Avenue, corner One Hundred and Sixty-second Street, Bronx 56, N. Y.

Viking Machine Shop, 2373 East Sixty-ninth Street, Brooklyn 10, N. Y.

Werner Machine Co., Inc., Passaic, N. J.

Woerner & Nelson, Inc., 380 Canal Street, New York 13, N. Y.

Z & H Manufacturing Corp., One West Forty-seventh Street, New York, N. Y.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

[F. R. Doc. 51–10579; Filed, Aug. 29, 1951; 4:45 p. m.]

[D. P. A. Request No. 14]

REQUEST TO PARTICIPATE IN FORMATION AND ACTIVITIES OF A B–47 PRODUCTION COMMITTEE

Pursuant to section 708 of the Defense Production Act of 1950, as amended, the request set forth below to participate in the formation and activities of a B–47 Production Committee in accordance with the voluntary plan, entitled "Plan for the Formation of a B–47 Production Committee," dated June 8, 1951, was approved by the Attorney General, after consultations with respect thereto between representatives of the Attorney General, representatives of the Chairman of the Federal Trade Commission and representatives of the Director of the Office of Defense Mobilization.[1]

The voluntary plan, also set forth below, has been approved by the Director of the Office of Defense Mobilization[1] and found to be in the public interest as contributing to the national defense.

CONTENTS OF REQUEST

You are requested to participate with the Air Force in the formation and activities of a B–47 Production Committee in accordance with the voluntary plan, entitled "Plan for the Formation of a B–47 Production Committee," dated June 8, 1951, a copy of which is herewith enclosed.

In my opinion, your participation in the activities of this committee will greatly assist in the accomplishment of our national defense program.

The Attorney General has approved this request after consultations with respect to this matter between his representatives, representatives of the Chairman of the Federal Trade Commission and my representatives, pursuant to section 708 of the Defense Production Act of 1950 (Public Law 774—81st Cong.).

I approve the voluntary plan and find it to be in the public interest as contributing to the national defense.

[1] The letter from the President, dated Apr. 27, 1951, to the Director of the Office of Defense Mobilization, conferred upon the Director of the Office of Defense Mobilization the powers delegated to the Defense Production Administrator by E. O. 10200 of Jan. 3, 1951, 16 F. R. 61, relating to voluntary agreements and programs under section 708 of the Defense Production Act of 1950, Pub. Law 774, 81st Cong., during the incumbency of the Acting Defense Production Administrator. On July 23, 1951, these powers were assumed by the present Administrator of the Defense Production Administration.

You will become a participant upon notifying me in writing of your acceptance of this request. Immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act will be given only upon such acceptance, provided that the activities of the B–47 Production Committee and your participation therein are within the limits set forth in the voluntary plan.

In the event that you accept this request will you kindly send a copy of your acceptance letter to the Procurement Division, Production Branch, Office of the Assistant Chief of Staff, G–4, United States Army, Pentagon Building, Washington 25, D. C.

Your cooperation in this matter will be appreciated.

Sincerely,

CHARLES E. WILSON.[1]

LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE

Boeing Airplane Co., Seattle, Wash.

Douglas Aircraft Co., Inc., Santa Monica, Calif.

Lockheed Aircraft Corp., Burbank, Calif.

PLAN FOR THE FORMATION OF A B–47 PRODUCTION COMMITTEE

JUNE 8, 1951.

1. *The need for a Committee.* The Air Force has selected the Boeing B–47 Medium Bomber as one of the basic aircraft types around which to build its strength in the present emergency, and it is essential that the B–47 should go into production as rapidly as possible. It is also essential that there should be several sources of supply, and the Air Force has accordingly determined to let prime B–47 production contracts not only to Boeing Airplane Company (which designed the B–47) but to Douglas Aircraft Company, Inc., and Lockheed Aircraft Corporation as well. It now proposes to form a B–47 Production Committee to assure close coordination of effort among Boeing, Douglas and Lockheed.

The need for such a Committee is apparent from the complexity of the problems necessarily involved in the production of such an aircraft by three manufacturers. The B–47 is a six engine jet bomber of a sort never before manufactured in large quantities. It is the product of engineering studies and aerodynamic research going back many years. Its design is quite radical, and it bears very little resemblance to the piston powered aircraft of World War II or those now in production. It is the first large jet powered plane selected for full scale production, and it is obvious that if such production is to proceed with a minimum of technical difficulty, there must be an interchange of technical information and a coordination of effort between the manufacturers involved.

2. *Functions*—a. *Exchange of information.* One of the principal functions of the B–47 Production Committee will be to facilitate the exchange of technical information about the B–47 among the three contractors and among the contractors and the Air Force. At the outset, engineering materials and information of all sorts (including drawings, photocontact masters, master layouts, templates, bills of material, and other design data and engineering know-how) must pass from Boeing to Douglas and to Lockheed in order to enable Douglas and Lockheed to start production. In the later stages, similar information about engineering changes and modifications in the design of the B–47, and about changes in manufacturing methods and production techniques, must likewise pass from the Air Force down to the contractors and amongst the contractors themselves. During both periods, the Committee will consider what information or engineering assistance each contractor requires and how it can best be supplied. Subject to the terms of certain technical assistance contracts between the Air Force and Boeing and between Boeing and the other two prime contractors, the Committee will then determine when and in what manner the actual transfer of technical information and engineering assistance will take place. Decisions of the Committee with regard to an exchange of information, if concurred in by the Chairman, will be final and binding on the three contractors and the Air Force.

b. *Technical problems.* Besides facilitating the exchange of technical information, the Committee will consider such other technical problems as may arise in the course of B–47 production. In situations in which, within the Air Force, the Chairman of the Committee has the authority to make a final decision, a decision of the Committee, if concurred in by the Chairman, will be final and binding on the Air Force and the three prime contractors. In situations in which approval must be obtained at some other level of the Air Force or from some other governmental agency, the Committee may make recommendations, if concurred in by the Chairman, to such other level or agency, and if the recommendations are approved, they will be final and binding on the three contractors and will be carried out through appropriate procurement or other channels.

The following are the fields in which the Committee will operate:

(i) *Changes and modifications.* Large numbers of engineering changes and modifications in the design of the B–47 will be necessary. Changes and modifications may be suggested either by the Air Force or by one of the contractors. They may be required for a wide variety of reasons, including: the correction of errors or shortcomings in the design of the B–47; improvements in design; changes and improvements in production techniques; maintenance or operational difficulties encountered in flight tests or in the field; and changes in the strategic or tactical use of the aircraft.

(ii) *Tooling, plant layout and manufacturing methods.* The Committee will consider problems connected with tooling the various plants for production, the proper plant layout, the manufacturing methods to be employed, and similar matters bearing upon the efficiency and productive capacity of the three contractors.

(iii) *Standardization.* It is obvious that all B–47's and B–47 spare parts, whether produced by Boeing, Douglas or Lockheed, must be completely standardized and interchangeable. One of the most important functions of the Committee will be to achieve such standardization and interchangeability so that crew members and mechanics in remote theatres can operate and maintain all B–47's as though they were produced on a single assembly line.

(iv) *Scheduling and phasing.* It is important that there be an even flow of materials to all assembly lines and proper phasing in the manufacture of all parts, components and assemblies. It is also important that engineering changes and modifications be made at convenient stages in the assembly process. The Committee will accordingly consider the production schedules prescribed by the Air Force and means for achieving the best possible scheduling and phasing of production.

(v) *Shortages.* From time to time, shortages and bottlenecks of various descriptions will come to the attention of the Committee. Shortages are likely to occur in raw materials and supplies, in skilled technicians and engineers, in manpower generally, and in tools and other production facilities. The Committee will consider and pass upon all such shortages as they arise.

(vi) *Spare parts.* The Committee will study the capacity of the three prime contractors and their subcontractors for spare parts production and it will consider which contractors should be charged with the responsibility for providing spares.

(vii) *Subcontractors.* It is the policy of the Air Force to broaden the procurement base and to spread subcontracting for the B–47 project among as many small business enterprises as can be done without unduly sacrificing time, quality or economy. The Committee will accordingly consider means whereby information about the requirements of the B–47 project can be widely disseminated amongst potential subcontractors for the purpose of enabling them to obtain subcontracts. Likewise, in cases where there is only one source of supply for a particular part, component or subassembly, the Committee will consider means for establishing secondary or additional sources of supply. Nevertheless, in the interests of standardization, interchangeability of parts, quality control, decreased costs and the proper scheduling and phasing of deliveries, it may sometimes be necessary to provide for the use of common subcontractors, or for the supply of particular components or subassemblies by one of the prime contractors to the other two. The use of common subcontractors or suppliers will, however, be limited to cases in which: (a) the Committee, with the concurrence of the Chairman, directs such use; (b) the Air Force directs such use or gives its approval to recommendations made by the Committee; or (c) the three contractors deal with a common subcontractor or supplier in respect to small, noncritical items in the normal course of business and without any concerted action.

(viii) *Quality control.* To insure high standards of quality, standardization and interchangeability, as set forth in section (iii), it will be necessary for the contractors and the Air Force to maintain constant inspection at the plants of the prime contractors and of certain subcontractors. The Committee accordingly will consider manufacturing and quality control methods and procedures, and to avoid confusion and needless duplication of effort, it may designate one of the prime contractors to supervise quality control and engineering changes in the plant of one or more subcontractors.

3. *Organization.* a. The B–47 Production Committee will consist of four members:—the Air Force, Boeing Airplane Company, Douglas Aircraft Company, Inc. and the Lockheed Aircraft Corporation. Each member will have one representative sitting on the Committee and an alternate to sit in his absence or disability.

b. The Air Force representative on the Committee will devote his full time and attention to the affairs of the Committee, and he will act as Chairman. The alternate Air Force representative will be Deputy Chairman and will act as Chairman in the event of the absence or disability of the Chairman. The Chairman will be Colonel Harley S. Jones, B–47 Field Project Officer, Directorate of Procurement and Industrial Planning, Air Matériel Command. The Deputy Chairman will be Major John R. Medberry, Deputy B–47 Field Project Officer, Directorate of Procurement and Industrial Planning, Air Matériel Command.

c. The representatives of Boeing, Douglas and Lockheed will be senior employees satisfactory to the Air Force. They will be em-

[1] The letter from the President, dated Apr. 27, 1951, to the Director of the Office of Defense Mobilization, conferred upon the Director of the Office of Defense Mobilization the powers delegated to the Defense Production Administrator by E. O. 10200 of Jan. 3, 1951, 16 F. R. 61, relating to voluntary agreements and programs under section 708 of the Defense Production Act of 1950, Pub. Law 774, 81st Cong., during the incumbency of the Acting Defense Production Administrator. On July 23, 1951, these powers were assumed by the present Administrator of the Defense Production Administration.

powered to commit their respective companies.

4. *Offices.* The Committee will conduct its business in office space assigned to or under the control of the Air Force and located at Wichita, Kansas, or such other place as the Air Force may designate.

5. *Procedure.* a. The Committee's operations will be carried on under the direction of the Chairman, or in his absence the Deputy Chairman. Formal meetings of the Committee will be called and presided over only by the Chairman or the Deputy Chairman. An agenda of each such meeting will be prepared by the Chairman or Deputy Chairman and circulated among the members reasonably far in advance of the time set for the meeting. Full and complete minutes of every such meeting will be kept under the direction of the Chairman or Deputy Chairman.

b. It is recognized that the Committee will be a working, operating group, the members of which will occupy adjoining offices in the same building and will be in close contact with one another at all times. Due to the complex nature of the problems involved in the production of the B–47, it will be necessary at times for some or all of the members of the Committee, or technical employees of the members of the Committee, to discuss B–47 production problems or to exchange technical information other than at formal Committee meetings. Such exchanges or discussions of technical information will ordinarily take place pursuant to action taken at a formal Committee meeting authorizing discussions or exchanges of information in relation to a particular problem in the production of the B–47. In the event that production problems or problems relating to the exchange of technical information arise outside a formal Committee meeting, such problems may be discussed informally and immediately, but no action shall be taken on such discussions unless approved at a formal Committee meeting. The matters considered in such discussions shall be placed on the agenda and taken up at the next formal Committee meeting.

6. *Subcommittees.* The Chairman may appoint such subcommittees as he may deem necessary or appropriate. Such subcommittees will consist of an Air Force representative as Chairman and one representative each of the three prime contractors. Subcommittees will follow the procedures provided in section 5 for the Committee itself. Subcommittees will report back to the Committee with their recommendations. Action will be taken only by the Committee as provided in paragraph 2.

7. *Term.* The Committee will continue in existence only so long as its operations are considered by the Air Force to be necessary to assure efficient production of the B–47 and in no case beyond the termination of the last of the B–47 prime production contracts. The exemption of Committee action from the antitrust laws under section 708 of the Defense Production Act shall not extend to action taken after the expiration of said section 708.

8. *Additional members.* If, during the life of the Committee, the Air Force lets any additional prime contracts for the production of the B–47, any new prime contractor will be entitled to representation on the Committee on a parity with Boeing, Douglas and Lockheed.

(Sec. 708, 64 Stat. 818, 50 U. S. C. App. Sup. 2158; E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10580; Filed, Aug. 29, 1951; 4:45 p. m.]

GENERAL SERVICES ADMINISTRATION

ADMINISTRATOR, HOUSING AND HOME FINANCE AGENCY

DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATION OF CALIFORNIA WATER & TELEPHONE CO. FOR INCREASE IN WATER RATES

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) and (e) of the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, authority to represent the interests of the executive agencies of the Federal Government and to appear as witnesses and counsel for the executive agencies of the Federal Government in the matter of Application No. A–32447 of the California Water & Telephone Company before the Public Utilities Commission of the State of California is hereby delegated to the Administrator, Housing and Home Finance Agency.

2. The Administrator, Housing and Home Finance Agency is hereby authorized to redelegate any of the authority contained herein to any officer, official or employee of the Housing and Home Finance Agency.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of the date hereof.

Dated: AUGUST 27, 1951.

JESS LARSON,
Administrator.

[F. R. Doc. 51–10482; Filed, Aug. 30, 1951; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21–431]

RADIO AND TELEVISION INDUSTRY

NOTICE OF HOLDING OF SECOND SESSION OF TRADE PRACTICE CONFERENCE FOR THE INDUSTRY

Notice is hereby given that a second session of the trade practice conference for the Radio and Television Industry will be held under Commission auspices at 9 a. m. e. s. t. (10 a. m. d. s. t.) on September 26, 1951, in the Auditorium, National Archives Building, Pennsylvania Avenue at Eighth Street NW., Washington, D. C. Such second meeting it is estimated will be concluded not later than 5 p. m. on September 28, 1951.

This second meeting of the industry is being held in accordance with the expressed wishes of the great majority of those attending the initial industry conference held in Washington, D. C., on June 21, 1951. Its purpose is to afford industry members an opportunity to consider and discuss a draft of suggested trade practice rules as prepared by the staff of the Division of Trade Practice Conferences of the Commission's Bureau of Industry Cooperation, copies of which are being distributed to industry members with the advice that the rules have not been considered by the Commission and are not to be construed as having Commission approval. Other interested parties desiring a copy of the suggested rules may obtain the same upon request to the Commission.

All persons, firms, corporations, and organizations engaged in the manufacture, sale, or distribution in interstate commerce of radio or television sets, radio-television combination sets, or parts or accessories therefor, are cordially invited as members of the industry to attend or send representatives to the conference and to participate in the proceedings.

The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

Issued: August 28, 1951.

By direction of the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51–10500; Filed, Aug. 30, 1951; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26358]

NEWSPRINT PAPER FROM VIRGINIA AND SOUTH ATLANTIC PORTS TO NASHVILLE AND MURFREESBORO, TENN.

APPLICATION FOR RELIEF

AUGUST 28, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1166.

Commodities involved: Newsprint paper, containing not less than 60 percent ground wood, carloads.

From: Virginia and south Atlantic ports (import traffic).

To: Nashville and Murfreesboro, Tenn.

Grounds for relief: Circuitous routes and to maintain port rate relations.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1166, Supp. 54.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emer-

gency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10476; Filed, Aug. 30, 1951; 8:47 a. m.]

[4th Sec. Application 26360]

GRAIN FROM ATCHISON AND LEAVENWORTH, KANS., AND ST. JOSEPH, MO., TO POINTS IN IOWA

APPLICATION FOR RELIEF

AUGUST 28, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for the Cedar Rapids and Iowa City Railway Company and other carriers.

Commodities involved: Grain, grain products, seeds, and related articles.

From: Atchison and Leavenworth, Kans., and St. Joseph, Mo.

To: Points in Iowa.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3866, Supp. 13.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10478; Filed, Aug. 30, 1951; 8:47 a. m.]

[4th Sec. Application 26359]

BRICK AND RELATED ARTICLES BETWEEN POINTS IN MINNESOTA

APPLICATION FOR RELIEF

AUGUST 28, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to the tariffs shown on the attached list.

Commodities involved: Brick and related articles, and drain tile, carloads.

Between: Points in Minnesota.

Grounds for relief: Competition with rail carriers and to meet intrastate rates.

Schedules filed containing proposed rates:

	Tariff I. C. C. No.	Supp. No.
C. N. Rys.	W-487	93
C. & N. W. Ry.	10986	47
G. N. Ry.	A-8051	88
	A-8114	49
M. & St. L. Ry.	B-1012	81
M. St. P. & S. S. M. R. R.	7145	31
N. P. Ry.	9635	87

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10477; Filed, Aug. 30, 1951; 8:47 a. m.]

[4th Sec. Application 26361]

SCRAP PAPER FROM POINTS IN KANSAS TO CHILLICOTHE, OHIO

APPLICATION FOR RELIEF

AUGUST 28, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3589.

Commodities involved: Scrap or waste paper, carloads.

From: Hutchinson, Topeka, and Wichita, Kans.

To: Chillicothe, Ohio.

Grounds for relief: Competition with rail carriers and market competition.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3589, Supp. 125.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10479; Filed, Aug. 30, 1951; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2554]

INTERSTATE POWER CO.

SUPPLEMENTAL ORDER AUTHORIZING ISSUANCE AND SALE OF NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of August A. D. 1951.

Interstate Power Company ("Interstate"), a registered holding company, filed a declaration with this Commission on January 12, 1951, pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") regarding the issuance and sale at par to The Chase National Bank of the City of New York and to Manufacturers Trust Company in equal amounts on or before April 15, 1951, and on or before September 15, 1951, of 2¾ percent promissory notes in the aggregate amounts of $2,500,000 and $2,000,000 respectively, maturing 360 days from the date of the first borrowing. The proceeds from the sale of such notes were to be used to finance Interstate's construction program and to reimburse the treasury for funds already expended for new construction. By amendment to its declaration Interstate requested that the Commission approve initially the issuance and sale of $2,500,000 aggregate principal amount of promissory notes and reserve jurisdiction with respect to the remaining $2,000,000 aggregate principal amount.

The Commission, by order dated February 16, 1951 (Holding Company Act Release No. 10398) permitted said declaration, as amended, to become effective with respect to the issuance and sale of $2,500,000 principal amount of said promissory notes and reserved jurisdiction over the issuance and sale of the remaining $2,000,000 principal amount of said promissory notes.

Interstate has filed a further amendment to its declaration requesting the Commission to release the jurisdiction heretofore reserved with respect to the issuance and sale of $1,750,000 of the remaining $2,000,000 principal amount of said promissory notes. Interstate contemplates that permanent financing to prepay the promissory notes will be consummated as soon as practical and, if

possible, prior to April 10, 1952, the maturity date thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the declaration, as amended, with respect to the issuance and sale of $1,750,000 of the remaining $2,000,000 principal amount of said promissory notes be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23, and the applicable provisions of the act, and subject to the terms and conditions prescribed in Rule U-24, that said declaration, as amended, respecting the issuance and sale of $1,750,000 of the remaining $2,000,000 principal amount of 2¾ percent promissory notes (out of an aggregate of $4,500,000 principal amount of such notes), be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10473; Filed, Aug. 30, 1951; 8:46 a. m.]

[File No. 70-2679]

WISCONSIN PUBLIC SERVICE CORP.

ORDER GRANTING AUTHORITY TO ISSUE PRINCIPAL AMOUNT OF NINE MONTHS BANK LOAN NOTES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of August 1951.

Wisconsin Public Service Corporation ("Wisconsin"), a public utility subsidiary of Standard Power and Light Corporation and Standard Gas and Electric Company, both registered holding companies, having filed a declaration, and an amendment thereto, pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") with respect to the following proposed transactions:

Wisconsin presently has outstanding $3,300,000 of 2½ percent ninety-day bank loan notes maturing September 10, 1951. Wisconsin proposes, on or prior to September 10, 1951, to issue $7,500,000 of new 2½ percent nine-month bank loan notes ("new notes") to several banks and simultaneously to retire the presently outstanding bank loan notes. Wisconsin will have the privilege of prepaying the new notes without premium.

The declaration, as amended, states that the net proceeds to be derived from the proposed transactions will be used to finance Wisconsin's current construction expenditures. Wisconsin also states that it plans to undertake permanent financing, in a manner not yet determined, prior to the due date of the new notes and to use a portion of the proceeds of such permanent financing for the payment of the new notes.

It is represented that no State Commission or any other Federal Commission has jurisdiction over the proposed transactions.

Wisconsin estimates that the expenses in connection with the proposed transactions will not exceed $500.

The declarant requests that the Commission's order herein become effective upon issuance.

Appropriate notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration, as amended, that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935, that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10472; Filed, Aug. 30, 1951; 8:46 a. m.]

[File No. 70-2690]

GENERAL PUBLIC UTILITIES CORP. ET AL.

NOTICE OF PROPOSED CAPITAL CONTRIBUTION AND ISSUANCE, SALE, AND ACQUISITION OF SECURITIES

In the matter of General Public Utilities Corporation, Associated Electric Company, Pennsylvania Electric Company; File No. 70-2690.

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of August A. D. 1951.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act") by General Public Utilities Corporation ("GPU"), a registered holding company, by Associated Electric Company ("Aelec"), subsidiary of GPU and likewise a registered holding company, and by Pennsylvania Electric Company ("Penelec"), subsidiary of Aelec and an operating utility company. Applicants have designated sections 6 (b), 9 (a), 10 and 12 of the act, and Rules U-23, U-45, and U-50 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application-declaration on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

GPU proposes to make a cash capital contribution to Aelec in the aggregate amount of $3,300,000. Penelec proposes to issue and sell to Aelec, and Aelec proposes to purchase from Penelec (utilizing for this purpose the cash capital contribution received by Aelec from GPU), 165,000 additional shares of Common Stock ("Additional Common Stock") of Penelec for a purchase price equal to the par value thereof, namely, $20 per share, or an aggregate of $3,300,000.

Subject to the obtaining of the consent of the holders of a majority of the shares of its outstanding Preferred Stock, Penelec proposes to increase the number of shares of its authorized Preferred Stock from 240,000 shares of the par value of $100 per share to 300,000 shares of the par value of $100 per share. Penelec is filing, contemporaneously herewith, a declaration on Form U-R-1 with respect to the proposed solicitation of proxies from holders of its outstanding Preferred Stock.

Penelec proposes publicly to invite bids for the purchase from it of $5,000,000 principal amount of additional First Mortgage Bonds ("New Bonds") and 30,000 additional shares of Cumulative Preferred Stock, par value $100 per share ("New Preferred Stock"), the price to Penelec to be specified in such bids to be not less than 100 percent nor more than 102¾ percent of the principal amount of the New Bonds or of the par value of the New Preferred Stock.

Penelec proposes to utilize the net proceeds of the New Bonds, New Preferred Stock and Additional Common Stock (estimated to aggregate not less than $11,300,000) for the following purposes:

(1) $4,000,000 of the proceeds will be used to partially reimburse Penelec's treasury for construction expenditures therefrom during the period August 1, 1949–June 30, 1951. Out of the treasury funds as thus reimbursed, Penelec will pay its bank loan dated June 7, 1951 and maturing on December 7, 1951 in the amount of $2,500,000.

(2) The balance of approximately $7,300,000 will be used to meet a part of Penelec's construction expenditures subsequent to June 30, 1951 or to partially reimburse Penelec's treasury for such expenditures or to repay bank loans incurred subsequent to June 30, 1951, the proceeds of which have been or will be applied to such purposes.

Penelec estimates that approximately $10,000,000 will be required during the six months ending December 31, 1951 in furtherance of its general construction program.

Penelec anticipates that the issue and sale by it of the New Bonds, New Preferred Stock, and Additional Common Stock will be expressly authorized by the Pennsylvania Public Utility Commission, the regulatory commission of the State in which it is organized and doing business.

A statement of the estimated expenses of Penelec in connection with the issue and sale of the proposed securities will be filed by amendment. The other companies will incur no special legal expenses in the matter.

Applicants request that their application-declaration be granted and permitted to become effective without delay.

Notice is further given that any interested person may, not later than September 7, 1951 at 5:30 p. m., e. d. s. t., request the Commission in writing that

a hearing be held on such matters, stating the nature of his interest, the reason for such request, and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application-declaration, as filed or as amended, may be granted and allowed to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10474; Filed, Aug. 30, 1951; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1761]

UNITED FUEL GAS CO.

NOTICE OF APPLICATION

AUGUST 24, 1951.

Take notice that United Fuel Gas Company (United), a West Virginia corporation, having its principal place of business at 1033 Quarrier Street, Charleston, West Virginia, filed on August 13, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the purchase on or before November 30, 1951, from the United States Steel Company (Steel Co.) of certain natural-gas transmission facilities, to wit: the Carnegie Compressor Station, including 1800 horsepower of compressor units, together with all appurtenant structures and equipment; two compressor units located in United's Lewis Compressor Station; and a dehydration plant located near United's Cobb Compressor Station, all of the aforementioned facilities being located in the State of West Virginia, and being more fully described in the said application.

In accordance with an agreement dated September 25, 1941, between United and the Steel Co., United constructed the aforementioned facilities and billed the cost thereof to the Steel Co. By letter dated April 19, 1951, United advised the Steel Co. that it had elected to terminate the gas sales contract with the Steel Co. dated May 1, 1941, and to exercise an option granted to United by the September 25, 1941, agreement to purchase the aforementioned facilities from the Steel Co.

The facilities involved are located on United's general transmission system in West Virginia. United has operated the said facilities and borne all operating costs in connection therewith, including operation and maintenance expense and property taxes applicable thereto.

United proposes to pay $191,767.87 to the Steel Co. for the aforementioned facilities.

United proposes to sell the Carnegie Compressor Station on or before November 30, 1951, to the Manufacturers Light and Heat Company, an affiliate. Both United and Manufacturers Light and Heat Company are subsidiaries of the Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 14th day of September 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-10467; Filed, Aug. 30, 1951; 8:45 a. m.]

[Docket No. G-1762]

UNITED FUEL GAS CO. AND MANUFACTURERS LIGHT & HEAT CO.

NOTICE OF JOINT APPLICATION

AUGUST 24, 1951.

Take notice that United Fuel Gas Company (United), a West Virginia corporation, having its principal place of business at 1033 Quarrier Street, Charleston, West Virginia, filed on August 13, 1951, an application for an order authorizing it to abandon by sale on or before November 30, 1951, certain natural-gas transmission facilities, to wit: line TM-3 (FPC Docket G-763), consisting of 440,411 feet of 16" transmission line; line TM-7 (FPC Docket No. G-736 and G-849) consisting of 95,557 feet of 16" transmission line, 90,640 feet of 20" transmission line, and 91,207 feet of 16" transmission line; and the Carnegie Compressor Station consisting of 2,400 horsepower and appurtenant equipment, to The Manufacturers Light and Heat Company.

The Manufacturers Light and Heat Company (Manufacturers) a Pennsylvania corporation, having its principal place of business at 800 Union Trust Building, Pittsburgh, Pennsylvania, filed on August 13, 1951, an application requesting a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing it to acquire by purchase on or before November 30, 1951, and to operate thereafter the said natural gas transmission facilities hereinbefore described, and more fully described in the joint application.

Lines TM-3 and TM-7, together with the Carnegie Compressor Station, have been, and are being used by United for the purpose of transporting natural gas for delivery to Manufacturers and to Carnegie Natural for the account of Carnegie-Illinois Steel Corporation, and a number of right-of-way customers.

United has notified Carnegie-Illinois Steel Corp. of its intention to cancel, as of November 30, 1951, contracts between the companies covering the sale of gas by United to Carnegie-Illinois Steel Corp.

Manufacturers propose to sell gas to Carnegie Natural after it purchases the facilities from United.

United proposes to sell to Manufacturers the facilities hereinbefore described on the basis of original cost less accrued depreciation. The application states that the estimated net worth of the facilities involved herein is $3,065,980.25.

Both United and Manufacturers are subsidiaries of the Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 14th day of September 1951. The joint application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-10468; Filed, Aug. 30, 1951; 8:46 a. m.]

[Docket No. G-1768]

POTOMAC GAS CO.

NOTICE OF APPLICATION

AUGUST 27, 1951.

Take notice that Potomac Gas Company (Applicant), a Virginia corporation, of Eleventh and H Streets Northwest, Washington 1, D. C., filed on August 14, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 14,000 feet of 16-inch natural-gas transmission pipeline extending from the eastern terminus of Applicant's existing pipeline at the intersection of U. S. Route 50 and Fillmore Street, in Arlington County, Virginia, to a connection with the gas transmission facilities of its parent, Washington Gas Light Company, at the southern end of Key Bridge, in Arlington County, Virginia.

The application states that the proposed pipeline will be operated as an integral part of the gas transmission system of Washington Gas Light Company and its subsidiaries in the distribution of natural gas to the metropolitan area of Washington, D. C. Applicant will transport natural gas through the proposed pipeline on behalf of its parent, Washington Gas Light Company.

The estimated total over-all capital cost of the construction is $170,000, which will be supplied by Washington Gas Light Company in the form of advances on open account.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 15th day of September 1951. The application is on file with the Federal Power Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-10469; Filed, Aug. 30, 1951; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 412]

WARREN-WELLS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Warren-Wells Co., 14288 Meyers Road, Detroit 27, Michigan, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of mattresses and box springs manufactured by Warren-Wells Co., 14288 Meyers Road, Detroit 27, Michigan, having the brand name(s) "Spring-Air" and "Spring Air Back Supporter" shall be the proposed retail ceiling prices listed by Warren-Wells Co. in its application dated June 26, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, Warren-Wells Co. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. dozen. etc.	Terms{net. percent EOM. etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9870; Filed, Aug. 15, 1951; 4:04 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 437]

MIAMI SHIRT CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general

level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Miami Shirt Company, 2045 Northwest First Avenue, Miami, Florida.

Brand names: "Royal Palm".

Articles: Men's and boys' sportswear.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}
$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9897; Filed, Aug. 15, 1951; 4:32 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 438]

TONI LEE, LTD.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with Sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Toni Lee, Ltd., 31 West Thirty-first Street, New York 1, New York.

Brand names: "Toni Lee".

Articles: Brassiere top slips.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per------{unit. / dozen. / etc.	Terms {net. / percent EOM. / etc. $--------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9898; Filed, Aug. 15, 1951; 4:32 p. m.]

[Ceiling Price Regulation 7, Section 43 Special Order 439]

CARMAN MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Carman Manufacturing Company, 1701 South Alaskan Way, Seattle 4, Washington.

Brand names: "Spring Air", "Carman Orthopedic", "Spring Air Back Supporter."

Articles: Mattresses and box springs.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this

order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $ --------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant. 7. *Notification to retailers.* As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per_____{unit. dozen. etc.	Terms{net. percent EOM. etc. $_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9899; Filed, Aug. 15, 1951; 4:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 440]

EVEN-PUL FOUNDATIONS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Even-Pul Foundations, Inc., 135 Madison Avenue, New York 16, New York.

Brand names: "Even-Pul".

Articles: foundation garments, brassieres, girdles, adjust-eze girdles, corselettes.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceil-

ing prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 States and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price List.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$------ per------{unit. / dozen. / etc.} Terms{net. / percent EOM. / etc.} $------

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $--------

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc: 51-9900; Filed, Aug. 15, 1951; 4:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 441]

THE ALVIN CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying spcial order, The Alvin Corporation, Providence 7, Rhode Island, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the date and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the percentage of total sales which each article covered by this special order bears to the total sales of all articles covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of sterling silver flatware, manufactured by The Alvin Corporation, Providence 7, Rhode Island, having the brand name "Alvin Sterling" shall be the proposed retail ceiling prices listed by The Alvin Corporation in its application dated June 7, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after October 15, 1951, The Alvin Corporation must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. The sign must contain the following legend:

The retail ceiling prices for The Alvin Corporation sterling silver flatware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Alvin Corporation price book have been approved by OPS under section 43, CPR 7.

The tags and stickers must be in the following form:

The Alvin Corporation
OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered by paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. / dozeu. / etc.} Terms{net. / percent EOM. / etc.}

$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the percentage of total sales which each article covered by this special order bears to the total sales of all articles covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the article covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9901; Filed, Aug. 15, 1951; 4:33 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 442]

WESTERN ELECTRIC CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Westinghouse Electric Corporation, 246 East Fourth Street, Mansfield, Ohio, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail of roaster-oven, broiler, time clock, irons, grills, waffle irons, coffee maker, griddles, hot plate, small heaters, warming pads, toaster, grinders, mixers, sold through wholesalers and retailers and having the brand name(s) "Westinghouse" shall be the proposed retail ceiling prices listed by Westinghouse Electric Corporation, 246 East Fourth Street, Mansfield, Ohio, hereinafter referred to as the "applicant" in its application dated May 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 15, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after October 15, 1951, Westinghouse Electric Corporation must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after November 14, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to November 14, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling

price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
----------	$----------

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9902; Filed, Aug. 15, 1951; 4:34 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 443]

KANDELL, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the Statement of Considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. *What this order does.* Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Kandell, Inc., 261 Fifth Avenue, New York 16, New York.

Brand name: "Kandell Chintz".

Article: Woven decorative fabric.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

After 60 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules

apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in Section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1

$_____ per_____{unit. dozen. etc.} Terms{net. percent EOM. etc.}

$_____

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price $_____

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washintgon 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on August 16, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 15, 1951.

[F. R. Doc. 51-9903; Filed, Aug. 15, 1951; 4:34 p. m.]

[Ceiling Price Regulation 7, Section 43 Special Order 5, Amdt. 2]

COOPERS, INC.

CEILING PRICES AT RETAIL

Statement of Considerations. This amendment to Special Order 5, issued under section 43 of Ceiling Price Regulation 7 to Coopers, Inc., adds new cost lines to those for which ceiling prices at retail were established by the special order. The Director has determined on the basis of information available to him that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 5 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 1, delete all after the sentence, "The manufacturer's prices listed below are subject to a discount of 2/10 EOM, Net 60," and substitute therefor the following:

MEN'S AND BOYS' UNDERWEAR

Manufacturer's selling price (per dozen)	*Ceiling price at retail (per unit)*
$5.00	$0.69
5.25	.75
5.50	.79
6.00	.85
6.50	.90
7.20–7.25	1.00
7.50	1.05
8.25	1.15
	1.20
9.00	1.25
10.00	1.40
10.50	1.50
11.00	1.55
11.50	1.60
12.00	1.75
13.00	1.85
14.00	1.95
14.25	2.00
16.00	2.25
16.50	2.35
17.50–18.00	2.50
19.00	2.65
21.00	2.95
22.50	3.00
24.50–25.50	3.50
27.00	3.75
28.00	3.95
28.50	4.00
31.00–31.50	4.50
34.00	4.75
36.00	5.00
39.50	5.50
42.00	5.95

2. Delete the following paragraphs: 2 (a), 2 (b), 2 (c), 2 (d) and 2 (e) and insert the word "Deleted" after the paragraph designation "2."

3. In paragraph 4 of the special order, as amended by Amendment 1, substitute for the date "August 15, 1951," the date "October 15, 1951."

4. In paragraph 4 of the special order, as amended by Amendment 1, substitute for the date "September 15, 1951," wherever it appears, the date "November 15, 1951."

Effective date. This amendment shall become effective August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51-10406; Filed, Aug. 24, 1951; 4:27 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 7, Amdt. 1]

FORMFIT CO.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 7, issued under section 43 of Ceiling Price Regulation 7 to The Formfit Company, adds new cost lines to those for which ceiling prices at retail were established by the special order. The Director has determined on the basis of information available to him that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 7 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 1, delete all after the sentence, "The manufacturer's prices, listed below, are subject to a discount of 8/10 EOM or 6/70," and substitute therefor the following:

BRASSIERES

Manufacturer's selling price (per dozen):	*Ceiling price at retail (per unit)*
$9.00	$1.25
$10.50 through $10.80	1.50
$12.75	1.75
$14.40	2.00
$18.00	2.50
$21.00	3.00
$24.00	3.50
$27.00 through $30.00	4.00
$36.00	5.00
$42.00	5.95
$45.00	6.50

GIRDLES AND COMBINATIONS

$9.00	$1.25
$10.80	1.50
$12.75	1.75
$15.00	2.00
$21.00 through $22.50	2.95

GIRDLES AND COMBINATIONS—Continued

Manufacturer's selling price (per dozen):	Ceiling price at retail (per unit)
$24.00	$3.50
$27.00 through $30.00	3.95
$36.00	5.00
$42.00	5.95
$45.00	6.50
$48.00	7.50
$54.00	8.50
$57.00	8.95
$66.00	10.00
$72.00	10.95
$78.00 through $81.00	12.50
$84.00 through $87.00	13.50
$96.00	15.00
$108.00	16.50
$120.00	18.50
$132.00	20.00

2. Delete paragraph 2 (a), 2 (b), 2 (c), and 2 (d) and insert the word "Deleted" after the paragraph designation "2."

3. Delete paragraph 3 and substitute therefor the following:

3. The retail ceiling prices established by paragraph 1 of the special order are fixed in terms of the cost of the article to sellers at retail. These same retail ceiling prices apply to any of the applicant's branded articles which are of the same type and which have the same cost to sellers at retail as one covered by the list of prices.

Effective date. This amendment shall become effective August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51-10407; Filed, Aug. 24, 1951; 4:27 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 21, Amendment 1]

FIELDCREST MILLS DIVISION OF MARSHALL FIELD & CO.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 21, under section 43 of Ceiling Price Regulation 7, established ceiling prices for sales at retail of wool rugs and wool carpeting manufactured by Fieldcrest Mills Division of Marshall Field & Company having the brand names "Karastan," "Lanamar," "Tudor," "Decorette," "Contemporary," "Chateau," and "Celebrity."

Thereafter, Fieldcrest Mills Division of Marshall Field & Company filed an application to amend the special order by substituting new selling prices for its own selling prices and by establishing new ceiling prices at retail corresponding to these new selling prices.

The manufacturer's ceiling prices were established by Order No. L/1 under General Ceiling Price Regulation, Supplementary Regulation 11, Revision 2, section 11. This order was issued on August 8, 1951, by the Office of Price Stabilization. The manufacturer's selling prices in the application for amendment of the special order are, in all cases, below the manufacturer's ceiling prices established by Order No. L/1 under General Ceiling Price Regulation, Supplementary Regulation 11, Revision 2, section 11. The Director has determined that the retail ceiling prices requested which are based on the manufacturer's new selling prices are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

In addition, the applicant has requested that ceiling prices at retail be established for four lines not covered by the special order. The Director has determined that these retail ceiling prices are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 21, under Ceiling Price Regulation 7, is amended in the following respects:

1. Delete paragraph "1" and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of wool rugs, wool carpeting, cotton rugs, and cotton carpeting manufactured by Fieldcrest Mills Division of Marshall Field & Company, Spray, North Carolina, having the brand names "Karastan," "Lanamar," "Tudor," "Decorette," "Contemporary," "Chateau," "Celebrity," "Jubilee," "American Casual," "Accent," and "Rapture." These ceiling prices are effective as to a seller at retail 10 days after receipt of a copy of this special order by the seller at retail from the applicant but in no event later than 60 days after this order is issued. Sales may not be made above these ceiling prices. Sales may, of course, be made below these ceiling prices.

The manufacturer's prices listed below are subject to a discount of 4/10, net 60.

WOOL RUGS AND WOOL CARPETING

KARASTAN RUGS

Manufacturer's selling price (per unit) east of Rockies:	Ceiling price at retail (per unit) east of Rockies
$22.13	$37.50
$36.88	62.50
$66.38	112.50
$144.55	245.00
$223.91	379.50
$229.81	389.50
$280.25	475.00
$289.10	490.00
$324.50	550.00
$351.05	559.00
$371.70	630.00
$377.60	640.00
$418.90	710.00
$433.65	735.00
$463.15	785.00
$486.75	825.00
$539.85	915.00
$590.00	1,000.00

KARASTAN RUNNERS

$50.15	$85.00
$58.12	98.50
$66.38	112.50
$78.18	132.50
$84.08	142.50
$88.50	150.00
$111.51	189.00

LANAMAR RUGS

$14.46	$24.50
$16.82	28.50
$28.62	48.50
$51.63	87.50
$110.63	187.50
$171.10	290.00

LANAMAR RUGS—continued

Manufacturer's selling price (per unit) east of Rockies:	Ceiling price at retail (per unit) east of Rockies
$176.12	$298.50
$215.35	365.00
$224.20	380.00
$247.80	420.00
$250.75	425.00
$271.40	460.00
$286.15	485.00
$292.05	495.00
$321.55	545.00
$330.40	560.00
$354.00	600.00
$371.70	630.00
$413.00	700.00

LANAMAR RUNNERS

$38.35	$65.00
$45.14	76.50
$51.63	87.50
$59.00	100.00
$63.72	108.00
$67.85	115.00
$85.55	145.00

TUDOR

$13.54	$22.95
$22.72	38.50
$40.71	69.00
$138.65	235.00
$141.31	239.50
$168.15	285.00
$177.00	300.00
$197.65	335.00
$227.15	385.00
$253.70	430.00
$283.20	480.00

DECORETTE

$13.28	$22.50
$22.42	38.00
$39.83	67.50

CONTEMPORARY

$15.33—cut lengths	$23.50
$13.63—full rolls	23.50
$170.81	289.50
$200.60	340.00
$218.01	369.50
$229.81	389.50
$259.60	440.00

CHATEAU

$13.63—full rolls	$23.50
$15.33—cut lengths	23.50

CELEBRITY

$12.47—full rolls	$21.50
$14.03—cut lengths	21.50

COTTON RUGS AND COTTON CARPETING

AMERICAN CASUAL

$7.51—full rolls	$12.95
$8.45—cut lengths	12.95
$8.23	13.95
$13.87	23.50
$25.08	42.50
$94.11	159.50

JUBILEE

$6.93—full rolls	$11.95
$7.80—cut lengths	11.95
$7.38	12.50
$13.28	22.50
$22.72	38.50
$88.21	149.50

ACCENT

$10.00	$16.95
$16.82	28.50
$28.62	48.50

CARPET OF RAYON YARN FACE WITH WOOL TWIST YARN DECORATION

RAPTURE

$9.83—full rolls	$16.95
$11.06—cut lengths	16.95

WOOL RUGS AND WOOL CARPETING

KARASTAN RUGS

Manufacturer's selling price (per unit) west of Rockies:	Ceiling price at retail (per unit) west of Rockies
$23.10	$38.50
$38.10	63.50
$68.70	114.50
$150.00	250.00
$230.70	384.50
$237.00	395.00
$291.00	485.00
$300.00	500.00
$336.00	560.00
$366.00	610.00
$387.00	645.00
$393.00	655.00
$435.00	725.00
$450.00	750.00
$480.00	800.00
$504.00	840.00
$558.00	930.00
$612.00	1,020.00

KARASTAN RUNNERS

$51.60	$86.00
$59.70	99.50
$68.70	114.50
$80.70	134.50
$87.00	145.00
$91.20	152.00
$115.20	192.00

LANAMAR RUGS

$15.00	$25.00
$17.37	28.95
$29.70	49.50
$53.40	89.00
$115.50	192.50
$177.00	295.00
$182.40	304.00
$225.00	375.00
$234.00	390.00
$258.00	430.00
$261.00	435.00
$285.00	475.00
$300.00	500.00
$306.00	510.00
$336.00	560.00
$345.00	575.00
$369.00	615.00
$387.00	645.00
$429.00	715.00

LANAMAR RUNNERS

$39.60	$66.00
$46.50	77.50
$53.70	89.50
$61.20	102.00
$66.00	110.00
$70.20	117.00
$88.80	148.00

TUDOR

$14.10	$23.50
$23.37	38.95
$41.97	69.95
$143.70	239.50
$146.70	244.50
$177.00	295.00
$183.00	305.00
$207.00	345.00
$237.00	395.00
$264.00	440.00
$294.00	490.00

CONTEMPORARY

$14.13—full rolls	$23.95
$15.90—cut lengths	23.95
$176.40	294.00
$210.00	350.00
$227.70	379.50
$239.70	399.50
$273.00	455.00

DECORETTE

$13.77	$22.95
$23.10	38.50
$41.10	68.50

CHATEAU

$14.13—full rolls	$23.95
$15.90—cut lengths	23.95

CELEBRITY

Manufacturer's selling price (per unit) west of Rockies:	Ceiling price at retail (per unit) west of Rockies
$12.95—full rolls	$21.95
$14.57—cut lengths	21.95

COTTON RUGS AND COTTON CARPETING

AMERICAN CASUAL

$7.97—full rolls	$13.50
$8.97—cut lengths	13.50
$8.70	14.50
$14.37	23.95
$26.10	43.50
$98.70	164.50

JUBILEE

$7.38—full rolls	$12.50
$8.30—cut lengths	12.50
$7.77	12.95
$13.77	22.95
$23.70	39.50
$93.00	155.00

ACCENT

$10.50	$17.50
$17.37	28.95
$29.70	49.50

CARPET OF RAYON YARN FACE WITH WOOL TWIST YARN DECORATION

RAPTURE

$10.33—full rolls	$17.50
$11.62—cut lengths	17.50

2., Delete paragraph "2" and substitute therefor the following:

2. The retail ceiling prices established by paragraph 1 of the special order are fixed in terms of the cost of the article to sellers at retail. These same retail ceiling prices apply to any of the applicant's branded articles which are of the same type and which have the same cost to sellers at retail as one covered by the list of prices.

Effective date. This amendment shall become effective August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51-10408; Filed, Aug. 24, 1951; 4:27 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 157, Amendment 1]

CASTLETON CHINA, INC.

CEILING PRICES AT RETAIL

Statement of considerations. The accompanying amendment to Special Order 157 under section 43 of Ceiling Price Regulation 7 modifies those provisions relating to preticketing usually required by orders of this type. This amendment, designed to meet the particular requirements of the chinaware industry, accomplishes the objective of notifying consumers of the uniform prices fixed under the order. The preticketing method established by this amendment is necessary because the articles covered by the special order are characteristically not adaptable to the usual preticketing method.

Amendatory provisions. 1. Delete paragraph 3 of the special order and substitute therefor the following:

3. On and after September 17, 1951, Castleton China, Inc., must furnish each purchaser for resale to whom within two months immediately prior to the effective date the manufacturer had delivered any article covered by paragraph 1 of this special order, with a sign 8 inches wide and 10 inches high, a price book, and a supply of tags and stickers. Such a sign, a price book and a supply of tags and stickers shall also be sent, on or before the date of the first delivery of an article covered by paragraph 1 of this special order to all other purchasers subsequent to the effective date of this special order. The sign must contain the following legend:

The retail ceiling prices for Castleton China, Inc., dinnerware have been approved by OPS and are shown in a price book we have available for your inspection.

The price book must contain an accurate description of each article covered by paragraph 1 of this special order and the retail ceiling price fixed for each article. The front cover of the price book must contain the following legend:

The retail ceiling prices in this Castleton China, Inc., price book have been approved by OPS under section 43, CPR 7.

The tags and stickers must be in the following form:

Castleton China, Inc.
OPS—Sec. 43—CPR 7
Price $_____

On and after October 17, 1951, no retailer may offer or sell any article covered by this order unless he has the sign described above displayed so that it may be easily seen and a copy of the price book described above available for immediate inspection. In addition, the retailer must affix to each article covered by the order and which is on open display a tag or sticker described above. The tag or sticker must contain the retail ceiling price established by this special order for the article to which it is affixed. This retail ceiling price must be written on the tag or sticker by the retailer.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must within 30 days after the effective date of the amendment, as to each such article, send an insertion stating the required addition or change for the price book described above to each seller for resale to whom a price book has been sent under the provisions of this special order. After 60 days from the effective date of the amendment, no retailer may offer or sell the article, unless he has received the insertion described above and inserted it in the price book. Prior to the expiration of the 60-day period, unless the retailer has received and placed the insertion in the price book, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective on August 24, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 24, 1951.

[F. R. Doc. 51-10409; Filed, Aug. 24, 1951; 4:27 p. m.]

[Delegation of Authority 19]

FEDERAL TRADE COMMISSION

DELEGATION OF AUTHORITY TO REQUIRE REPORTS IN CONNECTION WITH STATISTICAL SURVEYS OR PROGRAMS

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this delegation of authority is hereby issued.

1. Authority under section 705 of the Defense Production Act of 1950, as amended, is hereby delegated to the Federal Trade Commission to require reports in connection with statistical surveys or programs conducted by the Federal Trade Commission which have been determined by the Office of Price Stabilization to be necessary or appropriate for use by the Office of Price Stabilization in carrying out functions under the Defense Production Act of 1950, as amended, or in the enforcement or administration of the Act and the regulations or orders issued thereunder.

2. This delegation of authority shall take effect on August 31, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

AUGUST 30, 1951.

[F. R. Doc. 51-10619; Filed, Aug. 30, 1951; 12:01 p. m.]

INTERDEPARTMENTAL COMMITTEE ON TRADE AGREEMENTS

SUPPLEMENTARY TRADE-AGREEMENT NEGOTIATIONS WITH THE UNITED STATES OF VENEZUELA

Pursuant to section 4 of the Trade Agreements Act, approved June 12, 1934, as amended (48 Stat. 945, ch. 474, Public Law 50, 82d Cong.) and to paragraph 4 of Executive Order 10082 of October 5, 1949 (14 F. R. 6105), notice is hereby given by the Interdepartmental Committee on Trade Agreements of intention to conduct trade-agreement negotiations with the United States of Venezuela to supplement and amend the trade agreement with that Government signed at Caracas, November 6, 1939 (54 Stat. 2377), and proclaimed by the President on November 16, 1939 (54 Stat. 2375), and November 27, 1940 (54 Stat. 2402).

There is annexed hereto a list of articles imported into the United States of America to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in the proposed supplementary trade-agreement negotiations with the United States of Venezuela. Included in this list are certain articles now described in Schedule II of the existing agreement. The negotiations will not involve any change in the concessions on articles described in Schedule II of the Agreement which are not contained in the annexed list.

No article will be considered in the negotiations for possible modification of U. S. duties or other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment unless it is included specifically, or by reference, in the annexed list, or unless it is subsequently included in a supplementary public list. No duty or import tax imposed under a paragraph or section of the Tariff Act or Internal Revenue Code other than the paragraph or section listed with respect to such article will be considered for a possible decrease, although an additional or separate duty on an article included in the annexed list which is imposed under a paragraph or section other than that listed may be bound against increase as an assurance that the concession under the listed paragraph will not be nullified.

In the negotiations consideration will be given to the modification of Schedule I of the existing trade agreement with Venezuela, which contains tariff concessions by Venezuela, through the possible addition thereto of new articles, the deletion therefrom of certain articles, or the reduction or increase of the rates of duty specified in that Schedule. In the negotiations consideration will also be given to inclusion in the trade agreement with Venezuela of a so-called "escape clause" provision in conformity with the policy established in section 6 (a) of the Trade Agreements Extension Act of 1951 (Public Law 50, 82d Cong.), and perhaps to other additions to or modifications of the general provisions contained in the Agreement.

Pursuant to section 4 of the Trade Agreements Act, as amended by the Trade Agreements Extension Act of 1951, and paragraph 5 of Executive Order 10082 of October 5, 1949, information and views as to any aspect of the proposal announced in this notice may be submitted to the Committee for Reciprocity Information in accordance with the announcement of this date issued by that Committee.

The articles described in the annexed list will be the subject of an investigation by the United States Tariff Commission under the provisions of section 3 of the Trade Agreements Extension Act of 1951, which investigation was announced this date by the Commission [1] for the purpose of determining the so-called "peril points" with respect to such articles. The statute requires the Tariff Commission to hold its own hearings, and parties interested who wish to be assured that their information and views in connection with the Commission's investigation will be considered by the Commission should present them to the Commission in accordance with the procedure set forth in the Tariff Commission announcement. However, information and views submitted to the Tariff Commission, except for materials accepted by the Commission in confidence, will be made available to the Committee for Reciprocity Information.

By direction of the Interdepartmental Committee on Trade Agreements this 29th day of August 1951.

CARL D. CORSE,
Chairman, Interdepartmental Committee on Trade Agreements.

LIST OF ARTICLES IMPORTED INTO THE UNITED STATES WHICH IT IS PROPOSED SHOULD BE CONSIDERED IN TRADE AGREEMENT NEGOTIATIONS WITH THE UNITED STATES OF VENEZUELA

The following list contains descriptions of articles imported into the United States which it is proposed should be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in the supplementary trade-agreement negotiations which are proposed with the United States of Venezuela.

For the purpose of facilitating identification of the articles listed, reference is made in the list to the paragraph numbers of the tariff schedules in the Tariff Act of 1930 and the section numbers of the Internal Revenue Code. The descriptive phraseology is frequently limited to a narrower scope than that covered by the cited paragraph. In such cases only the articles covered by the descriptive phraseology of the list will come under consideration for negotiation.

In the event that an article which as of January 1, 1951, was regarded as classifiable under a description included in the list is excluded therefrom by judicial decision or otherwise prior to the inclusion of such description in a trade agreement, the list will nevertheless be considered as including such article.

Tariff Act of 1930, Paragraph:	*Description of products*
801	Iron in pigs and iron kentledge.
801	Granular or sponge iron.
1700	Iron ore, including manganiferous iron ore.
1710	Petroleum asphaltum.
1733	Petroleum, crude, fuel, or refined, and all distillates obtained from petroleum, including kerosene, benzine, naphtha, gasoline, paraffin, and paraffin oil, not specially provided for (except petroleum jelly or petrolatum, and except mineral oil of medicinal grade derived from petroleum).
Internal Revenue Code, Section:	
8422	Crude petroleum; fuel oil derived from petroleum; gas oil derived from petroleum, and all liquid derivatives of crude petroleum, except mineral oil of medicinal grade derived from petroleum, but including lubricating oil and gasoline or other motor fuel; and paraffin and other petroleum wax products.

[1] See United States Tariff Commission, *infra.*

[F. R. Doc. 51-10524; Filed, Aug. 30, 1951; 8:51 a. m.]

COMMITTEE FOR RECIPROCITY INFORMATION

SUPPLEMENTARY TRADE-AGREEMENT NEGOTIATIONS WITH THE UNITED STATES OF VENEZUELA

SUBMISSION OF INFORMATION TO COMMITTEE

Closing date for application to be heard September 28, 1951. Closing date for submission of briefs September 28, 1951. Public hearings open October 9, 1951, Room 105, National Archives Building, Washington, D. C.

The Interdepartmental Committee on Trade Agreements has issued on this day a notice of intention to conduct trade-agreement negotiations with the United States of Venezuela to supplement and amend the 1939 trade agreement with that Government.[1]

Annexed to the notice by the Interdepartmental Committee on Trade Agreements is a list of articles imported into the United States to be considered for possible concessions in these trade agreement negotiations.

The Committee for Reciprocity Information hereby gives notice that all applications for oral presentation of views in regard to the foregoing proposals, which must indicate the product or products on which the individuals or groups desire to be heard, shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon September 28, 1951, and all information and views in writing in regard to the foregoing proposals shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon September 28, 1951. Such communications shall be addressed to "The Chairman, Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C." Eleven copies of written statements, either typed, printed, or duplicated shall be submitted, of which one copy shall be sworn to.

Public hearings will be held before the Committee for Reciprocity Information, at which oral statements will be heard. The first hearing will be at 10:00 a. m. on October 9, 1951, in Room 105, National Archives Building, Seventh Street and Pennsylvania Avenue NW., Washington, D. C. Witnesses who make application to be heard will be advised regarding the time of their individual appearances. Appearances at hearings before the Committee may be made only by or on behalf of those persons who have filed written statements and who have within the time prescribed made written application for oral presentation of views. Statements made at the public hearings shall be under oath.

Persons or groups interested in import products may present to the Committee their views concerning possible tariff concessions by the United States in negotiations with the United States of Venezuela on any product, whether or not included in the list annexed to the notice of intention to negotiate. However, as indicated in the notice of intention to negotiate, no tariff reduction will be considered on any product which is not included in the list annexed to the public notice by the Interdepartmental Committee on Trade Agreements, unless it is subsequently included in a supplementary public list.

In the negotiations consideration will be given to the modification of Schedule I of the existing trade agreement with Venezuela, which contains tariff concessions by Venezuela, through the possible addition thereto of new items, the deletion therefrom of certain items, or the reduction or increase of the rates of duty specified in that Schedule. In the negotiations consideration also will be given to the inclusion in the trade agreement with Venezuela of a so-called "escape clause" provision in conformity with the policy established in section 6 (a) of the Trade Agreements Extension Act of 1951 (Public Law 50, 82d Congress), and perhaps to other additions to or modifications of the general provisions contained in the Agreement.

Views of interested persons may cover the items listed for consideration of possible tariff concessions by the United States, tariff or other concessions that might be requested of Venezuela, or any other phase of the proposed negotiations as herein outlined. Copies of the list attached and of the notice of intention to negotiate may be obtained from the Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C. and may be inspected in the Field Offices of the Department of Commerce.

By direction of the Committee for Reciprocity Information this 29th day of August 1951.

EDWARD YARDLEY,
Secretary, Committee for Reciprocity Information.

[F. R. Doc. 51-10525; Filed, Aug. 30, 1951; 8:51 a. m.]

[1] See Interdepartmental Committee on Trade Agreements, *supra*.

UNITED STATES TARIFF COMMISSION

SUPPLEMENTARY TRADE-AGREEMENT NEGOTIATIONS WITH THE UNITED STATES OF VENEZUELA

Investigation and public hearing under section 3 of the Trade Agreements Extension Act of 1951 and section 332 of the Tariff Act of 1930, in connection with proposed trade agreement negotiations with Venezuela.

The Interdepartmental Committee on Trade Agreements issued a public notice on August 29, 1951 regarding proposed trade agreement negotiations with the United States of Venezuela.[1] In accordance with section 3 of the Trade Agreements Extension Act of 1951, the President, on August 29, 1951 furnished the United States Tariff Commission with a list of all articles imported into the United States to be considered in the proposed negotiations with Venezuela for possible modification of United States duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment, and has requested the Tariff Commission to make an investigation and report with respect to each such article, as provided in said section 3 of the Trade Agreements Extension Act of 1951. A copy of the list of articles which the President has furnished the Commission is annexed to this notice.

Investigation instituted. Pursuant to section 3 of the Trade Agreements Extension Act of 1951 and under the authority of section 332 of the Tariff Act of 1930, the United States Tariff Commission has on this 29th day of August 1951, instituted an investigation with respect to the articles included in the list which the President furnished the Commission on that date pursuant to said section 3 of the Trade Agreements Extension Act of 1951.

Purpose of investigation. The purpose of the investigation is to obtain the facts necessary to enable the Tariff Commission to formulate findings for inclusion in a report to the President with respect to each article included in the President's list as to (1) the limit to which the modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment may be extended in order to carry out the purpose of section 350 of the Tariff Act of 1930, as amended (Trade Agreements Act) without causing or threatening serious injury to the domestic industry producing like or directly competitive articles, and (2) if increases in duties or additional import restrictions are required to avoid serious injury to the domestic industry producing like or directly competitive articles, the minimum increases in duties or additional import restrictions required.

Public hearing. In connection with the investigation, the Commission, pursuant to section 3 (b) of the Trade Agreements Extension Act of 1951, has ordered a public hearing, to begin at 10 a. m. on the 2d day of October 1951, at which parties interested will be afforded opportunity to be present, to produce evidence, and to be heard. Such hearing will be held in the Hearing Room, Tariff Commission Building, 8th and E Streets, NW., Washington, D. C.

Request for appearance at hearing. Interested parties desiring to appear in person or by representative and to be heard at the public hearing must file a request to that effect with the Secretary of the Tariff Commission not later than September 26, 1951, and indicate the articles with respect to which they desire to present testimony.

Written statements in lieu of appearance at public hearing. Persons who cannot appear at the public hearing but who desire to supply written information relevant and material to the subject matter of the investigation may do so by submitting written statements. Fifteen (15) clear copies of such statement, either typed, printed, or duplicated, shall be submitted, one copy of which must be sworn to. No special form for presentation of written views is prescribed. Written statements so submitted will be given the same consideration as testimony presented at the hearing, and, ex-

cept for confidential material (which should be supplied on separate sheets), will be open to public inspection. Written statements will be assured consideration by the Commission only if received by the Commission before the close of the public hearing.

Type of information to be developed at hearing or in written statement. Without excluding other information, but with a view to assisting the parties interested to present information useful in formulating findings required by the statute, testimony at hearings and written statements should give emphasis to facts relating to the following matters:

(1) Trends of domestic production, sales, and imports for the articles in question, including data on recent developments.

(2) The competitive strength of the foreign article and the like or directly competitive domestic article in the markets of the United States during a period which is representative of conditions of competition between such articles.

(3) Geographic areas of greatest competition between the domestic and the imported product and the principal market or markets in the United States.

(4) Costs of production of the foreign and the domestic article during the period specified under (2) above and the trend in costs of importation of the imported article.

(5) Additional information of a factual character bearing on the position of the domestic industry in competition with the imported article.

By order of the United States Tariff Commission.

[SEAL] DONN N. BENT,
Secretary.

LIST OF PRODUCTS INCLUDED IN THE PRESIDENT'S LETTER TO THE TARIFF COMMISSION DATED AUGUST 29, 1951

Tariff Act of 1930, paragraph:	*Description of products*
301---	Iron in pigs and iron kentledge.
301---	Granular or sponge iron.
1700--	Iron ore, including manganiferous iron ore.
1710--	Petroleum asphaltum.
1733--	Petroleum, crude, fuel, or refined, and all distillates obtained from petroleum, including kerosene, benzine, naphtha, gasoline, paraffin, and paraffin oil, not specially provided for (except petroleum jelly or petrolatum, and except mineral oil of medicinal grade derived from petroleum).
Internal Revenue Code, section:	
3422--	Crude petroleum; fuel oil derived from petroleum; gas oil derived from petroleum, and all liquid derivatives of crude petroleum, except mineral oil of medicinal grade derived from petroleum, but including lubricating oil and gasoline or other motor fuel; and paraffin and other petroleum wax products.

[F. R. Doc. 51-10535; Filed, Aug. 30, 1951; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18355]

WILLIAM KRANKENHAGEN ET AL.

In re: Real property owned by William Krankenhagen and others. File No. F-28-6929-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That William Krankenhagen, also known as Wilhelm Krankenhagen, Hellen Krankenhagen, Hagen Krankenhagen, Helga Krankenhagen Schwaab, Dagmar Schwaab, Barbara Schwaab, Heidrun Krankenhagen, Gernot Krankenhagen and Falko Krankenhagen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the children, names unknown and the personal representatives, heirs, next of kin, legatees and distributees of Helga Krankenhagen Schwaab and of Hagen Krankenhagen, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the personal representatives, heirs, next of kin, legatees and distributees of William Krankenhagen, also known as Wilhelm Krankenhagen, and of Hellen Krankenhagen, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

4. That the property described as follows: Real property situated in the City of St. Paul, County of Ramsey, State of Minnesota, particularly described as all of Lot 5, Block 1, Homer H. Hoyt Co.'s Addition to St. Paul, Minnesota, according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for said Ramsey County, and known as 461 North Snelling Avenue, St. Paul (4) Minnesota, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, William Krankenhagen, also known as Wilhelm Krankenhagen, Hellen Krankenhagen, Hagen Krankenhagen, Helga Krankenhagen Schwaab, Dagmar Schwaab, Barbara Schwaab, Heidrun Krenkenhagen, Gernot Krankenhagen, Falko Krankenhagen, the children, names unknown, and the personal representatives, heirs, next of kin, legatees and distributees of Helga Krankenhagen Schwaab and of Hagen Krankenhagen, and the personal representatives, heirs, next of kin, legatees and distributees of William Krankenhagen, also known as Wilhelm Krankenhagen and of Hellen Krankenhagen, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and that the children, names unknown, and the personal representatives, heirs, next of kin, legatees and distributees of Helga Krankenhagen Schwaab and of Hagen Krankenhagen and the personal representatives, heirs, next of kin, legatees and distributees of William Krankenhagen, also known as Wilhelm Krankenhagen and of Hellen Krankenhagen are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 4 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10493; Filed, Aug. 30, 1951; 8:48 a. m.]

[Vesting Order 18356]

MASAHIKO MIYAKODA

In re: Interest in real property owned by Masahiko Miyakoda. F-39-6765.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Masahiko Miyakoda, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: An undivided one-half (½) interest in real property situated in the City of Santa Monica, County of Los Angeles, State of California, particularly described as "the Southwesterly 54 feet of Lots 11 and 12, Clem-Mar Heights Tract as per map recorded in Book 10, Page 89 of Maps, Records of Los Angeles County", together with all heredita-

ments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C. on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10494; Filed, Aug. 30, 1951; 8:49 a. m.]

[Vesting Order 18357]

FRANK M. ODA

In re: Real property owned by Frank M. Oda. F-39-7013.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frank M. Oda, whose last known address is 373 Setagaya 1-chome, Setagayaku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Real property situated in the City of Florence, County of Lane, State of Oregon, particularly described in Exhibit A, attached set forth below and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Real property situated in the County of Lane, State of Oregon, described as follows:

Parcel 1. Lots numbered Eighteen (18) and Nineteen (19), in Block numbered Fifty-three (53), Chicago Addition to the City of Florence, as shown by the recorded plat thereof.

Parcel 2. Lot numbered Ten (10), Block Forty (40), Chicago Addition to Florence, Lane County, Oregon.

Parcel 3. Lot numbered Three (3), Block Forty-four (44), Chicago Addition to Florence, Lane County, Oregon.

[F. R. Doc. 51-10495; Filed, Aug. 30, 1951; 8:49 a. m.]

ANDRE BIRABEAU

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Andre Birabeau, 14 Rue Bosio, Monaco, France; Claim No. 36856; property to the extent owned by Claimant immediately prior to the vesting thereof by Vesting Orders Nos. 3430 (9 F. R. 230, November 17, 1944) and 3552 (9 F. R. 230, November 17, 1944) relating to the works listed as "The Little Dark Horse" and "Dame Nature", including royalties pertaining thereto in the amount of $242.41.

Executed at Washington, D. C., on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10498; Filed, Aug. 30, 1951; 8:49 a. m.]

FIRMIN ROZ

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Firmin Roz, 25 Quai de Conti, Paris, France; Claim No. 40435; property to the extent owned by claimant immediately prior to the vesting thereof by Vesting Order No. 3918 (9 F. R. 9515, August 4, 1944), relating to the literary work entitled "Vue Generale de Litterature Francaise" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $93.48.

Executed at Washington, D. C., on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10499; Filed, Aug. 30, 1951; 8:49 a. m.]

[Vesting Order 18359]

ERICH EICHER

In re: Estate of Erich Eicher, deceased. File No. F-28-27515 B-1 and C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That (Mrs.) Auguste Schulz, (Mrs.) Wilhelm Stier, (Mrs.) Katharine Fastrich, Julius Boke and Ernst Boke, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in, to, or against the estate of Erich Eicher, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Donald E. Adams, administrator, acting under the judicial

supervision of the Probate Court of Oakland County, Michigan;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10497; Filed, Aug. 30, 1951; 8:49 a. m.]

[Vesting Order 18358]

AUGUSTA BERNDT

In re: Estate of Augusta Berndt, deceased. File D-28-13040.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Edward Berndt, Franz Berndt, Minna Liebig, Dr. Albert Haftenborn, and Major Edward Haftenborn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Augusta Berndt, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Sheldon Brandenburger, Administrator with Will Annexed, acting under the judicial supervision of the Superior Court of the State of California, County of Los Angeles;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 27, 1951.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 51-10496; Filed, Aug. 30, 1951; 8:49 a. m.]

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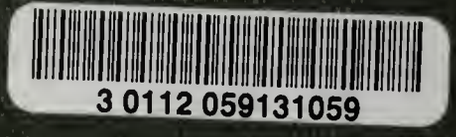
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